

**TRPA
GOVERNING BOARD
PACKETS**

**FEBRUARY
1986**

TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on Wednesday and Thursday, February 26 and 27, 1986, commencing at 9:30 a.m. each day at the TRPA office, 195 U.S. Highway 50, Round Hill, Zephyr Cove, Nevada, the Governing Body of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda for said meeting is attached to and made a part of this notice.

NOTICE IS FURTHER GIVEN that on Wednesday, February 26, 1986, commencing at 8:30 a.m. in the same location, the Finance Committee of said agency will meet to discuss the following: 1) receipt of the January financial statement; 2) the status of the TRPA retirement system; 3) status of the Agency's liability insurance and safety management program; 4) amendment to the FY 1985-86 Transportation Overall Work Program and 5) other.

NOTICE IS FURTHER GIVEN that on Wednesday, February 26, 1986, commencing at 9:00 a.m. in the same location, the Litigation Committee will meet in open session and in closed session to confer with counsel on the following: 1) State of California/ 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) Settlement of Brockway v. TRPA and California Regional Water Quality Control Board, Lahontan Region v. TRPA; 4) a guide for fines; and 5) other.

NOTICE IS FURTHER GIVEN that at 9:00 a.m. on Thursday, February 27, 1986, in the TRPA office, the Legislation Committee will meet to discuss legislation affecting the Tahoe Basin and hiring of a legislative monitor to aid TRPA in its budget process.

NOTICE IS FURTHER GIVEN that at the conclusion of the Wednesday, February 26 session and, if necessary, the Thursday, February 27, 1986 session, the Rules and Regulations Committee will meet to discuss revision of the Agency's Rules and Regulations of Practice and Procedure and the Administrative and Fiscal Procedures Manual.

Date: February 7, 1986

By: _____

W.A. Morgan
William A. Morgan
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, 195 U.S. Highway 50
Round Hill, Zephyr Cove, Nevada

February 26, 1986 9:30 a.m.
February 27, 1986 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 SPECIAL REPORT

Tahoe-Transportation District (TTD) Status Report

VI PROJECT REVIEW

A. Certification of the EIS for the Relocation
of the Lake Tahoe Community College

1. Public Testimony on Certification

VII PLANNING MATTERS

A. Approval for Drafting Purposes of Revisions to the Regional Plan Goals
and Policies

1. Public Testimony

B. Approval of Schedule for TRPA Action on the S & M Investment
Company (Brian Stack) Appeal and/or Ordinance Defining Compact Article
VI(p) Term "Legal Action"

C. Discussion of Draft Proposed Height Standard

D. Other

VIII LITIGATION

A. Authorization for Legal Counsel to Obtain Exemption
from Injunction for the Plan for 1986

B. Litigation Committee Report and Board Action, If Necessary,
on the Following:

1. State of California/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. Settlement of Brockway v. TRPA and California Regional Water Quality Control Board, Lahontan Region v. TRPA

C. Closed Session to Confer on the Following:

1. State of California/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. Settlement of Brockway v. TRPA and California Regional Water Quality Control Board, Lahontan Region v. TRPA

IX ADMINISTRATIVE MATTERS

A. Executive Session

B. Finance Committee Report and Board Action on Recommendations

1. Receipt of the January Financial Statement
2. Resolution Amending the FY 1985-86 Transportation Overall Work Program
3. Other

C. Legislation Committee Report and Board Action on Recommendations

1. Hiring of Legislative Monitor to Aid in TRPA's Budget Process
2. Other

D. Other

X RESOLUTIONS

A. Board Adoption of Resolution Setting Forth a Guide for Fines

1. Public Testimony

B. Adoption of a Resolution Regarding Unmet Transit Needs in the Unincorporated Portion of El Dorado County

1. Public Testimony

XI REPORTS

A. Executive Director

1. Status Report on Projects Approved at Staff Level

2. Status Report on Exemption Requests in Regional Plan Suit
3. Consultant Contract Authorization, Resource Concepts, Inc.,
Bijou Park Community Park and Golf Course EIS, TRPA File #85049
4. Other

- B. Legal Counsel
- C. Governing Body Members
- D. Public Interest Comments

XII CORRESPONDENCE

XIII PENDING MATTERS

XIV ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommended Action</u>
Sierra Pacific Power Company, Utility Undergrounding Secline Street, Placer County APN 530-300-00 (86-1)	Approval with findings and conditions
Sierra Pacific Power Company, Utility Undergrounding Highway 89/50 Junction to Pioneer Trail, Meyers APN 530-300-00 (86-1)	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

