

**TRPA
GOVERNING BOARD
PACKETS**

**JANUARY
1997**

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD AND COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on Wednesday, January 22, 1997, commencing at 9:30 a.m., at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda is attached hereto and made a part of this notice.

Governing Board Committee items are action items unless otherwise noted.

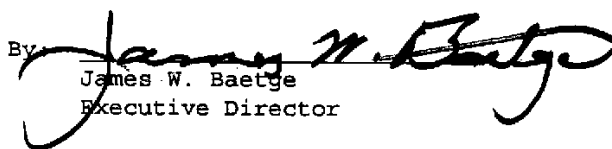
NOTICE IS FURTHER GIVEN that on January 22, 1997, commencing at 8:30 a.m. at the same location, the Finance Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) receipt of the December check register and financial statement; 3) release of \$40,000 from the Shorezone Mitigation Fund for the special studies related to the shorezone EIS; 4) use of abandoned securities (\$3,000); 5) amendment of filing fee schedule; 6) Legal Division financial report; and 7) member comments. (Committee: Neft, Heller, Hime, Chairman Bennett)

NOTICE IS FURTHER GIVEN that on January 22, 1997, commencing at 8:30 a.m. at the same location, the Legal Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) Meadville appeal of IPES score, Placer County APN 112-220-27; and 3) member comments. (Committee: Miner, Cronk, Sevison, Waldie, DeLanoy)

NOTICE IS FURTHER GIVEN that on January 22, 1997, during the lunch recess at 12:00 noon, at Steamer's Restaurant, 8290 North Lake Boulevard, Kings Beach, California, the Capital Financing Committee will meet. The agenda will be as follows: 1) public interest comments; 2) coordinated regional disaster recovery; and 3) 1997 legislative packet; and and 3) member comments. (Committee: Westergard, Miner, Cronk, Waldie)

Date: January 13, 1997

By:


James W. Baetge
Executive Director

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

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
GOVERNING BOARD

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

Wednesday, January 22, 1997
9:30 a.m.

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

AGENDA

Page#

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL AND DETERMINATION OF QUORUM
- III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Governing Board on any agenda item not listed as a Project Review, Public Hearing, RTPA, Appeal, or Planning Matter item may do so at this time. However, public comment on Project Review, Public Hearing, RTPA, Appeal, and Planning Matter items will be taken at the time those agenda items are heard.

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

- IV. APPROVAL OF MINUTES
- V. APPROVAL OF AGENDA
- VI. CONSENT CALENDAR (see page 3)
- VII. PROJECT REVIEW
 - A. Round Hill Square, Commercial Modification, 199 Highway 50, Round Hill, Douglas County APNs 05-290-03, -06, and -12
- VIII. PUBLIC HEARING (*items include action on the findings plus action on related ordinances, resolutions, environmental documents, and/or plans)
 - A. Status Report on Recommendations of the 1996 Threshold Evaluation Report, Appendix B Schedule of Implementation
 - 1. Potential Water Quality, Air Quality, Vegetation, Noise, and Fisheries Threshold Amendments (A List)
 - 2. Potential Goals and Policies and Code Amendments Adopted With the 1996 Environmental Threshold Report
 - 3. Other Amendments, Programs, and Studies (B and C Lists)
 - B. Draft EIS for the Lake Tahoe Shorezone Development Cumulative Impact Analysis

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CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>	
1. Release of \$40,000 from the Shorezone Mitigation Fund for Special Studies Related to the Shorezone EIS	Approval	1
2. Wiley, Land Capability Challenge, Fairview and Mount Rose Highway, Washoe County APN 126-245-01	Approval	3
3. Smith, Pier Modification/Expansion, 1035 Lake-shore Boulevard, Incline Village, Washoe County APN 130-230-08	Approval With Findings And Conditions	10

These consent calendar items are expected to be routine and noncontroversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category.

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.

