

**TRPA
GOVERNING BOARD
PACKETS**

**APRIL
1998**

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD AND COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on Wednesday, April 22, 1998, 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 California Room of the **Tahoe Seasons Resort, Saddle Road at Keller**, South Lake Tahoe, California. 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 April 22, 1998, 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 March 1998 financial statement and check register; **3)** revisions to FY 97-98 operating budget incorporating security liability adjustment; **4)** Washoe County, release of air quality (\$125,000) and water quality (\$75,000) mitigation funds for North Stateline Urban Design Project; **5)** status of funding for the regional revenue source study; **6)** programming \$31,430 in Section 5311 funds; **7)** release of \$15,000 in water quality mitigation fund interest to complete data modifications for the 208 Plan erosion control project descriptions, priorities, and cost estimates in California; and **8)** member comments. (Committee: Neft, Heller, Galloway, Bresnick, Chairman Bennett)

NOTICE IS FURTHER GIVEN that on April 22, 1998, from 8:30 a.m. to 9:30 a.m., in the same location, the Legal Committee will meet. The agenda will be as follows: **1)** public interest comments (no action); **2)** Dauenhauer-Heck, resolution of enforcement, Placer County APN 83-172-04; **3)** status of Tahoe Mariner bond, Washoe County; and **4)** member comments. The Legal Committee will also meet during the lunch recess at 12:00 noon at Needles Restaurant in the Tahoe Seasons Resort. The agenda will be **5)** Yount, resolution of enforcement, Washoe County APN 123-151-01. (Committee: Miner, Cronk, Sevison, Wynn, Chairman Waldie)

Date: April 10, 1998

By: 
Jerry Wells
Deputy 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

Tahoe Seasons Resort – Saddle Road at Keller
California Room, South Lake Tahoe, California

April 22, 1998
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. Dauenhauer-Heck, Resolution of Enforcement, Placer County APN 83-172-04 139
- B. Wildlife Conservation Board (WCB) Boat Launching Facility, Pier Relocation and Expansion, Placer County APN 94-140-14 153
- C. Vista Shores Resort/Rafton Tourist Accommodation Rebuild and Addition, 6724 and 6731 No. Lake Boulevard, Tahoe Vista; Placer County APNs 117-072-05 and 117-071-15 169

VIII. PUBLIC HEARING (*items include action on the findings plus action on related ordinances, resolutions, environmental documents, and/or plans)

- A. Discussion of Amendment to Chapter 93, Traffic and Air Quality Mitigation program, Relative to Coordinated Transit system (CTS) Mitigation 187

- B. Amendment of the Kings Beach Community Plan to Add Timesharing/ Hotel/Motel Design and Timesharing/Residential Design to the Permissible use List of Special Area #2, West Entry Commercial Area*

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IX. PLANNING MATTERS

- A. Status Report on Special Studies Relating to Motorized Watercraft 201
- B. Discussion on Collection of Project Securities From Local Jurisdictions and Special Districts 211
- C. Distribution of Special Projects Commercial Floor Area Allocations 213
- D. IPES Workshop 267
- E. Approval of Work Plan for Regional Revenue Source Study - 3:00 p.m. 275

X. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

- A. Finance Committee
 - 1. Revisions to FY 97-98 Operating Budget Incorporating Security Liability Adjustment
- B. Legal Committee
 - 1. Status Report, Tahoe Mariner Bond, Washoe County 287
 - 2. Yount, Resolution of Enforcement, Washoe County APN 123-151-01 289

XI. REPORTS

- A. Executive Director Monthly Status Report 295
 - 1. Status Report on Project Applications
 - 2. Status of In-House Legal Counsel Position
- B. Legal Division Monthly Status Report
- C. Governing Board Members

