

TAHOE REGIONAL PLANNING AGENCY (TRPA)
TAHOE METROPOLITAN PLANNING AGENCY (TMPO)
AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on **Wednesday, February 26, 2020** commencing at **10:00 a.m.**, at the **Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV** the **Governing Board** of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda is attached hereto and made part of this notice.

NOTICE IS FURTHER GIVEN that on **Wednesday, February 26, 2020** commencing **8:30 a.m.**, at the **Tahoe Regional Planning Agency**, the **TRPA Environmental Improvement, Transportation, & Public Outreach Committee** will meet. The agenda will be as follows: **1)** Public Interest Comments; **2)** Approval of Agenda; **3)** Regional Transit Coordination Briefing (**Page 239**) **4)** Committee Member Comments; Chair – Cashman, Vice Chair – Faustinos, Berkbigler, Beyer, Novasel, Shute, Lawrence; **5)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Wednesday, February 26, 2020** commencing at **9:30 a.m.**, at the **Tahoe Regional Planning Agency**, the **TRPA Legal Committee** will meet. The agenda will be as follows: **1)** Public Interest Comments; **2)** Approval of Agenda; **3)** Closed Session with Counsel to Discuss Existing and Potential Litigation; **4)** Resolution of Enforcement Action: Swarn Singh; Unauthorized Disturbance in SEZ Setback and Failure to Follow Construction Winterization Requirements Resulting in Unauthorized Site Disturbance around the Residence and in Protected Areas, 776 Eagle, Incline Village, NV, Assessor's Parcel Number 128-072-01; (**Page 31**) **5)** Potential Direction Regarding Agenda Item No. 3; **6)** Committee Member Comments; Chair – Bruce, Vice Chair – Shute, Berkbigler, Novasel, Rice; **7)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Wednesday, February 26, 2020**, commencing **9:30 a.m.**, at the **Tahoe Regional Planning Agency**, the **TRPA Operations & Governance Committee** will meet. The agenda will be as follows: **1)** Public Interest Comments; **2)** Approval of Agenda; **3)** Nomination and Appointment of Vice Chair; **4)** Recommend approval of January Financials; (**Page 1**) **5)** Transfer of previously released Water Quality Interest Mitigation funds in the amount of \$12,392 from Phase One (complete) to Phase Three (active) of the Lake Clarity Crediting Program Support Services Project; (**Page 27**) **6)** Discussion and potential direction to Staff on TRPA's Long-Term Debt; **7)** Upcoming Topics; **8)** Committee Member Comments; Chair – Aldean, Vice Chair – Open, Beyer, Cashman, Cegavske, Hicks, Yeates, Gustafson; **9)** Public Interest Comments

February 19, 2020



Joanne S. Marchetta,
Executive Director

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

TAHOE REGIONAL PLANNING AGENCY	
GOVERNING BOARD	
Tahoe Regional Planning Agency	February 26, 2020
Stateline, NV	10:00 a.m.

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

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

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

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

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

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. PLEDGE OF ALLEGIANCE
- III. PUBLIC INTEREST COMMENTS – All comments may be limited by the Chair.

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

- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. TRPA CONSENT CALENDAR (see Consent Calendar agenda below for specific items)
- VII. PLANNING MATTERS
 - A. Spooner Frontcountry Improvement Project at Spooner State Park in Douglas County, Nevada, APN 1418-00-001-007, TRPA File Number EIPC2019-0009, EIP Number 04.01.03.0164 **Approval** **Page 39**
- VIII. PUBLIC HEARINGS
 - A. Amendment to Chapter 84 of the TRPA Code of Ordinances regarding utility infrastructure within a Stream Mouth Protection Zone **Approval** **Page 55**
 - B. Amendments to Chapter 61: Vegetation Management and Forest Health, Sections 61.1 (Tree Removal) and 61.2 (Prescribed Fire) **Approval** **Page 87**
- IX. REPORTS
 - A. Executive Director Status Report **Informational Only**
 - 1) 2019 Annual Report **Informational Only** **Page 185**
 - B. General Counsel Status Report **Informational Only**
- X. GOVERNING BOARD MEMBER REPORTS

