

**TRPA
APC
PACKETS**

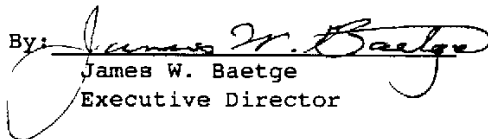
**MAY
1995**

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on Wednesday, May 10, 1995, at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California. The agenda for the meeting is attached hereto and made a part of this notice.

May 1, 1995

By:


James W. Baetge
Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

North Tahoe Conference Center
8318 North Lake Boulevard
Kings Beach, California

May 10, 1995
9:30 a.m.

All items on this agenda are action items unless otherwise noted.

AGENDA

Page #

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Advisory Planning Commission on an agenda item not listed as a Public Hearing or a Planning Matter item, or on any other issue, may do so at this time. However, public comment on Public Hearing items will be taken at the time those agenda items are heard.

NOTE: THE ADVISORY PLANNING COMMISSION IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

IV. DISPOSITION OF MINUTES

V. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

- A. Amendment of Chapter 95, Rental Car Mitigation Program, for Consumer Price Index (CPI) Adjustment 1
- B. Draft EIR/EIS for the South Tahoe Public Utility District A-Line Pipeline Relocation Project 2-3
- C. Recommendation on Finding of Technical Adequacy for the South Tahoe Public Utility District Future Facilities Connection Plan Final EIR/EIS 4-11
- D. Draft EIR/EIS for Heavenly Master Plan 12

VI. REPORTS

- A. Executive Director
- B. Legal Counsel
- C. APC Members

VII. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court
Elks Point, Nevada

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

(702) 588-4547
Fax (702) 588-4527

MEMORANDUM

May 2, 1995

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Chapter 95, Rental Car Mitigation Program, for
Consumer Price Index (CPI) Adjustment

This item was scheduled prematurely and will be heard by the APC and Governing Board in July.

jf
5/2/95

AGENDA ITEM V.A.

TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court
Elks Point, Nevada

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

(702) 588-4547
Fax (702) 588-4527

MEMORANDUM

May 1, 1995

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Notice of Circulation; Draft EIR/EIS for the South Tahoe Public Utility District (STPUD) A-Line Pipeline Relocation Project

Copies of the above-referenced document were previously mailed to you under separate cover. The 60 - day public comment period began on April 7, 1995 and concludes on June 7, 1995. This item has been placed on the agenda to solicit public and Governing Board comments during the circulation period. No action is requested at this time.

Background:

This document examines the potential environmental impacts of four alternatives, including a no project alternative, for replacement of approximately 4 miles of wastewater export line currently located in a stream environment zone (SEZ). The alternatives examined are:

- **No Action/No Project Alternative:**

This alternative would provide that the existing A-Line portion of the effluent export system would remain in its present location and condition.

- **Route IV Alternative:**

This alternative would relocate that portion of the A-Line which is within the Upper Truckee River stream environmental zone (SEZ). The new alignment would consist of a 36 inch diameter pipeline from Barbara Avenue to a tie-back connection near Highway 50 and Meadow Vale Drive. This alternative is approximately 4.15 miles long, of which 73% would be located within existing roadways.

- **Route VII Alternative:**

This alternative is similar to the Route IV for the first half of the alignment. The second half of the alignment would use lands adjacent to the Upper Truckee River SEZ. This alternative is approximately 3.85 miles long, of which 46% would be located within existing roadways.

May 1, 1995

Planning for the Protection of our Lake and Land

AGENDA ITEM V. B

2

Route IV-A Alternative:

This alternative is a combination of Routes IV and VII. This route would follow the Route VII alignment to a point just northwest of Ponca Street. At Ponca Street the alignment would connect to Boren Way and follow the Route IV alignment to Highway 50 and Meadow Vale Drive. This alignment would be approximately 4.07 miles long. This alternative has been identified as the environmentally superior alternative in the Draft EIR/EIS.

A presentation regarding the contents of the Draft EIR/EIS will be made at the Governing Board meeting by TRPA, STPUD and Harland Bartholomew and Associates (HBA) staff. If you have any questions or comments regarding this matter please contact Rick Angelocci of the TRPA staff at (702) 588-4547.

