

# CHAPTER I

## INTRODUCTION

---

The Regional Plan describes the needs and goals of the Region and provides statements of policy to guide decision making as it affects the Region's resources and remaining capacities. The Plan with all of its elements, as implemented through Agency ordinances and rules and regulations, provides for the achievement and maintenance of the adopted environmental threshold carrying capacities (thresholds) while providing opportunities for orderly growth and development.

### AUTHORITY

The Tahoe Regional Planning Agency (TRPA) was reorganized and given new duties under provisions of the December 19, 1980 amendments to the Tahoe Regional Planning Compact, (Public Law 96-551, 94 Statute 3233 (Compact)). In adopting the amended Compact, the following findings were made by the legislatures of the states of Nevada and California as well as the U. S. Congress:

#### Article I - Findings and Declarations of Policy

(a) It is found and declared that:

- (1) The waters of Lake Tahoe and other resources of the region are threatened with deterioration or degeneration, which endangers the natural beauty and economic productivity of the region.
- (2) The public and private interests and investments in the region are substantial.
- (3) The region exhibits unique environmental and ecological values which are irreplaceable.
- (4) By virtue of the special conditions and circumstances of the region's natural ecology, developmental pattern, population distribution and human needs, the region is experiencing problems of resource use and deficiencies of environmental control.
- (5) Increasing urbanization is threatening the ecological values of the region and threatening the public opportunities for use of the public lands.
- (6) Maintenance of the social and economic health of the region depends on maintaining the significant scenic, recreational, education, scientific, natural and public health values provided by the Lake Tahoe Basin.
- (7) There is a public interest in protecting, preserving and enhancing these values for the residents of the region and for visitors to the region.
- (8) Responsibilities for providing recreational and scientific opportunities, preserving scenic and natural areas, and safeguarding the public who live, work and plan in or visit the region

are divided among local governments, regional agencies, the States of California and Nevada, and the Federal Government.

- (9) In recognition of the public investment and multistate and national significance of the recreational values, the Federal Government has an interest in the acquisition of recreational property and the management of resources in the region to preserve environmental and recreational values, and the Federal Government should assist the States in fulfilling their responsibilities.
- (10) In order to preserve the scenic beauty and outdoor recreational opportunities of the region, there is a need to insure an equilibrium between the region's natural endowment and its manmade environment.
- (b) In order to enhance the efficiency and governmental effectiveness of the region, it is imperative that there be established a Tahoe Regional Planning Agency with the powers conferred by this compact including the power to establish environmental threshold carrying capacities and to adopt and enforce a regional plan and implementing ordinances which will achieve and maintain such capacities while providing opportunities for orderly growth and development consistent with such capacities.
- (c) The Tahoe Regional Planning Agency shall interpret and administer its plans, ordinances, rules and regulations in accordance with the provisions of this compact.

These findings are intended to direct the actions of the Agency in implementing the amended Compact. The Compact requires that the Agency review any activities that may substantially affect the land, water, air, space or any other resources of the Region. The basis for such review is a set of standards known as environmental threshold carrying capacities (thresholds) as implemented through a regional plan. The thresholds were adopted by the Agency in August, 1982.

## **Planning Approach**

The development of the Regional Plan is the continuation of the process, envisioned by Article V of the Compact, which began with the development of the environmental threshold carrying capacities. Thresholds establish the environmental standards for the Region and, as such, indirectly define the capacity of the Region to accommodate additional development. The Environmental Thresholds Study Report provides the basis and rationale for the establishment of thresholds while the Regional Plan and implementing ordinances define the actual limits and potential for new development consistent with the constraints imposed by the thresholds.

## **Threshold Development**

The development of environmental threshold carrying capacities followed a four-step process. The first step incorporated participation by state, federal and local agencies, and the general public. Concurrently, a program was implemented to enhance public awareness and to track the progress of the study. This process helped to identify issues and components of the environment that are of local, regional, or national significance. Value or goal statements established the parameters of interest for each component and narrowed the focus for establishing thresholds. For example, air quality is an

environmental component but the threshold development process focused specifically on such "sub-issues" as carbon monoxide and ozone.

