

**TRPA
GOVERNING BOARD
PACKETS**

**JANUARY
1986**

1-86

January 22, 1986

TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on Wednesday and Thursday, January 22 and 23, 1986, commencing at 10:00 a.m. and 9:30 a.m., respectively, 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, January 22, 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 December financial statement; 2) the status of the TRPA retirement system; 3) resolution requesting extension on preparation of Transportation Development Act compliance audit; 4) agreement for payment of UMTA Section 8 planning grant between Placer County Transportation Commission and TRPA; 5) response to FY 1984-85 Audit management letter; and 6) other.

NOTICE IS FURTHER GIVEN that on Wednesday, January 22, 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) Spear, et al. v. TRPA et al. and Hiring of Other Counsel in Spear, et al. v. TRPA, et al.; 2) State of California/ League to Save Lake Tahoe v. TRPA; 3) Forrester, et al. v. TRPA, et al.; 4) Tahoe Sierra Preservation Council v. TRPA, et al. (Eastern District of California and District of Nevada); 5) Glenbrook Properties, et al. v. TRPA, et al.; 6) a guide for fines; and 7) other.

NOTICE IS FURTHER GIVEN that at 9:00 a.m. on Thursday, January 23, 1986, in the TRPA office, the Legislation Committee will meet to discuss legislation affecting the Tahoe Basin.

NOTICE IS FURTHER GIVEN that at the conclusion of the Thursday, January 23, 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: January 3, 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

January 22, 1986
January 23, 1986

10:00 a.m.
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 PLANNING MATTERS

- A. Certification of the EIS for the Relocation of the Lake Tahoe Community College
- B. Final Recommendations from Consensus Workshop Group
- C. Discussion on Plan for 1986 Building Season
- D. Other

VII LITIGATION

- A. Consideration of and Decision 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. Spear, et al. v. TRPA, et al.
 - 4. Forrester, et al. v. TRPA, et al.
- B. 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. Spear, et al. v. TRPA

4. Forrester, et al. v. TRPA, et al.

VIII ADMINISTRATIVE MATTERS

- A. Retention of Other Counsel for Spear, et al. v. TRPA, et al.
 1. Executive Session
- B. Executive Session
- C. Finance Committee Report and Recommendations
- D. Legislation Committee Report and Recommendations
 1. Representative to Aid in TRPA's Budget Process
 2. Other
- E. Other

IX RESOLUTIONS

- A. Discussion and Possible Action on Resolution Adopting a Guide for Fines
- B. Resolution Requesting Extension on Preparation of Transportation Development Act Compliance Audits
- C. Resolution Regarding Unmet Transit Needs in the Unincorporated Portion of El Dorado County
- D. Resolution for Former Board Member Tony Clark

X REPORTS

- A. Executive Director
 1. Projects Approved at Staff Level
 2. Status Report on Exemption Requests in Regional Plan Suit
 3. Other
- B. Legal Counsel
- C. Governing Body Members
- D. Public Interest Comments

XI CORRESPONDENCE

XII PENDING MATTERS

XIII ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommended Action</u>
Skyland Water Company, New Water Intake Line, Douglas County APN 05-051-23, TRPA File #85088	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

NOTICE OF AMENDED AGENDA

NOTICE IS HEREBY GIVEN that the scheduled time for the meeting of the Rules and Regulations Committee, as set forth on the cover notice of the regular meeting agenda for the Governing Body of the Tahoe Regional Planning Agency, is hereby amended. The Rules and Regulations Committee will meet at the conclusion of the Wednesday, January 22, 1986 session of the regular meeting of the Governing Body in the TRPA office. If necessary, the meeting may continue over to Thursday, January 23, 1986 after the regular Board meeting.

Date: January 13, 1986

By:



William A. Morgan
Executive Director
Tahoe Regional Planning Agency

TAHOE REGIONAL PLANNING AGENCY

Staff Summary

Applicant: Skyland Water Company

Application Type: Public Works, New Water Intake Line

Location: 83 Skyland Court, Douglas County, APN 05-051-23

Land Use District: Low Density Residential

Land Capability Classification: CaD, Land Capability Level 4

Shorezone Tolerance: District 8

Plan Area: 65

Review Per Section:

1. Paragraph 1(e) Order Amending Order Granting Preliminary Injunction, July 16, 1985 (specific project exemption).
2. Article VI(b) of the TRPA Compact.
3. Article 6.3 of the Rules and Regulations.
4. Section 3.00 (Article V(g) Findings) Section 4.30(2) (Review of Other Pending and New Projects) and Section 4.31(1) and (2) (Review Criteria) of TRPA Ordinance 84-1.
5. Section 4.12, 4.32, 7.12, and 8.33 of the TRPA Land Use Ordinance.
6. Section 4.11, 5.10 and 5.20 of the TRPA Shorezone Ordinance.