XII. ADJOURNMENT

CONSENT CALENDAR

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<u>Item</u>	<u>Recommendation</u>	
1. March 1998 Financial Statement and March 1998 Check Register	Receipt	1
2. Washoe County, Release of Air Quality (\$125,000) and Water Quality (\$75,000) Mitigation Funds for the North Stateline Urban Design Project	Approval	3
3. RTPA Resolution Programming \$31,430 in Section 5311 Funds	Approval	17
4. Release of \$15,000 in Water Quality Mitigation Fund Interest to Complete Data Modifications for the 208 Plan Erosion Control Project Descriptions, Priorities, and Cost Estimates in California	Approval	19
5. Tranquility/Horowitz, New Single Family Dwelling, Special Use Determination, 525 U.S. Highway 50 at Marla Bay, Douglas County APN 005-220-18 (formerly 005-220-02)	Approval of Findings and Conditions	21
6. Tahoe Senior Plaza, New Multiple Family Dwellings, Affordable Senior Housing, 1109 Third Street, City of South Lake Tahoe El Dorado County APN 23-375-03, 23-393-02, and 23-393-11	Approval of Findings and Conditions	49
7. STPUD, A-Line Export Pipeline Replacement Project Phase 3	Approval of Findings and Conditions	63
8. Lahner, Commercial Building Addition, Plan Revision, 1056 Tahoe Boulevard, Incline Village, Washoe County APN 130-152-07	Approval of Findings and Conditions	71
9. Rye, New Commercial Building, 8603 Speckled Avenue, Kings Beach, Placer county APN 90-093-21	Approval of Findings and Conditions	79
10. Ponce Nicasio Broadcasting, Shorezone/Pier Relocation, 1006 Skyland Drive, Douglas County APN 05-051-17 TRPA File #970800	Approval of Findings and Conditions	91
11. Kramer, New Pier and Boatlift, Special Use Determination, 6674 North Lake Boulevard, Tahoe Vista, Placer County APN 117-072-07	Approval of Findings and Conditions	103
12. John Mason, New Single Use Pier, 418 Bitler Road Elks Point, Douglas County APN 05-250-19	Approval of Findings and Conditions	115
13. Douglas County School District, George Whittell High School Addition, Warrior Way, Zephyr Cove, Douglas County APN 05-070-01	Approval of Findings and Conditions	129

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 PLANNINGB AGENCY
GOVERNING BOARD

Horizon Casino Resort
Stateline, Nevada

March 25, 1998

REGULAR MEETING MINUTES

I. PLEDGE OF ALLEGIANCE

Chairman DeLanoy called the regular March 25, 1998, meeting of the Governing Board of the Tahoe Regional Planning Agency (TRPA) to order at 9:30 a.m. and asked Joanne Neft to lead in the Pledge of Allegiance to the Flag. He noted the following substitutions: Conrad Montgomery for El Dorado County, Wayne Perock for the Nevada Department of Conservation, and Steve Kastan for Placer County.

II. ROLL CALL AND DETERMINATION OF QUORUM

Members Present: Mr. DeLanoy, Mr. Waldie, Dr. Miner, Mr. Kastan, Mr. Heller (present at 9:40a.m. after action on the consent calendar), Mr. Cole, Ms. Bennett, Mr. Perock, Ms. Neft, Mr. Galloway, Ms. Bresnick, Mr. Wynn, Mr. Montgomery
Members Absent: Mr. Cronk, Mr. Neumann

III. PUBLIC INTEREST COMMENTS – no comments

IV. APPROVAL OF MINUTES

MOTION by Dr. Miner to approve the February 25, 1998, minutes as presented. The motion carried unanimously.

V. APPROVAL OF AGENDA

MOTION by Dr. Miner to approve the agenda as proposed. The motion carried unanimously.

VI. CONSENT CALENDAR

Deputy Director Jerry Wells advised of the following changes: 1) continuance of the Vista Shores Resort project (item 2); approval of the statute of limitations extension until the end of May; 2) continuance to April of the release of air and water quality mitigation funds (item 3) at the request of Washoe County; 3) continuance of Yount resolution of enforcement (item 6) at the request of the Legal Committee; 4) continuance until April of the Wildlife Conservation Board boat launching facility (item 17) at the request of the applicant; 5) separate Board action on items 9 and 10

TRPA REGULAR MEETING MINUTES MARCH 25, 1998

(Homewood and Talmont Estates forest management projects) at the request of the League to Save Lake Tahoe; 6) action on the Cole and Thompson geomorphic hazard units (items VII F. and G.) prior to action on consent calendar items 19 and 20. (Cole and Thompson land capability challenges).

