

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that on **Wednesday, September 14, 2022**, commencing at **9:30 a.m., on Zoom and at the Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV** the **Advisory Planning Commission** of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda is attached hereto and made part of this notice.

Pursuant to the State of California's Code section 54953(e) as enacted by California AB-361 Commission members may appear in person or via Zoom. Members of the public may observe the meeting and submit comments in person at the above location or via Zoom. Details will be posted on the day of the meeting with a link to Zoom.

To participate in any TRPA Advisory Planning Commission meeting please go to the Calendar on the www.trpa.gov homepage and select the link for the current meeting. Members of the public may also choose to listen to the meeting by dialing the phone number and access code posted on our website.

A handwritten signature in blue ink, appearing to read "John B. Hester".

September 7, 2022

John B. Hester
Interim Executive Director

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA and Zoom

September 14, 2022
9:30 a.m.

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PUBLIC INTEREST COMMENTS

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.

Members of the public may email written public comments to the Clerk to the APC, tcampbell@trpa.gov. All public comments at the meeting should be as brief and concise as possible so that all who wish to participate may do so; testimony should not be repeated. The Chair shall have the discretion to set appropriate time allotments for individual speakers (3 minutes for individuals and group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for participants will be permitted by the ceding of time to others. Written comments of any length are always welcome. 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 1 hour. All written comments will be included as part of the public record.

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to participate in the meeting. Please contact Tracy Campbell at (775) 589-5257 if you would like to participate in the meeting and are in need of assistance.

- IV. DISPOSITION OF MINUTES
- V. PLANNING MATTERS

- A. Aquatic Invasive Species (AIS) Annual Program Update **Informational Only** [Page 13](#)
- B. Briefing on the Lake Tahoe Shoreline Public Safety Facilities Planning Process **Informational Only** [Page 15](#)

VI. REPORTS

A. Executive Director

Informational Only

1) Tahoe in Brief – Governing Board Monthly Report

Informational Only Page 35

2) Upcoming Topics

Informational Only

B. General Counsel

Informational Only

C. APC Members

Informational Only

VII. PUBLIC COMMENT

VIII. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Zoom

May 11, 2022

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Ferry called the meeting to order at 9:31 a.m.

Members present: Mr. Alling, Mr. Booth, Mr. Comba (for Ms. Carr), Ms. Chandler, Mr. Drew, Mr. Ferry, Ms. Ferris, Mr. Guevin, Mr. Hill, Ms. Jacobsen, Mr. Hitchcock (for Ms. Roverud), Ms. Simon, Ms. Stahler, Mr. Teshara

Members absent: Mr. Drake, Mr. Letton, Mr. Smokey, Mr. Young

II. APPROVAL OF AGENDA

Mr. Ferry deemed the agenda approved as posted.

III. PUBLIC INTEREST COMMENTS

None.

IV. DISPOSITION OF MINUTES

Mr. Teshara provided his edits to Ms. Campbell and moved approval of the March 9, 2022 minutes as amended:

Page 6 & 10; amend Washington Meadow State Park to Washoe Meadow State Park
Page 13; Community Plan Area should read Community Area Plan

Mr. Hill abstained.

Motion passed.

V. PUBLIC HEARINGS

- A. Shoreline code language regarding sections 84.3.3.E.3 and 2.2.2.F.2, the authorization of existing buoy fields and administrative approval for new mooring buoys on eligible private, single-family littoral parcels

TRPA staff Mr. Stock provided the presentation.

Presentation can be found at:

[Agenda-Item-No.-V.A.-Shoreline-Code-Amendments.pdf](#)

Mr. Stock began by providing some background. He explained that the TRPA Governing Board adopted the Shoreline Plan in 2018. The Shoreline Plan supports boating, paddling, swimming, and other water-based recreation, while also ensuring effective natural resource management for continued attainment of environmental goals and thresholds in the Lake Tahoe Region. Also in 2018, regulations were added to the Code of Ordinances to implement the Shoreline Plan.

As with any new plan, after being in effect for a few years, TRPA staff identified the need for minor adjustments to the implementing regulations of the Shoreline Plan. There is history and precedents for these adjustments. Other minor amendments to improve the implementation of the Shoreline Plan included an amendment that came to the Advisory Planning Commission (APC) and the Governing Board in December 2019 to authorize public buoy fields. Similarly, staff recommended additional amendments to the Code of Ordinances regarding the authorization and approval of mooring buoys, and on January 21, 2022, the Shoreline Steering Committee recommended approval of the proposed amendments and the Regional Plan Implementation Committee (RPIC) unanimously recommended adoption in April 2022. There were no comments from the public at that RPIC hearing.

Mr. Stock explained that the proposed changes are technical amendments and will not change the agency's approach to regulating the impacts of mooring buoys or any other shoreline structures. The Initial Environmental Checklist (IEC), included as Attachment C in the APC Packet, shows that the proposed amendments will not have a significant environmental impact. The proposed amendment to Chapter 84 recognizes the legality of established existing buoy fields, and as mentioned previously, an amendment in December 2019 created a path for existing public buoy fields. This amendment creates a path for buoy fields not associated with a lake-fronting parcel (technical term is non-littoral).

The proposed amendment to Chapter 2 allows for staff-level permitting of new single-use mooring buoys. These buoys currently require Hearings Officer review and approval. Staff believe that a public hearing is not necessary for private buoys. The hearings place a significant burden on the Hearings Officer schedule, and are appropriate for staff level review.

Referring to Code Section 84.3.3.E.3 Mr. Stock said that the 2018 Shoreline Plan prohibited all new buoy fields on Lake Tahoe. However, the Code provides a path for authorizing existing buoy fields associated with lake-fronting (littoral) parcels to become a legal non-conforming use. This path is not provided for buoy fields associated with properties without lake frontage (non-littoral). Mr. Stock said that staff have found that there are several buoy fields on the lake owned by homeowner's associations (HOAs) without lake frontage, so it is necessary to create a path for these HOAs to prove-up and authorize their buoy fields. This amendment creates that path, which will be the same as the path for littoral HOA buoy fields. Non-littoral HOA buoy fields will have to provide a valid permit from a federal or state agency issued prior to the adoption of the Shoreline Plan in 2018.

Mr. Stock showed reference images (slide 5 & 6) to illustrate the difference between littoral and non-littoral HOA buoy fields. The first image on slide 5 shows the Dollar Point HOA buoy field as an example of where the Code currently provides a path for littoral HOA buoy fields to prove-up for authorization. The image on slide 6 shows an example of a non-littoral HOA buoy field at Lake Forest Pier. In this case the HOA does not have a lake fronting parcel, but it does have a

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buoy field with a state permit. Non-littoral HOA buoy fields like this currently have no path to authorization in the Code, even with a valid state permit. The proposed amendment seeks to remedy this disparity.

Referring to Code Section 2.2.2.F.2.b, Mr. Stock said that the Code requires Hearings Officer approval for all mooring buoys on single-family parcels with lake frontage. When this requirement was put into the Code, staff had not considered how the huge volume of permit applications would be beyond the Hearings Officer's capacity. This was an unintended consequence of the implementing regulations that has now become unworkable. That said, these buoy permits are relatively straightforward, low impact, and are appropriate for staff level review and approval, especially given TRPA staff in-house expertise in buoy regulation.

Mr. Stock said that the proposed amendment will allow for staff level review and approval of single-use, private buoys. The same Current Planning staff who make recommendations to the Hearings Officer will now process the applications themselves. These staff members are the experts on TRPA buoy regulations. This amendment does not change the conformance requirements for mooring buoys and does not change or impact permitting for other structures like piers. The amendment still reserves the option for applicants to appeal a permit decision to the Governing Board.

Commission Comments & Questions

Mr. Drew referred to the image without a littoral parcel (slide 6). Mr. Drew noted a narrow parcel on the left side and asked if that was an easement that the HOA members use to access the pier to access the buoys, or do they need to obtain private access. TRPA General Counsel Mr. Marshall confirmed that the highlighted strip provides the access in this instance. Mr. Drew questioned whether that technically could be a littoral parcel because of the HOA easement or parcel. Mr. Marshall responded that he understands the HOA has no interest in the littoral strip parcel, so often there is some type of easement or access via road end. Mr. Drew said he assumed that those buoys were permitted under the HOA as the applicant, which is how TRPA defined that boundary as the HOA buoy field. Mr. Marshall said that was correct. Mr. Drew said that the process changes make sense, but that he wanted clarification on the non-littoral HOA parcels.

Mr. Alling asked how many non-littoral, unpermitted, HOA Buoy Fields currently exist on Lake Tahoe. Mr. Marshall responded that he did not know the exact number, it is not many, but they do need this provision to stick to the premise of the Shoreline Plan to authorize pre-existing structures under certain circumstances.

Mr. Hitchcock asked if moving forward, there is no possibility for a new non-littoral parcel to have a buoy field due to the Shoreline Plan. Mr. Stock affirmed there are no new buoy fields permitted on the Lake.

Ms. Simon asked if people in the littoral zone have rights to a mooring buoy. Mr. Stock responded that littoral parcel owners have the right to private mooring buoys, subject to distribution by the lottery. Mr. Marshall added that there is a relationship between the amount of development potential on a littoral parcel and the number of buoys offshore. He said there are often agreements between the littoral owners and those controlling the buoy field on a

case-by-case situation. These buoy fields do have the ability to affect the development of the littoral parcels landward of the fields.

Ms. Simon said she was unfamiliar with the prove-up proceedings, and asked Mr. Marshall what the proceeding was, and how that would apply to these cases. Mr. Marshall said that they were really talking about the permitting process. He said that these buoy fields do not have a TRPA permit, which is required under the Shoreline Plan. There was no mechanism to provide them with a permit, even where they had the necessary authorization from Nevada or California State Lands. The proving up is really an application for a TRPA permit, and for non-littoral parcels a permit or other authorization from the responsible state agency is generally required. The basic premise of the Shoreline Plan for existing structures is that if something has been in the lake for a long period of time, and it has had some level of permitting, then a TRPA permit may be granted.

Ms. Stahler said that she was speaking from the perspective of the Nevada Division of State Lands (NDSL), as the permitting authority on the Nevada side of the Lake for buoys and buoy fields. She asked staff if there were any examples of existing, non-littoral HOA buoy fields on the Nevada side. Mr. Stock said he could not recall any examples in Nevada. Ms. Stahler advised that NDSL have a provision that all buoys and buoy fields must be associated with littoral ownership, so they would not have permitted HOA buoy fields unless they were tied to a littoral parcel.