Project Description: The project consists of the addition of a ten inch (10") diameter water intake line and appurtenances. The intake will be approximately 350 feet long and will extend into Lake Tahoe approximately 300 feet, paralleling an existing six inch (6") diameter water line. The water line will tie into an existing pump house located in the backshore approximately 45 feet from the high water line of Lake Tahoe. The proposed new water line is shown on Attachment A.

Site Information: The existing coverage is conforming to land capability and the shoreline is adequately protected from erosion. The existing pipeline from the pump house to the lakeshore is exposed above grade presenting a potential safety hazard, and detracts from the scenic quality of the area. The improvements on the site have adequate infiltration facilities, however, stormwater from Skyland Drive and Skyland Court is directed through the property via a drainage channel and energy dissipator that has been neglected and needs repair. Much erosion is evident at the base of the drainage channel.

Purpose of the Project: The improvements are necessary to provide adequate domestic service and fire flows for protection of the homes and public facilities within the service area of the Skyland Water Company. Pumpage capacity will be increased from 300 gpm to 750 gpm, or more. This will enable Tahoe-Douglas Fire Protection District to meet their "combined storage requirement" by utilizing existing in-line storage together with Lake Tahoe as a storage reservoir.

Impact Analysis and Mitigation Measures: A potential pollutant discharge of waste earthen materials may exist from the project as a result of dredging operations. The applicant has completed an Environmental check list and staff has determined that subject to the proposed conditions of approval, the project will not result in any significant environmental impacts and will substantially improve an existing drainage problem on the parcel. An improvement to the pump house was approved in 1980 along with retrofitting the site to "208" however, additional water quality work is necessary to mitigate stormwater that originates from Skyland Drive and Skyland Court.

Consistency With Applicable Plans, Ordinances, Regulations and Standards:

<u>Applicable Elements</u>	<u>Findings</u>
1984 Regional Plan, Part I: Goals & Policies	Consistent
Section 3.00 of TRPA Ordinance 84-1	Consistent
TRPA Shorezone Ordinance	Consistent
TRPA Land Use Ordinance	Consistent

Other Agency Review:

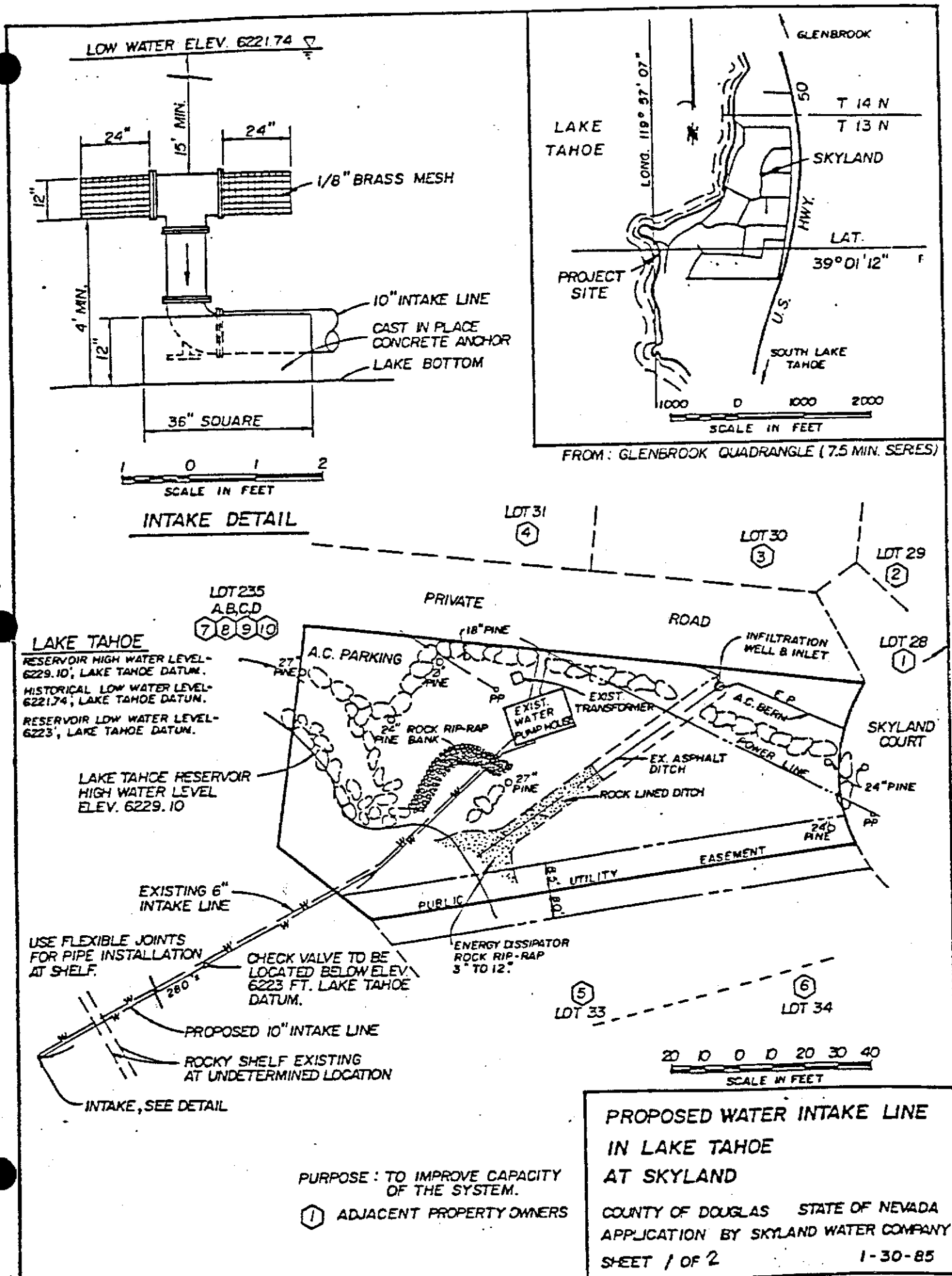
1. State of Nevada Division of State Lands Department of Conservation and Natural Resources permit issued with conditions.
2. United States Army Corps of Engineers permit issued with conditions.
3. State of Nevada Department of Human Resources approval, no conditions.
4. Public Service Commission of Nevada conditional approval issued.