XI. COMMITTEE REPORTS

- A. Main Street Management Plan and other components of the US 50 South Shore Community Revitalization Project **Report** [Page 237](#)
- B. Local Government & Housing Committee **Report**
- C. Legal Committee **Report**
- D. Operations & Governance Committee **Report**
- E. Environmental Improvement, Transportation, & Public Outreach Committee **Report**
- F. Forest Health and Wildfire Committee **Report**
- G. Regional Plan Implementation Committee **Report**

XII. PUBLIC COMMENT

XIII. ADJOURNMENT

TRPA CONSENT CALENDAR

<u>Item</u>	<u>Action Requested</u>
1. January Financials	Approval <u>Page 1</u>
2. Transfer of previously released Water Quality Interest Mitigation funds in the amount of \$12,392 from Phase One (complete) to Phase Three (active) of the Lake Clarity Crediting Program Support Services Project	Approval <u>Page 27</u>
3. Resolution of Enforcement Action: Swarn Singh; Unauthorized Disturbance in SEZ Setback and Failure to Follow Construction Winterization Requirements Resulting in Unauthorized Site Disturbance around the Residence and in Protected Areas, 776 Eagle, Incline Village, NV, Assessor's Parcel Number 128-072-01	Approval <u>Page 31</u>

The consent calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category. Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows: (1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the

actions specified in this paragraph, an action of rejection shall be deemed to have been taken. (2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency. (3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III (g) Public Law 96-551 Tahoe Regional Planning Agency Governing Board Members: Chair, William Yeates, California Senate Rules Committee Appointee; Vice Chair, Mark Bruce, Nevada Governor's Appointee; James Lawrence, Nevada Dept. of Conservation & Natural Resources Representative; Sue Novasel, El Dorado County Supervisor; Belinda Faustinos, California Assembly Speaker's Appointee; Shelly Aldean, Carson City Supervisor Representative; Marsha Berkbigler, Washoe County Commissioner; Cindy Gustafson, Placer County Supervisor Representative; E. Clement Shute, Jr., California Governor's Appointee; Casey Beyer, California Governor's Appointee; Barbara Cegavske, Nevada Secretary of State; Timothy Cashman, Nevada At-Large Member; A.J. Bud Hicks, Presidential Appointee; Wesley Rice, Douglas County Commissioner; Brooke Laine, City of South Lake Tahoe Councilmember.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

TRPA
Stateline, NV

January 22, 2020

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Yeates called the meeting to order at 10:12 a.m.

Members present: Ms. Aldean, Mr. Beyer (by phone), Ms. Berkgigler, Mr. Bruce, Mr. Cashman, Mrs. Cegavske (by phone), Ms. Faustinos, Ms. Gustafson, Mr. Hicks, Ms. Laine, Mr. Lawrence, Mr. Rice, Mr. Shute (by phone), Mr. Yeates

Members absent: Ms. Novasel

II. PLEDGE OF ALLEGIANCE

III. PUBLIC INTEREST COMMENTS

Steve Teshara, Lake Tahoe South Shore Chamber of Commerce said they appreciated Ms. Marchetta's willingness to participate in the February 27th State of the South Shore Community address. There will be representation from Joanne Marchetta, Executive Director, TRPA; Jason Collin, Mayor, City of South Lake Tahoe; Barry Penzel, Douglas County Board of Commissioners; and Don Ashton, CAO, El Dorado County. The goal is to get a sense from each speaker on how things are going on the south shore with their jurisdictions and the inter-jurisdictional relationships. It will be held at the Beach Retreat Conference Center in South Lake Tahoe from 5:30 to 7:00 p.m.

