TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

City Council Chambers
South Lake Tahoe, California

August 23, 1995

REGULAR MEETING MINUTES

I. PLEDGE OF ALLEGIANCE

Chairman John Upton called the regular August 23, 1995, meeting of the Governing Board of the Tahoe Regional Planning Agency to order at 9:35 a.m. and asked Vice Chairman Drake DeLanoy to lead in the Pledge of Allegiance.

II. ROLL CALL AND DETERMINATION OF QUORUM

Members Present: Mr. DeLanoy, Mr. Waldie, Dr. Miner, Mr. Sevison, Mr. Heller, Mr. Cole, Ms. Bennett, Mr. Westergard, Mr. Cronk, Ms. Neft, Mr. Bradhurst (present after the vote on the consent calendar), Ms. Hagedorn (present at 10:35 a.m.), Mr. Wynn, Mr. Neumann, Mr. Upton

Members Absent: None

III. PUBLIC INTEREST COMMENTS

Mr. Don Kornreich, an Incline resident, distributed to some of the Board members an 8/21 letter regarding $9 million in erosion control and SEZ restoration work that was to be implemented in Washoe County within the next 11 years. He wanted TRPA involved on a long-range committee, likely staff member Carl Hasty. He also had copies of a letter he had recently received from the National Association of Conservation Districts on what was happening in Congress on funding for erosion control and forest health. In October he hoped to bring to the Board a request for $869,000 worth of transportation enhancement work in Incline, including $500,000 in ISTEA funds. An August response to a letter he had earlier sent to Mr. Wynn suggested he be patient, that public relations and preparation were everything. He looked to the TRPA Board to do something about a Basin impact fee in the not-too-distant future. (Board members asked Mr. Kornreich for copies of the Conservation District newsletter.)

Deputy Director Jerry Wells explained that the Basin user fee issue was being handled by the Capital Financing Committee.

IV. APPROVAL OF MINUTES - The July 26, 1995, minutes were not available at the time of the August meeting. They will be included in the September meeting packet.

V. APPROVAL OF AGENDA

Deputy Director Jerry Wells noted the following: 1) Glenbrook Water Treatment Facility to be taken up after 10:30 a.m.; 2) Tonnemacher Appeal, APN 124-083-30, continued at request of the appellant; 3) Notice of Circulation of Draft Supplement to the South Lake Tahoe Redevelopment Project No. 1 EIS/EIR, Embassy Vacation Resorts continued to September; 4) Agreement on Coordinated Transportation System Agreement to be taken up after 2:00 p.m.; and 5) a

request from the Vogel's representative to have consideration of the reapplication for the Vogel Subdivision (item XIII.C.1.) heard early.

MOTION by Dr. Miner to adopt the agenda with the changes as discussed. The motion carried unanimously.

VI. CONSENT CALENDAR

Deputy Director Jerry Wells noted that staff had distributed an August 21 memo containing additional conditions for the Lake Veterinary Associates building addition (item 4). The Recommended Action for items 1-5 as listed on page 3 of the agenda should be Approval With Findings and Conditions. Staff had also received correspondence from adjoining property owners for items 6 and 7, none of whom requested the items be pulled off consent.

Finance Committee Chair Kay Bennett advised that the Committee had met earlier in the day and recommended approval of items 5, 9, and 10.

Mr. Westergard asked that the minutes reflect his vote in opposition to consent calendar item 7 (Cathedral Village, New Multi-Family Dwelling and Condominium Subdivision, 4 Units, Placer County APN 94-253-15).

MOTION by Mr. Sevison to approve the Consent Calendar. The motion carried with Mr. Westergard voting in opposition to item 7.

(Following are items approved on the Consent Calendar: 1. South Tahoe Public Utility District A-Line Relocation Project; 2. Jones, Stephen K., Land Capability Challenge, Douglas County APN 005-090-02, 720 Old Lincoln Highway; 3. Hamon, Dennis J., Land Capability Challenge, Placer County APN 94-150-09, 1415 North Lake Boulevard; 4. Lake Veterinary Associates, Commercial Building Addition and Change in Use, El Dorado County APN 23-191-18; 5. Release of $3,000 in TRPA Shorezone Mitigation Funds; 6. Fallen Leaf Lake Community Services District, Facilities Addition, El Dorado County APN 21-410-15; 7. Cathedral Village, New Multi-Family Dwelling and Condominium Subdivision (4 Units) Placer County APN 94-253-15; 8. Carnelian Canyon Sanitation/Salvage Timber Harvest, Placer County APN 116-010-02; 9. Release of $170,000 in Water Quality Mitigation Funds to El Dorado County for the Mountain Drive Project - Revision of the Policy on the Use of Mitigation Funds for the Paving of Unpaved Roads; 10. Release of $10,000 in Water Quality Mitigation Funds to Placer County for the Tahoe Swiss Village Project)

(Vice Chairman DeLancy was absent from 9:50 a.m. to 10:50 a.m.)

XIII. REPORTS

C. Governing Board Members

1. Governing Board Member Request to Allow Reapplication for Vogel Subdivision Project and for Waiver of Reapplication Filing Fee, 214 Robin Drive, Washoe County APN 132-212-03

Mr. Bradhurst noted that in July the Board considered but did not approve the Vogel Subdivision application. A letter from Mrs. Marguerite Vogel to Board

members after the meeting explained why she was not present to respond to questions about the project. He had pursued a Board reconsideration of the project with Agency Counsel but was told that reconsideration was not possible. It was possible, however, for the Board to waive the time limit for resubmitting the application. He suggested to Mrs. Vogel that she put something on paper for submittal to Board members as a follow-up to her initial letter and ask the Board to waive the 12-month time limit as well as the filing fee. He also urged her to be present at the meeting.

Mr. Waldie suggested there were, in his opinion, some procedural shortcomings that could be perceived as unfair, though the Board's action was clearly legal and proper in this matter. While he could agree to a resubmittal of the application, he questioned whether reconsideration required a majority vote of the Board members. Was it possible for the Board in subsequent future actions to waive any rule?

Agency Special Projects Attorney Susan Scholley responded there was no adopted rule regarding a resubmittal of an application. General case law held that, in order to avoid vote shopping and resubmittal of applications in the hope of a more favorable vote a second time, many agencies adopted rules prohibiting reapplication within a certain period of time. TRPA had no such rule. The Rules Committee in the late 1980s decided TRPA would use general case law; and, presumably, that would mean there needed to be a change in circumstance, the ordinances would have changed, or there would be a significant difference in the application in order to merit resubmittal within a short period of time. There did not need to be a particular vote to resubmit the matter; it was a question of whether the Board wanted to take action on the application in some fashion. Because the Vogel project was located in Nevada, approval required a 5:9 vote. The agenda did show a request for waiver of the filing fee, and a waiver would require a 5:5 vote. The Board was not reconsidering the project today, because its action was final last month. What the Board was considering was whether to accept a new application and to put it up for a vote again. A vote was needed on whether to waive the filing fee. TRPA's Rules of Procedure allowed for the Board to deviate from the rules by a 5:5 vote if it was determined that compliance was impractical and unnecessary. Waiver of the filing fee would require 5 votes from each state, 10 total.

