

TAHOE REGIONAL PLANNING AGENCY (TRPA)
AND TRPA COMMITTEE MEETINGS

NOTICE IS FURTHER GIVEN that on **Tuesday, June 27, 2017** commencing at **1:30 p.m.**, at the **Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV**, the Governing Board **Regional Plan Implementation Committee** of the Tahoe Regional Planning Agency will meet. The agenda is attached hereto and made part of this notice.

June 20, 2017



Joanne S. Marchetta, Executive Director

This agenda has been posted at the TRPA office and at the following locations: Post Office, Stateline, NV, North Tahoe Event Center in Kings Beach, CA, IVGID Office, Incline Village, NV, North Tahoe Chamber of Commerce, Tahoe City, CA, and South Shore Chamber of Commerce, Stateline, NV

TAHOE REGIONAL PLANNING AGENCY	
REGIONAL PLAN IMPLEMENTATION COMMITTEE	
TRPA	June 27, 2017
Stateline, NV	1:30 p.m.

All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear and may, for good cause, be continued until a later date.

All public comments should be as brief and concise as possible so that all who wish to speak may do so; testimony should not be repeated. The Chair of the Committee shall have the discretion to set appropriate time allotments for individual speakers (3 minutes for individuals and 5 minutes for group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for speakers will be permitted by the ceding of time to others. Written comments of any length are always welcome. So that names may be accurately recorded in the minutes, persons who wish to comment are requested to sign in by Agenda Item on the sheets available at each meeting. In the interest of efficient meeting management, the Chairperson reserves the right to limit the duration of each public comment period to a total of 2 hours. In such an instance, names will be selected from the available sign-in sheet. Any individual or organization that is not selected or otherwise unable to present public comments during this period is encouraged to submit comments in writing to the Governing Board. All such comments will be included as part of the public record.

“Teleconference locations for Board meetings are open to the public ONLY IF SPECIFICALLY MADE OPERATIONAL BEFORE THE MEETING by agenda notice and/or phone message referenced below.”

In the event of hardship, TRPA Board members may participate in any meeting by teleconference. Teleconference means connected from a remote location by electronic means (audio or video). The public will be notified by telephone message at (775) 588-4547 no later than 6:30 a.m. PST on the day of the meeting if any member will be participating by teleconference and the location(s) of the member(s) participation. Unless otherwise noted, in California, the location is 175 Fulweiler Avenue, Conference Room A, Auburn, CA; and in Nevada the location is 901 South Stewart Street, Second Floor, Tahoe Hearing Room, Carson City, NV. If a location is made operational for a meeting, members of the public may attend and provide public comment at the remote location.

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to attend the meeting. Please contact Marja Ambler at (775) 589-5287 if you would like to attend the meeting and are in need of assistance.

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. PUBLIC INTEREST COMMENTS – All comments may be limited by the Chair

Any member of the public wishing to address the Governing Board Regional Plan Implementation Committee on any item listed or not listed on the agenda may do so at this time. TRPA encourages public comment on items on the agenda to be presented at the time those agenda items are heard. Individuals or groups commenting on items listed on the agenda will be permitted to comment either at this time or when the matter is heard, but not both. The Governing Board Regional Plan Implementation Committee is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

V. PLANNING MATTERS

A. Lake Tahoe Shoreline Plan Working
Session - Private Pier Proposal

**Discussion and
Possible Direction
to Staff**

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VI. MEMBER COMMENTS

VII. PUBLIC COMMENT

VIII. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY
REGIONAL PLAN IMPLEMENTATION COMMITTEE

TRPA
Stateline, NV

May 24, 2017

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Vice Chair Mr. Bruce called the meeting to order at 8:33 a.m.

Members present: Ms. Aldean, Mr. Bruce, Mr. Lawrence, Mr. Sass, Mr. Yeates, Mr. Severson

Members absent: Mr. Shute

Shoreline Steering Committee: Darcie Collins, League to Save Lake Tahoe, Jan Brisco, Tahoe Lakefront Owners' Association, Bob Larsen, Lahontan Regional Water Quality Control Board, Collin Conner, California State Lands Commission (by phone), Charlie Donohue, Nevada Division of State Lands (by phone), Jessica Tucker-Mohl, California Attorney General's Office

II. PUBLIC INTEREST COMMENTS

None

III. APPROVAL OF AGENDA

Mr. Bruce said the agenda is deemed approved as posted.