MOTION by Ms. Neft to approve the consent calendar as discussed. The motion carried unanimously.

The following items were approved:

1. February 1998 Financial Statement and February 1998 Check Register (received)
2. Statute of Limitations, Vista Shores Resort, Tourist Accommodation Rebuild and Addition, 6724 and 6731 No. Lake Boulevard, Tahoe Vista; Rafton, Extension to End Of ~~May April~~ 1998, Placer County APNs 117-072-05 and 117-071-15 (The project itself was continued to the April Board meeting.)
4. Authorization for Executive Director to Release Funds to Consultant for Regional Revenue Source Study
5. RTPA Resolution Amending the FY 97-98 TRPA/Caltrans Overall Work Program to Incorporate the Completion of a Regional Revenue Source Study (RTPA Resolution No. 98-6)
7. Cohen, Resolution of Enforcement, Washoe County APN 123-190-25
8. Mi Casa Too Restaurant, Tahoe Inn Investment Group, Commercial Addition, 425 North Lake Boulevard, Placer County APN 94-070-09
11. Incline Village General Improvement District, New Ball Field, Incline Middle School, 939 Southwood Boulevard, Washoe County APN 127-030-15
12. Starr Taber, Pier Modification, 1444 Pittman Terrace, Douglas County APN 03-080-06
13. 859 Lakeshore Association and Meiling Trust, Pier Relocation and Multiple-Use Determination, 859 and 863 Lakeshore Drive, Incline Village, Washoe County APNs 122-181-24, -25, and -38
14. Fulton Water Company, Cedar Flat Water Tank and Distribution System Project, Special Use Determination, 640 Carnelian Road, Cedar Flat, Placer County APN 92-170-43
15. Embassy Suites, Partial Timeshare Conversion, City of South Lake Tahoe
16. Tahoe Truckee Unified School District/Catholic Diocese of Sacramento, Kings Beach Elementary School, Public Service Addition, Placer County APN 90-062-01
18. Placer County, Redistribution of Four Residential Allocations (Resolution 98-5)

The following items were continued to the April meeting.

2. Vista Shores Resort, Tourist Accommodation Rebuild and Addition, 6724 and 6731 No. Lake Boulevard, Rafton, Placer County APNs 117-072-05 and 117-071-15
 3. Washoe County, Release of Air Quality (\$125,000) and Water Quality (\$75,000) Mitigation Funds for the North Stateline Urban Design Project
 5. Yount, Resolution of Enforcement, Washoe County APN 123-151-01
 17. Wildlife Conservation Board (WCB) Boat Launching Facility, Pier Relocation and Expansion, Placer County APN 94-140-14
2. Vista Shores Resort, Tourist Accommodation Rebuild and Addition, 6724 and 6731 No. Lake Boulevard, Tahoe Vista; Rafton, Placer County APNs 117-072-05 and 117-071-15 (Consent Calendar item 2)

Legal Committee Chairman Waldie noted that his committee earlier in the day recommended the statute of limitations for this item be extended to May 31, 1998, at the request of Agency Counsel Rachelle Nicolle.

MOTION by Dr. Miner to extend the statute of limitations until May 31, 1998, for Vista Shores Resort. The motion carried unanimously.

(Mr. Heller came into the meeting at 9:40 a.m.)

9. Homewood Forest Management Project, Substantial Tree Removal, 5145 West Lake Boulevard, Placer County TRPA File #980007 (consent calendar item 9)

TRPA REGULAR MEETING MINUTES MARCH 25, 1998

10. Talmont Estates Forest Management Project, Substantial Tree Removal, Talmont Estates, Placer County, TRPA File #970823 (consent calendar item 10)

Mr. Jeff Cutler, for the League to Save Lake Tahoe, advised that he was not opposed to the two projects but wanted conditions to be modified to insure work would be done over-the-snow or with helicopter – as opposed to ground-based operations. He asked that wording be added that would require that ground-based tractor operations would only occur in the last summer of the permit and only if there had not been enough over-the-snow operating days prior to that time. Rather than lopping and scattering the branches, which would increase the fire danger, the League favored 100 percent slash treatment through whole tree yarding or handpiling throughout the project area with the piles being later burned or chipped and spread.