The second step identified the variables that affect each environmental component. From this, cause and effect relationships between variables were established. In the third step, these relationships were evaluated according to their individual contributions to the resource. Thresholds were then established only for those causal factors that were most significant to the resource. (A threshold is established to identify a particular event, circumstance, or condition that will create an unacceptable change or degradation of a particular resource of interest.) The second and third steps were necessary to (1) initially identify the factors responsible for unacceptable changes in the resource and (2) identify the appropriate threshold necessary to protect the resource or to achieve a particular value. Not all environmental components lent themselves to simple quantification and linkage to particular numerical measurements. In such instances, a distinction was made between numerical, management, and policy thresholds.

The fourth step highlighted the mechanisms necessary to achieve or maintain the thresholds. This step was preliminary to the more detailed analysis accomplished through the development of policies and ordinances as part of the Regional Plan. This evaluation made it possible to assess the technical feasibility of attaining the thresholds and to review any thresholds that might seem impractical. See Attachment C for the adopted thresholds (as amended over time). When a threshold is stated in this Goals and Policies Plan it is printed in italics.

## **Plan Development and Maintenance**

The development of the initial Regional Plan was structured around the adopted thresholds and other issues of local and regional significance. Issues, other than those associated with thresholds, were initially identified through scoping meetings with local agencies and other interested parties. Agency staff then performed extensive analyses of available data, evaluated alternative techniques for achieving or maintaining environmental thresholds, and developed a recommended plan in 1984.

The 1984 draft Regional Plan was evaluated in an Environmental Impact Statement (EIS) and modified following extensive public outreach, litigation, settlement discussions and a supplemental EIS. The Governing Board ultimately adopted the Regional Plan on September 17, 1986 and completed more detailed plans for specific geographic areas following adoption of the Regional Plan. This initial Regional Plan is referred to as the "1987 Plan".

Between 1987 and 2010, numerous targeted amendments to the Regional Plan were adopted. These amendments addressed specific topics, but did not update the plan introduction or the original references to the EIS and other work from the 1980's.

The focus of the 1987 Regional Plan was to achieve and maintain environmental thresholds primarily through growth control, development regulations and property acquisition. Growth control measures in the 1987 Plan were extensively litigated and ultimately upheld as lawful. The 1987 Plan established a "carrying capacity" for development in the Region that was dramatically lower than what previous plans had envisioned. A system of transferrable development rights and land coverage regulations was adopted within constraints of the Region's carrying capacity. Concurrently,

aggressive property acquisition programs were instituted. State and Federal land management agencies acquired over 8,500 private parcels and retired the associated development rights between 1987 and 2011. The 1987 Regional Plan and the programs it established substantially reduced the rate of environment decline.

Starting in the 1990's, Threshold Evaluations and other studies made it clear that the strategy of regulation and land acquisition alone would not be enough to successfully achieve and maintain environmental thresholds. The environmental impact of "legacy development" that was constructed prior to the initial Regional Plan continued to adversely impact the Region. In response, Federal, State and Local government dramatically increased funding for stormwater management infrastructure, wetland restorations and other environmentally beneficial projects through the Environmental Improvement Program (EIP). Trends towards threshold attainment improved measurably, but thresholds for water quality and other resources were still not being attained.

In the 2000's, extensive studies for the Lake Tahoe Total Maximum Daily Load (TMDL) provided more detailed information related to water quality. TMDL reports adopted by California and Nevada included the following summary of Lake Tahoe's major water pollution sources:

*The ongoing decline in Lake Tahoe's deep water transparency and clarity is a result of light scatter from fine sediment particles (primarily particles less than 16 micrometers in diameter) and light absorption by phytoplankton. The addition of nitrogen and phosphorus to Lake Tahoe contributes to phytoplankton growth. Fine sediment particles are the most dominant pollutant contributing to the impairment of the lake's deep water transparency and clarity, accounting for roughly two thirds of the lake's impairment.*

*A pollutant source analysis conducted by the California State Water Resources Control Board and Nevada Division of Environmental Protection identified urban uplands runoff, atmospheric deposition, forested upland runoff, and stream channel erosion as the primary sources of fine sediment particle, nitrogen, and phosphorus loads discharging to Lake Tahoe. The largest source of fine sediment particles to Lake Tahoe is urban stormwater runoff, comprising 72 percent of the total fine sediment particle load. The urban uplands also provide the largest opportunity to reduce fine sediment particle and phosphorus contributions to the lake.*

To better address urban stormwater runoff, one of the primary goals of the 2012 Regional Plan Update is to accelerate private investment in environmentally-beneficial redevelopment activities to complement the ongoing investment in public projects targeted at threshold gain. Amendments related to other scientific reports and to legislation in California and Nevada are also addressed in the 2012 Regional Plan.