IV. APPROVAL OF MINUTES

Ms. Aldean said she provided her clerical edits to Ms. Ambler and moved approval of the April 25, 2017 minutes as amended.

V. Item 4: Discussion and possible direction on Shoreline Planning Concepts

TRPA team members Ms. McMahon and Mr. Marshall, and Ms. Bartlett, Consensus Building Institute provided an overview of a new pier proposal and policy recommendations.

Ms. Marchetta said staff is about continuing to build out proposals in an overall system of structures that relate to water-dependent recreation at Lake Tahoe. In March, some of the pier policies were presented to this committee and today's meeting will have presentation on additional policies about pier development. The planning principles presented in March for piers have three prime drivers; low lake level, offering a fair and reasonable system of access and avoiding and minimizing environmental impacts. In the work towards consensus, the steering committee added a set of broad accommodations on design standards tied to the functionality of pier structures at low lake levels. Those previously endorsed outcomes or policies, they allow longer, bigger structures, more design flexibility, and more visible mass. A system is being built for more owners being able to share a pier. The owners are then allowed to get more mass,

more design flexibility, and a functional pier when the lake levels drop. Because these structures are not moveable, that adaptation accumulates a visible effect on the shoreline. The provisions to adapting to low lake levels were not in the 2008 program. This is new pressure on the scenic system and needed to be addressed as the steering committee moved through the rest of the principles that have been developed in this negotiation.

Planning principle of fair and reasonable access: The key planning considerations in this context were different kinds of land ownership; public and private lands, including commercial, homeowner's associations, and single use private. They wanted to provide general eligibility, but not guaranteed in all locations. Various interests have made prioritizing multi-use structures over single-use a key priority. The program significantly increases eligibility for pier development around the Lake. It looks at certain locations that are defined by environmental status and looks at certain types of land ownership. The reason this plan is being done is to lift an anachronistic prohibition on new structures in fish habitat. That prohibition was not supported by the prevailing science. There will be a set of areas around the Lake that are mapped as feed and cover fish habitat that will now be eligible for placement of new structures. What is new is new today is a second increase in eligibility. What has been in the Code of Ordinances is a long-standing prohibition on eligibility with homeowner's association shoreline ownership. Under existing regulations for HOA's if it is served by a multi-use pier or buoy field, those parcels were considered ineligible for any new pier development. There are proposals being brought forward that open eligibility in these HOA areas. In return for providing that opportunity for increased pier eligibility to more shoreline owners, there needed to be boundaries on development that would gain or leverage environmental benefits. In order to direct the system of access to as many owners as possible, the system needed to be incentivized for cooperative sharing. This was an important principle in 2008 and still is today. The principle applied was to incentivize to the maximum extent possible. This idea of multiple-use, where a limited number of development opportunities while allowing for single owner exclusive use. The approach begins this transition from a culture at Lake Tahoe where we have thought about development on a single parcel as exclusive use and now we are shifting to a system where we are trying to move toward shared use.

To protect and enhance the environment was not only thinking about low lake levels and reasonable access but a complex array of environmental considerations. They couldn't just add environmental impacts such as more scenic burdens and simply mitigate those back to status quo. The mandate is to improve and drive toward attainment. In driving affirmative environmental gains factors had to consider, density, clutter in one location, and sensitivity in the scenic status of the shoreline. The basic principles were to limit the total number of new private piers to 128 over the life of the program. To meter out those new piers at six per year allocated every two years and increase the protections that are based upon the shoreline sensitivity. A new pier would require the retirement of shorezone development potential. This would get to implementing the multiple-use and harmonizing the Tahoe system to one where more owners understand that the best likelihood for achieving a pier is to cooperate with others who also do not have a pier. An exclusive use pier would also be considered under the same standards of retiring development potential. The retirement obligation is higher as you get into more sensitive shoreline areas and to meet the mandate to move toward attainment, new piers will have to mitigate scenic impacts at increasing ratios depending upon shoreline sensitivity.

