

**TRPA
GOVERNING BOARD
PACKETS**

**OCTOBER
1997**

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD AND COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on Wednesday, October 22, 1997, commencing at 9:30 a.m., the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The meeting will take place at the Tahoe Seasons Resort, California Room, 3901 Saddle Road, South Lake Tahoe, California. The agenda is attached hereto and made a part of this notice. (See last page of this agenda for map to Tahoe Seasons Resort.)

Governing Board Committee items are action items unless otherwise noted.

NOTICE IS FURTHER GIVEN that on October 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 FY 1996-97 TRPA financial audit; 4) receipt of FY 1996-97 STA Fund audit for El Dorado County; 5) receipt of FY 1996-97 LTF audits for El Dorado and Placer Counties; 6) receipt of September 1997 financial statement and check register; 7) resolution adjusting filing fees for special projects with commercial allocation; 8) resolution authorizing TRPA to charge an administration fee for mitigation fund management; 9) development of an updated report on potential regional revenue sources; 10) Nevada Tahoe Conservation District request to use water quality mitigation fees to fund the District's support of the BMP retrofit program; and 11) member comments. (Committee: Neft, Heller, Galloway, Bresnick, Chairman Bennett)

NOTICE IS FURTHER GIVEN that on October 22, 1997, commencing at 8:30 a.m. in the same location, the Legal Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) show cause hearing on Executive Director determination to use project security, Tahoe Mariner, litigation settlement, Washoe County; 3) circulation of request for proposals for outside legal counsel to defend TRPA in inverse condemnation litigation and other matters as may be referred; and 4) member comments. (Committee: Miner, Cronk, Severson, Wynn, Chairman Waldie)

NOTICE IS FURTHER GIVEN that on October 22, 1997, commencing at 12:00 noon, during the lunch recess, in the TSR Pub Restaurant (near the Tahoe Seasons Resort lobby), the Environmental Improvement Program Implementation Committee (EIPIC). The agenda will be as follows: 1) public interest comments (no action); 2) development of an updated report on potential regional revenue sources; 3) Tahoe Federal Interagency Partnership MOU; and 4) member comments. (Committee: Westergard, Miner, Cronk, Waldie, Wynn, Upton)

Date: October 10, 1997

By: 
Jerry Wells
Deputy Director

THE TAHOE SEASONS RESORT HOTEL IS LOCATED AT 3901 SADDLE ROAD AT THE CORNER OF SADDLE ROAD AND KELLER AVENUE, ACROSS FROM THE HEAVENLY SKI RESORT PARKING LOT IN SOUTH LAKE TAHOE. SEE THE LAST PAGE OF THIS AGENDA FOR LOCATION MAP.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

Tahoe Seasons Resort, California Room
3901 Saddle Road, South Lake Tahoe
California

October 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. PUBLIC HEARING (*items include action on the findings plus action on related ordinances, resolutions, environmental documents, and/or plans)
 - A. 1996 Threshold Evaluation Cleanup Amendment to Chapter 33, Allocation of Development, Section 33.3.D(3) to Permit Special Projects in Community Plan Areas* 81
 - B. Repeal of Ordinance No. 87-8 Prescribing Standards for Amendments to the Goals and Policies and the Code of Ordinances, Schedules for Further Implementation of the Regional Plan, and Procedures for Review of Projects and Activities Pending Adoption of Further Chapters of the Code of Ordinances* 95
- VIII. SHOW CAUSE HEARING
 - A. Executive Director Determination to Use Project Security, Tahoe Mariner, Litigation Settlement, Washoe County APNs 123-055-01, 123-062-01, and 123-071-24 97