Article III (g) Public Law 96-551

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

January 10, 1997

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of \$40,000 From The Shorezone Mitigation Fund
For Special Studies Related To The Shorezone EIS

Requested Action: Staff requests the release of \$40,000 from the Shorezone Mitigation fund for the purpose of reimbursing TRPA for additional studies conducted in order to update the Lake Tahoe Shorezone Development Cumulative Impact Analysis Draft Environmental Impact Statement. The additional studies that have been completed or nearly completed to date are the Be Soils Study, Scenic Mitigation Study, Fish Spawning Study, and Noise Impacts of Motorized Watercraft.

Background: At the Governing Board meeting of March 22, 1993, the process by which TRPA staff would draft the Shorezone EIS was presented, discussed, and accepted. This process included TRPA staff drafting the majority of the document with the technical advice of hired mentors (technical experts).

A staff proposal to fund the shoreline inventory, drafting of the environmental document, and printing costs partially with Shorezone Mitigation Fund monies was submitted to and approved by the Governing Board in May 1993. In accordance with Section 56.5 of the TRPA Code of Ordinances, "Mitigation fees collected pursuant to this chapter shall be used to fund studies assessing existing or potential impacts created by shorezone structures, or methods for achieving restoration within the shorezone, or to fund habitat restoration projects." A summary of those costs follows:

Mentors	\$70,000
Intern	\$3,000
Printing Costs	\$11,000
Boat Rental	\$5,000
Misc.	\$750
Total	\$90,000

CS/rd

CONSENT CALENDAR ITEM 1

Memorandum to Governing Board
Release of \$40,000 From The Shorezone
Mitigation Fund
Page 2

In addition, another \$3,000 was released from the Shorezone Mitigation Fund in 1995 and \$5,000 was added as part of a legal settlement (Hawkins and Vennard). These additions brought the total Shorezone EIS account budget to \$98,000.

Since the original budget was drafted for the Shorezone EIS, there have been many changes. Additional studies in the areas of fisheries, soils, scenic quality, and noise have been required, and it was necessary for TRPA to contract with the U.S. Forest Service for a facilitator of the consensus process. The cost of these additional studies and contracts exceed the \$98,000 budget.

There is currently a commitment of \$15,000 in private and public funds to pay for a portion of these costs, and TRPA has committed a portion of its operating budget. However, there is still a shortfall of approximately \$40,000 at this time for which shorezone mitigation funds are being requested.

It should be noted, that depending on the discussions at the Governing Board meeting this month and the direction given to staff by the Board regarding the Shorezone EIS and the personal watercraft issue, staff may need to request the release of the additional shorezone mitigation funds (approximately another \$40,000) to cover any additional associated costs.

If you have any questions or comments regarding this agenda item, please contact Coleen Shade at (702) 588-4547.

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MEMORANDUM

January 9, 1996

To: TRPA Governing Board

From: TRPA Staff

Subject: Land Capability Challenge; Thad Wiley: APN 126-245-01; Fairview Drive and Mount Rose Highway; Washoe County, Nevada

Staff Recommendation

Staff recommends that the Governing Board approve the land capability challenge changing the land capability class on a 10,680 square feet (sq. ft.) portion of this parcel from Class 3 to Class 4 (see Exhibit 1).

Background

The subject parcel is shown as Land Capability Class 1a on the TRPA Land Capability Overlay maps. The Soil Survey for the Lake Tahoe Basin Area places this parcel within the UmF (Umpa very stony sandy loam, 30 to 50 percent slopes) soil map unit.

The parcel is located in Unit 1 of the Chateau Acres Subdivision. No land capability verification was completed on this parcel, but the parcel was evaluated under the Individual Parcel Evaluation System (IPES). Based on an IPES determination of allowable base coverage, an area of 20,645 sq. ft. of the parcel was found to be similar and contiguous to the one-third acre evaluated under IPES and was assigned fifteen percent allowable coverage. Of the remainder of the parcel, 10,648 sq. ft. was found to be most similar to the UmE (Umpa very stony sandy loam, 15 to 30 percent slopes) map unit, and 8,775 sq. ft. was found to be in Stream Environment Zone (SEZ). The UmE map unit is in land capability class 3 and SEZ is in 1b. A land capability challenge was filed to confirm the land capability class for the portion of the parcel that was mapped as UmE and land capability class 3 based on the IPES determination of allowable coverage.