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Ms. Bartlett, Consensus Building Institute said some of the elements of the pier proposal that the Regional Plan Implementation Committee endorsed at its March meeting were pier allocations were allowed for ten new public piers and 128 private piers available for permitting and would be released on a “go slow” basis and there would be prioritization for multiple-use piers; multiple parcels coming together to share a pier would receive priority in the process of the application.

Mr. Marshall continued with Ms. Bartlett’s presentation.

There are current rules that govern expansion and its primarily driven by whether it’s conforming or non-conforming. If it is conforming to design standards an expansion can be done up to the limits of the new design standards depending on which category it is.

Existing pier modifications can be modified if it is within the design criteria applicable to the pier. If it is not conforming then it can be modified if there is material environmental benefit and the structure is brought into greater compliance and there is not an increase the degree of non-conformity.

Mitigation applicable to piers: Building a pier there would be additional new structure in the shorezone. The first issue is where does the mitigation take place? It would either have to be removed or the new structure is offset. Because of the relative sensitivity of development in the shorezone, the preference would be to have the mitigation occur first on the parcel. The mitigation ratios are an increasing requirement for offset depending on the relative sensitivity of the scenic type in which the new pier is located. Fish habitat mitigation is a 1:1 ratio which came through the Joint Fact Finding and the Fisheries subcommittee. There is also banking where a structure can be removed and banked to save the value of that impact for a subsequent project.

Presentation can be viewed at:

<http://www.trpa.org/wp-content/uploads/RPIC-Agenda-Item-No.-4-Shoreline.pdf>

Steering Committee

Jan Brisco, Tahoe Lakefront Owners’ Association, said they have a number of concerns with the way this is coming forward because it is uncharted water. The idea that shorezone development would need to be retired means that there will be private transactions along the lakeshore. They are unsure what the fallback position would be if that does not work out and would like to know how the proposal can be better refined to be something that would be both fair and consistent and still achieve the thresholds and other things throughout the program.

Mr. Sass asked her to expand on her concerns about the retirement.

Jan Brisco, Tahoe Lakefront Owners’ Association said the volume of transactions that would be required for certain parcels is a concern. For example, in sandy beach areas, to have a single use pier one would have to retire two additional pier development rights. This means finding the same character types in the same units, which might not have large availability. Other concerns are the units are very small, some of the character types may be short, they cannot predict how

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many parcels would be within a certain stretch of sandy beach, prices would be driven up, etc. To make this work, there needs to be a willing seller on the other end. They feel that every parcel, single use or multiple use, should have a certain amount of development available to it and have been strongly in favor of packaging a program with incentives built in to encourage that type of thing. With what they have been hearing, this is the only way to make some of the scenic and other components work. Their concern is the way it is going to flush out, how long that will take, and what will be envisioned by that type of transfer system and retirement system.

Darcie Collins, League to Save Lake Tahoe said the steering committee's discussions have been based on a total package. They have negotiated and talked about a lot of issues, they brought in some different issues in this update that were not considered in the 2008 plan, and the pier proposal seen today is a result of some of the allowances and eligibility requirements that have been opened the potential for pier building. This is a bigger package and it may not be complete, but she feels there has been mindful thought in how it is being developed and is looking forward to seeing how the complete package.

Bob Larsen, Lahontan Water Board said the complexity of this cannot overstated; there is a lot going on and a lot of moving pieces. It became clear that balancing the environmental needs with a development potential was not an easy question. While the proposal before the committee appears to be limiting and have different constraints on it, he feels compared to the 2008 and the series of different density restrictions and other things that limited pier development potential and compare that to the enhanced eligibility of this proposal, it is a comprehensive package balanced with the retirement of development rights.

Committee Comments & Questions

Ms. Aldean asked if there are any pier applications still pending and how they be handled.

Mr. Marshall said there are no existing applications being held. Anything in the system at the time the environmental documentation was vacated and the previous shoreline program was stopped could be reapplied for under the new criteria.

Ms. Aldean asked if the steering committee looked at the possibility of mandating the installation of floating docks in certain scenic units based on environmental concerns.