Ms. Stahler said that NDSL had issued a permit to Lakeridge GID for 17 buoys. Lakeridge GID has a littoral parcel, but have not installed the buoys because they are awaiting TRPA approval. Ms. Stahler asked what the term 'existing' means. Does it mean the buoys are already in place, or does it mean they just need to show proof of a state or federal permit? Mr. Marshall responded that TRPA have been in discussions with Lakeridge GID, and the fundamental position is that the buoy must be in existence. This process is recognizing the existence of a structure, rather than creating a new buoy field.

Ms. Stahler said there was inherent potential for conflict between the owner of a littoral parcel, and the HOA behind that parcel. Mr. Marshall agreed and said that the HOA and the littoral owner needed to settle between themselves how they would operate under the individual parcel cap. Ms. Stahler said that on the Nevada side there were litigation instances over littoral status, where a property owner behind a littoral parcel will try to 'quiet title' the littoral parcel in front of their property in order to designate their property as adjacent to the high-water mark. Ms. Stahler said that the people who have tried this action have not prevailed, but there is potential for conflict. Ms. Stahler recommended that TRPA obtain the agreement between the littoral property owner and the HOA in the parcel behind, to safeguard against future conflict. Mr. Marshall agreed it would be useful to have those agreements, but he is not sure it would be necessary because the backstop position is that even if a parcel were to become littoral, their development potential is still limited by the individual parcel cap.

Ms. Stahler asked if there were any examples where there is an existing non-littoral, HOA owned buoy field, alongside private buoys maintained by the littoral property owner. She also asked if that is allowable. Mr. Marshall responded that if they meet the grandfather criteria, and have been permitted, they would be recognized by TRPA. It is his recollection that there are non-littoral buoy fields, offshore from a littoral parcel, so there may be conflict in those situations. Ms. Stahler asked what options a littoral property owner would have if there were already a

buoy field in front of their property. Mr. Marshall said that from TRPA's perspective they cannot expand the number of buoys offshore of the parcel. The owner would need to address the situation with the HOA. Ms. Stahler said it seems that the rights should be with the littoral parcel owner, and not the non-littoral HOA. Mr. Marshall said that what is being regulated is not who has the highest interest or right, but the impact to the lake. To that end TRPA's primary interest is on limiting the number of buoys on the lake.

Mr. Marshall said there is a preference for littoral owners in the Code since they are the only entities that are allowed additional buoys, but we do not get into the strengths of the case for a littoral owner in a dispute with an HOA. Mr. Marshall said that past Code iterations had attempted to resolve the disagreement by requiring any expansion to have consent from the littoral landowner. Ms. Stahler advised that Nevada have a consent requirement for buoys that are not within the property owners project lines. Mr. Marshall responded that to place a buoy, all appropriate permits are required - if you cannot get an NDSL permit, you cannot place a buoy. TRPA's permitting requirement is not an alternative mechanism for placing a buoy, it is an additional requirement.

Ms. Stahler said she is largely okay with the way the proposed amendment is written but believes there is still weakness in terms of the rights of littoral property owners vs HOA's. TRPA staff Mr. Miller said that typically, the non-littoral HOA buoy fields are in front of easement or access points. In some cases, those neighboring littoral property owners are members of the HOA. He added that the buoys are located on California State Lands, so if there was a conflict regarding new buoy placement, it would need to be resolved with State Lands.

Ms. Stahler said she is satisfied with the fact that the proposed code amendment is only applicable to established and existing buoy fields - but thinks that the ordinance amendment could be strengthened with clarification on how littoral property owners can acquire their own buoys. Mr. Marshall said that the Code already states that non-littoral owners are not eligible for new buoys. Mr. Marshall said that for an instance where the parcel buoy cap has been reached, and the littoral parcel owner does not have buoy, substantial work would be required to consider allowing expanding the parcel cap to accommodate littoral owners.

Mr. Marshall does not believe TRPA should pursue another route for new buoys where the parcel cap has been met. That would increase the number of buoys on which the Environmental Analysis was based. The only other mechanism he sees, would be to require sign-off by the littoral owner as part of the permitting process, thereby rebalancing the ability of littoral owners to oppose an existing buoy field. That said, Mr. Marshall said that staff believe the intent of the Governing Board for the Shoreline Plan was to recognize existing structures. Reflecting on past disputes between littoral parcel owners and HOA buoy field owners, Mr. Marshall said he would advise that we keep out of those battles.

Ms. Stahler said she appreciated the explanation. She added that it was hard for property owners around the lake to be aware of all the rules and nuances, but if Basin agencies can stay straight in terms of parcel caps she is satisfied. Ms. Stahler said she still sees a weakness but is willing to accept that there is not much that can be done to address that.

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Mr. Ferry asked if there was a mechanism to make Ms. Stahler's comments and concerns more explicit for the TRPA Governing Board, rather than just via the meeting minutes.

Mr. Drew said that valid points were made by both Ms. Stahler and Mr. Marshall. He said that the role of the APC is to make technical recommendation to the Governing Board, and he supports the idea that any technical concerns are presented to the Governing Board as part of the staff report and presentation.

Ms. Stahler said she was satisfied with the Governing Board having insight into the discussion through the meeting minutes, and that she would follow up with her supervisor. Her recommendation for the Governing Board presentation is to have more information on the scope of this change, (how many buoy fields are pre-existing and where are they located) and make it clear that this is only intended to give a path for existing, established buoy fields. She would also recommend that clarification on the rights of littoral property owners in these situations is included. Mr. Stock acknowledged that he would include Ms. Stahler's recommendations in his presentation to the TRPA Governing Board.

Mr. Alling said he understands exactly where Ms. Stahler is coming from but that he agrees with Mr. Marshall that it is outside the scope of the TRPA to regulate agreements between existing HOA buoy fields and littoral property owners. He added that TRPA should let them fight those battles between themselves, and that TRPA should maintain focus on limiting the number of buoys and their associated impacts.

Mr. Hitchcock referred to figure 84.3.3-1 which talks about allowing a third buoy block during low water conditions. He asked if the third buoy block would be included in the parcel cap, and if it would need to be removed in high water conditions. Mr. Marshall responded that the buoy blocks are for low water adaptation and do not need to be removed. They do not count against the cap but if there were three buoys instead of two, TRPA would review as a compliance situation.

Mr. Marshall reminded APC members that the item before them was how to deal with non-littoral HOA buoy fields, and whether to give them a path. He added that this is a very small subset of the general issue in reconciling the different rights between littoral owners and non-littoral HOA buoy field owners. He said this issue also comes up with littoral HOAs, and the spread off their littoral parcels, so it is a larger issue than the non-littoral buoy fields being addressed with the proposed amendment. If we wanted to revisit the issue it would be a much broader question, although that was balanced in the Shoreline Plan.

Ms. Chandler asked when the next application period for new buoys will begin. Mr. Miller replied that the period starts December 1, 2022, through March 1, 2023.

Public Comments & Questions

None.

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Commission Comments & Questions

Mr. Alling made a motion to recommend approval of the Required Findings, as described in Attachment B, including a Finding of No Significant Effect, for adoption of the Code of Ordinances amendments as described in the staff summary.

Mr. Hitchcock seconded the motion.

Ayes: Mr. Alling, Ms. Chandler, Mr. Booth, Mr. Comba, Mr. Drew, Mr. Guevin, Ms. Jacobsen, Ms. Ferris, Mr. Hill, Mr. Hitchcock, Ms. Simon, Mr. Ferry,

Abstained: Ms. Stahler

Absent: Mr. Drake, Mr. Letton, Mr. Teshara, Mr. Smokey, Mr. Young

Motion Passed.

Mr. Alling made a motion to recommend adoption of Ordinance 2022-___, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A.

Ms. Jacobsen seconded the motion.

Ayes: Ms. Chandler, Mr. Alling, Mr. Booth, Mr. Drew, Mr. Comba, Ms. Jacobsen, Mr. Guevin, Ms. Ferris, Mr. Hitchcock, Mr. Hill, Ms. Simon, Mr. Ferry

Abstained: Ms. Stahler

Absent: Mr. Drake, Mr. Letton, Mr. Smokey, Mr. Teshara, Mr. Young

Motion Passed.

VI. REPORTS

A. Executive Director

Mr. Hester provided a brief update on past actions from the Advisory Planning Commission. On April 27, 2022, the TRPA Governing Board approved the South Lake Tahoe Recreation Aquatic Center, based on their approval of the Special Height Standard Change in March 2022 as recommended by the APC. Mr. Hester said this is an important new facility and offered congratulations to Mr. Hitchcock and the City of South Lake Tahoe.

Looking ahead to upcoming topics, Mr. Hester advised that staff and the Threshold Update Initiative Stakeholders Working Group (TUISWG) will be restarting work on the threshold updates over the next quarter and will bring regular reports to APC.

Other upcoming topics will include an Aquatic Invasive Species (AIS) Program update, and informational presentation on the Tourist Core Area Plan (TCAP) Amendment, and a presentation on proposed Housing Amendments.

B. General Counsel

Mr. Marshall advised that TRPA has been named as a minor defendant in a piece of litigation filed primarily against the Federal Highway Administration (FHWA) over the Roundhill Pines project that was approved by the TRPA Governing Board in late 2021. The lawsuit is being brought by property owners on Sunset Lane, who access US Hwy 50 near the proposed location. They have sued under NEPA and the Federal Administrative Procedures Act. Mr. Marshall does not believe TRPA has any liability for the alleged claims and will be seeking to dismiss.

Regarding the existing Eisenstecken et al v. TRPA lawsuit over the Ski Run Cell Tower and other cellular facilities, Mr. Marshall advised that plaintiffs have sought to amend their complaint to include a challenge to TRPA's denial of their appeal. TRPA have existing pending motions to dismiss that will be refiled, depending on the outcome of the motion to add claims and arguments.

Mr. Marshall invited APC members to contact him directly with any questions or requests for further information.

C. APC Members

Mr. Drew said that members who participated in December's APC meeting will recall the lengthy discussion related to VMT and the Mobility Mitigation Fee. APC concerns were forwarded to the TRPA Governing Board. The item was ultimately approved by the TRPA Governing Board and went into effect. He said that we are now seeing the first projects coming through that are required to navigate the Mobility Mitigation Fees and the VMT tool.