Chase Janvrin, Tahoe Prosperity Center thanked everyone for their dedication and staff time on the housing program. Collaboration will be the biggest key to solving this complex issue. The Mountain Housing Council is another group working to combat the unique housing issues in the Tahoe Basin. At their meeting last week there was discussions about the accessory dwelling units (ADU). The lack of new ADUs have been created since Truckee and Placer County have allowed for them. There seems to be a belief, particularly on the California side if ADUs are allowed in accordance with the new state legislation that it will open the flood gates and they'll see ADUs with every home in town. He doesn't feel that's the case, not every homeowner wants an ADU. Because it's expensive and difficult to build in Lake Tahoe a person may not be able to get an ADU. He urged TRPA to consider that simply allowing for ADUs might not be enough. If they want to see ADUs make a sizeable difference to the housing issue in the Tahoe Basin that there will need to be an incentive. TRPA needs to allow the local jurisdictions to adhere to their state ADU policy but find a way to incentivize homeowners to build ADUs for affordable housing in the Basin. In addition, they support the event center project. The environmental analysis that's been done is thorough and complete. This project will have positive environmental and economic benefits. There be sizeable community improvements including year round jobs, a better transit system, and improved economic opportunities during the shoulder season.

GOVERNING BOARD

January 22, 2020

Ms. Regan introduced Victoria Ortiz as the new Community Engagement Manager. Ms. Ortiz has about ten years' experience in communications and worked for the California Tahoe Conservancy in Lake Tahoe, the Adventure Scientist in Montana, the Sierra Nevada AmeriCorps partnership, and most recently the Santa Barbara Middle School. She'll be working on the Take Care program and working on the agency's social media.

IV. APPROVAL OF AGENDA

Chair Mr. Yeates deemed the agenda approved as posted.

V. APPROVAL OF MINUTES

Ms. Aldean said she provided her clerical edits to Ms. Ambler and moved approval of the December 18, 2019 minutes as amended.

Motion carried.

VI. TRPA CONSENT CALENDAR

1. December Financials
2. Resolution in Recognition of National Radon Action Month

Ms. Aldean said the Operations and Governance Committee recommended approval of item number one.

Ms. Laine moved approval.

Motion carried.

VII. ADMINISTRATIVE MATTERS

- A. Appointment of a TRPA Governing Board Delegate and Alternate to the California Association of Council of Governments (CALCOG) Board of Directors

Mr. Yeates said he's enjoyed serving as the delegate for the past year but feels this should be a local jurisdiction board member to serve. As a member of the CALCOG board it's a good networking opportunity for housing, transportation, and other issues.

Mr. Yeates made a motion to appoint Ms. Novasel to serve as the primary delegate and Ms. Gustafson as the alternate delegate on the CALCOG Board of Directors.

Motion carried.

VIII. PLANNING MATTERS

- A. Housing Work Plan Overview and Presentations on State Housing Legislation

TRPA team member Ms. Fink, Ms. Purvines, Principal Planner, Placer County Services Division, and Ms. Thornton, Principal Policy Analyst from the Nevada Legislative Council Bureau provided the presentation.

GOVERNING BOARD

January 22, 2020

Ms. Fink said there's been significant changes from the state to the community level on housing. Both California and Nevada passed new housing legislation in 2019. The local jurisdictions are looking for ways to update their housing elements and area plans. The Tahoe Prosperity Center and the Mountain Housing Council have both completed housing needs assessments and are working on housing action plans with their partners to develop and prioritize housing strategies that are most appropriate for the north shore and south shore subregions. TRPA's Local Government and Housing Committee approved a housing work plan in November 2019 to identify where TRPA could best add value in this landscape of housing activity. One part of that work plan is an educational component to the full Governing Board because they anticipate that certain products will come out that work plan that will go to the board in the form of code or area plan amendments. Today is part one of the work plan and the board will hear presentations on the legislation for California and Nevada.

Good housing policy can help meet TRPA's Regional Plan goals with more walkable, bikeable communities and reducing the vehicle miles traveled impacts. The work plan will show what other entities are working on related to housing and acknowledge where those differences are in what they're trying to accomplish and what's allowed by TRPA's code of ordinances. The work plan will look for ways to reconcile these differences within TRPA's environmental protections. Ideally, better positioning ourselves to meet our environmental threshold and Regional Plan goals.

