

## Recommendations addressing RPU Committee Actions on January 24, 2012 January 26, 2012

### 1. Plan Introduction Text Regarding Nearshore Water Quality

#### Background:

The RPU Committee directed staff to draft a new paragraph for the Plan Introduction addressing nearshore water quality in manner that is consistent with the summary of deep water quality.

#### Recommendation:

Staff recommends that introductory text be modified as follows:

*....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.*

[While the TMDL focuses on impairment of Lake Tahoe's deep water transparency and clarity, the primary pollutants that it addresses \(fine sediment, nitrogen and phosphorous\) also impair nearshore water quality. Given the exceptional scenic quality and significant recreational and ecological values provided by Lake Tahoe's nearshore, the protection of nearshore water quality is equally important.](#)

To better address ~~urban-stormwater-runoff~~these water quality issues, 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.....

### 2. LU-2 Implementation Measure for Subdivisions

#### Background:

The manner in which the Code of Ordinances currently calculates density for mixed use developments is unclear. Language of Section 31.5.2.B (Maximum Density for Mixed-Use Categories) only permits one residential condominium unit in developments that also include a non-residential component. Apartments in mixed use developments are classified as multi-family residential and are not subject to this limitation (Table 31.5.2.-1 Category E). However, when allowed apartment units are subdivided into condominiums, the condominium units are treated as single family residential in accordance with code definitions. Single family residences (condos) in mixed use developments may only occur at a density of one unit per project (Table 31.5.2.-1 Category D). Other sections of code can be interpreted to permit additional condominium density, but code amendments are recommended for clarity and consistency.

At the January 24 RPU Committee meeting, concerns were raised that the language of the

recommended implementation measure could result in unintended and/or broader consequences. The RPU Committee directed staff to draft additional limitations to prevent this change from being used to permit a broader range of subdivision activities.

Recommendation:

To address the existing situation without potential for additional consequences, staff recommends the following Implementation Measure:

Amend the Section 31.5.2.B of the Code of Ordinances (Maximum Density for Mixed-Use Categories) as follows:

4. Category D

In Category D, the maximum residential density is one unit per project area, provided that residential units are allowed by the plan area statement or community plan; except for a mixed-use project proposing to subdivide multi-family residential units, which is subject to Category E below.

5. Category E

In Category E, the maximum density of a multi-family dwelling, multi-person dwelling, or other tourist accommodation use shall be the maximum density for the given residential or tourist accommodation uses, as determined by Table 31.3.2-1, multiplied by the ratio of the floor area of that use to the total floor area in the project area (see Examples 1 and 2), subject to the exceptions below....

**3. Policy VEG-1.11 related to Urban Forestry Programs**

Background:

Several policies under Goal VEG-1 address vegetation in urban areas by protecting existing native vegetation during construction, promoting revegetation of disturbed sites with native vegetation and managing vegetation to allow for continuity between the natural and built environment. To further the attainment of vegetation and scenic thresholds in urban areas, without increasing the risk of wildfire, The RPU Committee directed staff to draft a Policy focused on developing an urban forestry program.

Recommendation:

Staff recommends the following new Policy VEG-1.11:

**VEG-1.11. ENCOURAGE LOCAL GOVERNMENTS TO DEVELOP URBAN FORESTRY COMPONENTS WITHIN THEIR LOCAL PLANS. URBAN FORESTRY PROGRAMS SHOULD SEEK TO REESTABLISH NATURAL FOREST CONDITIONS IN A MANNER THAT DOES NOT INCREASE THE RISK OF CATASTROPHIC WILDFIRE.**

**4. Goal VEG-2 related to Wetland/Riparian Maintenance and Restoration**

Background:

Goal VEG-2 and related Policies promote the preservation and restoration of riparian plant communities. The RPU Committee directed staff to draft policy amendments addressing restoration

priorities when full restoration to natural conditions is not feasible.