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547

MEMORANDUM

February 13, 1986

To: The TRPA Governing Board
From: The Staff
Subject: Project Continuance

Both items on the consent calendar (as follows) are to be continued from the February to the March Governing Board agenda with the concurrence of the applicant:

Sierra Pacific Power Company, Utility Undergrounding,
Highway 89/50 Junction to Pioneer Trail, Meyers
APN 530-300-00 (86-1)

Sierra Pacific Power Company, Utility Undergrounding,
Secline Street, Placer County APN 530-300-00 (86-1)

RA:jf
2/13/86

CONSENT CALENDAR ITEMS

TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
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P.O. Box 1038
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(702) 588-4547

MEMORANDUM

February 14, 1986

To: The TRPA Governing Board

From: The Staff

Subject: Certification of the EIS for Relocation
of the Lake Tahoe Community College

In August, 1985, the Agency obtained an exemption from the Preliminary Injunction to accept an application from the Lake Tahoe Community College for the purpose of processing an EIS on the proposed college campus relocation. Through the standard competitive bidding process, the Agency and the College District retained Quad Consultants, Sacramento, to prepare the EIS.

The TRPA began the 60-day circulation period for the EIS on October 23, 1985. Comments were due by December 21, 1985.

At its regular January meeting, the APC voted unanimously to recommend to the Governing Board that the Final EIS for the Lake Tahoe Community College relocation be certified. (The Final EIS consists of the Draft EIS, dated October 1985; the Final EIS, dated January 1986; and the document entitled "Revisions to Errata for Lake Tahoe Community College Final EIS," dated December 31, 1985.) The staff recommends that the Board certify the EIS at its February meeting.

The APC recommendation was conditioned on inclusion of a letter from the California State Office of Historic Preservation, stating that they did not object to placement of fill on the site to preserve archaeological features identified in the site survey. The APC added this condition in response to the comments of Alice M. Becker, Staff Archaeologist, Nevada State Department of Conservation and Natural Resources. (See pp. 92-94 of the Final EIS.) In his memo of January 21, 1986 (attached), Anders Hauge of Quad Consultants, states that the project archaeologists contacted the State Office and were informed that the Office would not review the project unless federal funds were involved. In subsequent discussions with the TRPA staff, Ms. Becker has indicated that--while she has reservations about the policies set forth in the CEQA guidelines as implemented in the EIS--the issue has been resolved to her satisfaction.

DZ:mmi
2/14/86

AGENDA ITEM VI A.

Memo to the TRPA Governing Board
Certification of EIS for Lake Tahoe
Community College Relocation
page two February 14, 1986

During review of the EIS, five issues arose which, although they are adequately addressed in the EIS, remain unresolved. They are:

1. The proposed project does not conform to the height standards adopted in Ordinance 84-1, nor does it conform to the draft Land Use ordinance reviewed by the APC in 1985. (At its January 1986 meeting, the Board directed the staff to prepare ordinance amendments on height standards to be applied generally throughout the Tahoe region. The Board is scheduled to review draft ordinance language at the February meeting.)
2. The College will have to obtain sewer permits from STPUD. (See page 84, Final EIS.)
3. There is currently funding for the building and access road but not for construction of the parking lots.
4. The visual impacts of the building from across the meadow may require a slight relocation of the building; coverage will remain the same.
5. The Agency will need more detail about drainage facilities, erosion control measures, and parking.

The foregoing five issues, though important in the Agency's decision to approve or not approve the project, are not in need of resolution in conjunction with the matter of certifying the EIS. The EIS needs to adequately disclose the environmental impacts. These five issues will have to be resolved during the project review phase. Since the Agency does not have an exemption from the Preliminary Injunction to consider the project yet, we have not worked out solutions to these issues.

If you have any questions or comments on this agenda item, please contact Dave Ziegler at (702) 588-3296.

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

February 18, 1986

To: The TRPA Governing Board

From: William A. Morgan, Executive Director

Subject: Goals and Policies Plan Revisions

Included are recommended revisions to the Agency's Goals and Policies Plan. The changes reflect the recommendations of the Consensus Building Workshop (CBW), as well as the staff's efforts to clean up some of the phrasing and terminology previously used. An earlier draft was sent to members of the CBW for comment. This draft was prepared following the response of the individual members of CBW. You will need your entire set of Goals and Policies Plan dated April 26, 1984, to be able to see the relationship of this material to the whole Goals and Policies Plan.