Mr. Drew said it is extremely challenging, and they are now seeing that many of the concerns about the size of the fees, how they are applied, and the impacts they will have on projects outside of town centers is real. There are many questions that applicants, TRPA staff and others involved in projects are just starting to realize. Mr. Drew said it is important for the group to realize that there are significant implications, and ultimately there will be a lot of desired projects outside of town centers that will not be feasible because of the astronomical fees. Mr. Drew said he expects and hopes that this topic will come back to the APC and the Governing Board because his initial experience on three projects is that it is untenable, and will eliminate some of the goals we have in the Basin.

Mr. Hitchcock responded to Mr. Drew's comment and said that the City of South Lake Tahoe are experiencing the same issues, particularly with commercial projects that have sat empty for over 60 months.

Mr. Hitchcock said he was excited to report that in their efforts to incentivize housing in the

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Basin, the City of South Lake Tahoe will be converting up to 20 Tourist Accommodation Units (TAUs) to existing residential use, which will be given to property owners to develop Accessory Dwelling Units (ADU) on a first come first served basis.

Mr. Guevin said that Tahoe Douglas Fire Protection District and Basin Fire Chiefs are looking at a basin-wide program for a fire rescue helicopter. They are researching areas in the Tahoe Douglas region for a heliport. They are working with staff to utilize an exception in the Code for emergency purposes and are working on funding for the program. Mr. Guevin said this program will save lives and property and is a passion for many Basin Fire Chiefs.

Mr. Guevin said the Tahoe Douglas Fire Protection District are still working on a pier. As members will be aware their boat was destroyed in a recent storm, so they are working with the Nevada Department of Wildlife, TRPA, the Sheriff's Department, and the Fire Department for a public safety pier. He added that they will look to make it a Memorial Pier to Deputy Callaghan who lost his life moving from a buoy. This would be one of the first public safety piers for Lake Tahoe.

Mr. Guevin said that the Tahoe Douglas Fire Protection District are also working on shaded fuel breaks that were cited as being important following the Caldor Fire. They recognize that they cannot be as sensitive to the environment as they would like when a fire is raging, so would like to plan on building shaded fire breaks around communities.

Mr. Guevin said that the Tahoe Douglas Fire Protection District are working with Douglas County to amend the Stateline Area Plan on several things, but specifically on the use of the Kingsbury Middle School site.

Mr. Booth responded that Douglas County are in discussion with the Fire Department and the owner of the previous Kingsbury Middle School site, and there may be some developments and potential amendments coming forward in the next few months.

Mr. Booth said that Douglas County are also discussing the former Lakeside Casino property. Douglas County recently met with TRPA staff and representatives from Barton Healthcare to discuss the property. More information is expected in the next few months.

Ms. Chandler gave an update on the Tahoe Keys Control Methods Test. She said that things are moving along well. Two of the three curtains are already installed, with the third scheduled for installation this week. All the monitoring stations are installed. Water is flowing into the Tahoe Keys which is good news. The only glitch is due to the recent cold weather, which means that the water temperature has not risen to the optimal temperature for plant growth. However, they are tentatively on schedule to start the herbicide test week commencing May 23, 2022. She said that any people have spent a lot of time and energy on this project, and it is moving forward in a positive direction.

Ms. Jacobsen advised that Placer County are continuing in their efforts to incentivize Workforce Housing with a change to their Workforce Housing Preservation Program (the Down Payment Assistance Program) that will go before their Board in June 2022. The program has been approved for one year and has 20+ prequalified applicants to participate, who have not been able to

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compete in the current market. Placer County are looking to amend some restrictions and requirements to improve movement regarding home purchases for the workforce.

Ms. Jacobsen advised that the Placer County Board will also be considering a 'lease to locals' long-term rental grant program in June 2022.

Ms. Simon asked what TRPA's role would be regarding taking water out of Lake Tahoe for transportation and sale. She said her question arose from a presentation to the Incline Village General Improvement District (IVGID) by Marsha Berkgigler and Steve Decea.

Ms. Simon said that the Board seemed uninterested, but the presenters also attended a community committee meeting to obtain support in the interest of fire suppression. The proposal referred to the reactivation the Crystal Bay Pump Station which Ms. Simon understands was deactivated when Crystal Bay General Improvement District merged with IVGID. Ms. Simon said that at a subsequent community board meeting in May 2022 she asked about the status of the proposal and was told that the board would likely not pursue it. That was followed by an Op Ed in the Tahoe Tribune regarding extreme fire danger. Ms. Simon said she is bringing it to APC today because it is on the IVGID Board Meeting Agenda, and people had asked if and what TRPA's role might be.

Mr. Marshall responded that in general the Bi-State Compact precludes TRPA from dealing with water rights issues to Lake Tahoe, but any project that has significant impact to the basin would require a permit from TRPA. Mr. Marshall informed that he would work with TRPA staff PIO Jeff Cowan and Ms. Simon to provide more information in advance of the IVGID meeting.

Mr. Ferry advised that El Dorado County's Housing Element was adopted by the State of California on May 10, 2022.

Mr. Ferry also announced that on April 25, 2022, the El Dorado County Board voted to place a two-part ballot measure on the November Ballot which, if approved, would increase Transient Occupancy Tax (TOT) on the west slope by 2%, and increase TOT in Tahoe by 4%. If approved, the measures will generate an estimated \$2.5 million in the basin to be used exclusively for roadway maintenance and snow removal. The funds are desperately needed and the vote will require a super-majority, so El Dorado County are working hard to get the word out.

VII. PUBLIC COMMENT

None.

VIII. ADJOURNMENT

Mr. Drew moved to adjourn.

Chair Ferry adjourned the meeting at 11:02 a.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Tracy Campbell". The signature is written in a cursive, flowing style.

Tracy Campbell
Clerk to the Advisory Planning Commission

The above meeting was recorded 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

STAFF REPORT

Date: September 7, 2022

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Aquatic Invasive Species (AIS) Annual Program Update

Summary and Staff Recommendation:

Staff is providing an update on AIS program activities being implemented and planned, to achieve program goals of preventing new introductions and reducing populations of existing aquatic invasive species.

The update includes a report of the prevention program and progress on permanent inspection stations. Watercraft inspections and decontaminations continue to demonstrate their effectiveness of preventing new introductions.

Major projects are underway that include the Taylor-Tallac Ecosystem Restoration Project and the Tahoe Keys Lagoons Aquatic Weed Control Methods Test, with additional high priority projects being planned for that are identified in the AIS Control Action Agenda.

Monitoring activities are scheduled for this year to demonstrate AIS Control project effectiveness, coupled with enhancing performance metrics to better understand how holistic actions are achieving goals of the AIS Action Agenda.

Funding of the program is diverse, with new funds coming through the Bipartisan Infrastructure Law, allowing staff to increase pace and scale with the addition of a new AIS Project Coordinator.

This item is for informational purposes and no action is required.

STAFF REPORT

Date: September 7, 2022
To: Advisory Planning Commission
From: TRPA Staff
Subject: Presentation and discussion of the Lake Tahoe Shoreline Public Safety Facilities Planning Process

Summary and Recommendation:

Staff will provide an overview of the Lake Tahoe Shoreline Public Safety Facilities planning process and forthcoming action strategy. This is an informational item for discussion, no motion is required.

Background:

In the coming decades, the Lake Tahoe Region is expected to experience more extreme weather events, including drought and wildfire all while increased visitation heightens demands on the region's emergency infrastructure. During emergency situations, a myriad of agencies (e.g. fire protection districts, US Coast Guard, county sheriffs' offices, and TRPA) collaborate to respond to lake-based emergencies. Resilient public safety facilities and regional collaboration are critical to maintaining responsive public safety services for residents and visitors into the future.

TRPA Code of Ordinances Section 84.8.2 and the 2018 Shoreline Plan allow design exceptions for piers or other shoreline facilities designated as essential public safety facilities and provide additional pier allocations to construct five lake-based public safety facilities. One facility is reserved for the U.S. Coast Guard (USCG) and four facilities are to be distributed one in each of the four quadrants of the lake, with quadrants defined by county boundaries. These are intended to result in centralized and cooperatively built facilities, for mooring, launching, and emergency response that are resilient in a changing climate and fluctuating lake levels.

To date, only the Coast Guard has a dedicated safety facility on Lake Tahoe. County- and local-level emergency responders currently moor and launch from a variety of public and private locations around the Lake, none of which have been specifically designed to harbor such safety facilities. Boats moored on buoys or other private facilities are vulnerable to damage and loss and response mobilization may take longer in an emergency.

The Lake Tahoe Shoreline Public Safety Facilities Action Strategy identifies permanent locations for lake-based emergency response vessels. The strategy furthers the Regional Plan and 2018 Shoreline plan by

supporting a coordinated network of regional public safety facilities serving Lake Tahoe. The project was precipitated by requests over the last several years from fire districts, law enforcement, and the U.S. Coast Guard to find permanent mooring locations for response vessels that can be accessed during low lake conditions and respond to a range of emergency situations.

Project Description:

In March 2022, TRPA staff initiated a process to convene a working group of public safety and land management partners. The collaborative planning process sought to:

- Identify preferred locations for essential lake-based public safety facilities in each of the Tahoe Basin’s four counties considering essential criteria;
- Understand facility needs and feasibility; and
- Develop an action plan to guide implementation of safety facilities at preferred locations.

The planning process resulted in an action strategy to memorialize the working group’s findings and aid working group members in establishing partnerships and developing dedicated public safety facilities.

Planning Process:

A working group representing regional public safety agencies (fire districts and sheriffs), relevant land managers (US Forest Service, Cal State Parks, NDSL, etc.), and TRPA staff completed a six-month planning process to identify preferred locations for lake-based public safety facilities. The planning process included the following steps:

March 3: Kick-off meeting with working group members composed of public safety agency representatives and land managers.

March 25: First Workshop: the working group identified evaluation criteria and potential safety facility locations for further analysis.

April: TRPA staff analyzed the feasibility of potential facility locations based on location criteria.

April-May: Meetings with small groups representing each of the participating quadrant areas to review analysis and rank preferred locations.