The housing problem in Tahoe looks a little different than it does in other places. There isn't a shortage of housing in Lake Tahoe but rather a mismatch between the type of homes that the housing market is providing and the types of homes that the local workers and residents need. The South Shore Housing Needs Assessment showed that since 2010, approximately 800 homes that were built in the south shore, 75 percent of them were valued at over \$550,000. Those homes are more of second market homes. The South Shore Needs Assessment and the North Tahoe Truckee Needs Assessment showed that over two thirds of our workers are looking for homes priced for ownership at under \$400,000 and for rentals it's homes that are priced at \$1,500 or less per month. In the south shore and the Placer County portion of Lake Tahoe there's a need for about 3,600 units in this range that the markets not providing. There's also an emphasis on a need for rentals. Because this issue impacts the social and community fabric and environmental, entities from the states to the communities are getting involved. It filters through all sectors such as education, business, and the government and are all involved in these coalitions through the Mountain Housing Council and the Tahoe Prosperity Center to develop strategies to address the housing situation. Through the housing work plan process, they envision that they'll be able to identify where they can complement these strategies while remaining within our environmental thresholds and regional growth caps.

There'll be a series of workshops for the Governing Board to hear directly from other groups that are working on housing to the extent that they are working on intersects with TRPA's mandates. Staff will also be working with the Local Government & Housing Committee to bring forward a targeted package of improvements that identify the best places for us to plug in and support the Regional Plan. It doesn't preclude TRPA from moving individual pieces forward more quickly if needed. They anticipate that the work plan will culminate in July with a TRPA housing action plan.

GOVERNING BOARD

January 22, 2020

In California there's been a sea change in state and local housing policy that's been reflected in new state laws that have an impact on local jurisdictions. The local jurisdictions are now being required to implement this state law. The way it works in the Tahoe Basin, although this new legislation isn't directed at TRPA, for people who live in the California side of the Tahoe Basin who want to build affordable homes are now finding themselves subject to two separate sets of legislation that sometimes conflicts. Through this process they want to find where they can reconcile those within TRPA's framework and allow the local jurisdictions to implement these state priorities within TRPA's framework.

Both states have prioritized new funding and mandates. On the California side as the state is developing grant guidelines, they're looking to reward jurisdictions who are meeting their housing needs and complying with these new state policies. California is requiring that local jurisdiction's meet a higher housing need to increase the amount of affordable homes. They're shifting from having to accommodate the housing need to be accountable for the housing need. In the past, local jurisdictions basically needed to show that they could accommodate a certain amount of housing. Now they're being asked to deliver on that. There's also quite a bit of collaboration between the states and the local jurisdictions on grant guidelines, data collection, and, identifying the housing need.

Ms. Thornton said the Legislative Counsel Bureau is the fulltime central non-partisan staff of the Nevada Legislature. Prior to 2019 session, she staffed the affordable housing committee that was chaired by Senator Ratti.

The affordable housing committees' primary responsibilities included conducting a study to examine the present and perspective need for affordable housing in Nevada. Over the course of six months, the study examined the affordable housing crisis in Nevada and found a shortage of affordable housing units and that 35 percent of households in the state are cost burdened. There were five proposals drafted for consideration for the 2019 legislative session, although only four were passed into law.

Senate Bill 103 has enabling language that allows local government through a process to decide to decrease or waive local fees that they could charge when developers are building affordable housing stock. The fees could include permitting fees, impact fees, sewer fees, etc.

Assembly Bill 309 authorizes the Board of County Commissioners of each county to impose a new sales and use tax that could be used for the development or redevelopment of affordable housing or any infrastructure services associated with affordable housing.

Senate Bill 104 is a data collection bill that allows the decision makers to better see what's going on in the state, so they can possibly bring forward new legislation to affect affordable housing in the future.

Senate Bill 448 creates a new affordable housing tax credit program to encourage the development and preservation of low income residential housing and for projects statewide. The proposed program is a four year pilot program which authorizes up to \$10 million of transferrable tax credits per fiscal year. Not to exceed \$40 million to be administered by the Nevada Housing division. The housing division expects an additional 600 units to be built for this upcoming year. Some of the transferrable credits can be applied to the branch bank excise tax,

modified business tax, the gain and percentage fee tax, the insurance premium tax, or any combination of those.