Recommendation:

Staff recommends the following Amendment to Policy VEG-2.2:

**VEG-2.2. RIPARIAN PLANT COMMUNITIES SHALL BE RESTORED OR EXPANDED WHENEVER AND WHEREVER POSSIBLE. WHEN COMPLETE RESORATION TO NATURAL CONDITIONS IS NOT FEASIBLE, RESTORATION PROGRAMS SHALL FOCUS ON RESTORING THE NATURAL FUNCTION OF RIPARIAN AREAS TO THE GREATEST EXTENT PRACTICAL.**

Riparian plant communities are the single most important habitat for wildlife in the Region Basin and provide the most cost-effective means of water cleansing. Existing riparian plant communities shall be maintained in undisturbed conditions to promote such beneficial functions. The schedule for restoration, as required by the thresholds, will correspond to the schedule for restoring stream environment zones outlined in the Environmental ~~capital~~ Improvement ~~p~~Program.

**5. Goal VEG-4 and Policy VEG-4.3 related to Late Seral/Old Growth Forests**

Background:

The RPU Committee directed staff to update and refine Goal VEG-4 and Policy VEG-4.3 in coordination with fire protection agencies to reflect current data/information.

Recommendation:

Staff recommends the following Amendments (text includes all of VEG-4, but only the Goal and VEG-4.3 are modified from January 24:

**GOAL #~~VEG-4~~<sup>SS</sup>**

**PROVIDE FOR AND INCREASE THE AMOUNT OF LATE SERAL/OLD GROWTH STANDS WITHIN THE LAKE TAHOE REGION ~~BASIN~~.**

Late seral/old growth forest stands provide unique habitat for many wildlife and plant species. Late seral/old growth stands also have in increased resistance to tree mortality, thereby providing and on-site seed source for natural reforestation. Today, late seral/old-growth forest stands are fragmented and less common than would naturally occur due to clear-cut activities late 1800's followed by wildfire exclusion policies through most of the twentieth century. The forested lands in the Region are now dominated by overstocked, second growth, even-aged stands. Fir trees have replaced many naturally occurring pine tree stands. The future condition of forested lands within the Region should reflect natural conditions as much as realistically possible. ~~Late seral/old growth forest stands are rare in the basin, but provide high quality habitat for many wildlife and plant species. In the year 2000, it was estimated that less than 5% of the forest stands could be conservatively classified as late seral/old growth. The desired future condition for forested lands within the basin is that the forests should reflect the pre-settlement conditions to the degree possible. The best available estimate of the amount of late seral/old growth forest in pre-settlement times is 55% of the total forest. With the existing state of the basin's forest dominated by mature, even-aged stands, a~~Active management is necessary to increase

the amount of late seral/old growth forest [and help restore natural conditions](#).

## POLICIES

### **VEG-4.1. STANDS EXHIBITING LATE SERAL/OLD GROWTH CHARACTERISTICS SHALL BE MANAGED TO ALLOW THESE STANDS TO SUSTAIN THESE CONDITIONS.**

The existing forest stands that exhibit late seral/old growth characteristics are rare in the basin and should be protected. These stands act as a refuge for late seral/old growth species and will be critical for future restoration of additional late seral/old growth stands.

### **VEG-4.2. STANDS NOT EXHIBITING LATE SERAL/OLD GROWTH CHARACTERISTICS SHALL BE MANAGED TO PROGRESS TOWARDS LATE SERAL/OLD GROWTH.**

Forest stands that do not currently exhibit late seral/old growth characteristics, and that can reasonably be expected to produce late seral/old growth characteristics, should be managed to move the stand towards increasing late seral/old growth characteristics. Active management is the primary vehicle for producing the desired future conditions. Management may entail thinning of smaller trees, alteration of the species composition, and other ecosystem manipulations.

### **VEG-4.3. PRESCRIPTIONS FOR TREATING THESE STANDS ~~SHALL WILL~~ BE PREPARED BY LICENSED FORESTERS OR OTHERWISE QUALIFIED INDIVIDUALS ON A STAND-BY-STAND BASIS. EACH PRESCRIPTION ~~SHALL WILL~~ DEMONSTRATE/EXPLAIN HOW IT WILL PROMOTE LATE SERAL/OLD GROWTH CHARACTERISTICS PRIOR TO APPLYING ANY MECHANICAL TREATMENT OR PRESCRIBED FIRE. STAND-SPECIFIC PRESCRIPTIONS WILL BE DEVELOPED USING THE BEST AVAILABLE FOREST AND ECOSYSTEM MANAGEMENT SCIENCE, STRATEGIES, STANDARDS AND GUIDELINES AS WELL AS ALL APPLICABLE REGULATIONS.**

The management of late seral/old growth forests requires the application of the best available scientific methods by qualified individuals, as well as compliance with applicable forest management policies and regulations. Such documents provide requirements and management strategies to maintain current late seral/old grown stands and promote the recruitment new stands.