- April 22: Placer County Meeting
- April 26: Washoe County Meeting
- May 2: City of South Lake Tahoe Meeting
- May 23: El Dorado County Meeting

Working group members also met with Elie Alyeshmerni, owner of Ski Run Marina, and Bob Hassett, owner of Camp Richardson pier, to discuss possible safety facilities at their properties. Both property owners expressed their support for the planning process and further consideration of safety facility improvements at Camp Richardson and Ski Run Marina.

May 16: Second Workshop: the working group discussed facility needs and key considerations at each of the preferred locations.

June-August: TRPA staff and the working group developed the draft action strategy.

Preferred Safety Facility Locations:

Through the planning process, the working group identified and ranked preferred locations for lake-based safety facilities. Preferred locations were identified by consensus after a review of location criteria including:

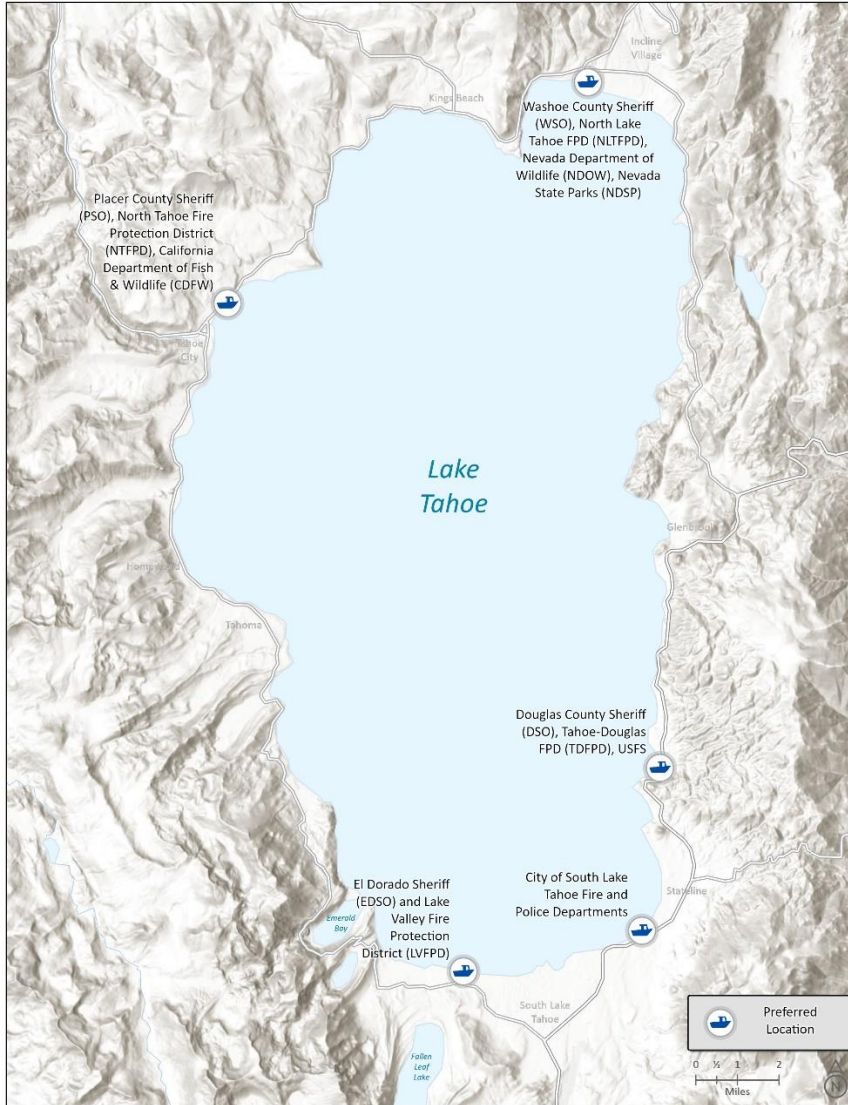
- site availability;
- ownership;
- environmental and scenic sensitivity;
- response time to key locations on the lake;
- protection during storm conditions;
- existing infrastructure;
- land access; and
- access to navigable water

More detail on the process for evaluating and choosing preferred facility locations is included in Attachment B.

While these safety facilities are intended to primarily serve the first responder agencies of each lake quadrant, emergency response on Lake Tahoe is highly collaborative and other agencies are likely to use the facilities as needed. This planning process identified safety facility sites on Lake Tahoe. First responder agencies will lead the next steps for facility development including forming MOUs with participating landowners and agencies, site specific environmental analysis, funding, and permitting. TRPA staff will remain available for assistance as needed.

The working group identified the four preferred locations:

- Ski Run Marina (City of South Lake Tahoe)
- Camp Richardson Pier (El Dorado County)
- Burnt Cedar Beach (Washoe County)
- Zephyr Cove Pier (Douglas County)

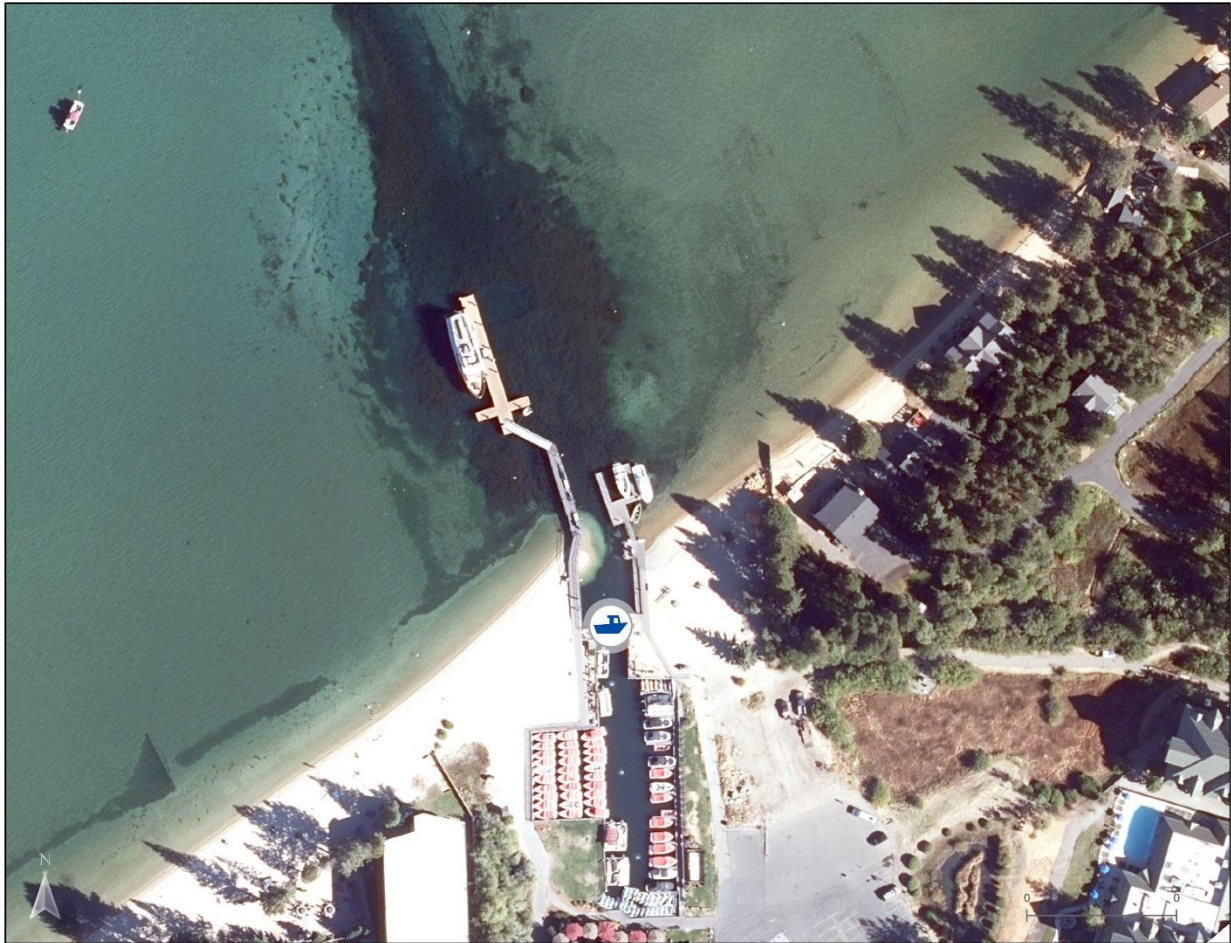


Ski Run Marina (City of South Lake Tahoe):

Ski Run Marina is a privately owned and operated marina in the City of South Lake Tahoe. The marina would provide a central location in the City’s tourist core, accommodating quick response times. The Marina receives regular maintenance dredging to sustain boat access in low water conditions. Existing maintenance dredging is an important benefit for first responders given that the south shore can become unnavigable during droughts. The marina owner expressed enthusiastic support for a public safety facility during initial meetings. A safety facility at Ski Run Marina would primarily serve the City of South Lake Tahoe’s Fire and Police departments.

When developing a safety facility at Ski Run Marina, partner agencies should consider the need for scenic mitigation at the site, limit disturbance to sensitive environmental areas on site, and accommodate plans for a ferry station at the marina.

The image below shows an aerial view of Ski Run Marina:



Camp Richardson Pier (El Dorado County):

Camp Richardson pier is a privately owned public pier located on Forest Service-owned land. The Camp Richardson area and nearby Emerald Bay account for the majority of lake-based emergency calls in El Dorado County. The existing pier already extends to a navigable depth during drought conditions, a rarity in Tahoe’s shallow south shore. Additionally, the pier owner and operator already works closely with first responders and was open to exploring safety facility improvements to the pier. Partner agencies will need to explore techniques to limit the impact of wave action on safety vessels moored at the site. A facility at Camp Richardson would primarily serve the El Dorado County Sheriff’s Office and Lake Valley Fire Protection District.

Due to the high volume of emergency calls on the south shore, the working group recommended two emergency facilities in the El Dorado County quadrant, with one facility in the City of South Lake Tahoe and a second facility in unincorporated El Dorado County. TRPA staff and the working group believe the need for facilities can be met without an additional safety facility development allocation because the desired improvements to the Camp Richardson pier are within the allowable limits for a public pier. Therefore, the City of South Lake Tahoe could use a safety facility allocation to develop their facility at Ski Run Marina and El Dorado County could make improvements to Camp Richardson pier while maintaining its public pier status.