After adoption of the 2012 Regional Plan, a regular four year cycle of plan evaluations and updates will be maintained. Regular four year updates will maintain consistency with the federally mandated transportation planning cycle for the Tahoe Metropolitan Planning Organization (TMPO) and will facilitate amendments based on the status of Plan implementation, progress towards attainment and maintenance of Thresholds, updated science and other new information. The plan update cycle is depicted on Figure

| [2.](#)

**FIGURE 2 – TRPA PROCESS FLOW CHART**





~~A scoping report issued in September 1982 provided a summary of the proposed Plan development process, listed preliminary goal statements, and outlined a process to evaluate Plan alternatives. Additional issues were identified through an intensive public participation program conducted in October 1982. The results of that effort, as well as feedback from the Advisory Planning Commission (APC), Steering Committee, and the Governing Board, provided an ongoing process of issue identification and goal formulation.~~

~~An Environmental Impact Statement For Adoption Of A Regional Plan For The Lake Tahoe Basin was released in February 1983. The EIS presented a series of Plan alternatives that ranged in orientation from maximum regulation to redevelopment. The 60-day review period for the EIS was coupled with an intensive public hearing process to solicit comments from within the Tahoe Basin and from six regions outside the Tahoe Basin. The comments received, including those from the Advisory Planning Commission and Governing Board, were addressed in an addendum to the EIS. The resolution of troublesome issues was an ongoing process which lasted up to the time of Plan adoption.~~

~~The initial EIS examined a series of Plan alternatives including the various elements that were eventually adopted by the Governing Board in April, 1984. After completing an extensive review of the Plan during 1985 and 1986 and developing of a proposed amended Plan to supersede the 1984 Plan, it was determined that a supplemental EIS should be prepared. The supplemental EIS focused on proposed amendments which resulted from the efforts to settle litigation and resolve conflicts surrounding the 1984 amended Plan. The supplement was prepared and circulated in accordance with Article VII of the Tahoe Regional Planning Compact.~~

~~Upon adoption of the April, 1984 amended Plan, the Agency was unable to implement most of the Plan's provisions due to a federal court injunction. As a result of litigation, the Agency undertook a variety of efforts designed to resolve the conflicts surrounding the Plan. One major effort involved the use of a conflict resolution method known as a consensus building workshop (CBW). The CBW was designed to use a consensus building process to bring together all of the key stakeholders, those with a major interest in the final adopted Plan, in an attempt to reach consensus agreements on a number of the most critical issues of conflict. As a result of this consensus building process, a number of areas of conflict were tentatively resolved by the participants. Significant amendments to the Plan were developed based on resolutions reached by the CBW. Additional efforts by staff, local planners, the APC and its committees, and numerous workshops around the Basin resulted in further specific recommendations. Subsequent to the presentation of these recommendations and other independent efforts to resolve remaining conflicts, the Governing Board, and Advisory Planning Commission held public hearings to receive and consider public testimony, and participated in lengthy debates on the final content of the amended Goals and Policies Plan.~~

~~If the features of this plan cannot be implemented due to legal challenges or lack of financial capability, the Agency will review the causes and, if appropriate, employ consensus building techniques to find solutions to the issues.~~

## **Organization**

~~The Tahoe Regional Planning Compact, the Environmental Threshold-Carrying Capacities,~~

~~the Regional Goals and Policies Plan, the Agency regulations, the Plan Area Statements, Community Plans, master plans, redevelopment plans, Agency programs, and Design Review Guidelines provide the basic framework for judging the merits of individual projects~~ review and approval of activities in the Region is established by the following documents:

- [The Tahoe Regional Planning Compact;](#)
- [The Environmental Threshold Carrying Capacities;](#)
- [The Regional Plan Goals and Policies;](#)
- [Other Regional-Scale Plans and Reference Documents;](#)
- [Plans for Specific Geographic Areas in the Region;](#)
- [TRPA Regulatory Code;](#)
- [TRPA Programs; and](#)
- [TRPA Administrative Manuals](#).