Mr. Marshall said the current design standards state they must be elevated and then drop down once they are out on the Lake. Now, the principal impact associated with piers on sandy beaches is the shadow line and the pier coming across the sandy beach that creates significant visual impact. In terms of the visual impact, it does not make a significant qualitative difference whether the floating dock is up or low on the beach, but it does create other impacts that are have proven problematic in the past.

Ms. Aldean asked if this retirement approach has been successfully used elsewhere.

Mr. Marshall said there is nothing that they have seen that is comparable. Multiple-use has

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been in the Code of Ordinances for a long time. TRPA has had direct experience with it. In 2008, they had incentives for multiple-use piers in permitting and in non-attainment units, multiple use piers were required. There is a concern that when there is a system that mandates a two-parcel pier application, there will be some “bumpy roads” on implementation regarding the requirement of three parcels to come together in sensitive areas there will be a period of adjustment.

Ms. Aldean said she understands that an essential element in negotiating these deals is the willingness of parties to compromise. She has a philosophical issue with respect to the additional limits that are being placed on the single-use docks. There will be a defacto moratorium except for the very wealthy that can afford to buy development right potential off other parcels. Premium prices will be asked for development right retirement. She is concerned about people who have been waiting for years, especially in fish habitat areas. There are equity issues that have not been adequately addressed.

Mr. Marshall said on page four of the presentation, there is a list of remaining issues; private pier density, HOA Service, Multiple-Use piers, and non-attainment. Disregard commercial and public residences on a single parcel. These other ones were tough issues to figure out how to deal with. They resolved pier density by substituting the density requirement for a multiple-use requirement and HOA eligibility question. That allowed the density requirement to be removed which came out of the 2008 and prior efforts to address the issue of putting too many piers in particular areas around the Lake. There is a distinct policy choice to mandate multiple-use in exchange for removing the density requirement, because it essentially functions as the density requirement. If they come back on the multiple use requirement, they then need to put some protective mechanism so they are not seeing a bunch of single use piers moved into a particular area. What is the primary policy driver? Is it trying to maximize the ability of Lakefront owners to participate in a pier or individual private parcels being able to get their own pier. There are consequences from each policy direction. If that is the primary driver, they will need to construct offsetting mechanisms to avoid the potential impacts. All the past EISs have multiple systems created to try to get to the point of allowing single-use piers with the potential to aggregate them in sensitive areas, how do they create a system, mitigation measures, or other creative approaches that push the primary fair access policy above the single use pier. That is the most critical function that can be constructed in the alternatives within the environmental impact statement as to what are the principal policy drivers that they want to see in the shorezone and how to allocate 128 new piers across 700 plus parcels without piers. For this proposal, the primary judgement is focused on maximizing available participation among shorefront owners with removing density and HOA.

Ms. Aldean said she is concerned that there has not been a lot of feedback from the public and suggested a more vigorous outreach to lakefront property owners that do not have dock.

Ms. Marchetta agreed and said they plan to do outreach to the lakefront owners. What is needed now, is to be able to start the environmental review. They do not need agreement right now that this is “the” program, but rather establish a range of alternatives that could look at an array of choices that can then be evaluated. The timing that this initiative is on, they are at the point where there is not a lot of give in the system.

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Ms. Aldean said she would like to see the density alternative analyzed by a first come first serve method.

Mr. Lawrence said he is unsure what the requirement to retire development potential for single-use piers is accomplishing. There is the go-slow approach and development caps on the total number of piers, so retiring development potential does not change that cap or the end game as far as an environmental analysis goes. There is robust scenic mitigation based on where the disturbance will be located and development and locations standards. He suggested tackling density standards head on. Maybe there is a person that has a single residential parcel that is in a developed area and want to construct a pier, that may be an infill, which typically have the least amount of impacts. There may be a situation where only those that can afford it will be able to play. There is an opportunity aspect regardless of monetary value. He doesn't feel that mitigation is always best closest to the disturbance so the mitigation has a ratio that if a parcel is in a certain unit, the scenic mitigation would have to be ramped up. If someone is doing mitigation in one of those units, they should receive appropriate credits. We should reward people for doing mitigation where we want the mitigation to occur. Was consideration given for marine rail systems to be converted to piers.