- IX. PLANNING MATTERS
- A. Status Report on Areawide Drainage Project for the Stateline Douglas County Community Plan 99
 - B. Discussion on State Route 28 Corridor Management Plan 101
 - C. Status Report on Nevada Department of Transportation Master Plan Erosion Control Plan - 1:30 p.m. 103
 - D. Presentation of Project Allocation Packet and Policy on Eligibility of Previously Approved Projects for Special Project Commercial Floor Area Allocations 105
 - E. Resolution Regarding Proposed Legislation Creating the North Lake Tahoe Transportation District 123
- X. ADMINISTRATIVE MATTERS
- A. Building and Erosion Control Awards Presentation - 11:30 a.m.
- XI. COMMITTEE RECOMMENDATIONS AND BOARD ACTION
- A. Finance Committee Report
 - 1. Discussion on North Tahoe Conservation District Request to Use Water Quality Mitigation Fees to Fund the District's Support of the BMP Retrofit Program
 - 2. Discussion on Development of an Updated Report on Potential Regional Revenue Sources
 - B. Environmental Improvement Program Implementation Committee (to be taken up in the afternoon)
 - 1. Discussion on Development of an Updated Report on Potential Regional Revenue Sources
 - 2. Tahoe Federal Interagency Partnership MOU 125
 - C. Legal Committee Report
 - 1. Circulation of Request for Proposals for Outside Legal Counsel to Defend TRPA in Inverse Condemnation Litigation and Other Matters as May be Referred 127
 - D. Shorezone Policy Committee Report
 - E. Rules Committee Report
 - F. Local Government Committee Report
- XII. REPORTS
- A. Executive Director Monthly Status Report

1. Status Report on Project Applications

B. Legal Division Monthly Status Report

C. Governing Board Members

XIII. ADJOURNMENT

<u>CONSENT CALENDAR</u>		
<u>Item</u>	<u>Recommendation</u>	
1. FY 1996-97 TRPA Financial Audit	Receipt	1
2. FY 1996-97 State Transit Assistance Fund Audit for El Dorado County	Receipt	1
3. FY 1996-97 Local Transportation Fund Audits for El Dorado and Placer Counties	Receipt	1
4. September 1997 Financial Statement and September 1997 Check Register	Receipt	3
5. Resolution Adjusting Filing Fees for Special Projects With Commercial Allocation	Approval	5
6. Authorization for TRPA to Collect Administrative Fee for Mitigation Fund Management	Approval	13
7. Glenbrook Homeowners Association, Temporary Maintenance and Storage Yard, Special Use Determination, Old Highway 50 Near the Intersection of Pray Meadow Road, Douglas County APN 001-090-12	Approval of Findings and Conditions	15
8. Tahoe Secret Harbor, Inc., New Shoreline Protective Structure, 2170 Highway 28, Carson City APN 07-011-23	Approval of Findings and Conditions	29
9. Tahoe Keys Beach and Harbor Association, Addition of Boat Slips, Recreation, Venice Drive East, City of South Lake Tahoe, El Dorado County APN 22-210-22	Approval of Findings and Conditions	43
10. Gianulias, Pier Modification, 3880 North Lake Boulevard, Placer County APN 92-130-06	Approval of Findings and Conditions	53
11. Laughlin/Sage, New Professional Office Building, 890 Incline Way, Washoe County APN 132-222-05	Approval of Findings and Conditions	65
12. Falcon Capital, Land Capability Challenge, Douglas County APN 005-230-11	Approval	79

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.

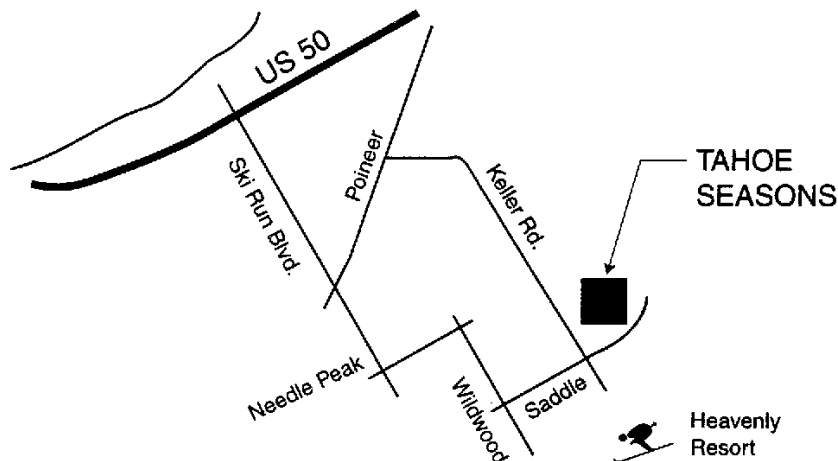
(2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located 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