Mr. Cole commented that a vote for reconsideration was required at the same meeting at which action was taken. Yet, reapplication appeared to be a way around that. He asked that the Rules Committee take this up so there would be a definite format in the future to deal with similar situations.

Mr. Sevison suggested that the motion state that the Board find it was appropriate to rehear the application and waive the filing fee. This would eliminate any problem with whatever the Rules Committee might come up with.

MOTION by Mr. Sevison to find that it was appropriate to rehear the Vogel application and to waive the filing fee.

Ms. Scholley stated that the motion need only be on a waiver of the filing fee.

Mr. Cole agreed that the proper motion was not for a reconsideration, since the current rules permitted a reapplication. Essentially, the motion was to waive the filing fee. The Rules Committee needed to address the issue. It was his understanding that because the matter was on the consent calendar in July the applicants were under the impression it would be a routine matter. That was likely why they were not present. His vote to allow them to be heard was not a vote in favor of the proposal.

Mr. Larry Hoffman, on behalf of the Vogels, asked if any members of the Board wanted to hear from the applicant on why she was not present in July. He did not want the action to fail because there were Board members who still had questions.

Mr. Westergard explained that if the vote was strictly on waiving the filing fee he could support it. He did not want his vote in favor to be interpreted as any inconsistency on his part to the continuing objection to the two-step subdivision process.

The motion carried unanimously.

Ms. Bennett questioned whether it was appropriate to bring the subdivision policy issue back to the Board.

Ms. Scholley distributed to the Board members an August 22 memo from her on TRPA's two-step subdivision process for post-1987 residential projects.

Chairman Upton asked that applicants be treated consistently according to the policy. If the Board wanted to re-examine the policy, it could do so. He asked that, prior to rehearing the Vogel matter, Ms. Scholley go through the history to respond to any Board member questions.

Chairman Upton recessed the TRPA Board meeting and convened the RTPA meeting.

VIII. MEETING OF THE REGIONAL TRANSPORTATION PLANNING AGENCY (RTPA)

A. A Resolution Allocating FY 1995-96 Local Transportation Funds ($138,915) and LTF Trust Funds ($43,670) to El Dorado County

Associate Planner Bridget Mahern presented the staff summary of the County's request for funds to cover operating costs of public transit services during FY 1995-96. In addition to a request for FY 95-96 LTF Funds, the County was also requesting a release from the El Dorado County trust fund. The Finance Committee recommended approval of the request.

MOTION by Mr. Wynn to adopt RTPA Resolution No. 95-9 as proposed. The motion carried unanimously.

B. A Resolution Allocating FY 1995-96 Local Transportation Funds ($54,106) to the Regional Transportation Planning Agency for Administration and Planning

Ms. Mahern presented the summary of the request for $54,106, $27,053 of which would be used for administration; $27,053 would be used for planning.

Ms. Mahern responded to questions and noted the Finance Committee had recommended approval.

MOTION by Mr. Wynn to adopt RTPA Resolution No. 95-10 as proposed. The motion carried unanimously.

Chairman Upton adjourned the RTPA meeting and reconvened the TRPA meeting.

XI. ADMINISTRATIVE MATTERS

D. Status Report on Northshore Community Plan

Senior Planner Andrew Strain, the lead planner for the Community Plan (CP), distributed a listing of accomplished tasks and what yet needed to be done. The project consisted of eight CP areas tied together under one EIR/EIS.

Washoe County Planner Romany Woodbeck explained what had occurred in the process since 1988 when the CP team was appointed by TRPA and the Washoe County Commissioners. The resulting Tahoe Area Plan was adopted in 1989. The Preliminary CP, which set the framework for the four CP areas in Incline, was adopted in September 1990. Each of the four CPs commenced at that time. The Ponderosa Ranch was completed first, followed by the Incline Village Tourist CP, the Incline Village Commercial CP, and the North Stateline CP. All four plans had been endorsed by the CP team; a few tasks remained prior to getting out the draft EIS. While specific notice of the process was not sent out to affected property owners, there had been very extensive community input. The mailing list included 250 people; there had been numerous newspaper articles and numerous CP, Planning Commission and Commissioner meetings over the years. The CP team represented a diverse sector of the community.

Ms. Woodbeck explained that the CPs did not specifically address affordable housing, because the County had other studies and plans underway to address that issue. The CP team had discussed housing and recognized it as an issue to be dealt with.

Mr. Upton explained the CPs were strictly focused on commercial and did not involve housing.

Washoe County Board member Bradhurst asked if there was anything prohibiting Ms. Woodbeck from completing the County's CP tasks. What did Washoe County have to do to complete the effort?

Ms. Woodbeck responded the effort had been a joint effort between the County and TRPA. There had been some stumbling blocks along the way, and the two agencies had assigned responsibility for remaining tasks. In her mind, Washoe County had completed its portion of the tasks, and there were some TRPA tasks yet to be done. What was needed for the plans and the EIS had been completed; it was a question now of the procedures. In her mind, the procedural part of the allocation program could be done after the draft plans and EIS were out for circulation.

Mr. Strain summarized the remaining tasks, including substitute sign standards affecting both Placer and Washoe Counties, additional maps and the writing of

the commercial allocation program, the plan EIS release dates (October). The Placer County plans were ready to go and were waiting for the Washoe plans to catch up. Completion of maps was awaiting the availability of the staff cartographer, who was directed first to complete the shorezone EIS maps. There were a couple of uncompleted sections of the EIS that were critical to the document; they were now being revised. Staff expected to have them completed the end of September for an October release.

Deputy Director Jerry Wells explained that the shorezone EIS was scheduled for circulation on September 6. The staff was getting a lot of pressure to complete that as well.

Mr. Bradhurst asked that the staff's statements about scheduled completion of the CP be memorialized on paper. He questioned whether the League had been involved in the CP process.

Mr. Strain explained that the League had submitted comments early in the process at the time of the preliminary plan and Ponderosa Ranch CP.

Mr. Wells explained that the schedule was addressed in the adopted work program. October was the targeted release date for the EIS.

Dr. Miner asked if there was a reluctance on the part of staff to put completion dates on the various assigned tasks, so that the Board did not have to go through these discussions periodically. A chart with dates would be helpful.

Mr. Cole explained that there were many tasks staff was undertaking. If the Board was going to get into a position of prioritizing work assignments it needed to consciously take that on. At the same time the Board needed to recognize there were a lot of demands from a lot of areas for a variety of tasks; shorezone was just one. This was another. He sensed consistent frustration from members who were awaiting completion of various tasks.