Ms. Brisco said yes.

Mr. Marshall said the reason why it is focusing on boat ramps is the amount of disturbance within fish habitat, the concrete boat ramps as opposed to a marine railway. It is also a continuation of the Code of Ordinances provision that allows for the conversion of boat ramps to a pier.

Mr. Lawrence said he supported of the scenic credit aspect.

Mr. Sass agreed that there needs to be outreach to individual parcel owners who may be losing property value with this plan and there needs to be a solution that is more palatable to those individuals. He said on page 7, Applications Collected Annually and Prioritized, is there going to be a list created that will carry from year to year or will people will have to apply every year.

Mr. Marshall said they are still discussing this with the steering committee, but fundamentally there is a time period in which applications are due, the applications are ranked, and then top number of allocations that are available that year. Then those people are free to then apply. If supply is available the next year, those people can compete again for the next round. They are not given preference and do not preclude other people from coming in the next round because we want to maximize what we get in an application for the pier allocation.

Mr. Sass said that is unfair for someone who has been waiting years could be skipped by someone who just bought property and applied. He asked if there is enough staff for the work that the application process will require.

Ms. Marchetta said there is the appropriate amount of staff.

Mr. Sass asked what will be done to restore the areas where the old piers are located.

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Ms. Brisco said it depends on the type of pier it is. If it is steel it can be pulled, if it is wood it would be cut flush with the lake bottom, if it rock crib it will be removed and the area restored with similar sub straight to the surrounding area.

Mr. Sass asked if property owners will be required to do work to the old piers that disappeared and still have footings in the lake.

Ms. Brisco said no. Those are unserviceable structures that have no bearing on a pier.

Mr. Yeates said the big give for him was opening up the homeowner's association for private piers. He thought the purpose was for multiple-use piers. What is that public share of trying to protect Lake Tahoe and how do we balance the thresholds and other issues? We need to go out and get feedback to see if we are on track.

Mr. Sevison said since the beginning of time, if a homeowner had a lakefront property, it was always assumed you could have a pier and boat and it was a matter of right. He is unaware of any attempt to try to portion out buoys, for example, on homeowners' associations based on the number of potential users in a subdivision. There is a strong demand by people to get access to the Lake. He does not envision there will be a large demand for people to buy lakefront properties with a pier and abandon that pier and lot to get a pier on another lot.

Mr. Bruce said we must find a way to achieve what our plan goals are, first in time and first in right achieves our plan goals. We need to be thoughtful on how to distribute piers and how they impact the Lake and environment. This proposal is positive because it gets us thinking and there is a lot of give and take. This is not a perfect plan but it gets us to talk about a lot of issues that have been raised. There are other options and his preference would be to get to the environmental impact statement with the understanding that there will be other options on the table as we go through this notice and analysis process.

Ms. Brisco said the Tahoe Lakefront Owners' Association is having a workshop on June 2nd at the North Tahoe Conference Center in Kings Beach from 10:00 am – 12:00 pm.

Ms. Marchetta said the steering committee needs to build an alternative that evaluates the first come, first serve and density approach. They will take other outputs from this meeting today and assess if they should bring something revised back to the Regional Plan Implementation Committee or if they should build enough flexibility into the environmental review. She would like the committee's endorsement to bring back to RPIC next month a set of alternatives to begin scoping that incorporates both the proposals what the steering committee has developed as well as what has been heard from this committee today.

Ms. Aldean made a motion to move forward with staff's recommendation.

Mr. Larsen said there are 700 plus parcels without piers and they have limited that number to 128. The question is how should the 128 be distributed across those 700 parcels. He wanted to frame that perspective; there will be development potential that is unused simply because of the numbers. Any advice that can be provided to the steering committee in terms of how you

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would like to see the 128 distributed across the Lake to achieve our goal would be helpful.

Mr. Sevison said there was a similar dilemma years ago at this Agency when permits were being issued for development and the only solution they found at the time was a lottery system. It is difficult to manage, but it may be the best options to keep it fair.