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
Kings Beach, California

September 24, 1997

REGULAR MEETING MINUTES

I. PLEDGE OF ALLEGIANCE

Chairman Drake DeLanoy called the regular September 24, 1997, meeting of the Governing Board of the Tahoe Regional Planning Agency to order at 9:30 a.m. and asked Vice Chairman Larry Sevison to lead in the Pledge of Allegiance.

II. ROLL CALL AND DETERMINATION OF QUORUM

Members Present: Mr. DeLanoy, Mr. Waldie, Mr. Doughty (for Douglas County), Mr. Sevison, Ms. Lewis (present at 9:40 a.m. during consent item 10, designee for Nevada Secretary of State Heller) Mr. Cole (present at 9:40 a.m. during consent item 10), Ms. Bennett, Mr. Westergard, Ms. Neft, Mr. Harper (for Washoe County), Ms. Bresnick, Mr. Wynn, Mr. Upton (present at 9:35 a.m.)

Members Absent: Mr. Cronk, Mr. Neumann

IV. APPROVAL OF MINUTES

MOTION by Mr. Sevison to approve the August 27, 1997, Governing Board minutes as presented. The motion carried unanimously.

III. PUBLIC INTEREST COMMENTS - No one wished to comment.

V. APPROVAL OF AGENDA

MOTION by Ms. Neft to approve the agenda as proposed. The motion carried unanimously.

VI. CONSENT CALENDAR

Deputy Director Jerry Wells advised of the following: 1) the applicant for Falcon Capital land capability challenge (item 6), Douglas County, had requested a continuance; 2) an affected property owner had requested that item 10 (TCPUD North Tahoe High School athletic field) be pulled off consent and acted on separately.

Legal Committee Chairman Jerry Waldie advised that his committee had met earlier in the day and recommended approval of item 4 (Minster resolution of enforcement).

MOTION by Mr. Sevison to approve the consent calendar as discussed (item 6 continued and item 10 to be taken off consent). The motion carried unanimously.

TRPA REGULAR MEETING MINUTES SEPTEMBER 24, 1997

(The following items were approved or received: 1. August 1997 Financial Statement and August 1997 Check Register (received); 2. City of South Lake Tahoe, Highway 50/Tahoe Meadows Linear Parkway, El Dorado County, TRPA File #510-101-97/970392; 3. Lyddon Coffee House, Commercial Change in Operation, South Y Shopping Center, South Lake Tahoe, El Dorado County APN 23-430-32; 4. Leonard Minster, Resolution of Enforcement, 435 Lakeview, Crystal Bay, Washoe County APN 123-122-03; 5. El Dorado County Office of Education, Multi-Use Facility, Commercial/Public Service Change in Operation, Special Use Determination, 1285 Emerald Bay Road, El Dorado County APN 032-203-01; 7. Nevada State Park/Spooner Lake Cross Country Cross Country Ski Area, New Backcountry Cabins and Warming Huts, Douglas County APN 01-010-03; 8. Pacific Bell Mobile Service, New Transmission and Receiving Facility, Kings Vista Court, Placer County APN 112-210-01; 9. Tahoe Edgelake Beach Club, Tourist Accommodation Unit Additions, 7680 N. Lake Boulevard, Kings Beach, Placer County APN 117-140-06; 11. South Shore Christian Assembly/Assemblies of God Church, Church Addition, Special Use Determination, 886 Glorene Avenue, South Lake Tahoe, El Dorado County APN 23-351-09)

