

**TRPA
GOVERNING BOARD
PACKETS**

**FEBRUARY
1985**

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2-85

TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on February 27, 28, 1985, commencing at 9:30 a.m. each day, the Governing Body of the Tahoe Regional Planning Agency will conduct its regular meeting at 2155 South Avenue, South Lake Tahoe, California. The agenda for said meeting is attached to and made a part of this notice.

NOTICE IS FURTHER GIVEN that on Thursday, February 28, 1985, commencing at 8:30 a.m. in the same location, the Finance Committee will meet to discuss the following: 1) administration of mitigation fee and security bond funds; 2) acceptance of financial statement; 3) status of FY 1985-86 and 1986-87 budget requests; and 4) reports on transportation funding requests and Wildwood/Bijou erosion control project funding.

Date: February 14, 1985


By: Gary D. Midkiff
Gary D. Midkiff
Acting Executive Director
Tahoe Regional Planning Agency

NOTE Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

TRPA Office, 2155 South Avenue
South Lake Tahoe, California

February 27, 1985 9:30 a.m.
February 28, 1985 9:30 a.m.

PRELIMINARY AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV CONSENT CALENDAR
- V LITIGATION
 - A. Consideration of Litigation in the Following:
 - 1. California Attorney General/League to Save Lake Tahoe v. TRPA
 - 2. Tahoe Sierra Preservation Council v. TRPA, et al (Eastern District of California and District of Nevada)
 - 3. City of South Lake Tahoe v. TRPA, et al (Eastern District of California), Unauthorized Expansion of Service at South Tahoe Airport
 - B. Closed Session to Confer on the Following:
 - 1. California Attorney General/League to Save Lake Tahoe v. TRPA
 - 2. Tahoe Sierra Preservation Council v. TRPA, et al (Eastern District of California and District of Nevada)
 - 3. City of South Lake Tahoe v. TRPA, et al (Eastern District of California), Unauthorized Expansion of Service at South Tahoe Airport
- VI EIS CERTIFICATION

Cove East Subdivision, Dillingham Development Company, City of South Lake Tahoe (Pursuant to Settlement Agreement)
- VII PROJECT REVIEW
 - A. Cove East Subdivision, Tentative Map for 26 Units, City of South Lake Tahoe (Pursuant to Settlement Agreement)
 - B. Caltrans, Tahoe City Left-Turn Channelization and Highway Widening, Highway 89, Placer County, TRPA File #84600

- C. City of South Lake Tahoe, Bus Turnouts, Highway 50, TRPA File #84032

VIII ENFORCEMENT

A. Show Cause Hearings

1. City of South Lake Tahoe, Unauthorized Expansion of Service at the South Tahoe Airport
2. Tom Montesano, Violation of Conditions of Approval and Revocation of Permit, 534 Cole Circle, Incline Village, Washoe County APN 122-135-15
3. Joseph Borselli, Unauthorized Land Coverage, 198 Ray Way, Skyland, Douglas County APN 05-023-01
4. Raymond Haas, Unauthorized Structure Below High Water Line, 5550 North Lake Boulevard, Placer County APN 89-051-08

B. Reports

1. Manny Beals, Unauthorized Construction and Signs, Douglas County APN 03-141-01 and 03-142-01
2. Other

IX PLANNING MATTERS

- A. Plan Area Statement Revisions
- B. Resolution Amending the Rules and Regulations of Practice and Procedure to Permit Staff Issuance of Emergency Permits
- C. Report of Neighborhood Delivery Center (NDC) Advisory Committee January 10, 1985 Meeting - NDC Site Evaluation Summary

X ORDINANCES

Second Reading of Ordinance Amending Section 2.12 of Ordinance 84-1 to Extend the Effective Date of Plan Area Statements as Interim Policy Guidelines

XI ADMINISTRATIVE MATTERS

- A. Appointment of Board Member to Attend March 20 Glenridge Settlement Conference in Fresno, California
- B. Finance Committee Report and Recommendations
- C. Executive Session to Discuss the Recommendations of the Executive Director Committee

D. Selection of an Executive Director

E. Other

XII REPORTS

A. Acting Executive Director

B. Legal Counsel

C. Executive Session

D. Governing Body Members

E. Public Interest Comments

XIII CORRESPONDENCE

XIV RESOLUTIONS

XV PENDING MATTERS

XVI ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommended Action</u>
City of South Lake Tahoe, Wildwood/ Bijou Erosion Control Project, Release of Mitigation Funds	Approval With Findings And Conditions

Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

(1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken.