Chairman Upton noted that the Agency did have the work plan for that purpose. What the Board was being told was that these tasks were on target as outlined.

Mr. Bradhurst suggested it would be helpful to have the tasks laid out for the Board to review and set priorities. Staff needed to follow that direction.

While she sympathized, Ms. Bennett commented the Board's job was to develop policy, not to manage the staff's work load. This was the task of the Executive Director and Deputy Director.

(Ms. Hagedorn came into the meeting at 10:35 a.m.)

IX. APPEALS

A. Tahoe Mariner Expansion Permit Expiration, APN 123-005-01

XII. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

B. Legal Committee

2. Tahoe Mariner Expansion Permit Expiration, APN 123-055-01

Agency Special Projects Attorney Susan Scholley reported that the Board members were sent under separate cover a staff summary explaining the proposed settlement of the pending Tahoe Mariner appeal. The Legal Committee unanimously recommended the settlement to the Governing Board, including authorization for staff to execute the settlement agreement consistent with the staff summary and also to approve the project (agenda item IX.A.) consistent with the agreement at the staff level. Approval would need a 9:5 vote, because action authorized approval of a project in Nevada.

MOTION by Mr. Cronk to approve the Tahoe Mariner settlement agreement and authorize project approval at the staff level, consistent with the Legal Committee recommendation. The motion carried unanimously.

XI. ADMINISTRATIVE MATTERS (continued)

E. Status Report on BMP Retrofit Program

Environmental Education Coordinator Pam Drum explained that a letter and question and answer sheet were sent to approximately 6,000 priority 1 property owners in the Tahoe Region regarding installation of Best Management Practices (BMPs). The BMP program was adopted in 1992 as a result of the first five year threshold evaluation. The first few years of the program, TRPA notified property owners through the media, direct mail, and the "Tahoe Landscape" of the BMP program. Early in 1995 TRPA formed a partnership with the Resource Conservation Districts, and under the agreement the RCDs had been working with property owners on the phone and in the field answering questions from those in priority 1 watersheds, doing site assessments, and conducting workshops. Over 100 people attended the five workshops throughout the Region, and the Districts had received about 450 calls from property owners and expected to receive approximately 600 by mid-October. As of the first week in August the Districts had conducted 60 site assessments to customize BMPs at the invitation of the property owners. The RCDs had essentially run out of resources for the program, and TRPA was trying to pick up the ball to return calls and conduct site visits. A follow-up mailing of a property owners guide to BMPs was scheduled, and money was needed for postage, printing, and staff time, particularly since the program would extend through 1999. TRPA had applied for a Section 319 Clean Water Act grant and was optimistic about receiving the $160,000. This would enable the hiring of seasonal, full-time field help working with property owners to implement BMPs. The money would also assist in development of a monitoring and evaluation system to track compliance with the program.

Mr. Bill Weston, from the Resource Conservation Districts, explained the positive response he had had from property owners who had called his office for assistance after receiving the mailing. He had had particularly good response in the Rubicon area. There had not been as many Incline requests for site visits, but that was increasing. Although the majority of the responses to the program were good, a few people felt that if the program was being forced on them they would wait and comply after public entities installed BMPs on their properties. One of the costliest improvements was infiltrating runoff from driveways. Virtually all property owners were aware of the

problem with Tahoe's clarity but were unaware that stormwater runoff if not treated would affect the Lake.

Mr. Wynn suggested that the term "BMP," although it was a universally accepted term for pollution control, was confusing and obnoxious to the public and was not an adequate description of the program. It explained nothing and was insensitive. He favored dumping the term and using language people could identify with. The public education program was life and death to the health of the Basin, and TRPA should take a crack at better language.

Mr. Upton concurred and suggested his thought with the program was that the BMPs would be on the ground by October, not simply that the information be disseminated by that date. The process of installing BMPs associated with driveway paving was very expensive and not user friendly. TRPA needed to focus on what it could do to make the process more feasible and more easily accomplished. The public needed something that was easy to do. Getting the improvements on the ground should be the Agency's focus.

Ms. Bennett noted that both she and Dr. Miner sat on the Nevada Tahoe Conservation District Board, and they could take back to that body the substantive discussion and recommendations on implementation of BMPs.

Executive Director Jim Baetge explained that this program was being funded through a Section 319 grant out of California and, hopefully, out of Nevada. Last year, the funding request was rejected. This year, the $160,000 California request would be acted on in October. Without the grant the program would be in trouble. This was an absolutely critical program.

Ms. Drum explained the Resource Conservation Districts had received a 319 grant last year for Washoe County only, and she was not certain what the Districts' intention was for reapplying. TRPA applied for grants in all years for both states. The money went for printing and primarily staff field time throughout the entire season.

Chairman Upton urged TRPA to focus on the implementation side of the program and would like a subcommittee or Capital Financing Committee to discuss the legislative arena.

Mr. Sevison suggested that the staff contact the California Tahoe Conservancy to see if there was funding available for this program.

Mr. Neumann encouraged a public education program in the schools for the children to learn about the importance of the program for individual properties.

Ms. Bennett suggested it may be helpful to have a visit from the Nevada Tahoe Conservation District, because of the wide range of responsibilities and activities of the District. It was an excellent organization.

Mr. Bradhurst noted that one of the consent calendar items (#9) involved use of water quality mitigation funds for the paving of unpaved roads within local government rights-of-way. He was pleased with this effort and the ability to use these funds for that purpose. He questioned what the policy required in

terms of local governments notifying affected lot owners whose driveways abutted a road being paved by the county.

Mr. Upton explained his goal in El Dorado County, as an example, was to have the County advise private property owners that in the course of paving the road the county would facilitate the paving of individual driveways by October 15. The County would also assist with cost estimates for that work.

Mr. Sevison suggested that one way to accomplish implementation of BMPs was to include the retrofit as part of an escrow package. As property changed hands it would automatically be checked for BMPs.

Mr. Baetge explained that there was a level of work that could be accomplished with the available staffing and funding. Currently, there was a good number of property owners wanting to do BMPs. If it ever got to the point where people were not coming forward to implement the program, then it was appropriate to take that approach. At the moment, the restriction was having sufficient staff and resources to provide to the property owner what was needed to meet the requirement.

Ms. Rochelle Nason, for the League to Save Lake Tahoe, spoke strongly in favor of the project and described the League's educational effort for its membership at the South Shore and at its new North Shore office.

Ms. Drum explained that the staff was able to track the number of people requesting additional information either through the mail or for an on-site visit. About 460 telephone calls had been received by early July, 25 percent of which had requested site visits. The others had requested more information. The 319 grant monies if received would fund a thorough monitoring and evaluation system to see how many people had actually implemented improvements in the field.

Mr. Sevison suggested that, because people were hesitant to have TRPA staff on site because of the regulatory nature of the Agency, the League and RCDs had a great opportunity here and should be encouraged to give advice to property owners.