This material includes revisions to all of Chapter I; Goals #1 and #2 of Chapter II; and from Policy 2 of Goal #1, Chapter VII through Policy 1 of Goal #2, Chapter VII. These changes address the following key issues: the makeup of the Plan package, the community plan concept, the IPES, and the allocation of permits for single family dwelling units. You will notice an occasional footnote that indicates that more changes are expected for certain passages in the Plan that have not yet been changed but which almost surely will be later. Some of those changes are expected as a result of ongoing discussions between staff and others involved in making recommendations to the Governing Board. Examples are anticipated changes on the policies on phasing and on coverage. As further recommendations are firmed up, they will be incorporated into proposed changes in Goals and Policies. Some of the material in the recommendations given to you in previous months as a result of CBW agreements has not been incorporated in these Goals and Policies because it is properly addressed in ordinances or other parts to the Plan, such as Plan Area Statements.

At the Governing Board meeting, I will highlight the important revisions and invite discussion on the content. The desired outcome is for the Board to approve for drafting purposes all that is presented. Additional revisions will be presented later. When all proposed changes are complete and a supplemental EIS is prepared, a public hearing will be held, following which the Board may adopt, by ordinance, the entire set of revised Goals and Policies.

WAM:jf
2/18/86

AGENDA ITEM VII A.

CHAPTER I

DRAFT
Revisions
2/14/86

INTRODUCTION

The Regional Plan describes the needs and goals of the Region and provides statements of policy to guide decision-making as it affects the Region's resources and remaining capacities. The Plan and all of its elements, as implemented through Agency ordinances and rules and regulations, provides for the achievement and maintenance of the adopted environmental threshold carrying capacities while providing opportunities for orderly growth and development.

Authority

The Tahoe Regional Planning Agency (TRPA) was reorganized and given new duties under provisions of the December 19, 1980 amendments to the Tahoe Regional Planning Compact, as--amended (Public Law 96-551). In adopting the amended Compact, the following findings were made:

Article I - Findings and Declarations of Policy

(a) It is found and declared that:

- (1) The waters of Lake Tahoe and other resources of the region are threatened with deterioration or degeneration, which endangers the natural beauty and economic productivity of the region.
- (2) The public and private interests and investments in the region are substantial.
- (3) The region exhibits unique environmental and ecological values which are irreplaceable.
- (4) By virtue of the special conditions and circumstances of the regions natural ecology, developmental pattern, population distribution and human needs, the region is experiencing problems of resource use and deficiencies of environmental control.
- (5) Increasing urbanization is threatening the ecological values of the region and threatening the public opportunities for use of the public lands.
- (6) Maintenance of the social and economic health of the region depends on maintaining the significant scenic, recreational, education, scientific, natural and public health values provided by the Lake Tahoe Basin.
- (7) There is a public interest in protecting, preserving and enchancing these values for the residents of the region and for visitors to the region.

- (8) Responsibilities for providing recreational and scientific opportunities, preserving scenic and natural areas, and safeguarding the public who live, work and plan in or visit the region are divided among local governments, regional agencies, the States of California and Nevada, and the Federal Government.
- (9) In recognition of the public investment and multistate and national significance of the recreational values, the Federal Government has an interest in the acquisition of recreational property and the management of resources in the region to preserve environmental and recreational values, and the Federal Government should assist the States in fulfilling their responsibilities.
- (10) In order to preserve the scenic beauty and outdoor recreational opportunities of the region, there is a need to insure an equilibrium between the region's natural endowment and its manmade environment.
- (b) In order to enhance the efficiency and governmental effectiveness of the region, it is imperative that there be established a Tahoe Regional Planning Agency with the powers conferred by this compact including the power to establish environmental threshold carrying capacities and to adopt and enforce a regional plan and implementing ordinances which will achieve and maintain such capacities while providing opportunities for orderly growth and development consistent with such capacities.
- (c) The Tahoe Regional Planning Agency shall interpret and administer its plans, ordinances, rules and regulations in accordance with the provisions of this compact.