(2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency.

(3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

TAHOE REGIONAL PLANNING AGENCY

P.O. Box 8896
South Lake Tahoe, California 95731

2155 South Avenue

(916) 541-0246

MEMORANDUM

February 20, 1985

To: The TRPA Governing Board

From: The Staff

Subject: City of South Lake Tahoe, Wildwood/Bijou Erosion
Control Project, Release of Mitigation Funds

The City of South Lake Tahoe has requested \$93,000 of the Water Quality Mitigation Fund for a major erosion control project in the Wildwood drainage. (See request letter and location map attached.) The project, which will begin construction this summer, includes:

- revegetation of 24 acres of eroding slopes and dirt roads
- rock-lining 5,900 feet of eroding drainage ditches
- replacement of 25,400 feet of inadequate pipes and eroding drainage ditches with new drains
- construction of three detention basins designed to reduce the flow rate and take up nutrients
- construction of 48 check dams to reduce the flow rate and improve riparian vegetation
- construction of 62,000 feet of curb and gutter to reduce roadside erosion
- construction of 7,900 feet of retaining walls to stabilize eroding slopes.

The proposed project utilizes standard BMP's, is consistent with the Lake Tahoe Basin Water Quality Management Plan (208 Plan), and is specifically exempt from the Preliminary Injunction.

Excluding improvements to be financed by the Forest Service and Caltrans, the City of South Lake Tahoe must finance \$3,559,500 to complete the project. The

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CONSENT CALENDAR ITEM

Memo to the Governing Board
Wildwood/Bijou Erosion Project
Release of Mitigation Funds
February 20, 1985 page two

breakdown of this cost is as follows:

State Assistance Grant	\$	1,091,000
Federal Clean Lakes Grant		1,138,000
City of South Lake Tahoe		
- Burton-Santini		47,500
- General Funds		50,000
- TRPA Mitigation Funds		93,000
- CTRPA Mitigation Funds		740,000
Supplemental Grant/Local Match		400,000
Total	\$	3,559,500

Since the funds requested are presently in the mitigation fund, staff recommends approval of the City's request with the following findings and conditions:

Findings

1. The City of South Lake Tahoe, with the assistance and cooperation of the TRPA, has completed a Preliminary Design Report for the Bijou/Wildwood Erosion Control Project (December 18, 1984) and intends to initiate construction in the summer of 1985.
2. The Lahontan Regional Water Quality Control Board has approved the project in concept and has committed over \$2.2 million in state and federal matching grants for the project.
3. The project is consistent with the Lake Tahoe Basin Water Quality Management Plan, TRPA, 1980.
4. The TRPA, acting as agent for the CTRPA, has entered into an agreement with the City to transfer \$740,000 in CTRPA mitigation funds for the project.

Conditions

1. The City agrees to obtain TRPA approval for this project pursuant to all permit requirements and otherwise applicable laws, regulations, and ordinances.
2. The City shall keep complete records of all funds expended on the project and how they were used. Such records shall be made available for review and audit by the TRPA upon written request.
3. The City shall reimburse the mitigation fund if the project is not completed as proposed by the City and approved by the Agency.

2/20/85

CONSENT CALENDAR ITEM



CITY OF
SOUTH LAKE TAHOE
CALIFORNIA

P.O. BOX 1210 — SOUTH LAKE TAHOE, CALIFORNIA 95705 — PHONE (916) 573-2030

MUNICIPAL ENGINEERING DEPARTMENT

Carol J. Drawbaugh
CITY ENGINEER

February 20, 1985

EXECUTIVE OFFICER
Tahoe Regional Planning Agency
P.O. Box 8896
South Lake Tahoe, CA 95731
Attention: Mr. Dave Ziegler

Gentlemen:

SUBJECT: TRPA MITIGATION FUNDS - BIJOU/WILDWOOD EROSION CONTROL PROJECT

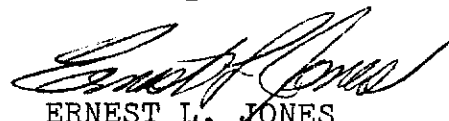
As you are aware, the City has moved into the final design stage of the Bijou/Wildwood Erosion Control Project. It is anticipated that the first phase of construction will proceed this summer. The current budget for the preferred project is \$4.2 million. The funds are a combination of Lahontan SAP and EPA grant funds, CTRPA mitigation funds, Caltrans participation, USFS participation, TRPA mitigation funds, Santini/Burton funds, and City general fund monies.