Mr. Wynn suggested he would favor some kind of point system for installation of BMPs in conjunction with allowing normal homeowner improvements like an added deck, garage or room. He did not feel that coverage should be a big issue or limitation. He would favor some kind of exchange program where people could get additional coverage if they would install erosion control and other similar and needed improvements.

Ms. Bennett suggested that the Nevada Tahoe Conservation District come to the TRPA Board with some recommendations in the next few months.

VII. PROJECT REVIEW

A. Glenbrook Water Treatment Facility, APN 01-070-24

Chief of Project Review Rick Angelocci distributed two letters staff had received from affected property owners expressing support for the water

treatment facility. Mr. Angelocci summarized the Board's previous discussion and continuance of the matter in January 1995 and the discussion of the alternatives and required findings. Since then, staff had met with all affected parties to come up with the proposal now before the Board. Mr. Angelocci presented more information on the past and current alternatives, scenic simulations (copies distributed), scenic mitigation, the staff recommendation for approval with conditions, the requirement for Nevada State Engineer approval of the water intake line, and location of the building near the shoreline bluff.

Mr. Wynn suggested that one of the options was to put the existing pump station in the existing barn building away from the shoreline. This enclosure already existed; and to the observer, there would be no evidence of a new facility. He understood the cost for this was $1 million. There still was a problem with the current proposal because it was on the shoreline. The scenic beauty of the beach was still the main focus. He was unconvinced this was the best proposal.

Mr. Angelocci noted that one of the issues that had come up with the barn site was the location of the existing water, power, and sewer line distribution system. These lines were very close together, and state law required that any new line, as would be required with the barn site, had to be located a minimum distance away from a sewer line. The applicant would have to encroach significantly (20-30 feet onto private property) if the barn site were the chosen site. The impact to private properties would be significant. The problems were more technical than financial. Mr. Angelocci distributed photos showing the location of the current easement line and the location of where the line would have to be located in order to fit the new distribution line for the barn site. This barn site was adjacent to the previously considered rodeo site.

Mr. Waldie suggested that the proposed shoreline site was in a stream environment zone (SEZ) and was therefore an unreasonable and undesirable alternative, by definition. TRPA was precluded from approving it unless there was another unreasonable alternative.

Chairman Upton noted that all alternatives were in SEZs. The project was mandated and had to take place.

Mr. Angelocci explained that the proposed site was in the backshore and required the same findings; there was no reasonable alternative to construction in the backshore. Staff had not found an alternative that worked to everyone's satisfaction in high capability land.

Mr. Gary Midkiff, on behalf of the Glenbrook Water Cooperative, explained that additional needed easements or lines from the existing pumphouse to the rodeo ground or barn site generally would require an extensive 15 to 16 foot wide additional easement running between the Ruvo leased house and the Moffitt residence or right across the front of the Fein/Moffitt properties. Given the history of the Glenbrook situation, there would be extensive delays and condemnation proceedings to get the additional easement. Trenching would be 10 to 15 feet wide and 6 feet or more deep in high groundwater area for 1,000 feet. The significance of the impact and disturbance and destruction of

habitat and trenching was substantially greater than in the proposed Murphy location, where groundwater was down at lake level. The necessary 200 feet of trenching to tie into the existing water distribution system had substantially less impact and would not affect any groundwater. The tradeoff in terms of trenching, effect on groundwater, and effect on neighboring residences was substantially less in the Murphy location compared with anywhere in the barn/rodeo/meadow area. It was his opinion that the environmental effects of going to the Murphy site, even though it was on the beach, were substantially less because of the lack of effect on groundwater and lack of dewatering requirements.

Mr. Angelocci noted that the staff recommended approval of the project, athough there were no clean, simple solutions to the problem.

Mr. Midkiff explained the groundwater situation, the scenic requirements, the need to minimize slope cuts to save vegetation, siting of the road, coverage limitations, and dewatering requirements.

Mr. Harvey Whittemore, attorney for the Ruvo Family Trust, Larry Ruvo, and the Glenbrook Company, thanked the Board and staff for its work on the project and noted as presented in his remarks in January that there were superior alternatives to the one initially proposed. This was resolved by the homeowners who indicated the proposed location was clearly superior. He supported moving the project from the existing pumphouse location. Mr. Whittemore commented on the easements required for the rodeo grounds site, condemnation proceedings, and agreement between the landowners. Mr. Nahas, owner of the Glenbrook Company, noted at the last meeting he would work with the homeowners to develop an appropriate routing with respect to the new water line or an accommodation with respect to any existing treated water line. That representation still stood. The Board's question was whether the location at the Murphy site in the backshore zone was a superior one to a rodeo ground location - assuming all accommodations for the line could be accomplished. From Mr. Ruvo's and Mr. Nahas' perspective, it was clearly a superior alternative if, in fact, the issues were resolved - subject to mitigation of the existing pumphouse as follows: 1) since the existing pumphouse was no longer going to be a "mini-treatment facility," there should be a condition requiring removal of chlorine tanks; 2) require that the fire district and parties involved make a determination that all of the capacity of the existing pumphouse was, in fact, necessary to provide adequate fire flows. Based on all he had heard, the answer was that it probably was; he would like this one issue left open for approval after the fire department had okayed it. He supported moving the intake line to another location and believed that, subject to the staff conditions on the Murphy site, it was a reasonable and superior location. He could speak for Mr. Ruvo and Mr. Nahas in favor of the proposal with his added conditions. Mr. Whittemore presented more information on the similarity of the problems with the earlier and original site near the Ruvo property and the rodeo grounds location.

Mr. Midkiff responded to Mr. Whittemore's comments about the availability of space in the existing roadway for additional lines; in his opinion, there was not remaining space for these lines. The existing pumphouse had been repainted and vegetative screening planted to further mitigate scenic concerns. With regard to the capacity of the existing pump station, there

were no proposed changes to capacity. The Tahoe Douglas Fire District felt the existing pump station needed to stay to meet peak fire flow requirements in the case of a wildfire or residential fire.

Mr. Roger Stockton, fire prevention and hazardous waste specialist with the Tahoe Douglas Fire District, noted that one problem in the review of the proposed new pump station was that it only had a 1,000 gallon per minute capacity. The Glenbrook area had a minimum requirement of maintaining a 1,500 gpm fire flow for a two-hour period, requiring a storage capacity of 180,000 gallons in the tank. To meet this requirement in the event of an emergency, the District required maintenance of the existing pump capacity of 1,500 gpm using a manual or automatic bypass system so the pumps could be activated in the case of an emergency. The fire flow calculations showed there was no way a 1,000 gpm capability could keep up with a major wildland fire involving structures. On the subject of chlorine storage, he would be happy to work with the Glenbrook Water Cooperative in helping to remove or come up with a reasonable alternative. The District needed to meet with the state health agents, because there may be a requirement for a sanitation capacity for the old pump station in the event the pumps were activated. The Fire Chief had approved a variance on a minimum width of the access road into the building, because the building would be noncombustible and fully sprinklered. The only other requirements from the District were proper labeling, placarding, and training for the personnel and proper siting, use, and storage of the liquid oxygen.