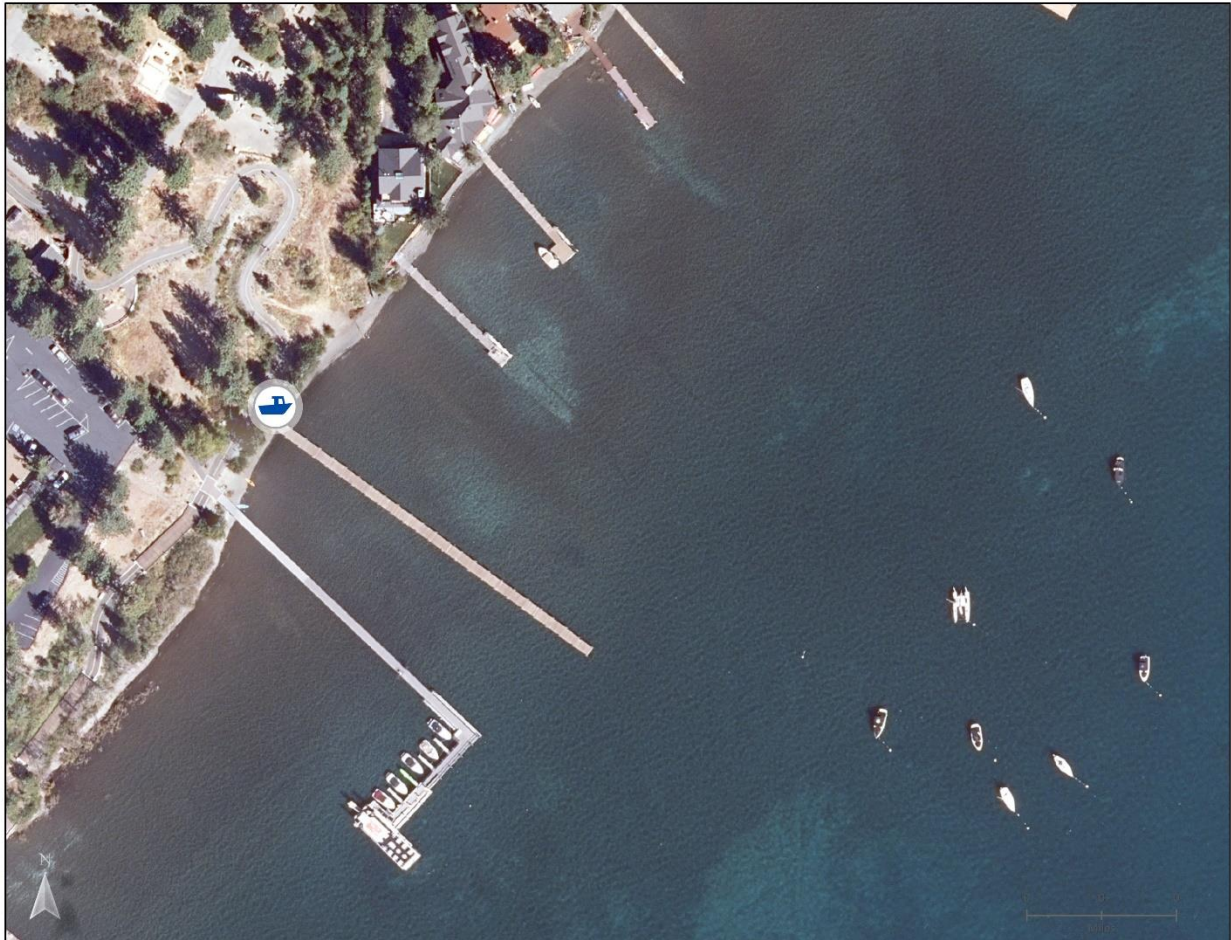
The image below shows an aerial view of Camp Richardson pier:



Tahoe State Recreation Area (Placer County):

The Tahoe State Recreation Area campground in Tahoe city is a California State Parks owned parcel with an existing pier near the Tahoe City Marina. The existing pier is centrally located on Placer County’s shoreline and extends into deep water to accommodate emergency response in low water conditions. California State Parks staff expressed interest in working with partner agencies to improve the pier as a public safety facility. Other site improvements are needed to improve emergency vehicle access to the pier. A safety facility at Tahoe State Recreation Area would primarily serve the Placer County Sheriff’s Office, North Tahoe Fire Protection District, and California Department of Fish and Wildlife.

The image below shows an aerial view of Tahoe State Recreation Area:



Burnt Cedar Beach (Washoe County):

Burnt Cedar Beach is a quasi-public park owned and operated by the Incline Village General Improvement District (IVGID). There is no existing pier at the site and IVGID has not confirmed interest in working with partners to develop a safety facility at Burnt Cedar Beach. Partner agencies should engage with IVGID to further explore the site’s feasibility. A safety facility at Burnt Cedar Beach would primarily serve the Washoe County Sheriff’s Office, North Lake Tahoe Fire Protection District, Nevada Department of Wildlife, and Nevada State Parks.

The image below shows an aerial view of Burnt Cedar Beach:

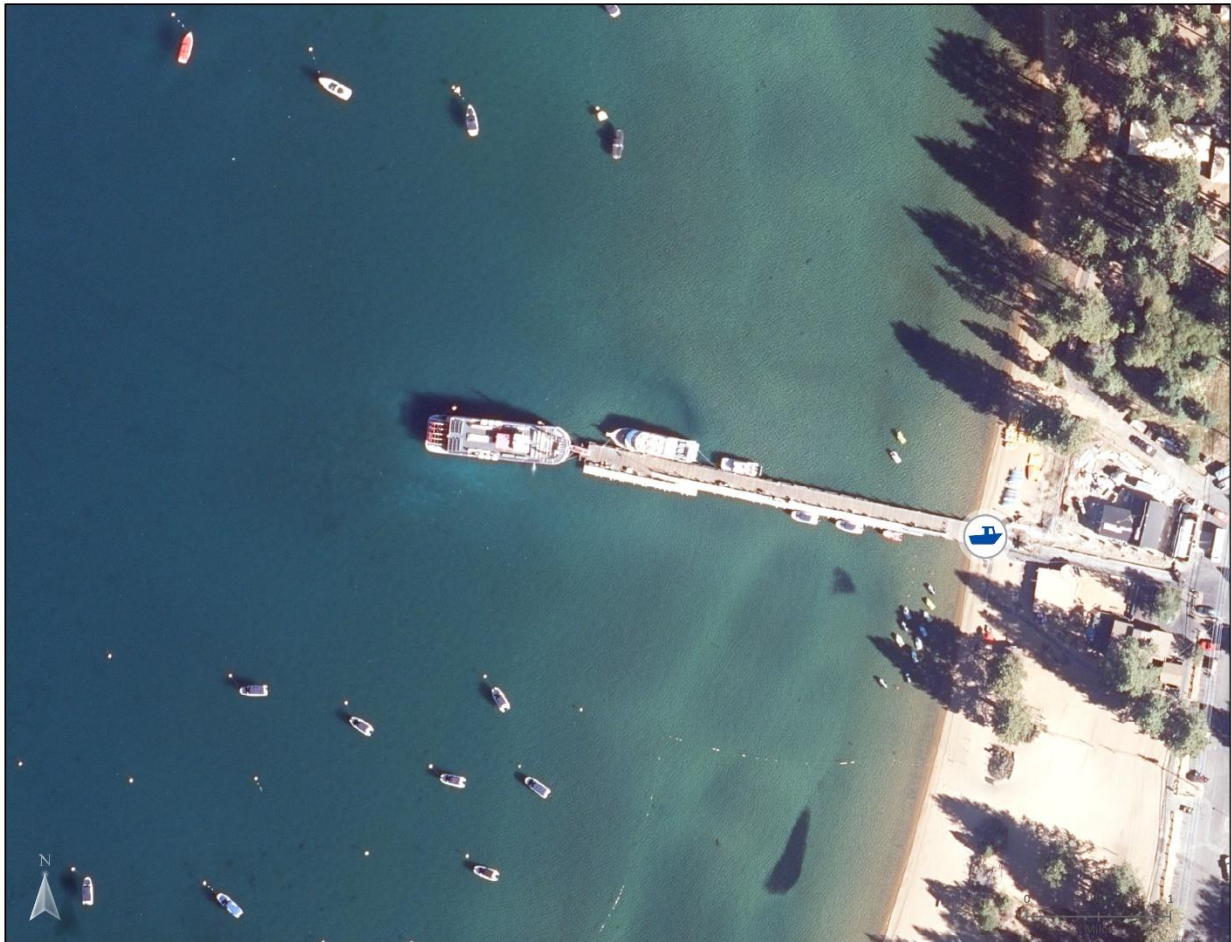


Zephyr Cove Pier (Douglas County):

While Douglas County pursued an independent process to plan their safety facility at Zephyr Cove pier, they remained engaged with the regional planning process, providing advice and guidance to other working group partners.

The Tahoe-Douglas Fire Protection District and Douglas County Sheriff’s Office are working closely with the Forest Service to plan, design, and permit safety facility improvements to the Forest Service’s pier at Zephyr Cove. Partner agencies expect to begin a NEPA study for the pier improvements in October and to complete construction by spring 2024.

The image below shows an aerial view of Zephyr Cove pier:



Next Steps:

The Shoreline Public Safety Facilities Planning Process identified preferred locations for critical public safety facilities on Lake Tahoe's shoreline. At the planning process's conclusion, participating agencies will work to implement safety facility development in their lake quadrant. TRPA staff may assist agency partners as needed. A summary of the TRPA permitting process for lake-based safety facilities is included in Attachment C.

The next steps for safety facilities will include:

- **Formalize Agency Partnerships-** All relevant agencies and land managers collaborating on the development of a shared public safety facility should enter a formal MOU partnership
- **Seek Initial Funding-** Partner agencies should seek initial funding for facility planning and design
- **Engage Consultant in Planning and Design-** Hire a consultant for planning, design, and environmental study, leading to full project budget
- **Seek Full Project Funding-** Seek funding for project completion including permitting and construction
- **Permit Submittal-** Submit permit applications to relevant agencies including TRPA, Army Corps of Engineers, US Coast Guard, and US Fish & Wildlife. In California, permitting agencies include California State Lands, Lahontan Regional Water Quality Control Board, and California Fish & Wildlife. In Nevada, permitting agencies include Nevada State Lands, Nevada Department of Environmental Protection, Nevada Department of Wildlife, and Lake Tahoe Water Suppliers Association.
- **Facility Development-** Once all permits are obtained, develop safety facility

Contact Information:

For questions regarding this agenda item, please contact Jacob Stock, Senior Planner at 775-589-5221 or jstock@trpa.gov.