Mr. Lawrence said he supported of Ms. Aldean's motion. He feels with a development cap, distribution across the counties, robust scenic standards, a prioritization based on retiring development potential, etc. is already baked in without the requirement of having to retire development potential to get a single use pier. That is the part he struggles with and is unsure what that other requirement gets us from an environmental perspective. He feels the equity and distribution is in this proposal and commends the steering committee for doing that.

Mr. Yeates said the request from the steering committee is fair. There would be a reduction of development potential and a scenic benefit but there will be 128 properties that are going to get a benefit and the others are not. Would it work if someone wanted a private pier and came up with a way of acquiring other parcels?

Ms. Brisco said she has a subset of Lakefront owners of what is trying to be done globally. She has pressure internally on people's pent up demands for 30 years. People who have been trying to work with neighbors but can't. Where would these development rights come from within their unit and then there are commodities that get driven. If it doesn't work, there needs to be a fallback position.

Ms. Aldean said there are probably parcels around the Lake that do not have a pier that meet the scenic requirements and would be eligible for an individual dock without having to retire development potential if the mitigations are in place. Then there are the parcels that are challenged because they are not in an attainment area. The person who is unlikely to be able to ever develop a pier because of the cost of mitigating the impact of that pier because the area is not in attainment will be more motivated to deal. There may be a willingness to sell that commodity to a willing buyer. We need to isolate those parcels that are in attainment and are not significant challenges to mitigate the visual impact of a dock at the location and then address with visually challenged ones separately.

Public Comments & Questions

Ed Moser, South Lake Tahoe resident said the use of community piers or sharing is of great value and the number of piers should be reduced. It should not be assumed that Lakefront properties are necessarily entitled to a pier.

Low Feldman said the retirement of development potential on these assets that have extraordinary value are going to challenge the commodities market. He would be surprised if we see much traction in this economic arena. A viable alternative would be rather than a commodity system per se, for example, if there is an environmental improvement project that the property owner may undertake that could reduce sediment loading. That could be a factor that could participate in the prioritization concept and deliver quantifiable on the ground

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environmental gain.

Jessica Tucker-Mohl, California Attorney General's office said a principle for robust check ins and backstops to monitor how the program is going. There was a proposal for checking in every eight years for pier permitting. Their office suggested a more frequent check in. The environmental analysis process will be helpful in working through the density and prioritization for retiring development rights elsewhere. TRPA's capability for modeling could be helpful to the lakefront property owners along with the public. The General Attorney's office supported the multiple-use proposal. Their office will continue to follow the public trust topic as is continues to be discussed.

Mr. Bruce said there is a motion pending that based on what has been discussed today, staff will generate some alternatives to be discussed at the steering committee and then back to the Regional Plan Implementation Committee for review and discussion.

Motion carried.

VI. COMMITTEE MEMBER REPORTS

None

VII. PUBLIC COMMENT

None

VIII. ADJOURNMENT

Vice Chair Mr. Bruce adjourned the meeting at 10:23 a.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

The above meeting was taped in its entirety. Anyone wishing to listen to the tapes of the above mentioned meeting may call for an appointment at (775) 588-4547. In addition, written documents submitted at the meeting are available for review

MEMORANDUM

Date: June 20, 2017

To: TRPA Regional Plan Implementation Committee

From: TRPA Staff

Subject: Lake Tahoe Shoreline Plan Working Session - Private Pier Proposal

Requested Action: Provide endorsement and direction on a Lake Tahoe Shoreline Plan Private Pier Development and Distribution Proposal developed by the Steering Committee.

Overview: In 2016, the Tahoe Regional Planning Agency (TRPA) launched a collaborative process to develop the Shoreline Plan to enhance recreation and protect the 72 miles of Lake Tahoe's shores. TRPA and partner agencies initiated planning by engaging the Consensus Building Institute (CBI), a third-party mediation firm, to convene stakeholders and lead consensus based planning. As part of this process, CBI and TRPA convened a Steering Committee. Committee membership includes:

Jennifer Lucchesi, California State Lands Commission
Robert Larson, Lahontan Regional Water Quality Control Board
Bob Hassett, Lake Tahoe Marina Association
Darcie-Goodman Collins, League to Save Lake Tahoe
Charlie Donohue, Nevada Division of State Lands
Jan Brisco, Tahoe Lakefront Owners' Association
Joanne Marchetta, Tahoe Regional Planning Agency