In order to consolidate all the various funding services, it is requested that \$93,000 of TRPA mitigation fees be approved for transfer to the City for this project.

Thank you for your consideration.

Sincerely,

CAROL J. DRAWBAUGH
City Engineer



ERNEST L. JONES
Project Engineer

ELJ:jb

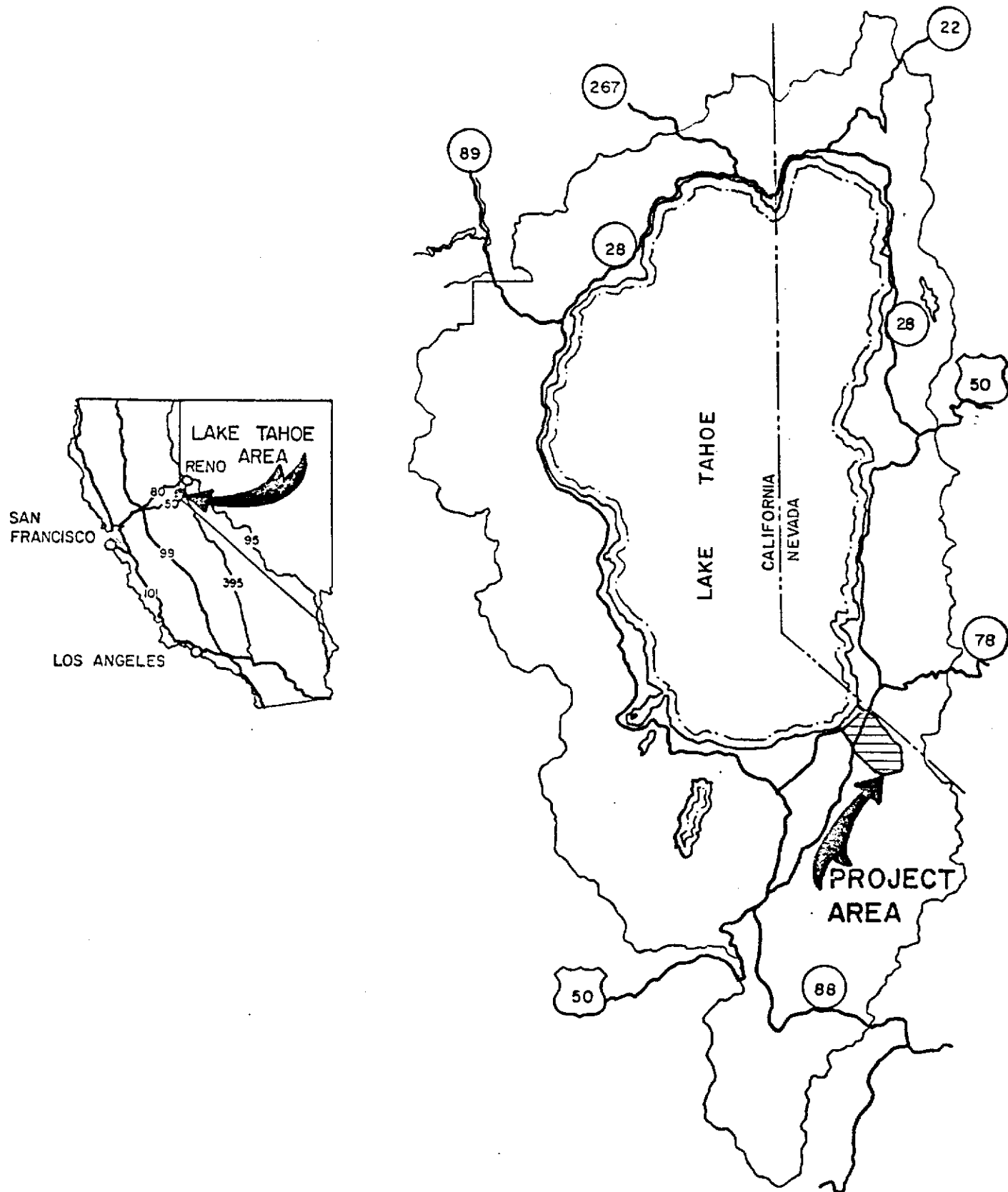


Figure 1 Project Location

TAHOE REGIONAL PLANNING AGENCY

P.O. Box 8896
South Lake Tahoe, California 95731

2155 South Avenue

(916) 541-0246

MEMORANDUM

February 20, 1985

To: TRPA Governing Board

From: Agency Staff

Subject: EIS Certification, Cove East Subdivision
Dillingham Development Company

The Executive Summary from the Final Environmental Impact Statement (EIS) for the Cove East project is enclosed for your review. The Final EIS includes the Final Environmental Impact Report (EIR) certified by the City of South Lake Tahoe on January 8, 1985, responses to comments made to the TRPA, responses to TRPA staff comments, and information on the economic viability of the project and alternatives to the project.

The Final EIS was found to be technically adequate by the Advisory Planning Commission (APC) on February 13, 1985. The APC also recommended that the EIS be certified by the Governing Board. Agency staff recommends that the EIS be certified.

Enclosed for your information is a copy of a letter received from the Planning and Conservation League (PCL). The letter was received after the 60 day review and comment period on the Draft EIS had ended on December 27, 1984. A copy of the Final EIS was mailed to PCL on February 15, 1985. Their original comments were contained in a letter addressed to the City of South Lake Tahoe, dated November 14, 1984. Responses to these comments were included in the Final EIR which was certified by the City of South Lake Tahoe.

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AGENDA ITEM VI

EXECUTIVE SUMMARY

COVE EAST

FINAL ENVIRONMENTAL IMPACT STATEMENT

Introduction to the Executive Summary

A Draft Environmental Impact Statement (EIS) has been prepared for the City of South Lake Tahoe and the TRPA concerning the application submitted by Dillingham Development Company for a proposed development known as Cove East, located at Tahoe Keys. This EIS conforms to the requirements of the California State Environmental Quality Act and the Tahoe Regional Planning Compact. The Final Environmental Impact Report (EIR), based upon this same draft document, was certified by the City of South Lake Tahoe on January 8, 1985.