~~Late seral/old growth forest management applies best available scientific information to identify valued characteristics of late seral/old growth forests, and to manage for these characteristics. Site capabilities, habitat requirements of old-growth-associated wildlife species, forest science including silviculture, and available information on general and site-specific pre-settlement forest structures and patterns provide guidance to site-specific management. The *Sierra Nevada Ecosystem Project Report (2000)*, the *Lake Tahoe Watershed Assessment (December 2000)*, and the *Sierra Nevada Forest Plan Amendment (January 2001)*, apply scientific and forest management literature to identify important late seral/old growth forest characteristics. These documents also provide examples of management strategies, standards and guidelines for promoting these characteristics.~~

### **VEG-4.4. RETAIN LARGE TREES AS A PRINCIPAL COMPONENT OF LATE SERAL/OLD GROWTH ECOSYSTEMS.**

Large trees are one of the defining components of late seral/old growth ecosystems. Without large trees present a forest stand cannot be classified as late seral/old growth. Many of the other components of late seral/old growth ecosystems are derived from large trees, including snags, down woody material, and soil conditions. The retention of large trees is a critical management strategy to achieve the late seral/old growth threshold.

### **VEG-4.5. RETAIN TREES OF MEDIUM AND SMALL SIZE SUFFICIENT TO PROVIDE FOR LARGE TREE**

RECRUITMENT OVER TIME, AND TO PROVIDE STRUCTURAL DIVERSITY. PREFERABLY, THESE TREES WILL BE THE MOST VIGOROUS IN THE STAND USING ONE OF THE STANDARD TREE CLASSIFICATIONS. IN ADDITION, SPECIES COMPOSITION SHOULD BE KEY CONSIDERATION IN TREE RETENTION.

The forests of the Lake Tahoe Region are largely even-aged as a result of forest regeneration after logging followed discovery of the Comstock Lode. The large trees of today have finite life spans, and must eventually be replaced. Additionally, appropriate diversity of small, medium and large trees provides vertical structural diversity for wildlife.

Tree species composition is an important characteristic of forests, affecting wildlife uses and forest health. Promoting and perpetuating late seral/old growth forest conditions requires the future provision for a desired species composition, now and [in](#) the future. Prior to settlement, natural events provided a well-adapted species mix. Today, forest planning for future conditions is needed because humans have changed the balance of forces ~~operating~~ in the forest that ~~would~~ produce the desired future conditions ~~for the forest~~.

**[VEG-4.6. USE OF PRESCRIBED FIRE IS PREFERRED TO REDUCE FIRE HAZARD AND PERPETUATE DESIRED NATURAL ECOLOGICAL PROCESSES. MANUAL AND MECHANICAL TREATMENT MAY BE USED TO REDUCE FOREST FUEL LEVELS AND TO IMPROVE LATE SERAL FOREST CONDITIONS IN ADDITION TO, OR IN LIEU OF, PRESCRIBED FIRE.](#)**

Fire is an effective and efficient tool to reduce forest fuels and thus fire risk. Additionally, fire is a natural ecological process that historically shaped the distribution and structure of vegetation and wildlife communities in the Sierra Nevada and Lake Tahoe [Region](#) basin. Use of prescribed fire or mechanical treatment to control and reduce forest fuel buildup will benefit forested communities by reducing the potential for catastrophic stand replacing fire events.

## **6. Policy WL-1.5 related to Bears**

### Background:

The RPU Committee directed staff to draft a Policy encouraging bear-resistant solid waste facilities and related matters, and to add preparation of a more comprehensive urban bear strategy to the list of topics for future consideration.

### Recommendation:

Staff recommends the following new Policy:

**[WL-1.5. ENCOURAGE LOCAL GOVERNMENTS TO DEVELOP AN URBAN BEAR STRATEGY ADDRESSING BEAR RESISTANT SOLID WASTE FACILITIES AND RELATED MATTERS WITHIN THEIR LOCAL PLANS.](#)**

An updated Post Regional Plan Update “To-Do” list is has also been prepared. A comprehensive regional urban bear strategy is added to the list.