Last fall, the Steering Committee began working on developing recommended policy proposals for consideration by the Regional Plan Implementation Committee (RPIC). At the November 2016 and January 2017 RPIC meetings, TRPA staff, along with Gina Bartlett, the Senior Mediator facilitating the planning process, and Dan Nickel, a shoreline planning consultant working on behalf of the Steering Committee, presented the proposed project scope and policy proposals developed by the Steering Committee. At the meetings, RPIC voted to advance the proposed scope, the overarching principles for boating facilities, the low lake level adaptation preliminary policy recommendations on the phased approach directing access toward marinas and public ramps, and preliminary policy proposals regarding buoys and piers.

At the March meeting, RPIC was presented with organizing principles and a comprehensive set of policy proposals developed by the Steering Committee. RPIC voted unanimously to advance the policy proposals developed by the Steering Committee with one exception. On the contested issue of total moorings per parcel, the Steering Committee was split, and after consideration, RPIC advanced by a vote of 4 to 1 the proposal to limit new applications for private littoral parcels to two moorings, which was recommend by a majority of the Steering Committee members.

In May, the steering Committee presented to RPIC a proposed comprehensive private pier development and distribution proposal aimed at guiding fair access and defining future development potential. The proposal significantly expanded eligibility in return for strict requirements to retire future pier development potential. The proposal was not advanced because of concerns raised with fairness, flexibility, the opportunity to apply for single use piers, and the approach to managing visually sensitive areas of shore (sandy beaches). Since the May meeting, the Steering Committee has been working to address the issues raised by RPIC and to develop a new pier distribution proposal that meets the varied interests in the Shoreline Plan Organizing Principles.

A revised pier distribution proposal developed by the Steering Committee will be presented at the June RPIC meeting. The concepts advanced include:

- A firm cap on development potential. In addition to the 738 existing private piers, cap builds out of new private piers at 128).
- Allocate new piers to promote multiple parcel piers (80%) while providing for the opportunity for single parcel piers (20%).
- Distribute piers around the lake based on the geographic share of shoreline development capacity by jurisdiction (4 lake quadrants) and sensitivity of shoreline to scenic impact.
- Meter out new piers in increments. Front load single parcel piers to earlier rounds to address pent up demand and allow time for development of multiple-use pier proposals.
- Prioritize pier development to promote retirement of shoreline development potential, access opportunities, and direct piers to less sensitive areas of the shoreline.
- Expand pier eligibility to HOA shoreline areas, with conditions to promote access.
- Address all threshold impacts and mitigate visual impacts of new piers based on scenic sensitivity of pier location.
- Review implementation of program under both the Threshold Evaluation process (every 4 years) and an eight-year pier and buoy permitting activity report.

Next Steps: The following is an overview of next steps:

- Environmental Review: Once a comprehensive set of policy proposals is endorsed by RPIC for inclusion in the Shoreline Plan project description, TRPA will start the scoping process for the EIS and developing conceptual EIS alternatives. The alternatives will include policy proposals considered, but not included in the proposed Shoreline Plan (preferred alternative), that are reasonable and feasible. The alternatives will be brought to RPIC for general endorsement before work commences on the preparation of the draft EIS.
- Shoreline Plan: Goals, policies and code will be drafted based on the Shoreline Plan policy proposals endorsed by RPIC.
- Organizational Briefings: Over the summer, when most lakefront owners are in Tahoe, TRPA is conducting information and outreach meetings at existing organizations. They include community meetings with homeowner associations, business groups, realtors, and boating organizations among others. The purpose of these briefings is to provide information about the Shoreline Plan, including how the public and stakeholders can stay involved and informed and to solicit input on policy proposals.

Public Input: Public input from the workshops held on September 21, 2016, on the North Shore and November 3, 2016, on the South Shore are provided on ShorelinePlan.org. Public comments submitted to TRPA are also provided on ShorelinePlan.org.

Contact Information: If you have questions regarding this item, please contact Brandy McMahon, AICP, Principal Planner, at (775) 589-5274 or bcmahon@trpa.org.