Tahoe City Public Utility District (TCPUD), North Tahoe High School Athletic Field Addition, Polaris Road, Dollar Hill, Placer county APN 93-010-15 (consent calendar item 10)

Associate Planner Kathy Canfield presented a brief summary of the proposed project and noted that copies of documents had been distributed to Board members. These included: a September 19 letter from Highlands Homeowners' Association, a September 19 letter and a September 20 letter from the Villas at Lake Forest Property Owners Association I, a September 23 letter from Barbara Young, and a September 24 staff amendment of special condition II.B. The homeowners association concern related to additional traffic impacts on the high school access road, which ran through their subdivision. Efforts were underway to study an access road to the high school from the west; this was not a part of this project. Placer County did not have jurisdiction over the project, because the project was on school district property. Public hearings had been conducted by TCPUD, the lead agency.

TCPUD General Manager Dave Antonucci explained the role of the District as the local unit of government in the area; the District's provision of sewer, water, and parks and recreation services; the \$2-3 million worth of projects done by the District annually in the Basin; and the District's policy to work out differences with regulatory agencies and the local community before going to TRPA. The District concurred with staff's recommendation. This project had no significant environmental impacts.

TCPUD Board President Roger Kahn discussed alternative sites analysis; coverage; neighboring uses and concerns with traffic, noise, and lighting; and compliance with CEQA.

TCPUD Board member Ron Treabess described the study process underway since 1994, public participation at public hearings and workshops; the notification process, the unchallenged Negative Declaration adopted by TCPUD, and the effort to enter an MOU with residents of the Highlands Subdivision. The MOU provided tentative agreement on the extent the District would further limit use of the proposed field, parking, traffic speed, litter, alcohol, and

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lighting. The homeowners association, through its representative, had advised that the homeowners accepted the draft MOU. The TCPUD had approved it as well, pending final wording by legal counsel.

Mr. Antonucci noted the project was environmentally benign; it had no significant impact. The public was extensively involved in the planning process over a three-year period, and there was broad community support for the project. He responded to questions on the District's recreation plan, the number of available playing fields and noted there was a separate joint use agreement between the Utility District and the School District that established the priorities reflected in the draft MOU. The District would comply with the provisions of the athletic use compatibility section in the draft MOU and would not increase the number of tournaments at the high school over the present two tournaments per season.

Mr. Slater Cahill, current president of Highlands Homeowners Association, explained his association's pursuit of a westerly approach to the high school for emergency and safety reasons. A feasibility study was completed, but no project was now being pursued. The homeowners continued to object to the new ballfield because of concerns with doubling of night traffic on game nights and lighting impacts on the nearby community. The homeowners wished to have the field delayed until the second access road could be provided. He did not object to the ballfield. The lighting was the issue. He did not want the field lighted without the secondary access. Mr. Cahill responded to Board member questions about traffic impacts, the secondary access, lighting, cost and environmental impacts.

Mr. Jay Russell, MOU lead negotiator for the Highland Homeowners, noted he represented 37 of the 232 homeowners in the community who objected to the project unless there was traffic relief. He discussed the provisions of the MOU, the reduction in number of games that would take place, the number of cars generated on a game night, and the need for everyone to work together to get the secondary access built. He had no problem with construction of the field but asked that it not be lighted until there was a westerly approach road.

Mr. Upton noted that the agreement provided that an evening time limit would be imposed on use of the fields if there was not satisfactory performance by the Utility District in meeting its obligation regarding a westerly access road. This was a powerful incentive.

Mr. Wynn suggested the discussion was out of order, since the discussion on various locations for additional road access was hypothetical. This was an issue for local government; TRPA's concern was environmental protection. TRPA was being drawn into a neighborhood dispute.