There were two bills that were passed that increase protections for tenants. Senate Bill 151 was sponsored by Senator Ratti which increases the time a tenant has to react to a rent notice and the time a tenant who fails to pay the rent has before they could be removed pursuant to a court order. It also limits the maximum amount that may be imposed as a late fee to five percent of the rent amount. It requires a landlord to allow a former tenant to retrieve essential personal items during a five day period after the eviction or lockout. It provides that a residential lease remains in effect if a residential property is transferred or sold absent of agreement between a new owner and the lessee.

Assembly Bill 266 sponsored by Assemblywoman Axelrod would provide a process for eviction cases to have the case court files to be automatically sealed within ten judicial days.

Ms. Purvines said a sweeping change came in 2017 to housing laws and opportunities to reduce the constraints for the development of housing. These were Governor Brown's package of 15 housing bills. They primarily focused on items such as funding, accelerating the development, holding cities and counties accountable, and preserving existing affordable housing. In 2019/20, the legislature introduced two hundred housing laws for the two year session. By the end of 2019, there were about four dozen laws that were approved. These laws were put into five categories: Streamlining the approval, regulatory relief, tenant protection, program funding, and density bonus. The accessory dwelling units had some of the most sweeping changes in California law this round. They not only approved things to begin January 1, 2020 but also put into place things that will kick in automatically January 1, 2025.

Some of the new laws include that all new secondary dwellings cannot be used as short term rentals, attached accessory dwelling units are encouraged, no impact fees when less than 750 square feet, cannot be barred by homeowners associations, covenants, conditions, and restrictions can no longer preclude the development of secondary dwellings or accessory dwellings. They could still have some reasonable oversight on how they are designed but it can't be so prohibitive to restrict the development of it. Review and approval of ADU applications must be done within 60 days and must be ministerial. These are building permits and within 60 days they must be approved, or they're considered approved. There were some major changes in 2017 to the reducing of parking requirements. In 2019, the basic change was that if a parking space is removed for the construction of a secondary dwelling or accessory dwelling such as a conversion of a garage, it doesn't have to be replaced. Up to two ADUs are allowed per lot. It now can be a primary, a secondary, and a junior ADU. Primary ADUs are limited to whatever size is allowed for in the jurisdiction, a secondary dwelling unit has a maximum of 1,200 square feet or up to 50 percent of the primary. The junior ADU is restricted to 500 square feet and must be contained within the primary unit and requires the primary unit to be owner occupied. They also lessened the rules for junior ADUs that now allow for external access to that unit and a kitchen. It also cannot be restricted affordability, at this point, there ministerial and have to be approved.

The California housing density bonus law now allows for up to an 80 percent density bonus. Generally, it was 20 percent and maybe 35 percent if some of the requirements were met under the law. Now if it's 100 percent affordable with at least 20 percent can be allowed up to 120 percent of the median income, there can be an 80 percent density bonus on it. If it is within one

half mile of a major transit stop there is no density limit and allows for a 30 foot height increase. There are no transit stops in Placer County that meet the definition of a “major” transit stop which is where two bus lines meet and headways of every 15 minutes.