The Draft EIS is intended to evaluate the significant environmental effects of the Project, to consider alternatives to the Project, and to identify possible methods to mitigate or avoid undesirable impacts. This EIS focuses attention on those primary impact categories defined by TRPA as requiring analysis. The impact categories addressed in the Draft EIS are as follows: Earth, Vegetation, Wildlife, Fisheries, Water Quality, Transportation/Circulation, Air Quality, Noise, Natural Hazards, Scenic Resources, Cultural Resources, Risk of Upset, Public Service and Utilities, Recreation, Population and Employment, and Economy. The Final EIS includes the Final City Environmental Impact Report, responses to comments made to the TRPA, responses to TRPA staff comments, and information on the economic viability of the project and its alternatives.

The purpose of this Executive Summary is to present a brief capsule summary of the following topics:

The principal facts relating to the proposed Project.

The character of the Alternatives selected for comparative evaluation.

A summary of the critical impacts of the Project/ Alternatives, and proposed mitigation measures.

This Executive Summary is in no way a substitute for the Draft EIS text as a whole, but is intended to provide an overview of the analyses and conclusions it contains.

The Settlement Agreement

Although subdivisions of land are prohibited by both the State of California and the TRPA, the Cove East project results from a Settlement Agreement between Dillingham and the TRPA dated April 28, 1983, in which prior established rights for development are recognized by the TRPA. The Agreement involves the disposition of five parcels of Dillingham owned land, four of which are now undeveloped. This EIS relates only to the development allowed on Parcels 3 and 4 for which the specific pertinent agreement provision is as follows:

"Parcels 3 and 4 - These parcels may be developed with up to 26 lots for residential units with a total land coverage of 463,000 square feet. A portion may be sold to the marina; however, land coverage available to Dillingham shall be reduced by one unit for each 12,000 square feet of Marina coverage. Parcels 3 and 4 may be sold to the United States Forest Service or any agency which will keep the land in open space."