The parcel is an undeveloped residential parcel in Unit No. 1 of the Chateau Acres subdivision of Incline Village, Washoe County, Nevada. The parcel is approximately 40,100 square feet in size and has a natural slope of 18 to 21 percent.

Findings

This parcel is mapped within geomorphic unit D-2 (Headlands, moderate hazard lands) on the TRPA Bailey Geomorphic Analysis Map of the Lake Tahoe Basin.

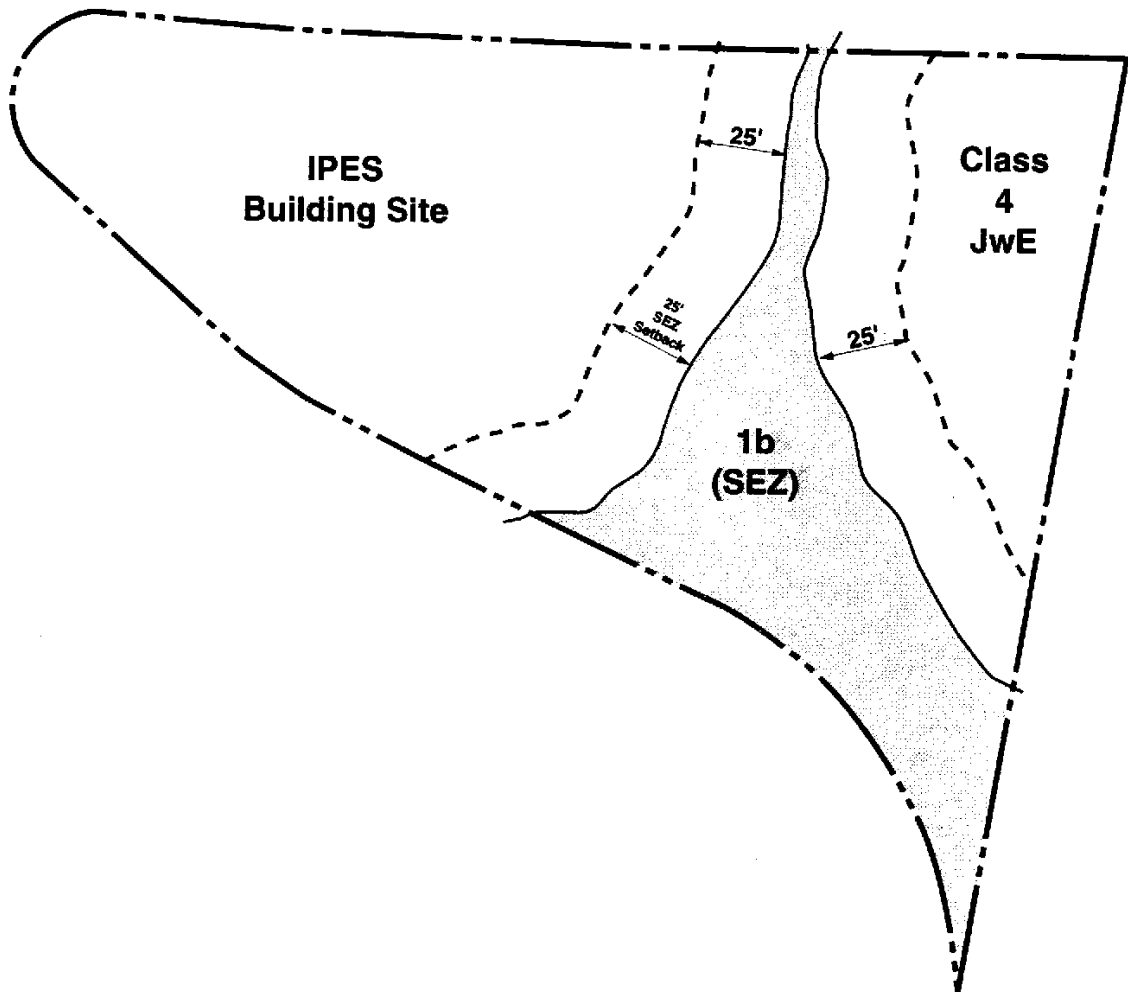
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CONSENT CALENDAR ITEM 2

The soils investigation was completed by Joseph Pepi, Certified Professional Soil Scientist, and a report was prepared. Based on one soil pit, a representative soil profile was described (see attached Soils Investigation). The soils on the portion of the parcel determined to fit the UmE map unit under the IPES determination of allowable coverage were found to have physical characteristics most similar to the JwE (Jorge-Tahoma very stony sandy loams, 30 to 50 percent) map unit. The JwE map unit is in Land Capability Class 4.