These findings are intended to direct the actions of the Agency in implementing the amended Compact. The Compact requires that the Agency review any activities that may substantially affect the land, water, air, space or any other resources of the Region. The basis for such review is to be a set of standards known as environmental threshold carrying capacities (thresholds) as implemented through a regional plan. The Compact requires the TRPA to adopt thresholds within 18 months from the date the Compact is approved (December 1980) and subsequent to that, and within 1 year of thresholds adoption, develop a regional plan that both achieves and maintains the thresholds.

Planning Approach

The development of the Regional Plan is the culmination of a two phase process involving the establishment of (1) environmental standards and (2) carrying capacities as defined through the Plan. Thresholds establish the environmental standards for the Region and, as such, indirectly define the capacity of the Region to accommodate additional development. The Environmental Thresholds Study Report provides the basis and rationale for the establishment of thresholds while the Regional Plan and implementing ordinances define the actual limits and potential for new development consistent with the constraints imposed by the thresholds.

Threshold Development. The development of environmental threshold carrying capacities followed a 4 step process. As with the development of many 'master plans', the first step incorporated a public participation program involving state, federal and local agencies, and the general public. Concurrently, a program was implemented at this stage to provide public awareness and to track the progress of the study. This process helped to identify issues and the components of the environment that are of local, regional, or national significance. Value or goal statements established the bounds of interest for each component such that the focus for establishment of thresholds was narrowed as much as possible. For example, air quality is an environmental component but the threshold development process focused specifically on such 'sub-issues' as carbon monoxide and ozone.

Step 2 identified the variables that affect each environmental component. From this, cause and effect relationships between variables were established. These relationships were then evaluated in Step 3 relative to their individual contributions to the resource such that thresholds were established only for those causal factors that are most significant to the resource. (A threshold is established to identify a particular event, circumstance, or condition that will create an unacceptable change or degradation of a particular resource of interest.) Steps 2 and 3 were necessary to (1) initially identify the factors responsible for unacceptable changes in the resource and (2) identify the appropriate threshold necessary to protect the resource or to achieve a particular value. Not all environmental components lent themselves to simple quantification and linkage to particular numerical measurements. In such instances, distinction was made between numerical, management, and policy thresholds.

Step 4 highlighted the mechanisms necessary to achieve or maintain the thresholds. This step was preliminary to the more detailed analysis accomplished through the development of policies and ordinances as part of the Regional Plan. Through this evaluation, it was possible to assess the technical feasibility of attaining the thresholds and a chance to review any thresholds that might seem impractical. See Appendix for the adopted Thresholds. Each place a Threshold is stated in this Goals and Policies Plan it is printed in italics.

Plan Development. The development of the Regional Plan was structured around the adopted thresholds and other issues of local and regional significance. Issues, other than those associated with thresholds, were initially identified through scoping meetings with local agencies and others. Agency staff then performed extensive analyses of available data, evaluated alternative techniques for achieving or maintaining environmental thresholds, and developed a recommended plan. A scoping report developed in September 1982 provided a summary of the proposed Plan development process, listed preliminary goal statements to address various issues, and outlined a process to evaluate Plan alternatives. Additional issues were later identified through an intensive public participation program carried out during October 1982. The results of that effort, as well as feedback from the Advisory Planning Commission, Steering Committee, and the Governing Board, provided an ongoing process of issue identification and goal formulation.

Upon adoption of the April, 1984 amended Plan, the Agency was unable to implement most of the amended Plan due to a federal court injunction. As a result of litigation, the Agency undertook a variety of efforts designed to resolve the conflicts surrounding the Plan. One major effort involved the use of a conflict resolution method known as a consensus building workshop (CBW). The CBW was designed to use a consensus building process to bring together all of the key stakeholders, those with a major interest in the final adopted Plan, in an attempt to reach consensus agreements on a number of the most critical issues of conflict. As a result of this consensus building process, a number of areas of conflict were tentatively resolved by the participants. Significant amendments to the Plan were developed based on resolutions reached by the CBW. Additional efforts by staff, local planners, the APC and its committees, and numerous workshops around the basin resulted in further specific recommendations. Subsequent to the presentation of these recommendations and other independent efforts to resolve remaining conflicts, the Governing Board, and Advisory Planning Commission held public hearings to receive and consider public testimony, and participated in lengthy debates on the final content of the Amended Goals and Policies Plan.