Senate Bill 330 addresses items such as restrictions on local controls, streamlining provisions for housing development. It does discuss the housing crisis act which limits some of the items in SB 330 to five years unless they are extended later. Lastly, a redefined application process on how they are to review residential projects going through the entitlement process. The streamlining and housing crisis act restricted the ability for a local jurisdiction to down zone, particularly when a project meets the general plan objectives. There is no moratorium, no growth control measures can be approved. No demolishing of existing housing unless the new units replace the old, automatic approval of affordable housing projects, if the housing element doesn't meet California housing needs assessment, it puts a big emphasis on local jurisdictions now getting their housing elements into compliance with state law. The floor area ratio is where they're looking to take mixed use projects that contain two thirds residential and instead of looking them on a density type ratio for the analysis it would be looked at on a square footage ratio for analysis. It cannot require rezoning if the project is consistent with the general plan. No more than five hearings which includes workshops. For Placer County that would be their Planning Commission and Board of Supervisors. They do have municipal advisory committees based on the definition of the law for hearings which are included in that. They're limited to only bringing a project to five hearings with those decision making bodies. There's now a limitation in the timeline from when you say you can certify the environmental document to when you would need to approve the project. The new law requires that any residential project defined as a residential project, a mixed use project with the two thirds residential or a project that is for transitional and homeless type housing must go through a new pre application process as defined by California law. It identified these through legislation, these 17 items are the only things they can ask for in that preliminary application. Once an applicant submits their application and the county checks the boxes that everything is submitted, the time clock starts for when the applicant must submit their entitlement process and when the county must have certain approvals done. This will require them to coordinate their approvals with TRPA.

The California Environmental Quality Act has two new statutory exemptions that were added for a conversion of a hotel/motel into support of transitional housing is now exempt from CEQA. Then funding applications in support of housing projects such as no place like home are also now exempt from CEQA.

Assembly Bill 101 was a trailer bill from Governor Brown that came with a fair amount of carrots and sticks. The sticks are to hold local jurisdictions accountable as part of their housing elements. The carrot came with a substantial amount of funding to help assist with the development of housing. The funding is just now in process with the various state agencies and around mid to late 2020, they should start to see some of this funding become available to assist projects as they start development and assist local jurisdiction's as part of the planning process.

Placer County will have additional requirements as part of their housing element update. That update is required to be completed by April of 2021 and certified by the state shortly thereafter. They will be updating their current accessory dwelling unit ordinance to include the changes to secondary dwellings and add the additional requirements for junior ADUs. They've already approved the ordinance amendments to address where the impact fees are no longer required

for units under 750 square feet. They will need to update their density bonus to incorporate the new laws. They're in the process of doing the preapplication form rather than waiting for HCD and then can reconcile with the state later. The adoption of objective zoning standards where applicable is if they can adopt standards upfront as these projects are now being mandated to come through, under ministerial review they still must be found with objective standards of height, setbacks, etc. that do not require discretion in the approval. They're looking at places where they can put more objective standards particularly in the higher density and mixed use guidelines. They're in the process of reviewing inconsistencies between the zoning, general plan, and, area plans for the changes in state law. Amendments will need to be done for the Tahoe Basin Area Plan.

Of the 200 laws, some went away, some were rolled up in the bucket rules and there are some that they're still watching that could come out this year. One is Senate Bill 50 that will change some of the density around transit areas that could exceed what's already being considered under the density bonus law. There's a ballot under consideration to be taken to the public to remove or eliminate Article 34 which prohibits local jurisdictions from developing affordable housing without-going to a vote of the people, but it does require voter approval of the voters in California in November. There is also one related to rent control and others related to density bonus and housing production database that will be coming this year.

Ms. Fink said in response to these new rules that are coming forward, this is prompting us to reexamine some of TRPA regulations and where we can reconcile them within TRPA's framework. Some of the rule changes that you've heard about are more procedural so they're related to permitting and are those we feel are simple and can be handled at the local level and others are technical differences with TRPA code but are likely consistent with the 2012 Regional Plan. Some of the rule changes get at core issues such as coverage, scenic, and lot size. Several of the local jurisdictions already allow accessory dwelling units on parcels greater than one acre through their area plans but in the rest of the basin on the California side they are not allowed on parcels greater than one acre. That's something that we'll need to look at and work through the Local Government and Housing Committee. We'll use this work plan process to identify where TRPA can add value to the housing work going on around the Basin and then come back to the board with a TRPA housing action plan in July 2020. This does not preclude us bringing forward code changes that may need to be prioritized in the near-term.

Presentation can be viewed at:

[Agenda-Item-No.-VIII.A-Housing-Presentation-.pdf](#)

Board Comments & Questions

Mr. Cashman said with respect to California legislation, are there any provisions for a local option that allows jurisdictions like Lake Tahoe who may have overriding concerns with respect to some of the legislation to allow for some sort of local option.