Mr. Midkiff explained that Mr. Rich Drew, from the Bureau of Health Protection Services, indicated that the existing chlorine tanks were not needed. However, the Water Cooperative wished to retain the chlorine because when pumping through the system in an emergency the water pumped into the domestic supply would be completely untreated. The Cooperative wished to have some level of disinfection when putting water into the system so that it would not be as difficult to get back to a non-boiled water situation after use of the system. There were two tanks on the site now; the Water Cooperative proposed to reduce that to one tank. Since the system would only be used during extreme emergency, the only time there would be any chlorine delivered would be after the system had been used. There would no scheduled and regular delivery of chlorine to the site.

Mr. Whittemore suggested he had no problem with trying to keep the system safe; if the number of tanks could be reduced to one and still allow maximum fire flow, he would agree to having staff work with the State to ensure standards were being met.

Since no one else wished to comment, Chairman Upton closed the hearing.

MOTION by Mr. Wynn to make the findings necessary to approve the Glenbrook water treatment facility as recommended by staff. The motion carried unanimously.

MOTION by Ms. Bennett to approve the Glenbrook project with conditions as proposed. The motion carried unanimously.

The meeting recessed for a lunch break from 11:55 a.m. until 1:40 p.m. (Members Wynn, Miner, and Bennett came into the meeting at 1:50 p.m.)

XI. ADMINISTRATIVE MATTERS

A. Appointment of California Lay Member to the Advisory Planning Commission

MOTION by Mr. Cronk to reappoint Mr. Haen to the APC for another two-year term as a California lay member. The motion carried unanimously. (Mr. Haen's term will expire the end of August 1997.)

XII. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

A. FINANCE COMMITTEE

1. Report on Committee Meeting

2. Receipt of July Financial Statement and Check Register

MOTION by Mr. Sevison to receive the financial statement and check register. The motion carried unanimously.

B. Legal Committee

1. Report on Committee Meeting

Committee Chairman DeLanoy reported on the meeting and advised that the Committee unanimously approved the Tahoe Mariner expansion permit (agenda items IX.A. and XII.B.2.) expiration with certain conditions to be placed by Agency Counsel regarding the amount of the bond. This was acted on previously. The Committee also recommended adjustment of Susan Scholley's work schedule to four days a week through the end of the year.

Ms. Scholley noted this would be taken up with the Board's action on the revised operating budget for FY 95-96 (agenda item XII.A.3.)

A. Finance Committee (continued)

3. Revised Operating Budget (FY 95-96)

Deputy Director Jerry Wells noted that the two proposed changes to the budget involved changing Susan Scholley's weekly schedule to four days per week and approval of $25,000 in fines and forfeitures for purchase of a boat as recommended by the Board at the April retreat.

MOTION by Mr. Cole to approve the revised operating budget for FY 95-96 as recommended by the Finance Committee. The motion carried unanimously.

C. Capital Financing Committee

1. Report on Committee Meeting

2. 1996 Legislative Funding Package

Executive Director Jim Baetge explained the ongoing effort of the Committee to have an updated legislative funding package by September; the Committee had reviewed a mockup of the report. One change to be made before September related to the Forest Service proposal and role in the Basin. The other main issue related to the role of the Corps of Engineers in three watersheds in the Tahoe Basin.

D. Rules Committee - no meeting

E. Shorezone Policy Committee

1. Monthly Status Report

Mr. Baetge reported that the Draft Shorezone EIS would be circulated on September 6. The Shorezone Policy Committee would be meeting in September.

After some discussion, the Board directed that the first meeting of the Shorezone Policy Committee be scheduled for one hour at the end of the Wednesday, September 27 Board meeting.

XIII. REPORTS

A Executive Director

Mr. Baetge advised the Board that TRPA had a 10% general fund cut in California and had a 25% cut in its travel budget, resulting in an $80,000 cut in California and a corresponding cut of $10,000 in Nevada. This was a major impact on TRPA. He had sent out many thank you notes to those who had assisted in California with the budget.

Mr. Cole noted that these cuts would have attendant impacts on service levels. He hoped that the public would be aware of this.

Mr. Baetge explained that staff would have to look again at the work program taking into account the budget cuts to see what could and could not be accomplished. Rather than admitting defeat on the money issues, he wished to try other options - particularly on streamlining. The work program would have to be revised to show that some goals would not be accomplished, unless he could find the money from other sources. A lot of people were waiting for TRPA staff to come out with various ordinance revisions related to projects and for other things to happen. Staff simply could not do everything, and the Board members would likely be hearing about these concerns from the public.

Mr. Wynn suggested that the ordinance revisions resulting from the findings of the shorezone EIS would be helpful in streamlining and in gaining public support for other sources of revenue. The shorezone was a big issue because it affected recreation and other factors. TRPA needed to take the time to redefine itself and the EIS would be very helpful in this effort.

Mr. Baetge agreed that staff spent a lot of time currently on shorezone issues, and if the Board was willing to deal with the many problems to clean

this up it could do tremendous things. Shorezone, however, was only a small part of the streamlining effort, but the example was a good one.

Mr. Westergard asked if there was some way to involve the key California legislators through a process similar to the Nevada oversight program. He would like to see a rapport between the two states through the year and not just at budget time.

Mr. Baetge explained that California Senator Tim Leslie was going to attempt to sit in on some of those Nevada hearings. He was not sure that having a formal California oversight committee was a way to go, but he agreed there should be some communication throughout the year.

Mr. Baetge noted that staff had received an invitation from the Museum Director of the North Lake Tahoe Historical Society for the Board members to take a tour of the Gatekeeper's Cabin in September. Staff could schedule that or not depending on timing. The agenda was a full one in September, and there were various committee meetings scheduled for the noon recess.

Ms. Neft suggested that because of the travel time needed to get to Tahoe City from Kings Beach the tour and lunch should wait until next spring. She asked staff to send a letter to the museum director thanking for the invitation and asking that the tour be postponed until spring of 1996.

Ms. Bennett suggested it would be interesting in the spring of 1996 to visit several sites, including the Cove East property and the timber harvest sites.