As proposed by Dillingham, all of the physical improvements comprising the Cove East project are to be located on Parcel 4.

Description of the Site and the Project

Cove East is located at the eastern edge of the Tahoe Keys area and is bordered by the Keys Sailing Lagoon and Marina on the west, a 50 foot wide beach owned by the Tahoe Keys Property Owner's Association on the north, and the Upper Truckee River and Truckee Marsh on the east. Access to Cove East is provided by Venice Drive which now terminates with a cul-de-sac at the southern entrance to the property (Figure 1). The property encompasses 45.6 acres of which approximately 33.0 acres are land, 6.6 acres are Sailing Lagoon waters, and 6.0 acres are the Upper Truckee River and its stream environment zone near the mouth of the river.

The property is shaped like a pipe wrench, the mouth of which is an extension of the Keys Sailing Lagoon. There are two distinct land forms; the islet fronting on Lake Tahoe, having approximately 16.3 acres of land; and the southern or inland portion, having approximately 22.7 acres of land. They are connected by a 100 foot wide landfill separating the dredged Sailing Lagoon from the Upper Truckee River. The Tahoe Keys

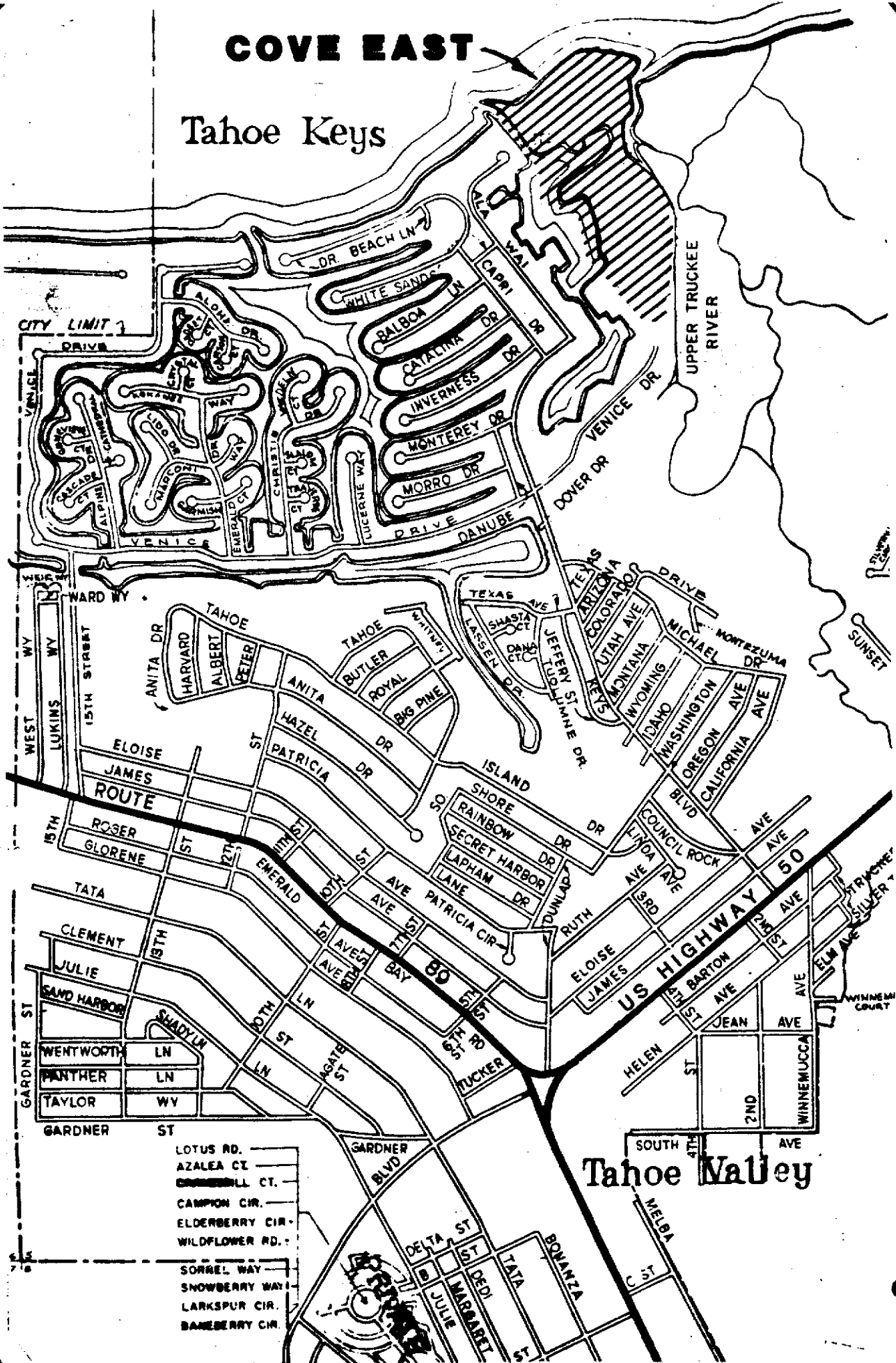
COVE EAST

Tahoe Keys

FIG. 1

COVE EAST VICINITY MAP

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Property Owner's Association owns the beach frontage, a 50 foot wide strip of land from the Lake's high water line. They also have a 20 foot wide relocatable easement along the Sailing Lagoon entrance and exit channel and a 20 foot wide relocatable access easement from Venice Drive to the beach area.

There is an existing 30 foot wide levee along the Upper Truckee River from the end of Venice Drive to the islet. The top of the levee is an access road; however, a fence and gate at the entrance to the property restrict access to bicycles and walking traffic. There is a strip of willows between the levee and the river.

The natural area at the river's mouth is heavily vegetated with willows which encroach onto the higher ground of the islet. The islet is the only area of the property which has trees, a sparse stand of Lodgepole Pines, the largest of which are approximately 50 years old. On the islet next to the Sailing Lagoon extension there is a concrete foundation from a ranch building which was built in the mid-1950's and which area was later used as a construction staging area for the Keys. There is also the remnants of the asphalt paving in the vicinity of the foundation. The only present use of the Lagoon extension is for storage of barges and other heavy, water related equipment. There is an overhead power line which traverses the islet.