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MEMORANDUM

May 1, 1995

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Administrative Final EIR/EIS for the STPUD Future Sewer Connections Plan

On April 24, 1995 TRPA staff recieved a copy of the first administrative final of the above-referenced document. At the request of STPUD, TRPA staff expedited review of the administrative final and submitted preliminary comments to STPUD on April 28 (see attached).

As of the writing of this staff summary, TRPA staff has not received the revised final adminstrative EIR/EIS for review. As such, TRPA staff has not been able to fully review the document to provide a recommendation to the APC regarding technical adequacy. Copies of the second administrative final (without TRPA staff review) will be distributed by STPUD to the APC and commentors on the Draft EIR/EIS.

It is anticipated that by the APC meeting of May 11, TRPA staff will have completed review of the second administrative final EIR/EIS and be prepared to make a recommendation on the technical adequacy of the document.

If you have any comments regarding the document please contact Rick Angelocci of the TRPA staff at (702) 588 - 4547.

May 1, 1995

AGENDA ITEM V. C

TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court
Elks Point, Nevada

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

(702) 588-4547
Fax (702) 588-4527

To: Robert Baer, STPUD

From: Rick Angelocci, R.J. Nicolle, Susan Scholley

Subject: Preliminary Comments on the Final EIS for STPUD's Future Connection Plan

In the interest of accelerating your project beyond normal timelines, we are forwarding our preliminary comments to you on the Final EIS for STPUD's Future Connection Plan. We have only had a few days to review this complex document, and thus our review has been expedited. We have not been able to fully review and digest the entire text, responses and new charts. In addition, the final draft does not reflect all our earlier comments. We further note that there are still some critical problems concerning the adequacy of some of the responses to comments. We forward these comments to you with the understanding that you will include them in your next printed version. If we review the next printed version and our comments are not incorporated into document, we will not be able to recommend certification, and may suggest further revisions.

In addition, we understand that Lahontan will commence its technical review of this document on Monday. We also reserve the right to request further revisions based on Lahontan's technical review.

Pages 4-7, 4-8, 4-30, 4-74, 4-75:

The language throughout the document referring to the CTS MOU needs to be re-written. The MOU is not final yet, so STPUD is not legally committed at this point. Also the language is out of date, since STPUD is no longer doing Phase I, and since the list of Phase I commitments is obsolete. Since it is unclear whether STPUD will participate in Phase II, or III of the CTS MOU, the language should be re-written to commit the \$200,000 for transportation mitigation programs or the CTS MOU in a more general form. Also all references to using the \$200,000 for school and/or park mitigation must be deleted. The proposed text referred to on page 4-30 has not been provided to us.

Pages 2-29 through 2-32 (of the new text sent 7/27/95):

The language concerning the impacts on schools remains inadequate. The section either needs to mitigate the impacts, reflect that there are no significant impacts, or a Statement of Overriding Considerations needs to be drafted to justify certifying the document in spite of these impacts. The text you sent to us in response to Comment 7-1 on April 27, 1995, should be utilized in any Statement of Overriding Considerations that is drafted.

Pages 4-86 through 4-97 (text of hearing):

References to Kay "Barnett" should be corrected to Kay "Bennett." Also, quotes attributed to Governing Board member Steve Wynn appear to have been made by STPUD staff.

Page 4-95 (text of hearing):

Susan Scholley is incorrectly identified as the commentor on this page.

Pages 1-1, 4-44, 4-64:

Delete references to STPUD alleged "legal" obligation to serve "allocated capacity."

Page 1-2:

Delete unnecessary and premature reference to the May 1995 Governing Board hearing.

Pages 4-23, Mitigation Table pp 6, Appendix A:

The Meadowcrest extension needs to be deleted from the Mitigation Table, since it is not a mitigation measure (delete also reference to Johnson Ave on the Mitigation Table in the same area). Meadowcrest is described as "neither part of the project description nor required as a mitigation measure" in Appendix A, therefore it should not be in the Mitigation Table. Page 3 the mitigation table is scrambled, since the school district references are under the recreational facilities topic.