Attachments:

Attachment A - [Lake Tahoe Shoreline Public Safety Facilities Story Map](#)

Attachment B - Process for Determining Preferred Facility Locations

Attachment C - TRPA Permitting Process for Shoreline Public Safety Facilities

Attachment A

[Lake Tahoe Shoreline Public Safety Facilities \(arcgis.com\)](#)

Attachment B

Process for Determining Preferred Facility Locations

Attachment B

Process for Determining Preferred Facility Locations

Attachment B summarizes the analysis and discussion which led working group members to identify preferred public safety facility locations.

At the first workshop meeting on March 25, 2022, working group members formed breakout groups based on their quadrant of jurisdiction. Breakout groups reviewed a web map of their quadrant and identified up to five potential sites for further analysis as potential safety facility locations. TRPA staff analyzed each site identified by the breakout groups and provided a quantitative summary of site benefits including distance from the shoreline to navigable depth, response time to landward emergency facilities, and emergency vehicle access. During April and May, 2022, TRPA staff met with the quadrant groups individually to discuss potential sites in-depth and choose a preferred location. These work sessions included a review of TRPA’s quantitative analysis, but the final selection of preferred locations was ultimately qualitative and determined by consensus of the group based on the needs of the participating public safety agencies and group discussion.

City of South Lake Tahoe

During the March 25 workshop meeting, the working group identified the need for two facilities in the El Dorado County quadrant given the high volume of emergency calls in the area and different needs between the agencies in the City of South Lake Tahoe and unincorporated El Dorado County. Further research by TRPA staff found that the Code of Ordinances could accommodate two dedicated facilities without an additional safety facility allocation if one facility utilized an existing public pier. El Dorado County was already considering additions to Camp Richardson pier as a potential facility location and TRPA planners found that additions could be made to the pier to accommodate public safety agencies without changing the pier’s designation from public pier to safety facility. TRPA staff held a meeting with first responder agencies in the City of South Lake Tahoe to identify a preferred public safety facility location within the city limits.

Following the workshop, the working group directed TRPA staff to evaluate key factors influencing the feasibility of potential safety facility locations including distance to navigable depth in drought conditions (6219’), scenic character type, fish habitat, and drivetime from the site to the nearest hospital. Staff shared this analysis with the working group to aid in determining a preferred facility location. The following table summarizes staff’s findings:

Location	APN	Elev. at Pierhead	Distance to Elev. 6219’	Hospital within 10 Min. Drive	Fish Habitat	Existing Dredging	Scenic Character/ Attainment	Scenic Mitigation
Ski Run Marina	027-690-06	6,220’	260’	Yes	Feed/Cover	Yes	Dominated/ In Attainment	1:1.5
Timber Cove	027-090-25	6,219’	1,175’	Yes	Feed/Cover	No	Dominated/ In Attainment	1:1.5

Tahoe Keys Marina	022-210-044	N/A	N/A	Yes	Feed/Cover	Yes	N/A	N/A
El Dorado Beach	026-050-06	N/A	1,440'	Yes	Feed/Cover	No	Modified/ In Attainment	1:2
Lakeside Marina	029-601-001	N/A	N/A	Yes	Feed/Cover	Yes	Dominated/ In Attainment	1:1.5

A May 2nd meeting to determine the preferred safety facility location in the City of South Lake Tahoe included the City’s police and fire departments. The group discussed locations at the Tahoe Keys, Timber Cove, Eldorado Beach, Lakeside Marina, and Ski Run Marina, ultimately choosing Ski Run Marina as the preferred site. Deep water access on the south shore’s shallow shelf was a key point of discussion during the discussion. The discussion pertaining to each facility is summarized below:

- Tahoe Keys Marina- the City Fire Department currently operates out of the marina. The distance from the marina’s boat ramp to the canal and mouth of the marina leads to extended response times and makes the site less than ideal.
- Timber Cove Pier- Site benefits included its centralized location and the existing pier which the fire department already utilizes on occasion. However, the site lacks adequate parking, and the pier is too narrow for permanent safety facility operations. The pier is also very long, and its length adds to response times. Any additions, which may be necessary to access navigable water in a drought, would make Timber Cove impractically long.
- Eldorado Beach- The beach is centrally located but there is not an existing pier at the site. A new pier would need to be built impractically long to access navigable water in a drought, limiting response time and impacting recreation in the area.
- Lakeside Marina- The marina is not a central location in the City and the entrance to the marina is too narrow for a large fire boat.
- Ski Run Marina- Benefits include existing maintenance dredging at the site allowing for a much shorter pier to access navigable water. The site also has adequate parking and access and it is centrally located for quick response in the city’s jurisdiction. The marina will be undertaking several projects to update its facility in the next year and would likely benefit from a partnership with the city’s public safety agencies. The group chose Ski Run Marina as their preferred facility location and a follow up conversation with the owner of Ski Run Marina confirmed their interest in exploring a public safety facility at the marina. First responders noted that a facility at Ski Run Marina would ideally include a new pier on the east side of the channel with a boat lift and parking improvements for emergency vehicles on northeast corner of the parcel.

Eldorado County

First responders representing the El Dorado County Sheriff’s Office and the Lake Valley Fire Protection District identified Camp Richardson pier as the sole potential location for a dedicated public safety facility in unincorporated El Dorado County. As noted, TRPA planners determined that safety facility

improvements could be made to Camp Richardson pier without changing Camp Richardson’s public pier designation.

TRPA staff analyzed key factors influencing Camp Richardson’s feasibility as a potential safety facility location. The following table summarizes staff’s findings:

Location	APN	Elev. at Pierhead	Distance to Elev. 6219’	Hospital within 10 Min. Drive	Fish Habitat	Existing Dredging	Scenic Character/ Attainment	Scenic Mitigation
Camp Richardson	032-110-01	6,213’	1,000’	Yes	Feed/ Cover	No	Dominated/ In Attainment	1:1.5

A May 23rd meeting with Eldorado County and Lake Valley first responders focused on improvements to Camp Richardson pier to accommodate permanent moorings for public safety vessels. The El Dorado County Sheriff’s Office already keeps one patrol boat moored at Camp Richardson and would prefer two to three boat slips to accommodate the remainder of their fleet along with moorings for jet skis and impounded boats, and a boat lift. Lake Valley Fire does not currently own a fire boat but would like to develop a slip at the site for a future fire boat. Bob Hassett of Camp Richardson attended the May 23rd meeting and confirmed that he was open to potential public safety improvements to the pier.

Placer County

During the March 25 workshop, public safety agency representatives from Placer County identified Star Harbor and Tahoe State Recreation Area in Tahoe City as potential facility sites for further consideration. The group also considered the possibility of adding to the US Coast Guard’s station at Tahoe City to create a shared facility.

TRPA staff analyzed key factors influencing the feasibility of potential safety facility locations. The following table summarizes staff’s findings:

Location	APN	Elev. at Pierhead	Distance to Elev. 6219’	Hospital within 10 Min. Drive	Fish Habitat	Existing Dredging	Scenic Character/ Attainment	Scenic Mitigation
Star Harbor	094-140-061	N/A	N/A	Yes	Feed/Cover & Spawning	Yes	Modified/ Not in Attainment	1:2
Tahoe State Rec. Area	094-130-006	6,221’	N/A	Yes	Feed/Cover & Spawning	No	Modified/ Not in Attainment	1:2
USCG Station	094-130-006	6,220’	N/A	Yes	Feed/Cover & Spawning	No	Modified/ Not in Attainment	1:2

Representatives of the Placer County Sheriff’s Office, North Tahoe Fire Protection District, California State Parks, and the US Coast Guard attended an April 22nd meeting to determine the preferred safety facility location in the Placer County quadrant. The group found that the Tahoe State Recreation Area pier was the preferred site for a public safety facility. The discussion pertaining to each facility is summarized below:

- Star Harbor- Star Harbor is a protected, man-made harbor near Dollar Point with an existing small floating pier. As a protected harbor, vessels moored at Star Harbor are not subject to storm surge and maintenance dredging to access deep water is more feasible at the harbor than elsewhere on the shoreline. However, the working group found that the channel is too tight to navigate large public safety vessels and building a pier large enough to accommodate the user agencies would further limit the size of the channel. Excavation to enlarge the channel would be infeasible.
- US Coast Guard Facility- US Coast Guard vessels do not moor at the Coast Guard pier due to delayed dredging. The Coast Guard currently operates out of the Tahoe City Marina. The Coast Guards dredging permit has been on hold for several years with no timeline for completion, making the site undesirable for other public safety agencies.
- Tahoe State Recreation Area- Although the Tahoe State Recreation Area’s pier is in poor condition and in need of renovation, the pier is centrally located and close to an existing fire station in Tahoe City. The working group noted that storm surge is a problem in the area, potentially causing damage to vessels. The group suggested that an L-shaped pier with six slips could address the threat of storm surge and accommodate the agencies’ needs. Agencies will investigate other wave dampening options during the facility design process. The pier may also need to extend about 40-50 feet beyond the current pier head to reach deeper water and improvements for emergency vehicle access is needed on shore. The working group chose Tahoe State Recreation Area as their preferred facility site and the site owner, California State Parks, confirmed their interest in hosting a public safety facility.

Washoe County

Washoe County-based first responders Identified Sand Harbor State Park, Burnt Cedar Beach, Incline Beach Association, Crystal Shores East, and a Forest Service parcel North of Sand Harbor (APN 130-320-01) as potential locations for a public safety facility.