Mr. Tom Porter, on behalf of the Homewood project, addressed lop and scatter, proximity to residential areas, cost and size of the project (1000) acres), slope and land capability, and impact on residential areas. There would be 100 percent slash cleanup within 200 feet of residences and within 100 feet of any publicly used trail or road. On land greater than 30 percent, 100 percent treatment of slash was infeasible. Mr. Porter responded to Board member questions.

Chairman DeLanoy asked the League and the Homewood representatives to reach an agreement while the Board took up the Talmont project.

Mr. Hal Quinn, an owner of property next to Homewood Ski Area, asked that the method for treatment of the area west of the 100 block of Tahoe Ski Bowl Way be changed from hauling across the land to hauling across the snow. He asked that he be given advance notice of any possible future changes to the project, so that he could provide input.

TRPA Associate Planner Paul Nielsen explained that reducing slash fuels around homes and roads in a 200 foot strip was adequate to reduce ignition sources. More slash cleanup in the forest would be ideal, but it was very difficult to do this from an operational and economic standpoint. Mr. Nielsen responded to Board member questions about the cost, the 200 foot slash cleanup strip around homes, lop and scatter, fire hazard, and slope.

Mr. Porter noted that he was not seeking an exception from TRPA's or CDF's slash treatment rules for the 800-acre Homewood project. The treatment was in accordance with the Code.

Mr. Tom Hintz, with the California Department of Forestry and Fire Protection, noted he had prepared the Talmont proposal. The League was in error in its comments. The Talmont project proposed all work to be over the snow and to use whole tree yarding. In whole tree yarding, most of the limbs came into and were treated at a landing. Not much was left out in the forest. With regard to slash cleanup, the intent was to introduce prescribed fire through the area to burn up residual limbs left from the whole tree yarding operation. The land owner wanted all the work to be done over the snow, with the exception of the introduction of prescribed fire on 124 acres. The Talmont cost would be \$3,000 per acre on the flatter ground. The condition of the timber stands was such that most contractors were not interested in doing the work. He had no problem with what was proposed on either items 9 or 10.

Mr. Cutler explained that his concerns with the Talmont project were addressed and resolved at an earlier meeting of the California Tahoe Conservancy Board. However, the TRPA Board packet's description of the project did not include these conditions. He would like them to reference the agreement to conduct the operation over the snow.

TRPA REGULAR MEETING MINUTES MARCH 25, 1998

Mr. Jim Mitchell, mountain manager for Ski Homewood, explained that prescribed burns on the Homewood project were a problem because of the proximity of residential properties and ski area operation (lift line, cable, and towers). He responded to Board member questions.

Chairman DeLanoy asked Mr. Cutler to let the staff know in advance of the Board meeting if the League had problems with the projects proposed for action by the Board. He preferred to have these issues addressed earlier in the process.

MOTION by Dr. Miner to approve the findings for the Homewood project.

Mr. Mitchell explained that it was the intent of the Homewood project that trees be removed over the snow as much as possible and at every opportunity. This was the easiest method and had the least impact.

The motion carried unanimously.

MOTION by Dr. Miner to approve the Homewood forest management project. The motion carried unanimously.

Ms. Bresnick noted that there had been a representation made that agreement was reached between the League and the Talmont proponents which was not reflected in the permit.

Mr. Cutler noted that the Talmont project description prepared by staff noted that tree removal methods in Units 1 and 3 would utilize ground-based equipment and harvesting would occur both during the summer and winter operating seasons. In at least one of those units, Talmont had assured him previously and again today that the work would be over the snow and it would not be occurring during summer at all. The staff summary also referred to lop and scatter for areas outside 200 feet from residences and any road accessible to the public. Today the Talmont representatives had indicated that whole tree yarding would be done virtually over the entire area except in certain conditions. The staff summary did not concur with what was being proposed.

Mr. Hintz, from Talmont, indicated he had no problem particularizing the agreements as represented.