The proposed project is shown on Figure 2 and anticipates the creation of a total of 26 large estate type lots, 16 of which are located on the islet and 10 of which are located on the inland fill area. The islet lots average approximately 25,000 square feet in area with the lots fronting on the beach having an average width of 85 feet. The inland lots vary in size from 0.8 to 4.0 acres.

All of the property is envisioned to be individually owned except:

1. A recreation parcel containing four tennis courts and eight parking places.
2. The main road which is an extension of Venice Drive.
3. An auxiliary road serving lots 17 and 18.
4. A commonly owned docking and boat launching facility with four parking places at the islet throat.

5. A commonly owned docking facility in the Lagoon extension, a 30 foot wide easement from that facility, several parking places, and a turn-around area on the islet at the end of the main road extension.
6. A sewage pump station.

Public access to the natural area at the Upper Truckee River mouth and to the beach will be along the existing levee to the islet throat, and thence along public easements. With the exception of easements for walking traffic, there is to be no public access to the Cove East development.

The entrance is to be fenced with a homeowner's security gate. There is to be a landscaped berm separating the levee and open area, and the residences on lots 25 and 26. A new 8 foot high slump stone block wall or landscaped berm is to be constructed by the marina to eliminate access to the property from the marina area.

The main access drive from the end of Venice Drive to the throat is designed similar to Tahoe Keys Boulevard within the Keys area. It is to have concrete curb and gutters, a 14 foot wide landscaped median and a 20 foot wide paved section in each direction. The extension of the main drive onto the islet and the driveway serving lots 17 and 18 is to be 24 feet wide with curb and gutter on each side.

The proposed project land coverage totals 424,000 square feet which is comprised of roads and parking totalling 97,000 square feet, recreation areas totalling 15,000 square feet, and 26 lots allowing an average of 12,000 square feet each.

Description of the Alternatives to the Project

As a part of this EIS, four alternatives to the project were defined and analyzed in order to compare their effects to those of the project. These alternatives are intended to serve as examples of the range of development options for the Project site.

The No Project Alternative assumes that no development of the site will occur and that it will remain essentially as it exists today or that a governmental