Required Actions and Findings:

To approve the project, the Governing Board must take the following actions and make the following findings:

- I. A motion for a finding of no significant effect with direction to staff to prepare the necessary certification document to be included with the permit.
- II. A motion for approval of the project based on the following findings and conditions which are to be included in writing with the permit:

- A. Findings of Article III(g)(2) of the Compact - The project complies with the regional plan, applicable ordinances, and rules and regulations of the Agency.
- B. Findings of Article VI(b) of the Compact - The project is consistent with the regional plan and all applicable plans, ordinances, regulations and standards of federal and state agencies relating to the protection, maintenance and enhancement of the environmental quality of the Region.
- C. Findings of Section 5.1 of the TRPA Shorezone Ordinance (Attachment B).
- D. Findings of Section 5.2 of the TRPA Shorezone Ordinance (Attachment B).
- E. Findings of Section 3.00 (Article V(g) Findings) of TRPA Ordinance 84-1. (Attachment K).
- F. Conditions listed on Attachment F.
- G. The following special conditions:
 - 1. The applicant shall modify the plans and bury the existing water intake line along with the proposed line from the pump building to a point at or below the lowest water elevation of Lake Tahoe. Upon completion of the project neither pipeline shall be visible at the shoreline.
 - 2. Prior to issuance of the permit adequate plans depicting the size, use, and configuration of a turbidity barrier as well as method of any necessary dredging must be submitted and approved by Agency staff. No waters within the dredging area having a turbidity greater than 20 NTU shall be permitted to escape the containment area nor co-mingle with the waters of Lake Tahoe.
 - 3. The applicant shall remove the existing asphalt drainage channel and replace with a combination infiltration trench and rock-lined ditch, rebuild and repair the existing energy dissipator at the terminus of the drainage channel, and rejuvenate the existing drywell and silt trap.
 - 4. All concrete pipe and anchors shall be pre-cast, no cast in place anchors are allowed.