Mitigation Table

The Mitigation Table erroneously refers to STPUD, TTD, CSLT, El Dorado County as implementing entities. This needs to be deleted unless STPUD has commitments from them to back up this delegation. If STPUD does not have binding commitments from them, the mitigation is useless. TRPA does not mind being the implementing agency for enforcing its own laws. Also, since TRPA has a MOU to delegate the review of single family dwellings to the City of South Lake Tahoe and El Dorado County, enforcement of Code conditions for these type structures is appropriate.

Also the mitigation measures on pages 3 through 5, of the Mitigation Table, are only for the "no project" alternative, and this should be reflected clearly in each - e.g. by an inserted text before each saying "(no - project alternative only)." Delete the reference on Pages 3 and 4, of the Mitigation Table, that refers to TRPA's duty "to identify appropriate fees or other measures to increase school facilities, fire protection services, police services, water services, or wastewater services." Also delete TRPA's duties to "Develop additional sources of funding for recreational facilities" on page 3 of the Mitigation Table. TRPA's duties should be limited to compliance with

Chapter 27, the Basic Services Chapter.

Pages 4.6-24 (of the Draft EIR)

The significant impact on recreational facilities identified in the EIR/EIS has still not adequately been dealt with. The final EIR/EIS does not contain any new text to supplement the problems we identified earlier with this section. Please be aware that recreation is a TRPA Threshold. This means that it would be illegal for TRPA to adopt a Statement of Overriding Considerations on this impact. This means that in order to certify this EIS, the EIS must determine that there is no impact, or else STPUD will need to provide some recreational mitigation which renders the impact to a less than significant level. We would suggest the text refer to the donation of water as a mitigation measure for the City of South Lake Tahoe (see pp 4-74 of Administrative Final). In addition, there should be mitigation for the impacts upon El Dorado County. The result of the conclusion should be that the donations mitigate the impacts to a less than significant level.

Page 4-3

Re-write the last sentence on the fourth paragraph as follows "TRPA concludes that the additional connections projected under Alternatives 1,2, and 3 will not exacerbate any environmental damage caused by periodic accidental spills from the STPUD collection system. Thus the impact of the connections is less than significant."

Page 4-4

The last sentence on the second paragraph needs to be re-written. Earlier in the paragraph you appeared to measure the extractions, yet the last sentence said they are "immeasurable." Instead, the text should conclude that the impact of the extractions is less than significant.

Page 4-6

The last sentence on the second paragraph has some text regarding a "note." This should be stricken and the text referred to supplied to TRPA.

Page 4-18

The text on the first sentence on the Response to Comment 5-19 says, "Alternative 1,2, or 3, could contribute to the frequency or volume of spills from the A-line portion of the STPUD pipeline." No mitigation measures are suggested to mitigate this impact, and they need to be. Instead the text refers to the District's "analyzing and plans to modify its current surge relief valve installations." Studies are not sufficient to mitigate impacts. Instead draft a concrete mitigation measure such as "STPUD will modify its current surge relief systems on the A-line."

Page 4

Page 4-19

The second paragraph contains the sentence that "a leak would be unaffected by additional connections for most leak occurrences." This choice of wording means that the additional connections would affect some leak occurrences. Either this potential must be determined to be less than significant, or a mitigation measure must be designed for it.

Page 4-22

The second paragraph refers to certain mitigation measures that will reduce potential sewage spills to a less than significant level. This list is incomplete since it does not cover all the reasons for the 1995 spills. The mitigation measures should cover the spills from the pumpstations.

Page 4-25

The text on this page and all pages discussing potential impacts should include the conclusion that the recognized impacts are less than significant or else include mitigation measures to reach this conclusion.

Page 4-31

The second paragraph contains a reference to "I/I". This abbreviation is not explained until page 4-34. Either write out the term "infiltration and inflow" in place of the abbreviation or define it earlier.

Page 4-34

The last sentence of the fifth paragraph appears to be a mitigation measure that should be included in the Mitigation Table.