If you have any questions on this agenda item, please contact Joe Pepi, at (702) 588- 4547.

Land Capability Map for APN 126-245-01



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January 9, 1996

SOIL INVESTIGATION FOR WASHOE COUNTY APN 126-245-01 FAIRVIEW & MOUNT ROSE HIGHWAY

INTRODUCTION

A soil investigation was conducted on APN 126-245-04, Washoe County, on December 4, 1996. This parcel is approximately 40,100 square feet in size and is located in Unit 1 of the Chateau Acres Subdivision. No land capability verification was completed on this parcel, but the parcel was evaluated under the Individual Parcel Evaluation System (IPES). Based on a determination of allowable base coverage, an area of 20,645 sq. ft. of the parcel was found to be similar and contiguous to the one-third acre evaluated under IPES and was assigned fifteen percent allowable coverage. Of the remainder of the parcel, 10,648 sq. ft. was found to be most similar to the UmE (Umpa very stony sandy loam, 15 to 30 percent slopes) map unit, and 8,775 sq. ft. was found to be in Stream Environment Zone (SEZ). The UmE map unit is in Land Capability Class 3 and SEZ is in 1b. A land capability challenge was filed to confirm the land capability class for the portion of the parcel that was mapped as UmE based on the IPES determination of allowable coverage.

ENVIRONMENTAL SETTING

This parcel is shown as Land Capability Class 1a on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the UmF (Umpa very stony sandy loam, 30 to 50 percent slopes) map unit. The parcel is mapped within geomorphic unit D-2 (Headlands, moderate hazard lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. The UmF soil map unit is consistent with this geomorphic unit classification. The Umpa soil formed in residuum derived from andesite bedrock and is on mountain sideslopes.

This parcel is on a southwest facing slope. The natural slope is 18 to 21 percent. The natural vegetation is Jeffrey pine, white fir, manzanita, squaw carpet, whitethorn and scattered willow.

PROCEDURES

One soil pit was dug on this parcel using hand tools. After examination of the pit, The soils were examined and described in detail. A copy of these descriptions are included in this report. Slopes were measured with a clinometer.

FINDINGS

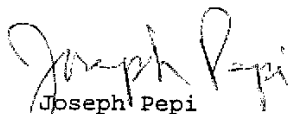
One soil series and soil map unit was identified on the portion of the parcel determined to fit UmE (Umpa very stony sandy loam, 15 to 30 percent slopes) map unit under the determination of allowable coverage. The soil on this portion of the parcel is deep, well drained and is characterized as having a very dark grayish brown and dark yellowish brown gravelly sandy loam and gravelly loam surface layer over a dark yellowish brown gravelly loam or gravelly clay loam subsoil. These soils have a moderately low runoff potential and the surface soils have a moderate relative erosion hazard.

This soil is representative of the Jorge soil series. There is one soil map unit on this parcel, the JwE (Jorge-Tahoma very stony sandy loam, 15 to 30 percent slopes). The JwE map unit is identified in the Soil Survey for the Lake Tahoe Basin.

CONCLUSION

The soils on the portion of APN 126-245-01 determined to fit the UmE map unit and Land Capability Class 3 based on the IPES determination of allowable coverage were found to be consistent with Land Capability Class 4, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). These findings are based on the physical characteristics of the soil being most similar to the JwE (Jorge-Tahoma very stony sandy loam, 15 to 30 percent slopes) map unit.

The JwE map unit is within geomorphic unit D-2 (Headlands, moderate hazard lands). The JwE map unit is in Land Capability Class 4.