XI. ADMINISTRATIVE MATTERS

F. Discussion of Goals and Policies, Core Statement of Policy and Formation of Governing Board Subcommittee

Ms. Monique Laxalt Urza reminded the Board that in July the members expressed agreement to the concept of development of a core policy statement and asked that she get input from interested parties and prepare a discussion draft of a proposed policy statement. Draft 1 had been circulated to all Board members; TRPA staff; Ms. Nason, of the League; Mr. Teshara, of the Gaming Alliance; Ms. Gilanfarr, with the Preservation Council; Mr. Gilanfarr, with TTREC; and Mr. Wallace, with the Washoe Tribe. She had received a great deal of input. Ms. Urza summarized in detail the comments she had received on Draft 1 and distributed Draft 2 which contained Draft 1 but with alternative phrasing and/or additional phrasing. She also distributed Articles I., II., and a portion of Article III. of the bistate compact, a copy of the Preservation Council's August 17 summary of TRPA's mission and goals, and a flow diagram tracing the allocation of power in the U.S. System.

Mr. Wynn suggested that TRPA needed to deal with two issues: who it was and why it was constituted as it was. He and Ms. Urza had sought to put a real, historical perspective on this role and function. The chart graphically demonstrated the roots of TRPA's authority and why TRPA was created by Congress as a bistate agency.

Ms. Urza presented more information on and discussed with Board members the role of TRPA in implementation of the core policy statement; the flow of power in government at the federal, state, and local levels; TRPA's role as an environmental agency; what TRPA's powers were precisely; how TRPA fit into the system; and what powers TRPA did and did not have.

The Board members discussed the history of TRPA's creation and development as an environmental protection agency, whether TRPA should be involved in social and affordable housing issues, whether affordable housing related to preservation of the environment, the roles of local government v. TRPA's role, focusing TRPA's limited resources on environmental priorities, the importance of being cognizant of all impacts on the environment, the development and extent of the Regional Plan and thresholds, TRPA's regional functions, and other related topics. The discussion was quite lengthy and detailed.

Mr. Dwight Steele, former TRPA Board member and a member of the public, noted he had been involved in Tahoe issues since 1969. On the scenic values, he felt it was clearly understood by the states and Congress that Tahoe's main benefit were its scenic values. The compact stated that. It would be terrible to downgrade protection of the natural areas and scenic value, since these were the reason for TRPA's existence. On the issue of affordable housing, this was a mixed bag; TRPA had a definite role related to the environmental impact of having people traveling in and out of the Basin to work. All planning agencies recognized that, basically, one of the foundations of planning was that the closer people lived to where they worked the less environmental damage there was. In that sphere, TRPA did have a role, but that role had to be shared with local government. Social engineering was in the hands of the local governments; land use planning was in the hands of TRPA.

Chairman Upton interrupted the discussion to take up the following agenda item.

(Mr. Heller left the meeting at 3:10 p.m.)

B. Authorization for Executive Director to Sign and Enter Into Coordinated Transportation System (CTS) Agreement

Senior Transportation Planner Richard Wiggins presented the staff summary of the request to authorize Mr. Baetge to execute the CTS agreement with other entities to create a framework for mitigating new project impacts. Mr. Wiggins summarized the list of participants, the goal of providing mitigation for several upcoming large projects through a coordinated transit system, various aspects of the proposed system (bus service, demand-responsive dispatch service, traveler information services, a marketing program, etc.), and administration of the CTS by the South Shore Transit Management Association (TMA).

Agency Special Projects Attorney Susan Scholley pointed out that this agreement provided for an innovative effort to converge the four significant projects in the South Shore and, instead of having them implement their own separate mitigation, to pool all resources to come up with a much more efficient South Shore transit system. This was an ambitious and aggressive

approach to mitigation; and in the event of a challenge, the Board needed to realize that it was on uncharted ground. While staff felt this approach was legally defensible, TRPA was on the cutting edge of environmental mitigation. Staff was wholeheartedly in support of this and had worked hard on making this happen. The ultimate goal would be achieved faster by funnelling money that would ordinarily go into road improvements and more pavement into an enhanced South Shore transit system. This approach was in line with one of the compact's primary goals to reduce dependence on the private automobile. Although the gaming properties on the South Shore were not parties to the MOU, they were a very important piece of it; and a part of this coming together was to bring their segmented shuttle services under the umbrella of the South Shore TMA. Their participation was necessary ultimately to make this all work. The MOU contained a provision that the Board was making a statement of intent to defer imposition of parking fees in the CTS area until July 1, 1998, to encourage participation of the gaming properties and to give the CTS a chance to work.

Staff responded to Board member questions about past and projected ridership, transit expectation, the role of the gaming facilities, public/private arrangements and funding, retention of TRPA's legislative discretion, and the legal requirement for an affordable housing component for the redevelopment projects.

Mr. Lew Feldman, counsel for the Park Avenue Project, spoke in favor of the CTS proposal and noted that the environmental review of the potential impacts of the plan was being accelerated. One the unavoidable consequences was that there would likely be some unavoidable, undesirable impacts in level of service (LOS) at certain intersections. On the CEQA side, the environmental document could only be certified if there were findings of overriding consideration. The price to be paid for trying to shift the paradigm of mitigations was that, because there would not be some roadway improvements, some roadways would have bad levels of service at peak times. Over time this would change, however. The Board needed to know that because there would not be intersection improvements there would be an impact, and it would not be directly mitigated. This was a given. It was important to understand there would be environmental impacts, most of which would be very positive. The number of Vehicle Miles Traveled (VMT) would be reduced substantially. The participants felt also that the project would grow beyond the projected expectations and that there would be additional fund leverage and an even better CTS in the future. Ultimately the levels of service at the intersections would improve.

Mr. Cronk expressed concern with increasing traffic congestion to the point of gridlock, particularly in July and August. Traffic levels were increasing because of the pressures from the outlying Sacramento and Bay Areas. In the upcoming 1996 threshold review, TRPA would have to deal with the fact that the correlation between VMT and air quality impacts was not as direct as it previously was thought. While he favored implementation of the CTS, it pointed out the number of issues that TRPA and local governments refused to deal with relating to transportation. As he listened to what the system would accomplish, it would work for some people, but people today still had to drive their cars to the post office to get their mail. Nobody was going to dial the CTS to get to the post office for their mail. Transportation systems in

Breckinridge and Sun Valley and other destination resorts worked because they were truly destination resorts. Everything was easily accessible. He could see in time that through redevelopment in ten to 20 years people would be clustered in locations where various activities were easily accessible by public transit. At the moment because people were as spread out as they were, he did not see there would be a great improvement.

Ms. Scholley responded that the CTS was a project directly aimed at the thresholds and it needed to be put into the context of the projects it was designed to mitigate (Heavenly Ski Area, Park Avenue commercial and tourist accommodation units, the Embassy Vacation Resorts tourist accommodation units, and the gaming properties). This was not designed to solve the other transit-related issues in the Basin, but rather to offset the impacts of the particular projects and uses. It was taking money that would normally go to localized traffic projects and directing it into regional impact mitigation. VMT was a regional measure of impacts.