The hierarchical relationship is depicted in Figure [32](#) and explained in the text below.

#### Tahoe Regional Planning Compact

This bistate compact as amended on December 19, 1980, required the adoption of ~~e~~Environmental ~~t~~Threshold ~~c~~Carrying ~~c~~Capacities to set standards for the Region. Once that was done, the Compact required adoption and implementation of a Regional Plan to meet these thresholds and other specific requirements of the Compact. Included in Regional Plan requirements are a Land Use Element, Transportation Element, Conservation Element, Recreation Element, and Public Services and Facilities Element. In order to meet the implementation and scheduling requirements the Agency has added an Implementation Element. Also required in the TRPA plan package are ordinances and programs.

#### Environmental Threshold Carrying Capacities

As required by the Compact, the Agency adopted thresholds for the Region in Resolution 82-11 ~~and has periodically amended the adopted thresholds based on updated information. Adopted thresholds.~~ ~~This document~~ sets forth standards for water quality, air quality, soils, wildlife, fisheries, vegetation, scenic quality, and recreation. One of the major purposes of the regional plan package ~~following this section~~ is to establish regulations and programs to achieve and maintain these thresholds.

#### Regional ~~Plan~~ Goals and Policies ~~Plan~~

The Plan identifies goals that depict the desired ends or values to be achieved and policies that establish the strategies necessary to achieve the goals. This document integrates the requirements of the Compact, the thresholds, other plans and legal requirements, and the public's input. As a result, the Regional Plan provides coordinated and integrated direction for the Agency's regulatory code and implementation programs.



## Other [Regional Scale](#) Plans and Reference Documents

This category includes: (1) plans for which the Agency has adopted or assumed responsibility, such as the Federal 208 Water Quality Plan, the Federal Air Quality Plan, and the ~~California~~ Regional Transportation Plan; and (2) reference documents that support the Regional Plan and are listed by ordinance.

## Plans for Specific Geographic Areas within the Region

After adoption of the 1987 Regional Plan, over 170 different plans were adopted for certain geographic areas. These include Plan Area Statements, Community Plans, State and Federal Government Master Plans and other detailed master plans (for ski areas, marinas, the airport, etc). With adoption of the 2012 Regional Plan, local governments are encouraged to adopt Local Plans to supersede the older plans for specific geographic areas. Before taking effect, Local Plans must be found in conformance with the Regional Plan. State and Federal Government Master Plans and some of the other detailed master plans are expected to remain in place and continue to be implemented.

## TRPA Regulatory Code

The TRPA regulations that are required to implement the policies set forth in the Goals and Policies Plan are found in the Code of Ordinances, ~~the Rules and Regulations of Practice and Procedure, and the Administrative Regulations.~~

## TRPA Programs

The programs that are ~~needed~~required to assess and implement the policies set forth in the Goals and Policies Plan are the Monitoring and Evaluation Program and the Environmental Improvement Program, ~~the capital improvement programs, and the restoration programs.~~ The Agency with the cooperation of other parties, is required to implement programs to achieve and maintain the thresholds.

## TRPA Administrative Manuals

Administrative Manuals provide guidance and specify details such as application procedures, fees, code interpretations and other related matters.

## Plan Area Statements

~~The Plan Area Statements (PAS) provide a description of land use for each area, identify planning issues, and establish specific direction for planning to meet the policy direction of the Goals and Policies Plan. These statements include plan maps setting more specific policy for identified areas consistent with the documents above. Also, the Statements provide specific regulations for identified areas such as would be found in zoning maps. Master plans, redevelopment plans, and specific plans consistent with the PAS may be adopted to replace the PAS.~~

## Community Plans

~~Certain designated areas within the Region are eligible for community plans (CPs). Subject to the limitations set forth in the documents above, the community plans may be adopted to supersede the PAS.~~

## Design Review Guidelines and Best Management Practices (BMPs)

~~These are advisory documents that provide guidance and technical assistance in the development of projects and other activities within the Region.~~

## Relationship to Other Plans

The Regional Plan will help guide decision-making as it affects the growth and development of the Lake Tahoe [Region Basin](#). Because of its inherent broad scope and purpose, the Plan will affect the planning activities of numerous governmental jurisdictions and utility service districts. Each of the affected entities were encouraged to participate actively in developing the Regional Plan so that adequate consideration was given to local, individual, and community needs.