MOTION by Dr. Miner to move the Talmont findings including the conditions previously agreed on. The motion carried unanimously.

MOTION by Dr. Miner to approve the Talmont project. The motion carried unanimously.

VII. PUBLIC HEARING

A. South Lake Tahoe Redevelopment Project 3, Draft EIS (Project Adjacent to California/Nevada Stateline)

Mr. Rick Angelocci, Chief of Project Review, noted the draft EIS was sent to Board members in January. The comment period would conclude on April 6, after which the final EIS would be presented to the Advisory Planning Commission and Board. No action was requested today.

Mr. Lew Feldman, on behalf of the proposal, presented slides describing the project.

Mr. Jim Jordan, the Draft EIS project manager, described the four alternatives, the impacts, and various features of the proposal. These related, in part, to land use, density, coverage, floor area, relationship to the Community Plan, traffic and circulation, visual impacts, and water and air quality. The project as proposed was the environmentally preferred alternative. Mr. Jordan responded to Board member questions.

No one wished to comment during the public hearing.

B. Kahle Park Douglas County, Amendment of Regional Plan Overlay Maps for Man-Modified Determination, Douglas County APN 07-130-04

Senior Planner Joe Pepi presented a brief summary of the amendment and staff's recommendation for approval with conditions as set forth in the packet material. Additional coverage which would be allowed pursuant to the recognition of man-modification was above what would have been allowed on the site if it had been left in a natural state. The conditions were required to mitigate the impacts to water quality and runoff, and the intent was that benefit be given in exchange for mitigation of impacts.

Mr. Kaleta, on behalf of Douglas County, noted he concurred with the staff summary and conditions of approval.

There were no other comments during the public hearing.

MOTION by Dr. Miner to approve the findings for the Kahle Park man-modification determination. The motion carried unanimously.

MOTION by Mr. Wynn to adopt Ordinance No. 98-8. The motion carried unanimously.

Chairman DeLanoy read the ordinance by title:

An Ordinance Amending Ordinance No. 87-9, as Amended, of the Tahoe Regional Planning Agency Relating to the Regional Plan; Amending Land Capability Overlay Map H-16 Pursuant to a Finding of Man-Modification for 236 Kingsbury Grade, Kahle Park, Stateline, Nevada, and Providing for Other Matters properly Related Thereto.

C. Mehrtens, Amendment of Regional Plan Overlay Maps for Man-Modified Determination, Douglas County APN 07-120-08

Senior Planner Joe Pepi presented a brief summary of the Mehrtens man-modification amendment.

Mr. Paul Kaleta, representing the Prim/Mehrten family, concurred with the staff summary.

No one else wished to comment in the hearing.

MOTION by Mr. Wynn to make the findings for the Mehrtens amendment. The motion carried unanimously.

MOTION by Mr. Wynn to adopt Ordinance No. 98-9. The motion carried unanimously.

Chairman DeLanoy read the ordinance by title:

TRPA REGULAR MEETING MINUTES MARCH 25, 1998

An Ordinance Amending Ordinance No. 87-9, as Amended, of the Tahoe Regional Planning Agency Relating to the Regional Plan; Amending Land Capability Overlay Map H-16 Pursuant to a Finding of Man-Modification for 155 U.S. Highway 50, Stateline, and Providing for Other Matters Properly Related Thereto.

D. Tahoe City Public Utility District Bicycle Trail Draft EIS

Associate Planner Kathy Canfield noted that the 60-day comment period would close on April 3. The document would come back for certification in May; no action was requested today.

Mr. Galloway congratulated the TCPUD for the process and progress on the proposal.

Ms. Cindy Gustafson, with the TCPUD, presented a history of the bike trail planning process dating back to 1974 and described the District's current and proposed bicycle trail programs. The District operated 17 miles of bike trails in the North Tahoe area beginning at Sugar Pine Park and extending in the direction of Squaw Valley and out to Dollar Point. The District was continuing to work on three segments of the trail, including a connection to Squaw Valley, the connection being discussed today through Tahoe City, and a small connection outside Tahoe City. Use of the bike trails was increasing 10 to 15 percent per year. Ms. Gustafson presented statistics learned through surveys on trail users, trail alternatives, trail alignment and size, impacts, state funding, and routing of the trail in the vicinity of Fanny Bridge.