Ms. Rochelle Nason, for the League to Save Lake Tahoe, noted that air quality improvements related primarily to elimination of carbon monoxide emissions through change-over of the fleet and cleaner cars. There were not, however, significant improvements in NOX deposition. NOX deposition related directly to the amount of VMT. NOX deposition, not carbon monoxide, contributed to deterioration of the Lake. Traffic was still a significant water quality issue. Ten to thirteen years ago, the Lake itself made a major transition from being a nitrogen-limited water body to being a phosphorous-limited water body. Traffic did still have a significant impact on water quality, although not as great as once thought and perhaps not as great an impact as might actually have occurred due to the changes in Lake Tahoe itself. Also, as part of the CTS agreement there was a scope of work for a parking management study; perhaps one of the single most determinants of the success of a transit system was the cost and availability of parking at the destination points. The scope of work would investigate the parking system and what kind of management could be put into place in order to make the system work better. Ms. Nason presented more information on parking controls, parking fees as a management strategy and as a response to funding needs. She responded to Board member questions.

The Board members discussed the 1% annual increase in VMT, the number of people riding in each car, the modeling of VMT for the 1996 evaluation, and getting an updated origin/destination study from the one done in 1974.

Mr. Dwight Steele spoke in favor of the CTS proposal because it would be a start in the direction of having a basinwide no-fare bus system, as implemented in other resort areas. It would work, and the CTS was a start in that direction. One key component was the pooling of the gaming casinos' shuttles into the program. The ski areas were also coordinating their transit systems. If this worked, he was confident that by early in the next century CTS could be expanded basinwide.

MOTION by Mr. Cronk to authorize the executive director to execute the MOU for the Coordinated Transit System. The motion carried unanimously. (Members present: Neft, Bennett, Waldie, Cronk, Hagedorn, DeLanoy, Westergard, Cole, Wynn, Sevison, Bradhurst, Upton Members absent: Miner, Heller)

F. Discussion of Goals and Policies, Core Statement of Policy and Formation of Governing Board Subcommittee (continued)

Chairman Upton asked that the Board members review the materials they had received. He would like to appoint a subcommittee after that review to deal with the issues in more detail. He would be proceeding in this direction.

(Mr. Wynn left the meeting at 4:15 a.m.)

C. Discussion of Affordable Housing Proposal and Streamlining Proposal and Formation of Local Government Subcommittee

Executive Director Jim Baetge explained that the staff summary in the packet material tied the affordable housing issues to streamlining and proposed a committee structure. Affordable housing was an appropriate topic for the Tahoe Basin Association of Governments (TBAG) to discuss, because TBAG was comprised of the local government representatives. Unfortunately TBAG was disbanded. It was felt at that time that, maybe under the auspices of TRPA, there could be a committee of local TRPA Board representatives to deal with the issue. Another local government issue related to the streamlining of all government regulatory codes so that they would be coordinated, consistent, and easier for the public to use. He favored establishment of a committee of local government representatives to work on both the affordable housing and streamlining issues. Because TRPA's funding had been cut, he would favor funding this streamlining effort as a cooperative effort with local governments, with contributions based on the same percentage ratio as currently set forth in the bistate compact. He proposed hiring someone to do the work and having local governments and TRPA oversee the product. This was not to weaken the regulations, but to make them work better.

Mr. DeLanoy suggested that if an attorney were hired to assist it should be one with experience, not a new lawyer. He also suggested there may be an opportunity to get private funding through a foundation.

Mr. Sevison suggested that it would be easier to sell the idea of local funding if it was handled under a private consultant contract - rather than trying to do it in-house. One of the problems was the perception that the result would be worse than what existed now. A private consultant with clear task direction to simplify would more likely get local government support.

Mr. Baetge responded that he would favor having TRPA and local governments retain direct control over the process, because the regulations were very complex. Hiring a consultant to do other than setting up the work plan would require a long educational process and more money would be spent in that phase than was necessary.

Mr. Bradhurst agreed with Mr. Sevison and noted that local governments were very strapped for discretionary funds. Such funding would take money away from some other program. At its last meeting in April, TBAG asked that the TRPA staff stay away from doing work on the affordable housing study. TBAG preferred having an independent third party come in to do the work. The direction from TBAG was to hire an expert to do the job. As he looked at the proposal submitted to Placer County and California, he saw no reflection of

TBAG's April 5 direction. This was very problematic for him. Because of the December deadline regarding affordable housing provisions in the Code, TBAG had wanted to have an independent analysis of the affordable housing issue in terms of the need and how it was being addressed by jurisdiction.

Mr. Sevison noted that the Legal Committee this morning had discussed the issue of employee housing in the context of the settlement discussion on the Tahoe Mariner. Including an employee housing element in the package would have put too much strain on the agreement. He favored having a committee consider a mitigation fee for employee housing basinwide, with such a fee going into a pot for disbursement back out to jurisdictions, much the same way that air and water quality mitigation funds were distributed. This would potentially provide some type of matching funds available to create employee/affordable housing.

Ms. Nason, for the League to Save Lake Tahoe, expressed concern with the previous delegation of formulation of sign regulations to the City of South Lake Tahoe and a consensus group. When the process was finished, there was a set of regulations 25 pages in length which permitted unusually unattractive signs to be constructed. Streamlining needed to be cognizant of a balance. Streamlining was not necessarily that simple.

Mr. Cole explained that the work on the City's sign ordinance was not a question of simplifying the regulations. The goal was to address regulation of signage in a way that was responsive to a variety of different criteria. It was a complicated regulation which could be administered simply. It was not designed to be the streamlining of the process. Ultimately it would be successful and responsive to the community and scenic standards.

Mr. Baetge explained that, while staff did not have a lot of time to put into the streamlining effort, the issues would still not go away. Everyone wanted streamlining. Because the budget process had people recommending cutting TRPA's resources, he found it necessary to look at other options and alternatives. This was one of those. He suggested the Board form a local government committee to not only discuss the issues but to help fund the program. If this wouldn't work, he would have to look at something else.

Chairman Upton directed that a committee of local Board members meet and put something together. This was pretty straight forward.

Mr. John Hoole, Chief of the Long Range Planning Division, presented the history of the grant, its presentation to TBAG for discussion, its submittal to Placer County for application, and the attempts to get all entities to share in the costs. The $35,000 grant was to use census data to determine population and housing information and to project what would happen in the short range on housing and employment. This is where local governments came into play, because the results should not be in conflict with local plans, community plans, or county master plans. The grant request was submitted in April; the State put the request aside; and finally called TRPA to say that something more was needed. TRPA was advised this week that the final decision by the State would be made the second week in September. Staff was optimistic. The study was tied into a fair share approach looking at data from Carson City and Truckee and everywhere around the Basin to come up with

the raw data. The intent was for staff to work with the local representatives on the findings and the data. The committee would then arrive at the fair share for each jurisdiction. This information would also be put into the GIS (Geographic Information System) for use by everyone.