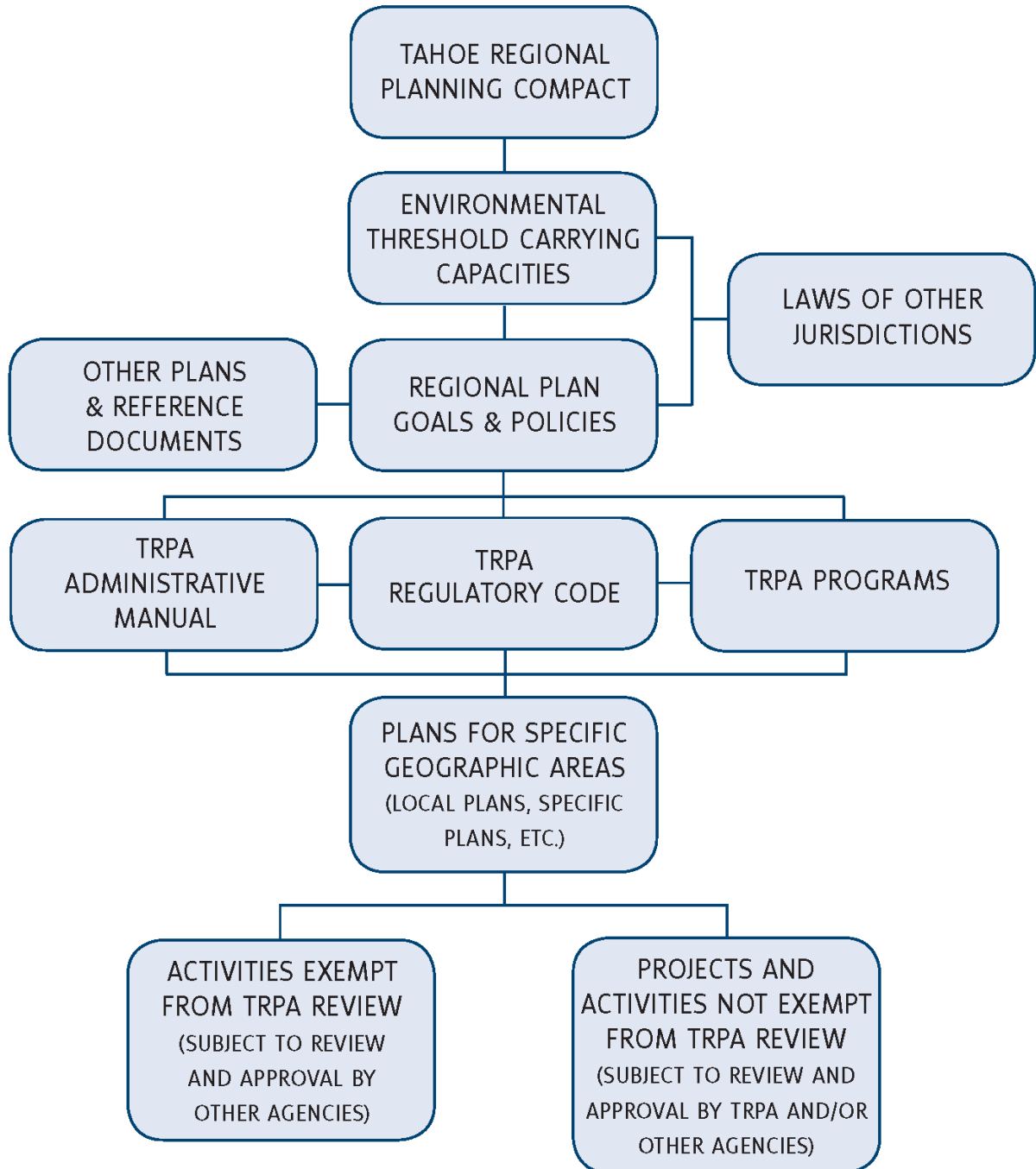
~~The Compact specifically requires the Plan to include elements on Land Use, Transportation, Conservation, Recreation, and Public Services and Facilities. The Plan must also provide for attaining and maintaining federal, state, or local air and water quality standards, whichever are strictest in the respective portions of the region for which the standards are applicable. At a minimum, the Agency's regulations must contain standards for: water purity and clarity; subdivision; zoning; tree removal; solid waste disposal; sewage disposal; land fills; excavations; cuts and grading; piers, harbors, break waters or channels and other shoreline developments; waste disposal in shore line areas; waste disposal from boats; mobilehome parks; house relocation; outdoor advertising; flood plain protection; soil and sedimentation control; air pollution; and watershed protection.~~