On the subject of alignment near Fanny Bridge and the dam, Mr. Charles Zeir, from Resource Concepts, the firm that prepared the environmental document, noted that one of the alignments discussed early on with TRPA staff was putting the bike trail bridge on the Lake side of the dam. Staff recommended against this alignment.

Ms. Canfield explained that the Code prohibited certain land uses or transportation corridors in the Lake zone. A trail on the Lake side of the dam was considered in the Lake zone. State Lands also was concerned with bridging the Lake.

Mr. Walt Auerbach, with Vail Engineering, the firm responsible for the master plan and trail design, commented on the 160 foot span at the river location. While such a span was doable, the master plan identified a potential conflict between the large number of bicyclists and the character of the Gatekeeper Cottage and park area. This was a very passive park, and the master plan carefully considered impacts to affected property owners.

Mr. Michael Babcock, a commercial property owner whose property was on Mackinaw Road, spoke in favor of the bike path but expressed concern with public safety and potential conflicts between speeding vehicles and cyclists on his street. The proposed alignment would go through the area in front of his property, causing him to lose all of his parking spaces. He distributed a handout of maps and other materials which described an option which would avoid traffic buildup on Highway 89 and route the bike trail downstream from Fanny Bridge in the Caltrans right-of-way. He commented on requested amendments to the EIR, realignment of the trail away from private properties on Mackinaw Road, his lease arrangements with California Parks and Recreation, potential liability should someone get hurt, and bike trail alignment.

Ms. Gustafson noted Mr. Babcock had attended a number of meetings over the years, and the District was aware of his concerns and would be dealing with them in the final environmental document. Mackinaw was proposed for use as a bicycle route, not a path or trail; it was an interim solution. The intent of the District was ultimately to construct the third alternative, which was to

TRPA REGULAR MEETING MINUTES MARCH 25, 1998

build behind Mr. Babcock's property between the Lake and his property on State Park property. More discussion followed.

Mr. Steve Teshara, for the Truckee-North Tahoe Transportation Management Association, noted that after many years of planning gridlock in Tahoe City the community was finally seeing some much needed improvements that would affect the environmental and economic situation. The TMA had been very involved in this community project. There had been much discussion on how to alleviate traffic congestion on, over and around Fanny Bridge and how to coordinate the trail with the projects planned on the 64-acre site, including the transit terminal. This was where the local community wanted the alignment. Timing was critical here, and funding would disappear if the project could not proceed in an expeditious manner. This project was in the EIP.

The Board members discussed funding, timing, use issues, compromises, alignment, the options and alternatives included in the EIS, what level of modification to the EIS would require recirculation, and local input. No action was taken.

Deputy Director Jerry Wells noted that the following two public hearing items were paired with items 19 and 20 on the consent calendar. The public hearings would be taken up first.

VIII. PUBLIC HEARING

F. Cole, Amendment of Regional Plan Overlay Maps for Geomorphic Hazard Unit, Douglas County APN 01-080-27

Senior Planner Joe Pepi presented the staff summary and recommendation for approval.

No one wished to comment in the public hearing.

MOTION by Ms. Neft to make the findings to approve the Cole ordinance. The motion carried unanimously.

MOTION by Ms. Neft to adopt Ordinance No. 98-10. The motion carried unanimously.

(Chairman DeLanoy mistakenly read the ordinance relating to agenda item VII G. (Thompson). The correction was noted later in the discussion and the Thompson and Cole matters were continued to after the lunch break.)

Cole Land Capability Challenge, Douglas County APN 01-080-27 (consent calendar item 20)

Mr. Pepi presented staff's summary and recommendation to modify land capability on the subject parcel from 1A and 2 to 2 and 4 as shown in the packet materials.

MOTION by Mr. Galloway to approve the findings for the Cole capability challenge. The motion carried unanimously.

MOTION by Mr. Galloway to approve the Cole challenge. The motion carried unanimously.