Mr. Sevison agreed the access problem was a recognized issue of concern in the community. The youth needed the ballfield facility, however; and he did not want to see it held up for an additional access road. That was a complicated process and far from being resolved. The Board should deal with the decision as it existed now. The TCPUD had worked hard to mitigate issues and to meet with the community in good faith. The agreement had merit, and he would pledge his effort to find acceptable solutions to the road problem.

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MOTION by Mr. Sevison to make the findings based on the staff summary for the TCPUD North Tahoe high school athletic field project.

Mr. Antonucci explained that the TCPUD was committed to pursue an MOU with the adjacent homeowners, even if TRPA approved the project today. He would incorporate into the discussions encouragement as much as possible for people to carpool and to implement other methods to cut down on traffic.

The motion carried unanimously.

MOTION by Mr. Sevison to approve the project with conditions. The motion carried unanimously.

VII. PROJECT REVIEW

A. Elk Point Country Club, Plan Revision to Existing Water Tank Facility, Elks Avenue Common Area, Douglas County APN 05-242-61

1. Motion to Reconsider by Board Member Kay Bennett

2. Plan Revisions to Existing Water Tank Facility

Agency Special Projects Attorney Susan Scholley noted the Rules of Procedure permitted reconsideration of an action no later than the next meeting, provided it was requested by a Board member. In this case a Board member had requested reconsideration. Reconsideration would require the same vote as the project itself, in this case five votes from Nevada and nine total. At that time the project would no longer be considered to have been acted upon, and the Board would once again hear the project. Because additional information on behalf of Elk Point was submitted by Ms. Deborah Palmer late on September 23 (Board members had copies), staff recommended that the project be continued to a later meeting, should the Board approve reconsideration. This would allow both the staff and others to address the new information.

Mr. Wynn asked that should the Board decide to reconsider the project there be no debate on the merits of the project at this time.

Ms. Bennett disclosed that she had received a campaign contribution from Capitol Beverages, a company owned by Mr. Curt Brown, the chairman of the Elks Point Country Club. She also visited the site with a project proponent. She did not feel that either discussion precluded her from voting on the matter.

Ms. Scholley noted she had discussed this with Ms. Bennett and concurred there was no conflict of interest under the bi-state compact. Ms. Bennett had advised that Mr. Brown was not the representative of the project who contacted her with a request for the reconsideration. Any material financial impact was extremely attenuated.

MOTION by Mr. Wynn to reconsider the Elks Point project.

Mr. Harper and Mr. Doughty noted that they had each been contacted by Mr. Achard, on behalf of the project.

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Mr. Mark Hughes, attorney for Ralph and Jean Hoyt and Marilyn Thompson, opponents of the proposal, suggested there was no basis for reconsideration. Since last month's denial, no new information was submitted until yesterday. Because no one had had a chance to review it, there was no new information. There was nothing new on the inadequacies of the Environmental Assessment (EA), and to date other required agency reviews had not occurred.

Ms. Scholley explained the rules had no requirements for submittal of new information, if a Board member requested reconsideration.

Mr. Waldie suggested new information had been submitted; whether it was credible or not would be dependent upon the assessment if a rehearing was granted. The requirement of new information, if there was one, had been met by the submission of the information before the Board.

Mr. Gary Midkiff, representing the Hoyts and Ms. Thompson, suggested the message the Board would be sending to the proponents if it decided to reconsider the project was that cooperation and a willingness to work with adjacent neighbors was not necessary. His clients were prepared to work with the proponents for a project that would not trample property rights and values. Rather than a vote to reconsider, he urged the Board to direct the applicants to work with the neighbors for a project everyone could support.

Ms. Scholley noted the motion to reconsider did not preclude the parties from coming up with something that was more agreeable between them. Should the Board choose to reconsider, the project would be back before the Board as if it had not been acted upon before. Consistent with the rules regarding notice of the project to affected property owners, there could be revisions to the project. Reconsideration would, in effect, be as if the project hearing had been continued last month without action by the Board.