NOTES:

1. The proposed 10-inch diameter intake line will be placed adjacent and parallel to the existing 6-inch intake line and will extend approximately 300 feet from the high water line.
2. The intake will be placed and constructed so as to satisfy regulations of the State of Nevada Department of Environmental Protection (N.A.C. 445.372(3)) which requires that intakes be screened, extended off the lake bottom by about 4 feet, and that there must be at least 15 feet of water over the intake. See intake detail.
3. The proposed 10" intake line will be constructed of 10 gauge welded steel pipe, coated and wrapped. Other types of pipe material or other protective coatings may be substituted, provided that strength and durability are at least equal to the specified pipe.
4. A 10-inch check valve is to be located just below elevation 6,223 feet, as indicated.
5. The pipe line will be placed in a trench from the pump house to the edge of water. From water's edge to the intake, the pipe line will be placed directly on the lake bottom.
6. A flexible pipe joint will be used to accommodate grade changes at the rocky shelf which is known to exist offshore at the location of the intake line.
7. No modifications of the existing pump house or other features are proposed, and there will be no change in impervious surfaces coverage.
8. All areas of land disturbance will be restored to natural state and landscaped, using native plant materials.

REQUESTED BY
Suzanne Meaurio, Clerk
 IN OFFICIAL RECORDS OF
 DOUGLAS COUNTY, NEVADA

'85 JUN 12 AIO:58

SUZANNE MEAURIO
 RECORDER

1100 DEPUTY

PROPOSED WATER INTAKE LINE
 IN LAKE TAHOE
 AT SKYLAND

COUNTY OF DOUGLAS STATE OF NEVADA
 APPLICATION BY SKYLAND WATER COMPANY
 SHEET 2 OF 2

1-30-85

118472

TAHOE REGIONAL PLANNING AGENCY
SHOREZONE ORDINANCE FINDINGS

ATTACHMENT B

I Findings of Section 5.1 - The project will not cause significant harm to:

1. The shorezone and underlying land;
2. Fish and aquatic habitats and fish spawning ground;
3. The natural beauty of the area;
4. Navigation, safety or health; and
5. The water quality of the lake, including, but not limited to, its purity, clarity, temperature, color, taste, and odor; the more restrictive of federal and state water quality standards shall set the minimum water quality standards applicable to a proposed development or use.

II Findings of Section 5.20:

1. Granting such permit will not result in substantial interference with public use of the lake's navigable waters;
2. There are sufficient accessory facilities to accommodate the proposed construction or use;
3. Granting the proposed construction or use will not violate any other law (e.g., increasing shorezone coverage beyond that permitted in the Land Use Ordinance); and
4. Granting the proposed construction or use will not be incompatible with existing shorezone uses or structures on or in the immediate vicinity of the littoral parcel, or that modifications of such existing uses or structures will be undertaken to assure such compatibility.

TAHOE REGIONAL PLANNING AGENCY
ARTICLE V(g) FINDINGS FOR PROJECT REVIEW
PENDING ADOPTION OF AGENCY REGULATORY CODE

ATTACHMENT K

Pursuant to Article V(g) of the Compact and as set forth in Section 3.00 of TRPA Ordinance 84-1, the Agency has made the following specific, written findings prior to approving the subject project:

- (1) The project is consistent and complies with the CTRPA and Agency ordinances, maps, rules, regulations and policies in effect on August 25, 1983 where said ordinances, maps, rules, regulations and policies are not inconsistent or in conflict with the amendments to the regional plan adopted by this ordinance. In the event said ordinances, maps, rules, regulations or policies are inconsistent or in conflict with said amendments to the regional plan, the Agency shall find that the project is consistent and complies with said amendments to the regional plan.
- (2) The project has been processed in accordance with the Agency's Rules and Regulations of Practice and Procedure.
- (3) With respect to projects for which an environmental impact statement has not been prepared, the project, including compliance with the conditions of approval, will not have an adverse significant, individual or cumulative impact on the environment.
- (4) The establishment, maintenance and operation of the project will not be detrimental to the health, safety, peace, comfort or general welfare of the Lake Tahoe Region.
- (5) The project, including compliance with the conditions of approval, is consistent with, and thus will not adversely affect implementation of the regional plan, as amended hereby, including but not limited to the Land Use, Transportation, Conservation, Recreation, Public Services and Facilities and Implementation Elements of said plan.
- (6) The project is consistent with the goals and policies of the Water Quality Element of the regional plan, as amended hereby, and therefore will not cause the adopted environmental threshold carrying capacities for water quality to be exceeded.
- (7) The project is consistent with the goals and policies of the Transportation and Air Quality Elements of the regional plan, as amended hereby, and therefore will not cause the adopted environmental threshold carrying capacities for air quality to be exceeded.
- (8) The project is consistent with the goals and policies of the Conservation Element of the regional plan, as amended hereby, and therefore will not cause the adopted environmental threshold carrying capacities for vegetation, wildlife, fisheries, soils and scenic quality to be exceeded.