Page 4-47

The last sentence of the second paragraph refers to "equalization on line." We are not sure if the implementation of the equalization function should be listed as a mitigation measure. It appears to have some function to prevent spills.

Page 4-53

The text of the first full paragraph does not make any sense. It refers to a bracketed "option." We need to see the text chosen.

Figure 5

Figure 5 needs to include 1995 data on spills (white line).

Page 5

Figure 6 and 7

The titles of these figures needs to be corrected.

Page 4-57

The second paragraph states that failures "are minimized by aggressive inspection, repair and maintenance programs and well as substantive capital programs to replace or improve aging systems." The text on inspections, repairs and maintenance should be a mitigation measure. The text on capital improvement programs should be clarified and included as a mitigation measure as well. The text should conclude that the impacts discussed and the mitigation measures adopted will reduce the impacts to a less than significant level.

Page 4-70

The first full paragraph refers to the installation of emergency generators at the waste water treatment plant and Luther Pass Pump Station. This should be a mitigation measure. Also this section and the response to Comment 8-33 should both conclude that the impacts will be less than significant.

Page 4-75

The first full paragraph on this page is followed by the bracketed "more to come." This text needs to be inserted and approved by TRPA.

Charts:

Generally the the charts and graphs are hard to read and contain many errors.

Page 4-27, 1st paragraph:

The trend in the region is that there are less and less second homes being constructed. As the allocation system is limited, most construction tends to be for primary residences. This may change the assumptions used in the response.

Page 4-30:

Use of the proposed transportation mitigation money for the school impact mitigation is inappropriate, and is inconsistent with the negotiations on the CTS MOU. This subject will be an issue in the determination of adequacy of the document.

Page. 4-49, 1st paragraph:

Refers to weekly volume of 114 million gallons & 85.3 million gallons

generated by a 1986 type storm event. Pg. 4-37 refers to 71.1 million

gallons; pg. 4-35 refers to 102.9 million gallons & 71.1 million gallons; pg. 4-52 refers to 85.2 million gallons. All of these references should be made consistent.

Page 4-53, Response 8-24:

The optional mitigation measure mentioned is not included.

Page 4-73, Response 8-37:

The Air Quality mitigation fee for a new single family dwelling is \$2,000, not \$1,600.

Page 4-74, CTS agreement:

Stated facts are stale, should be updated to reflect existing status of agreement. MOU may need to be signed before adoption of this mitigation measure.

Page 4-75, Additional language for mitigation (more to come):

Do not agree that additional language submitted from STPUD by fax 4/28 should be included in document.

February 8 APC and February 22 Governing Board comments contain many errors. Should be revised to accurately reflect comments, commentors and responses (i.e., Kay Barnett)

Mitigation Monitoring Program:

The series of tables contain numerous errors. In many instances, the implementing authority is not a party to the EIR/EIS and there is no indication as to whether they concur with the responsibilities assigned to them.

The impacts, mitigation measures, actions and implementing parties appear to be in the wrong location (i.e., mitigation measure 4.6-2(a) refers to recreation impact while the action refers to school impacts). In addition, the TRPA should not be responsible to identify appropriate fees or other measures to increase school facilities or other public facilities as identified in the monitoring program.

Appendix A references that Meadow Crest Drive extension is not a part of the project nor a required mitigation measure. If this is so, why is it included as a mitigation measure in the monitoring program?

Faxed Paragraph Received 4/28/95 for Insertion in Comment 8-37:

TRPA rejects the insertion of this text into the Final EIS. This is a legal argument designed to shift potential litigation toward TRPA and away from STPUD. If STPUD wishes to make this argument, it should be in a letter from STPUD's counsel.

Old Sewer Allocation System:

Somewhere the text of the document needs to discuss how this new system interfaces with the old sewer-unit allocations. It appears the new system will give away all the public service and recreational capacity to residential units. Such re-allocation of all public service and recreational capacity is unacceptable to TRPA. The text should clarify that capacity is being retained for these purposes, as well as prior commitments to State Parks and the U.S. Forest Service.

RICK ANGELOCCI
R.J. NICOLLE
SUSAN SCHOLLEY