Ms. Deborah Palmer, for the proponents, noted she had submitted the new information. Part of the information she had just received yesterday came from the Nevada Department of Public Health.

Mr. Westergard disclosed he had been contacted by Mr. Marty Bibb and had received no information that was not before the Board.

Mr. Wynn's motion to reconsider the project carried unanimously.

Ms. Scholley advised that one of the representatives for one of the opponents had requested a continuance to the November Board meeting.

Ms. Palmer advised her clients would not object to a continuance to November.

MOTION by Mr. Harper to continue the project to the November Governing Board meeting. The motion carried unanimously.

IX. SHOW CAUSE HEARING

- A. Executive Director Determination to Use Project Security, Tahoe Mariner, Litigation Settlement, Washoe County APNs 123-055-01, 123-062-01, and 123-071-24

Agency Special Projects Attorney Susan Scholley advised this matter would not need Board action. She had reported to the Legal Committee on this earlier in the day. As previously directed by the Board, the property owners had obtained a renewal of the bond by the deadline. The bond for \$250,000 was good through October 1, 1998. Since she had written the staff update in the packet, an inspection had showed that the collapsed interior of the building was seriously contaminated with asbestos and would take longer to clean up than it would have two to three years ago. The property owner had continued to move forward, and abatement bids would be provided for removal. In the meantime, TRPA was working with the State of California, and the State had tentatively agreed to the extension. A one-page agreement documenting the extension was now being circulated. The November 30 deadline to get the building down may be problematic, because of the size of the asbestos abatement work. If the weather held, the deadline could be met. If the deadline could not be met, the Board would have to address the issue further.

Mr. Harper noted that Washoe County was tired of the delays in this process. The citizens in the Crystal Bay area were not prepared to accept the site as a permanent eyesore and would need very good reasons for extending the deadlines.

Ms. Scholley concurred and thanked the Washoe County air quality staff for their assistance in the process. No action was needed on this matter today.

XI. ADMINISTRATIVE MATTERS

- A. Annual Report on Performance Statistics for the Environmental Compliance and Project Review Divisions

Mr. Steve Chilton, Chief of the Environmental Compliance Division, briefly discussed the activities of the seven staff people in the Division; the lack of turnover since 1991; the educational background of the division; and the work of the division on inspection activities, large projects, inspections, security returns, unpermitted activities, and special programs (shorezone studies, the vegetation and old growth thresholds as a part of the 1996 threshold evaluation, the BMP retrofit of the Cascade Watershed).

Legal Committee Chairman Waldie commended Steve and his staff for the presentations he had made before his committee on matters often acted on by the Board on the consent calendar. The Board was not often aware of the numerous tasks handled by the Compliance Division and of the very good work.

Mr. Rick Angelocci, Chief of the Project Review Division, noted the Board reviewed and/or acted on fewer than 8 percent of all projects reviewed by TRPA. Over 1,100 permits were processed last year; the Board saw only 80 projects; 373 residential projects were processed under the TRPA/local entity delegation MOUs last year. Mr. Angelocci described the MOU process and

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training and auditing requirements, committee work by division members, and BMP work. The Board in September last year adopted a 120-day turnaround time for processing permits. Staff had complied with that directive and, in addition, notified applicants within 30 days of receipt of applications on application completeness. In all 1,100 applications, the 120-day requirement had been met.

Mr. Waldie complimented Mr. Wells, Ms. Shade, and other staff for their work on the Shorezone Partnership Committee effort. The Board often did not see the intense work involved in this program.

Executive Director Jim Baetge explained that staff was proposing through delegation to decrease the number of projects seen by the Board. Most consent calendar items required extensive staff reports, and staff would be coming to the Board with modification of this process.

(Mr. Cole left the meeting at 11:25 a.m.)