Plan Updates

The Regional Plan is not a static document but will be reviewed and amended as necessary to achieve environmental threshold carrying capacities and as necessary to reflect new data. At a minimum, the Plan will be evaluated at 5 year check points to ascertain the status of plan implementation and progress towards the attainment of environmental threshold carrying capacities. the initial 5 year interval shall begin upon the date of adoption of the Regional Plan.

~~An Environmental Impact Statement For Adoption Of A Regional Plan For The Lake Tahoe Basin was released in February 1983. The EIS presented a series of Plan alternatives that ranged from an emphasis of maximum regulation to an incentive approach to encourage redevelopment. Impacts were keyed to the potential for development under each alternative. Mitigation programs and costs and environmental risks associated with each alternative were integral to the assessment. All ranges of Plan alternatives provided for the ultimate attainment of thresholds although it was shown that increased opportunities for development required higher mitigation costs especially associated with water quality and transportation improvements. The sixty day review period of the EIS was accompanied with an intensive public hearing process that solicited comments from within the Basin and from 6 regions outside the Basin. The comments received throughout the process, including those of the Advisory Planning Commission and Governing Board, were addressed in an addendum to the EIS. Significant issues were dealt with and resolved through interchanges with the staff and members of the APC and Governing Board. The resolution of particularly troublesome issues was often an on-going process lasting up to the time of Plan adoption.~~

~~The Development of this Policy Plan evolved from the EIS process. Specific policies were developed in response to baseline requirements necessary to achieve individual goals and thresholds. Overall, the policies of the Plan provide for additional growth and development consistent with the ability of mitigation measures to increase the carrying capacity of the Basin.~~

An Environmental Impact Statement for Adoption of a Regional Plan for the Lake Tahoe Basin was released in February, 1983. The initial EIS examined a series of Plan alternatives including the various elements that were eventually adopted by the Governing board in April, 1984. Following the completion of an extensive review of the Plan during 1985 and 1986, and development of a proposed amended Plan to supercede the 1984 Plan, preparation of a supplemental EIS was determined to be necessary. The supplemental EIS focused on proposed amendments which resulted from the efforts to settle litigation and resolve conflicts surrounding the 1984 amended Plan. The Supplement was prepared and circulated in accordance with Article VII of the Tahoe Regional Planning Compact.

Organization

~~The Goals and Policies Plan and accompanying Plan Area Statements provide the basic frame work for judging the merits of individual projects. Goals depict the desired end states or values to be achieved while policies establish the strategies necessary to attain the goals. This part of the Plan represents standard or baseline policies to be reviewed against all project proposals. The Plan Area Statements provide a brief description of each planning area. In addition, each statement identifies planning issues inherent to that area and establishes appropriate policy direction to resolve those issues. The Plan is implemented and enforced through the ordinances and rules and regulations of the Agency. The policies of the Plan are interpreted in the language of the ordinances and, as such, amendments or changes in one requires a corresponding change in the other. Specific programs of Plan implementation are also included.~~

~~The official Agency Maps delineate the boundaries of each planning area and depict the corresponding land capability classification and land use designation. Other maps include information pertaining to vegetation, wildlife, fisheries, the shoreline, transportation, and historical sites.~~

The Tahoe Regional Planning Compact, the Environmental Threshold Carrying Capacities, the Regional Goals and Policies Plan, the Agency regulations, the Plan Area Statements, Community Plans, master plans, redevelopment plans, Agency programs, and Design Review Guidelines provide the basic framework for judging the merits of individual projects. The hierarchical relationship is depicted in Figure I-1 and explained in the text below.

Tahoe Regional Planning Compact This bistate compact as amended on December 19, 1980, requires the adoption of Environmental Threshold Carrying Capacities to set standards for the Region. Once that was done, the compact required adoption and implementation of a regional plan to meet these Thresholds and other specific requirements of the Compact. Included in regional plan requirements are a Land Use Element, Transportation Element, Conservation Element, Recreation Element, and Public Services and Facilities Element. In order to meet the implementation and scheduling requirements the Agency has added an Implementation Element. Also required in the TRPA plan package are ordinances and programs.

Environmental Threshold Carrying Capacities As required by the Compact, the Agency adopted ETCC's for the Region in Resolution 82-11. This document sets forth standards for water quality, air quality, soils, wildlife, fisheries, vegetation, scenic quality, and recreation. One of the major purposes of the regional plan package following this section is to establish regulations and programs to achieve and maintain these thresholds.