TRPA staff analyzed key factors influencing the feasibility of potential safety facility locations. The following table summarizes staff’s findings:

Location	APN	Elev. at Pierhead	Distance to Elev. 6219’	Hospital within 10 Min. Drive	Fish Habitat	Existing Dredging	Scenic Character/ Attainment	Scenic Mitigation
Burnt Cedar Beach	122-162-23	N/A	60’	Yes	Feed/Cover	No	Modified/ Not in Attainment	1:2
USFS Parcel	130-320-01	N/A	10’	Yes	Feed/Cover	No	Modified/ In Attainment	1:2

Sand Harbor	130-350-01	N/A	0'	Yes	Feed/Cover	No	Modified/ Not in Attainment	N/A
Crystal Shores East	122-090-00	6,221'	N/A	No	Feed/Cover	No	Modified/ Not in Attainment	1:2
Incline Beach Assoc.	130-241-37	6,223'	N/A	No	Feed/Cover	No	Dominated/ Not in Attainment	1:2

After analysis of potential locations by TRPA staff, representatives of the Washoe County Sheriff's Office, North Lake Tahoe fire Protection District, Nevada Department of Wildlife, and Nevada State Parks met to on April 26th to select a preferred facility location. The group chose identified Burnt Cedar Beach as the preferred safety facility site for the quadrant. The discussion pertaining to each facility is summarized below:

- US Forest Service Parcel- The site considered (APN 130-320-01) is a narrow parcel located between Incline Village and Sand Harbor along Highway 28. The site has excellent access to deep water, but it is located on a very steep landward slope. Additional expenses would be required to determine site feasibility and to engineer emergency vehicle access if feasible, making the site less than ideal.
- Crystal Shores East- The group quickly determined that the site is too steep and narrow to accommodate emergency vehicle access.
- Incline Beach Association- The Incline Beach Association parcel has an existing pier within a stream mouth protection zone. TRPA planners found that the stream mouth protection zone could be modified to accommodate a public safety facility as the stream was manmade. Nevertheless, the group found that parking and emergency vehicle access is inadequate at the site.
- Sand Harbor State Park- Sand Harbor has an existing boat launch on the North side of the park but no pier. The park is classified as a naturally dominated landscape and shorezone preservation area, making further development very restricted. The group also identified disturbance to recreation uses as a drawback to developing a facility at Sand Harbor. Site benefits included existing infrastructure and access to deep water. Ultimately, the group determined that compromises needed to accommodate scenic and environmental needs would limit public safety agencies and make the site undesirable for first responder agencies
- Burnt Cedar Beach- Burnt Cedar Beach is a recreation site owned by the Incline Village General Improvement District (IVGID). The site does not have an existing pier but could accommodate access for emergency vehicles. The working group noted that IVGID has been a supportive partner to public safety agencies in the past and identified Burnt Cedar Beach as the preferred site for a public safety facility in the quadrant. First responder agencies have initiated discussion with IVGID regarding a potential facility at Burnt Cedar Beach.

Douglas County

Douglas County did not formally participate in the regional process of identifying preferred sites. The County Sheriff's Office and Tahoe-Douglas Fire Protection District chose Zephyr Cove pier as their preferred site for a safety facility in a separate process with the US Forest Service and are planning and designing public safety improvements to the pier.

TRPA staff independently analyzed key factors influencing Zephyr Cove's feasibility as a potential safety facility location. The following table summarizes staff's findings:

Location	APN	Elev. at Pierhead	Distance to Elev. 6219'	Hospital within 10 Min. Drive	Fish Habitat	Existing Dredging	Scenic Character/ Attainment	Scenic Mitigation
Zephyr Cove	1318-10-000-002	6,217'	370'	No	Feed/ Cover	No	Dominated/ In Attainment	1:1.5

Attachment C

TRPA Permitting Process for Shoreline Public Safety Facilities

Attachment C

TRPA Permitting Process

For Shoreline Public Safety Facilities

The following outline describes TRPA's permitting process for public safety facilities on Lake Tahoe's Shoreline including an advisory note on other permitting agencies with regional jurisdiction. Public health and safety agencies will follow this process after finalizing site selection and general site design elements.

Please note that projects on Lake Tahoe's shoreline can be complex and do not lend themselves to simple timelines.

1. Submit pre-application consultation request to review high-level concept and ensure consistency with TRPA rules and regulations.
2. Develop proposed plans including but not limited to bathymetric survey and facility details and elevations.
3. Submit a complete TRPA permit application.
4. TRPA will review permit, specifically the Initial Environmental Checklist to determine the appropriate level of environmental review.
5. If an Environmental Impact Statement/Report (EIS/EIR) is required, the applicant will submit an environmental review application. Depending on upland property ownership and other affected agencies, TRPA may engage with additional entities to undertake the environmental review.
6. If an EIS/EIR is not required, TRPA may review and approve an application at staff level. Absent the requirement for an EIS/EIR, the project could potentially move forward more efficiently at staff level or Hearings Officer level.
7. If the facility requires approval from a partner agency, TRPA may require partner approval prior to bringing the environmental document and project to the TRPA Governing Board for approval.
8. If an EIS/EIR is required, the Governing Board would consider adoption of the environmental document prior to approval of the project.

Other agencies with jurisdiction over Lake Tahoe include (note that this list may not be exhaustive):

Nevada:

- Nevada Division of State Lands
- US Army Corps of Engineers
- Nevada Division of Environmental Protection
- Nevada Division of Wildlife

California:

- California State Lands Commission
- Lahontan Regional Water Quality Control Board
- US Army Corps of Engineers
- California Department of Fish and Wildlife



Tahoe In Brief

Governing Board Monthly Report

August 2022

TRPA CALENDAR AT-A-GLANCE

AUGUST 2022

- August 17: Destination Stewardship Standing Core Team Meeting
- August 23: Cutting the Green Tape Interagency Workshop
- August 24: TRPA Governing Board Meeting* (*NOTE: A tour of the South Shore Events Center project is scheduled for 3:30 p.m. as a part of the meeting and closed-toed shoes are required*).
- August 31: Destination Stewardship South Shore Spanish-Speaking Workshop

SEPTEMBER 2022

- September 1: Destination Stewardship North Shore Spanish-Speaking Workshop
- September 14: TRPA Advisory Planning Commission Meeting, 9:30 a.m.
- September 21: Destination Stewardship Standing Core Team Meeting
- September 28: TRPA Governing Board Meeting*

OCTOBER 2022

- October 12: TRPA Advisory Planning Commission Meeting, 9:30 a.m.
- October 12: Threshold Update Initiative Stakeholder Working Group Meeting
- October 19: Destination Stewardship Standing Core Team Meeting
- October 25: Destination Stewardship North Shore Public Workshop
- October 26: TRPA Governing Board Meeting*
- October 26: Destination Stewardship South Shore Public Workshop

NOVEMBER 2022

- November 9: TRPA Advisory Planning Commission Meeting, 9:30 a.m.
- November 16: TRPA Governing Board Meeting*
- November 16: Destination Stewardship Standing Core Team Meeting

*Each month from July to December the meeting theme will relate to one of the strategic initiatives in the 2022-2023 Annual Work Plan. The themes by month are July-Housing, August-Innovation, September-Transportation and Destination Stewardship, October-Climate Change and Forest Health, November-Environmental Improvement Program, December-Thresholds.

TRPA STRATEGIC INITIATIVES

TRPA STRATEGIC INITIATIVES

Set by the Governing Board, these strategic initiatives reflect the agency's commitment to protect Lake Tahoe's environment while improving regional transportation, increasing diverse housing options, and facilitating community revitalization.

- **Building Resiliency: Climate Change and Sustainability**
- **Keeping Tahoe Moving: Transportation and Sustainable Recreation**
- **Tahoe Living: Housing and Community Revitalization**
- **Restoration Blueprint: Environmental Improvement Program Implementation**
- **Measuring What Matters: Thresholds and Monitoring Update**
- **Digital First: Innovation**

BUILDING RESILIENCY: CLIMATE CHANGE STRATEGIC INITIATIVE

Every TRPA initiative includes strategies to strengthen the resilience of Tahoe's environment, communities, and economy to the emerging stresses of climate change and to improve the region's sustainability. The Climate Change Strategic Initiative harmonizes the goals of both states and local governments in the Tahoe Region while maintaining the region's reputation as a global leader in sustainability.

Climate Resilience Dashboard: To better track progress toward Tahoe's climate resilience goals, TRPA will be updating the existing Lake Tahoe Info Sustainability Dashboard (<https://sustainability.laketahoeinfo.org/>). The metrics will help tell the story of climate resilience and engage the public in the conversation around climate action. The California Tahoe Conservancy board will be considering approval of funding to support the dashboard update at their September meeting.

TRPA Staff Contact: Devin Middlebrook, Sustainability Program Manager
775-589-5230, dmiddlebrook@trpa.gov

Associated Working Group(s)/Committee(s):

- Tahoe Interagency Executive Steering Committee

Website(s):

- <https://www.trpa.gov/programs/climate-resilience/>
- <https://sustainability.laketahoeinfo.org/>

KEEP TAHOE MOVING: TRANSPORTATION & DESTINATION STEWARDSHIP STRATEGIC INITIATIVE

This initiative includes an update of the Regional Transportation Plan/Sustainable Communities Strategy, which encompasses greenhouse gas (GHG) reduction, the work of the Bi-State Consultation on Transportation, destination stewardship planning, and ongoing transportation corridor planning.

Accelerating Regional Transportation Plan Implementation: Maintaining and updating the Federal Transportation Improvement Program (FTIP) is part of the TRPA Metropolitan Planning Organization core responsibilities. Any transportation project receiving federal funds, considered regionally significant, or requiring a federal action must be included in the FTIP. The FTIP must be consistent with the Regional Transportation Plan and related local, state, and federal planning processes. In September, the Program of Projects and funding sources will be provided to the TRPA Governing Board Operations Committee seeking recommendation for approval to the Governing Board. The FTIP can be found on the transportation planning program page: <https://www.trpa.gov/notice-of-30-day-public-comment-period-draft-2023-federal-transportation-improvement-program/>



Transportation Metrics: Staff will be bringing forward the Transportation Performance Technical Advisory Committee Charter to the Governing Board in September. Staff will present the details of the Charter that include purpose, goals, membership and roles at the TRPA Governing Board Environmental Improvement Program Transportation and Outreach Committee in September, seeking recommendation for approval to the full Governing Board. The final work of the Technical Advisory Committee including metrics framework and recommendations reports for the vehicle miles traveled reduction and the Regional Transportation Plan performance will be brought forward in December of this year.

Tahoe Destination Stewardship: The Destination Stewardship Plan is organizing outreach with the broader community to inform strategies to address shared recreation and tourism challenges in the Tahoe Region. Active outreach includes visitor and resident surveys and Spanish and English destination stewardship workshops in September and October.