Mr. Doughty encouraged outside streamlining as well as internal streamlining. TRPA staff needed to look beyond its own offices and seek and respond to public comments. He would like to see more work done on the Code of Ordinances and would volunteer Douglas County to serve on a working committee. Such an effort needed to involve all local jurisdictions who were being asked to enforce and implement the MOUs. The focus on the long range planning and amendment programs needed to take into account the day-to-day permit processing requirements of local governments.

Mr. Angelocci explained he was making presentations to local groups and jurisdictions advising of TRPA's work to streamline the project review and permit process.

X. PLANNING MATTERS

A. Scoping for the 1998 Regional Transportation/Air Quality Plan Draft EIS

Transportation Planner Jim Allison distributed a three-page document showing alternatives analyzed for the Draft EIS (no action, transit emphasis, regulatory emphasis), project categories by alternative, and the DEIS schedule. He asked for Board member and public comments and noted that the last RTP-AQP was adopted in 1992. The Tahoe Transportation District (TTD) would be one of the implementing agencies for transit projects.

Ms. Bennett suggested that the TTD was a key agency in this entire effort; she saw no mention of them in the document distributed to the Board members. There needed to be a clear and significant commitment of TRPA and TTD to provide the structure for the movement of people into and throughout the Basin. The economic viability of the Basin depended on it. The next step was for a committed form of funding for the TTD's efforts. This would require some sort of look at a Basin user fee, access fee or parking fee. There was little available funding for the projects listed in the project category list.

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Mr. Allison explained that the TTD was on the Technical Advisory Committee. Thus far in the document, the TTD played a very important role, and he concurred with the importance of the TTD's role. Funding for these projects was a very big concern and was a subject being addressed by the TAC in the context of possible user fees, parking management, parking fees, and/or other innovative solutions.

Mr. Doughty suggested it was appropriate to look at fiscal realities and what could and could not be done. While the plan could include mitigation measures and other features, the fiscal reality of implementation should be evaluated as well. This would help in determining project significance.

Chairman DeLanoy noted that TRPA and others would have to ultimately come to grips with a user fee. There were feelings about it both pro and con. This would need to be resolved soon, if the Nevada Legislature was going to be addressing it in two years.

Mr. Baetge noted that the Environmental Improvement Program (EIP) was viewed as the work plan to achieve thresholds for all players in the Basin, including local governments. The goal was to achieve coordination and agreement from all entities and Board adoption in December. A funding plan, some of which was already constructed, would be following that action. The whole Presidential Forum was based on that funding issue. The Nevada Oversight Committee, which was starting up next month, was also aimed at it.

Transportation Planner Bridget Cornell responded to the concerns regarding the TTD and noted that the items before the Board today were intended only to outline the differences between the three alternatives. The handout was a simplification of the projects included in the plan. The big picture items were contained in the programs themselves (transit, air quality, bicycle, pedestrian elements). The Board today was just looking at what would go into the EIS. On the issue of project financial feasibility, the State of California was now requiring documents to be somewhat fiscally constrained. There would be a thorough discussion of funding sources, including a user fee, and the need for an additional funding source. The projects listed in the EIP were consistent with the projects listed in the RTP-AQP.

Mr. Allison thanked Mr. Upton for his assistance in assuring there was security for the road user survey conducted in the Fallen Leaf Lake/Emerald Bay areas.

Mr. Jeff Cutler, for the League to Save Lake Tahoe, noted the League had been participating in the TAC and to a large extent felt its comments had been heard and incorporated. The League's issues related to 1) introducing fiscal reality into the analysis, specifically more emphasis on and analysis of parking management and parking fee programs and how they would be used to encourage transit; and 2) inclusion up front in the new document of the ten replacement goals from the 1996 RTP-AQP.

Mr. Steve Teshara, for the two Transportation Management Associations in the Region, noted that the Governing Board was being asked to comment on the scoping of the document prior to the Advisory Planning Commission (APC). This was not the usual order of review. The term "basinwide coordinated transit