(Ms. Bennett left the meeting at 4:50 p.m.)

Mr. Bradhurst suggested that the direction from TBAG in April was that the data was not to come from TRPA staff research. The thought was to bring in a professional. There was a question whether the $35,000 would even scratch the surface. It was not just a simple windshield survey. It needed to be done by someone with expertise in the area of a scope of work, needs assessment and affordable housing issues. He was concerned that the grant had not proceeded in accord with TBAG's direction. At a minimum staff should have returned to TBAG to explain why the direction had not been followed.

Mr. Baetge explained that there still needed to be a decision on how the work would be done if the grant request was successful. TBAG's direction did not guide the application, and there was a communication problem here. The favored a committee of local members to look at the mechanics of the study.

Ms. Hagedorn suggested that a subcommittee of locally elected officials was the appropriate group to oversee the grant. That would be the next step.

Mr. Sevison also suggested that this group be the one to determine whether local governments were going to be asked to fund streamlining - so the whole package could be considered.

Ms. Hagedorn urged that the two issues be treated separately and independently. It would be very difficult to start the committee right off with affordable housing and streamlining all at the same time.

Chairman Upton suggested that the group get together to discuss both issues at one meeting, but he did understand Ms. Hagedorn's concern. He directed that the committee be set up and that it meet prior to the September Board meeting.

Mr. Waldie asked that the committee take up the question of how distribution of the burden of the fairness issue impacted the Basin environmentally. He questioned how the allocation of fair share had an environmental consequence. Whatever the purpose of the study, he did not want it to be placed on resolution of the problem of fair share housing but on the resolution of the problem of employee housing's impact on the environment.

XIII. REPORTS

B. Agency Counsel

Agency Special Projects Attorney Susan Scholley distributed an August 22 memo regarding prioritization of environmental thresholds. Board members could call the Legal Division if they had any questions.

Ms. Hagedorn explained that she had asked Ms. Urza to fax out a memo to the Board members on the core statement for Board member markup. She would like

to have Board members get their remarks back to Ms. Urza for more discussion on where there was and was not agreement on core values.

Mr. Upton suggested that the plan was to have Ms. Urza return to the Board for more discussion.

Ms. Scholley advised that things were not going smoothly on the Bitterbrush discussions. The Board should know that at some time the settlement fund would be brought back before the members to break the deadlock. Because of the many hearings before the Board in the past, it may be appropriate to have comments submitted in writing.

Because of the number of items already on the September agenda, Chairman Upton asked that Bitterbrush not come back until October.

C. Governing Board Members

Mr. Upton noted that the California license plate fund needed 5,000 people willing to purchase the plates by October 11. The North and South Shore ski areas had agreed to give three days of free ski passes for those purchasing the plates.

Ms. Nason advised the League was planning a mass mailing to second home owners on the California side of the Basin urging purchase of the plates and would have a volunteer purchase program at the local grocery stores. The difficulty was getting people to do the paper work and write the check.

Mr. Cronk advised there was a program in place in Sacramento through the efforts of a "prominent ice cream company" and Raley's supermarkets to give away free ice cream with license plate signups.

XIV. ADJOURNMENT - The meeting adjourned at 5:10 p.m.

Respectfully submitted,

Julie D. Frame

Julie D. Frame
Clerk to the Governing Board

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call for an appointment at (702) 588-4547. In addition written materials submitted at the meeting are available for review at the TRPA office, 308 Dorla Court, Zephyr Cove, Nevada.

These minutes were approved as presented on Sept. 27, 1995.

to GB
8/23/95

DRAFT NO. 2
FOR DISCUSSION ONLY
[CONTAINING POSSIBLE
ALTERNATIVE LANGUAGE]

Tahoe Regional Planning Agency
Core Statement of Policy

Preamble

Congress has designated the Tahoe Basin as a national treasure whose preservation enhances the welfare of the country and its people.

Congress has delegated to this Agency the responsibility to safeguard this national treasure for the public enjoyment thereof.

[alternative paragraph: Congress has delegated to this Agency the responsibility to safeguard this national treasure for residents and visitors by providing environmental protection which will insure an equilibrium between the region's natural endowment and its manmade environment, so as to protect public and private investments, public and private enjoyment, and the social and economic health of the region.]

Congress has equally delegated to this Agency the responsibility to enact a concise and succinct statement of central policies.

This Agency's protection of the environment of the Tahoe Basin is most likely to be achieved by adherence to the following central policies, which are hereby adopted:

Core Policies

1. Recognition of Ecosystem; Priority of Water Clarity.

   A. The environmental protection of the Tahoe Basin can only be achieved by recognition of the Basin as a living whole: ie. as a complex ecosystem of interdependent processes.

   B. The processes affecting the overall environment of the Tahoe Basin include, but are not limited to, those for which this Agency has established threshold standards: water quality, air quality, soil conservation, vegetation preservation, noise, fisheries, recreation and scenic resources.

C. The single most accurate measure of the integrity of the Tahoe ecosystem is the degree of clarity of the waters of Lake Tahoe. A primary focus on maintaining the clarity of the Lake waters is the surest way of achieving environmental protection in all thresholds.

D. In certain circumstances, it is incumbent on this Agency to resolve conflicts between the designated thresholds. Where such conflicts arise, this Agency should give first priority to protection of the ecosystem of the Tahoe Basin.

[add subparagraph E: Certain of the existing thresholds are less directly capable of objective application and should thus be given lesser priority than other thresholds.]

[add subparagraph F: In the review of projects, there should be a balancing process whereby a project's minor impact on one threshold should be weighed against its benefits to another threshold.]

[add subparagraph G: Maintenance of a healthy economy is important to the preservation of the environment of the Tahoe region.]

[add subparagraph H: The existing regulatory structure for attainment of environmental thresholds should be reviewed for possible replacement with a system of performance standards.]

2. <u>Emerging Role of TRPA as Facilitator of Capital Improvement Projects For The Enhancement of The Tahoe Basin.</u>

A. This agency should actively devote resources to the coordination and acquisition of funding for capital improvement projects which will enhance the preservation and enjoyment of the Basin.

B. In the area of governance, the resources of this Agency should be devoted primarily to the establishment of standards and review of projects which stand to have a significant impact on the environment of the Basin.

C. This agency should pursue and expand agreements delegating to local agencies the authority for review of projects under the standards established by TRPA.

[Alternative to Section 2: See TTREC Proposal for Streamlining]

3. Public Relationship with TRPA: Consistency; Accessibility.

A. The fulfillment of this Agency's duty requires the establishment of standards that are consistent and yet allow for common-sense application to specific circumstances.

B. Active dialogue between this Agency and the public should be pursued.

C. Sufficient notice to members of the public who stand to be most affected by specific projects should be given high importance.

[Alternative to entirety of draft: See Tahoe-Sierra Preservation Council Proposal]