10/4/84

FORMS1: Attachment K

- (9) The project is consistent with the goals and policies of the Recreation Element of the regional plan, as amended hereby, and therefore will not cause the adopted environmental threshold carrying capacities for recreation development to be exceeded.
- (10) The project is consistent with the goals and policies of the Public Services and Facilities Element of the regional plan, as amended hereby.
- (11) The project is consistent with the goals and policies of the Implementation Element of the regional plan, as amended hereby.
- (12) It has been demonstrated that the suppliers of water, sewage treatment, fire protection, educational services, police protection and other appropriate utilities have or will have the physical and legal capacity to supply said services to the project.
- (13) There is substantial evidence in the record supporting the foregoing findings.

10/4/84

FORMS1: Attachment K

TAHOE REGIONAL PLANNING AGENCY
CONDITIONS FOR PROJECTS IN THE FORESHORE AND NEARSHORE

ATTACHMENT F

1. Each of the following conditions shall be completely performed prior to the issuance of the TRPA permit:
 - a. The final revegetation, slope stabilization, and drainage plans shall be submitted to and approved by the Agency staff. These plans shall clearly depict: 1) slope stabilization methods to be performed to stabilize all existing and proposed cut and fill slopes and areas denuded of vegetation; 2) areas to be revegetated, including complete specifications for such revegetation; 3) fencing for vegetation protection; 4) temporary and permanent erosion control devices; 5) measures to be taken for dust control; 6) all drainage facilities; and 7) utility trenches.
 - b. Adequate security shall be posted with the TRPA to insure proper installation of all slope stabilization and drainage improvements and revegetation shown on the plans approved under condition 1a. (For details on security procedures, please refer to Attachment J.) The amount of the security shall be equal to 150% of the estimated costs of the required slope stabilization, drainage improvement and revegetation.
 - c. Calculations prepared by a qualified civil engineer demonstrating that the drainage improvements are capable of retaining on site the storm water flows from a 2-year, 6-hour storm shall be submitted to and approved by Agency staff.
2. The approval will not become effective and the project may not commence unless and until the applicant acknowledges and accepts the conditions of approval by placing his signature on the TRPA permit.
3. No construction methods shall be utilized that will degrade the water of Lake Tahoe.
4. No rock or other natural material shall be relocated, including rock removal by blasting, that are not indicated on the approved plans without first obtaining TRPA staff approval.
5. Agency staff shall be notified at least forty-eight (48) hours prior to the commencement of construction. This notification shall include: a) who will be doing the work; b) when the work will commence; and c) when the completion of work is expected.
6. A TRPA permit shall not be issued by the Agency until the applicant has provided written proof that all other necessary approvals, leases, waivers, etc., have been obtained for the subject project.

3/13/85

FORMS1: Attachment F

Page 1 of 5

7. There shall be no grading or land disturbance performed with respect to the project between October 15 and May 1, unless proper approvals are obtained from the TRPA.
8. There shall be no grading, filling, clearing of vegetation (which disturbs soil) or other disturbance of the soil during inclement weather and for the resulting period of time when the site is covered with snow or is in a saturated, muddy or unstable condition. This prohibition extends to snow removal on unpaved construction sites.
9. All material obtained from any excavation work that is not contained within foundations, retaining walls, or by other approved methods shall be removed from the subject parcel and disposed of at a site approved by Agency staff.
10. Replanting of all exposed surfaces, as per the revegetation and slope stabilization plan, shall be accomplished within the first growing season following disturbance, unless the approved construction/inspection schedule establishes otherwise.
11. Soil and construction material shall not be tracked off the construction site. Grading operations shall cease in the event that a danger of violating this condition exists. The site shall be cleaned up and road right-of-way swept clean when necessary.
12. During construction, environmental protection devices such as adequate erosion control devices, dust control and vegetation protection barriers shall be maintained.
13. Rehabilitation and cleanup of the site following construction must include removal of all construction waste and debris.
14. All other permits regarding the development shall comply with these conditions.
15. This approval becomes invalid if a local government permit for this project expires or will-serve letters are cancelled.
16. All erosion control, drainage improvements, revegetation and temporary erosion control shall be in compliance with the guidelines set forth in the TRPA 208 Handbook of Best Management Practices.
17. All construction shall be accomplished in strict compliance with the plan approved by TRPA.
18. The TRPA permit and the final construction drawings bearing the TRPA stamp of approval shall be present on the construction site from the time construction commences to final TRPA site inspection. The permit and plans shall be available for inspection upon request by any TRPA employee. Failure to present the TRPA permit and approved plans may result in the issuance of a Stop Work Order by the TRPA.