Joseph Pepi
Certified Professional Soil Scientist
ARCPACS No. 2372

JP

Enclosure

Representative Soil Profile:

Soil Classification: loamy-skeletal, mixed, frigid, Ultic Haploxeralf

Soil Series: Jorge

Oi-- 1 to 0 inches; Jeffrey pine & white fir needles; abrupt smooth boundary.

A1-- 0 to 6 inches; very dark grayish brown (10YR 3/2) sandy loam, very dark brown (10YR 2/2) moist; weak fine granular structure; soft, very friable, nonsticky and nonplastic; many very fine and fine roots; many very fine and fine interstitial pores; 20 percent gravel, and 5 percent cobble; medium acid; clear smooth boundary.

A2-- 6 to 13 inches; dark yellowish brown (10YR 3/4) gravelly loam, dark yellowish brown (10YR 4/4) moist; weak fine subangular blocky structure; soft, very friable, slightly sticky and slightly plastic; many very fine and fine roots; many very fine and fine interstitial pores; 20 percent gravel and 5 percent cobble ; medium acid; clear wavy boundary.

Bt1- 13 to 24 inches; dark yellowish brown (10YR 4/4) gravelly loam; dark yellowish brown (10YR 4/4) moist; few thin clay films on ped faces; moderate medium subangular blocky structure; soft, very friable, sticky and plastic; common very fine and fine roots; many very fine and fine interstitial pores; 25 percent gravel, and 5 percent cobble; medium acid; gradual wavy boundary.

Bt2--24 to 38 inches; dark yellowish brown (10YR 4/4) gravelly clay loam; dark yellowish brown (10YR 3/4) moist; common thin clay films on ped faces and pores; moderate medium coarse subangular blocky structure; soft, friable, sticky and plastic; common fine and medium and few coarse roots; many very fine and fine interstitial pores; 25 percent gravel, and 5 percent cobble; medium acid; gradual clear smooth boundary.

Bt2- 38 to 47 inches; dark yellowish brown (10YR 4/4) gravelly clya loam; dark yellowish brown (10YR 3/4) moist; common medium prominent black (10YR 2/1) and olive brown (2.5Y 4/4) mottles; few thin clay films on ped faces and soil pores; moderate medium subangular blocky structure; soft, friable, sticky and plastic; few medium roots; many very fine and fine tubular pores; 25 percent gravel and 5 percent cobble; medium acid .

47 inches; stopped by gravels and cobbles.

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Smith, Pier Modification/Expansion

Application Type: Shorezone

Applicant: Fred Smith

Applicant's Representative: Mike Dill, Aspen Environmental Services

Location: 1035 Lakeshore Blvd., Incline Village, Washoe County, NV.

Assessor's Parcel Number: 130-230-08

Agency Staff: Jim Lawrence, Associate Planner

Staff Recommendation: Staff recommends approval of the project. The required actions and recommended conditions are outlined in Section F of this staff summary.

Project Description: The applicant proposes a 10 foot pier extension to a legally existing pier which will extend the pier to the TRPA pierhead line (lake bottom elevation 6220.5', Lake Tahoe datum). The project also involves replacing the existing boathouse with an adjustable floating dock that will be attached to the pier deck. The footprint of the boathouse is approximately 25 feet in length by 17 feet in width; the proposed floating dock will be the same dimensions. There is an existing boatlift inside the boathouse that will be relocated to the end of the pier.

Site Description: The site is located along the eastern section of Lakeshore Boulevard and is in an area that is mapped and verified as marginal fish habitat, thus, fisheries is not an issue with this project. The project area consists of one parcel (APN 130-230-09) which is occupied by a single family dwelling. All adjacent uses are residential. The lake substrate in this area consists primarily of sand.

Issue: The proposed project involves the modification/expansion of a non-conforming pier (based on design) and, therefore, requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issue is scenic quality:

The proposed project is visible from Scenic Shoreline Travel Unit 23, Crystal Bay, which has a travel route rating of 8. The project involves removal of an existing boathouse and replacing the boathouse with an adjustable dock, and extending the pier ten feet to the TRPA pierhead line. Staff has reviewed the project and determined that the mass of the structure will be reduced and the project is consistent with TRPA scenic quality standards and guidelines.