Mr. Marshall said there's some language regarding the Coastal Commission but that's not directed local jurisdiction's, it's if you're within the coastal zone and they've recognized certain situations, and that's an environmentally driven one that there may be some adjustments. While these laws apply to local jurisdictions, they don't apply to TRPA and is why we're trying to resolve

GOVERNING BOARD

January 22, 2020

this disconnect between what local jurisdictions are mandated to do and what is permissible under TRPA's ordinances.

Mr. Cashman said clearly there's conflict.

Mr. Marshall said yes.

Ms. Aldean said typically TRPA's rules and regulations are preeminent but to the extent that there's a disparity between California and Nevada. If we loosen our regulations to accommodate certain items in California, are those going to be equally applicable in Nevada?

Mr. Marshall said this is something the Local Government & Housing Committee should address. Generally, when we're talking about basic rules they're equivalent throughout the basin. A question is do we need to maintain the rule regarding being one acre or over to have a second unit accessory dwelling unit. That directly conflicts with California rule and we know that local jurisdictions have been seeking relief from that through area plans on the California side. Is that something that should be done basin wide. There are a couple of different ways in which we can get at some of these things and is a good policy question that needs to be addressed.

Mr. Hester said Ms. Fink is working with Ms. Novasel, chair of the Local Government & Housing Committee to look at some of these items ahead of the housing action plan at the committee's meeting in February. From there they'll bring items to the Regional Plan Implementation Committee. Because the local jurisdiction's need to work on these things faster than if we waited for the entire housing action plan. The committee will be wrestling with some of those items sooner than later.

Ms. Aldean said in this California legislation, is there a recognition of the fact that there are conflicts between TRPA's rules and regulations and what's being proposed in California to provide some relief to the local jurisdictions if in fact the two can't be reconciled.

Mr. Marshall said no. We're trying to push and delegate to local jurisdictions the ability to issue residential permits. That was one of the themes of the Regional Plan Update. Since the deadlines are coming so fast, the local jurisdictions have to process these permits and essentially issue a local jurisdiction permit on the California side, but the delegation no longer functions because they cannot issue a TRPA permit. They have to then kick that back to TRPA, then the one stop shop goes away. This helps illuminate why we need to address the more central conflicts. For example, we can't compromise on coverage unless there's some significant work on getting rid of coverage limitations on lots. But density is something that's not critical in that same way to the operation of the Regional Plan. Or seeing accessory dwelling units on lots less than one acre.

Ms. Berkbigler said some of these new laws in California are clearly mandatory to the municipality and they appear to conflict with what we have here. Since TRPA makes rules that apply to the basin, can we make them so they can do them under state law but it's not mandatory for Nevada under TRPA law. Although there mandatory in California but in Nevada they're not necessarily going to want some of those laws, particularly rent control, etc. She asked if it was possible when the changes are put in to make it so it could be done in Nevada, but it's not mandated.

GOVERNING BOARD

January 22, 2020

Mr. Marshall said the Compact directs TRPA to make general in applications. The device they use to make differences is in the area plans. The problem is that TRPA doesn't always want to be in the business of continually having to update and redo area plans. It's not a nimble process. They need to find creative ways that they can use the regional and application standard for the code and Regional Plan but not imposing those California policy judgements on Nevada.

Ms. Marchetta said there are some things that TRPA has never regulated so we wouldn't get into rent control or those kinds of issues. The local jurisdictions in California can address those and TRPA wouldn't attempt to reconcile everything that California has done to the basin. TRPA is specifically looking at areas where there is direct conflict with our rules.

Ms. Laine referred to Assembly Bill 68 and 881 regarding the accessory dwelling units and the ministerial actions. Now until TRPA adjusts its regulations, could a local jurisdiction that has a memorandum of understanding with TRPA that issues those permits under TRPA's regulations, not do anything for 60 days and then it would automatically become approved.