Other jurisdictions can enact [local Plans](#), ordinances, rules, regulations and policies which conform to the Regional Plan. ~~In fact, e~~Optimum implementation of this Plan depends on the cooperation of all jurisdictions in the [Region Basin](#). ~~In fact, a~~As provided in the Compact, whenever possible without diminishing the effectiveness of the Regional Plan, the ordinances, rules, regulations and policies of the Agency shall be confined to matters which are general and regional in application, leaving to the jurisdiction of the respective states, counties, and cities the enactment of specific and local ordinances, rules, regulations, and policies which conform to the Regional Plan.

A mix of local, state, and federal plans now exists in the [Region Basin](#) ~~and is expected to be maintained and updated over time in coordination with TRPA. The TRPA planning framework is depicted on Figure 3.~~

-

## FIGURE 3 – TRPA PLANNING FRAMEWORK



However, it appears that the development of the new TRPA Regional Plan will act as a catalyst for Basin agencies to amend, update, or develop new plans. Whenever possible, plans for the county portions of the Basin and the City of South Lake Tahoe should be developed either concurrently with the Regional Plan or subsequent to its adoption.

At the state level, various agencies coordinated with the TRPA to ensure that adequate consideration of their particular needs and requirements were incorporated into the Regional Plan. The California Department of Parks and Recreation and the Nevada Division of State Parks coordinated with the TRPA to assess the strategies for attaining projected facility demands and maintenance of reserve utility capacity for recreation. The California State Water Resources Control Board and the Nevada Division of Environmental Protection cooperated with TRPA on development of the 208 Water Quality Plan, adopted in 1981, and the Water Quality Subelement of the 1984 Regional Plan. Subsequent to the adoption of this 1986 amended Regional Plan, the California State Water Resources Control Board and the Nevada Division of Environmental Protection must approve any changes to the 208 Plan which are inconsistent with the current plan before such changes become effective. The 208 Plan shall consist of the Water Quality Subelement and other key provisions of the 1986 amended Plan. The Nevada Division of Environmental Protection in association with the California Air Resources Board assisted with the development of the Air Quality Subelement. CalTrans, the Nevada Department of Transportation (NDOT), and the Tahoe Transportation District (TTD) worked with TRPA on development and review of the Transportation Element.

At the federal level, the U.S. Environmental Protection Agency was involved with both the Air and Water Quality subelements of the Plan and must approve any changes in the State water quality management plans. The Lake Tahoe Basin Management Unit of the U.S. Forest Service will adopt a new Forest Land and Resource Management Plan consistent with the goals and policies of the Regional Plan.

## **Plan Updates**

The Regional Plan is not a static document, but will be reviewed and amended as necessary to achieve environmental threshold carrying capacities and to reflect new data. At a minimum, the Plan will be evaluated at five year check points to ascertain the status of plan implementation and progress towards the attainment of environmental threshold carrying capacities. The initial five-year interval shall begin upon the date of adoption of the 1986 amendments to the Goals and Policies.

**TAHOE REGIONAL  
PLANNING COMPACT**

**ENVIRONMENTAL THRESHOLDS CARRYING CAPACITIES**

**Laws of Other  
Jurisdictions**

**REGIONAL GOALS & POLICIES PLAN**

**OTHER PLANS & REFERENCE  
DOCUMENTS**

**PROGRAMS**

**DESIGN REVIEW  
GUIDELINES  
And BMPs**

**REGULATORY CODE**

**PLAN AREA STATEMENTS**

**COMMUNITY PLANS**

**Master Plans  
Redevelopment Plans  
Other Specific Plans**