/JL
01/06/97

CONSENT CALENDAR ITEM NO. 3

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA.
- B. Plan Area Statement: The project is located within Plan Area 49, Mill Creek. The Land Use Classification is Residential and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. Piers are listed as allowed accessory structures in the applicable Shorezone Tolerance District (Shorezone Tolerance District 7).

C. Land Coverage:

1. Land Capability District:

The land capability districts of the project area are Class 1b (Backshore) and Class 6. The total project area is 192,862 square feet.

2. Allowable Coverage:

Backshore	124 square feet
Class 6	<u>54,142 square feet</u>
Total	54,266 square feet

3. Existing Coverage:

Backshore	230 square feet
Class 6	<u>33,839 square feet</u>
Total	34,069 square feet

4. Proposed Coverage:

The applicant does not propose any new coverage.

5. Excess Coverage:

Backshore	106 square feet
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6. Coverage Mitigation:

The applicant will be required to mitigate the 106 square feet of excess coverage by paying an excess coverage mitigation fee or by reducing existing coverage pursuant to Subsection 20.5 of the TRPA Code of Ordinances.

- D. Shorezone Tolerance District: The subject parcel is located within Shorezone Tolerance District 7. The project, as conditioned, complies with the shorezone tolerance district standards.
- E. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 50 and 52 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

1. The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code, and other TRPA plans and programs.

- (a) Land Use: The present use (single family dwelling) of the subject parcel is an allowed use within the applicable plan area. The proposed project involves the expansion of an allowed accessory structure and is consistent with the applicable Shorezone Tolerance District. The project is consistent with the Land Use Element of the Regional Plan.
- (b) Transportation: The pier will be used by the owners of the existing residence and, as such, will not result in an increase in vehicle miles traveled (VMTs) or daily vehicle trip ends (DVTEs).
- (c) Conservation: The project, as conditioned, is consistent with the fisheries, shorezone, and scenic subelements of the Conservation Element of the Regional Plan. The applicant is proposing to remove an existing boathouse and replace the boathouse with an adjustable dock. TRPA staff has reviewed the proposed scenic mitigation measures and determined that they are adequate to mitigate the 10 foot pier extension. The project is consistent with the shorezone tolerance district. The project is not located in an area that is mapped or verified as prime fish habitat.
- (d) Recreation: The proposed pier extension will not be beyond the TRPA pierhead line. The Nevada Division of Wildlife has reviewed the proposed project and determined that there will be no impacts to topline trolling.
- (e) Public Service and Facilities: The project does not require additional public services or facilities.
- (f) Implementation: The proposed project does not require any allocations of development.

2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

3. Wherever federal, state or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TRPA Compact, the project meets or exceeds such standards.

(Refer to paragraph 2, above.)

4. The proposed project will not adversely impact: (1) littoral processes; (2) fish spawning; (3) backshore stability; and (4) on-shore wildlife habitat, including wildfowl nesting areas.

The proposed project will not have an impact on littoral processes because the project does not involve a structure that is less than 90 percent open. The proposed project is not located within an area that is mapped as on-shore wildlife habitat or fish spawning habitat. Based on the IEC that was submitted, staff has determined that the project will not impact fish habitat, littoral processes, backshore stability, or on-shore wildlife habitat.

5. There are sufficient accessory facilities to accommodate the project.

The pier is located offshore of a property occupied by a single family residence. The pier will only be used by the owners of this property, and the property has adequate parking and access to accommodate the pier.

6. The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modification of such existing uses or structures will be undertaken to assure compatibility.

The project is of similar length and is compatible with other accessory uses (piers) in the vicinity. The pier extension will not extend beyond lake bottom elevation 6219' or the TRPA pierhead line.

7. The use proposed in the foreshore or nearshore is water-dependent.

The pier is located in the foreshore and nearshore of Lake Tahoe and is water-dependent.

8. Measures will be taken to prevent spills or discharges of hazardous materials.