Tahoe Science Advisory Council Recreation Monitoring and Evaluation Plan: Staff is working with the Tahoe Science Advisory Council on the development of a Sustainable Recreation Monitoring and Evaluation Plan scope of work. The plan is designed to target the needs of outdoor recreational activities in the Lake Tahoe Basin through a science-based adaptive management structure. Using existing research, input from stakeholders, the public, and working groups the project will offer recommendations for meaningful tourism monitoring plan and indicators. The plan is set to launch later this year.

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Jennifer Self, Principal Planner & Long Range Planning Program Manager
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Associated Working Group(s)/Committee(s):

- Bi-State Consultation on Transportation
- Transportation Performance Technical Advisory Committee
- Tahoe Transportation Implementation Committee
- Lake Tahoe Destination Stewardship Plan Core Team and Executive Team
- Lake Tahoe-Truckee Destination Stewardship Coordinating Committees
- Regional Trails Plan Steering Committee

Website(s):

- <https://www.trpa.gov/transportation/#programs>
- <https://www.trpa.gov/programs/sustainable-recreation/>
- <https://stewardshiptahoe.org/>

Newsletter: Sign up to receive news by sending an email to enews@trpa.gov and put "Transportation" or "Destination Stewardship" in the subject line.

TAHOE LIVING: HOUSING & COMMUNITY REVITALIZATION STRATEGIC INITIATIVE

This initiative addresses strategies for implementing affordable and achievable workforce housing as a key component of healthy, sustainable communities in the region. The Tahoe Living initiative implements the Regional Plan, the Regional Transportation Plan/Sustainable Communities Strategy, the Regional Housing Needs Allocation, and other identified regional housing needs.

Lake Tahoe Community College Student Housing: Lake Tahoe Community College (LTCC) has made significant progress towards bringing affordable student residential living to its South Lake Tahoe campus. LTCC will receive nearly \$40 million in the new California budget to construct a 100-bed dormitory serving California residents who are low-income,

full-time college students. Construction for the on-campus housing could begin as soon as Summer 2023, with students moving in by Fall 2025.



Rendering of the proposed Lake Tahoe Community College housing facility.

TRPA Local Government Coordination Program staff are working with LTCC and the City of South Lake Tahoe on preparing an area plan for the campus. That plan will reflect the Campus Master Plan presented to the Governing Board earlier this calendar year, make it an adopted component of the TRPA Regional Plan and Code, and facilitate permitting of this needed housing project later in 2023.

Regional Early Action Planning Grant: In July and early August TRPA received the first round of input from community partners on its Tahoe Housing Catalyst Grant application to California’s Regional Early Action Planning (REAP 2.0) program, administered by the California Department of Housing and Community Development. REAP 2.0 grant program goals are to accelerate infill housing development, reduce vehicle miles traveled, increase housing supply at all affordability levels, and facilitate the implementation of adopted regional and local plans to achieve these goals. TRPA anticipates using REAP funding to accelerate planning on and implementation of recommendations of the Tahoe Living Working Group, presented to the Governing Board in July.

In September, TRPA will bring a draft of key program elements to the TRPA Governing Board Local Government and Housing Committee for input, before finalizing the grant application, which will then go to the full Governing Board for approval before the end of the year.

Preserving Existing Housing: TRPA is ramping up outreach to owners of income-restricted condominiums in Incline Village, NV this month to pursue full compliance with important income limitations that preserve housing for local workers and lower-income households.

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Associated Working Group(s)/Committee(s):

- Tahoe Living Working Group
- TRPA Governing Board Local Government & Housing Committee

Website(s):

- Meeting materials are posted here: <https://www.trpa.gov/tahoe-living-housing-and-community-revitalization-working-group-2/>

- Tahoe Housing Story Map:
<https://storymaps.arcgis.com/stories/62ae9110d85c43ecb381eb3f3ccec196>

Newsletter: Sign up to receive housing news by sending an email to enews@trpa.gov and put "Housing" in the subject line.

RESTORATION BLUEPRINT: ENVIRONMENTAL IMPROVEMENT PROGRAM

This initiative focuses on accelerating the pace and scale of Environmental Improvement Program (EIP) implementation to keep pace with current threats and to build resiliency to climate change. The EIP has a proven track record over 25 years. This bi-state, cross-boundary restoration partnership has implemented more than 700 projects to improve the environmental and economic health of the Tahoe Basin. To build on the program's success, TRPA staff are accelerating EIP program implementation through a variety of ways including streamlining EIP project permitting ("Cutting the Green Tape"), augmenting program funding, and building partnerships at the national and regional level.



Cutting the Green Tape Interagency Workshop. EIP projects often require multiple permits from a variety of agencies that can take months to years to complete. EIP Department staff are collaborating with partner agencies to identify permitting efficiencies, improve interagency coordination, and propose process or regulatory changes for the permitting environmentally beneficial projects. These proposed changes would allow ecological restoration to occur more quickly, simply, and cost-effectively.

This month, TRPA is partnering with the Consensus Building Institute to convene an interagency workshop for the Cutting the Green Tape Taylor/Tallac Case Study. Partners include the Lahontan Water Quality Control Board, California Department of Fish and Wildlife, the USDA Forest Service, and the U.S. Army Corps of Engineers. This workshop will focus on lessons learned from implementation of the Taylor Tallac Ecosystem Restoration Project. A final report coming later this fall will include recommendations for streamlining the EIP project permitting process. This report will be presented to the Tahoe Interagency Executive Steering Committee for review and direction on next steps. It will also be presented this fall to the TRPA Governing Board.

Lake Tahoe Summit: US Senator Jacky Rosen Hosted the 26th Annual Tahoe Summit on August 16.



Speakers at the 26th Annual Tahoe Summit (Photo by David Calvert, The Nevada Independent).



John Hester (TRPA) and Jason Vasquez (California Tahoe Conservancy) addressed the audience at a post-Summit luncheon.

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Associated Working Group(s)/Committee(s):

- Governing Board Environmental Improvement Program Committee
- Tahoe Interagency Executives Steering Committee

Website(s):

- EIP Project Tracker: <https://eip.laketahoeinfo.org/>
- Cutting the Green Tape: <https://resources.ca.gov/Initiatives/Cutting-Green-Tape>

MEASURING WHAT MATTERS: THRESHOLD & MONITORING UPDATE STRATEGIC INITIATIVE

This initiative focuses on how information is collected, analyzed, and applied to support better decisions that accelerate environmental improvement. The initiative’s scope includes review of the threshold standards that establish the basin’s goals and updating the performance measures the Environmental Improvement Program uses to assess effectiveness of all components of the Regional Plan.



The Threshold Update Initiative Stakeholders Working Group discussed the proposed Threshold Standard Outline and recommended modifications to the Forest Health Threshold Standards at its July meeting and the Air Quality standards at its August meeting. Discussion at the October meeting will focus on the Biodiversity and Watershed and Water Quality thresholds. Materials for these meetings can be found at:

- August meeting materials: <https://www.trpa.gov/august-10-2022-threshold-update-initiative-stakeholders-working-group/>
- July meeting materials: <https://www.trpa.gov/july-13-2022-threshold-update-initiative-stakeholders-working-group/>

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Associated Working Group(s)/Committee(s):

- Threshold Update Initiative Stakeholders Working Group
- Tahoe Science Advisory Council

Website(s):

- Tahoe Science Advisory Council: <https://www.tahoesciencecouncil.org/>
- Threshold Dashboard: <https://thresholds.laketahoeinfo.org/>

DIGITAL FIRST: INNOVATION INITIATIVE

This initiative recognizes the key agency opportunity to address external events, technology changes, and pursue continuous improvement. It involves significantly improving the ability of the agency to provide services in a “digital first” way by rethinking processes, using innovative technology.

A Digital First Strategic Initiative briefing will be held at the August Governing Board meeting. This briefing will outline progress to date on the initiative and upcoming milestones. It will include the Current Planning Process Improvement Action Plan that will be presented by the project consultant. The Action Plan will include permitting process improvements that will help set some of the parameters for the technology improvements that are part of this initiative, as well as identify needed general system process improvements. These improvements are already being made and following the briefing, staff will prioritize and begin implementing the Action Plan.

TRPA Staff Contact: Ken Kasman, Research & Analysis Department Manager
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Website(s): Not a direct website for the initiative but associated ones include:

- <https://www.laketahoeinfo.org/>

ADDITIONAL UPCOMING ITEMS OF INTEREST

Proposed Mixed Use Residential/Commercial Project in Stateline, NV: The Latitude 39 project at 110 Lake Parkway, Stateline, NV will likely be coming to the Governing Board for action in September or October. The 1.81-acre site is at the corner of U.S. Highway 50 and Lake Parkway, directly across the street from the new events center and next door to the Hard Rock Hotel and Casino parking garage. The site has had many commercial uses, the longest commercial use was Wells Fargo bank.

This project will demolish the existing building and construct 40 new luxury residential condominiums and a 3,700-square-foot commercial restaurant/bar open to the public. The building will include a fitness center, rooftop lap pool, sauna, and sports courts.



Simulation of the Latitude 39 mixed use project adjacent to the Hard Rock Hotel and Casino in Stateline, NV.

Area Plans: TRPA staff received notice from local jurisdictions that they are intending to amend area plans. Douglas County will be amending the South Shore Area Plan to include religious assemblies as an allowed use in the district and Washoe County seeks to amend the Tahoe Area Plan to allow single family dwelling condominiums in Special Area 1 of the Incline Village Commercial Regulatory Zone. Placer County is proposing amendments to the Tahoe Basin Area Plan aimed at attracting environmentally and economically beneficial investments in town and village centers. The City of South Lake Tahoe is proposing a new area plan for the Lake Tahoe Community College site. Dates for when these amendments will come to the Governing Board for action are still being developed.

Land Banks & Transfer of Development Rights Program: The California Tahoe Conservancy land bank is working towards an acquisition and site stabilization and restoration of the 27-acre South Lake Tahoe Motel 6 site within a prime stream environment zone and stream restoration area. The project has the potential to make significant advancements in Regional Plan performance measures, environmental thresholds, and Regional Plan and area plan goals. TRPA staff is providing staff level support in an advisory capacity including availability and use of mitigation funds and future use of banked development rights and coverage.