Mr. Marshall said no. TRPA staff is planning a conference call with the City of South Lake Tahoe and other California local jurisdictions planners and legal counsel to address this question. It's a question of what should the local jurisdictions do that has been delegated under TRPA's authority. The basic answer is the local jurisdiction will have to issue a permit for an accessory dwelling unit. It can't be built unless they get a TRPA permit. Some of the discussions are whether or not they deny the TRPA permit, but that wouldn't be consistent with state law, so it's kicked back to TRPA. For example, if the parcel size is under one acre, then TRPA couldn't approve it. They would get the mandatory permit from the local jurisdiction and wouldn't be able to build it because they couldn't get the TRPA permit.

Ms. Laine asked how Placer County is planning to address the CalHome Program funds.

Ms. Purvines said CalHome made a handful of changes to how their funding can be utilized. In addition, Assembly Bill 101 added more money to that pool of funding. For Placer County it would probably be through the first time home buyer program. They're looking at the assistance of the construction for accessory dwelling units. At this time the restrictions on the funding don't seem to be a perfect fit for Placer on that funding source. For first time home buyers, they already have programs and revolving loans for that and in the future may apply for additional funding in the future.

Ms. Gustafson said Placer County is responding to legislation because this is a crisis. The state went after all these bills because this is a complicated mess and a crisis. What she's heard from some of her counterparts outside of the basin in the Town of Truckee and Nevada County is their concern is that if we don't address this within the basin, we're pushing our employees to them and are becoming the area where we would have to solve the problems. She urged everyone to move forward on this. She appreciated Mr. Hester and Ms. Fink's involvement with the Mountain Housing Council over the past few years as they've tried to dive into how to address issues on the north shore. Placer County is looking on how they can further expand first time homeowner programs to try to see what type of ownership they can create for young employees to keep them in Tahoe and developing professional careers.

Mrs. Cegavske asked what the plan is if all the land is built out. We only have so much land left.

Mr. Marshall said what Mrs. Cegavske is referring to residential allocations. We only authorize a certain amount of residential allocations and you need a residential allocation for an accessory dwelling unit. Once that limit is hit, that's it. TRPA rules preempt any inconsistent state rules. In the Tahoe Basin there are a set of rules that override these housing rules. While we're doing this, we have multiple audiences, one important one is the legislators in Sacramento who are trying to implement and respond to the housing crisis. We need to do it in a way that we are not biting off the hand that feeds us on a number of topics. Through their exception of some of the coastal zone issues, they're are sensitive to the issue of these rules being applied in an area that has unique circumstances. Some of the ceilings that we're not planning to amend just because of the accessory dwelling units or housing ordinances, there may be other reasons why the board when we run out of these allocations may want to look at allocations to see what should be done. They're not planning to do any independent work in that direction.

Mr. Hester said when they did the Regional Plan Update in 2012 one of the mitigation measures because of the impact on housing that was identified was to change the development rights system so that we could go from one type of development to another without exceeding the overall cap. The development rights initiative did just that. For example, now you can convert from an obsolete commercial building and convert that to housing units or hotel room, etc. The overall growth cap limitation that Mr. Marshall mentioned is still there, but you can adjust to the market if there's more demand for housing and less demand for retail space for example.

Ms. Gustafson said some of the first time homeowner buyers' programs and funding opportunities that other jurisdictions have used throughout the country and in resort communities don't necessitate new construction, it is purchasing existing homes. Placer County is trying to pursue that as well. That does come with some funding needs and how they approach that is going to be critical. It doesn't have to all be new construction. If we wanted to address this crisis more quickly, it wouldn't require new construction, we would be looking at how we can implement those sort of buyout programs.

Public Comments & Questions

Duane Wallace, Tahoe Basin resident and Executive Director, South Tahoe Chamber of Commerce. He supported the work that's been done by Ms. Fink, Ms. Purvines, and others. The chamber suggested a bifurcated effort. When the two states that created the agency create such urgent ordinances it makes sense that this body would recognize those. It's also a national crisis. Lake Tahoe has an interesting problem because so many homes are owned by people that are out of the basin. Better than half of the homes are empty, and we don't have great density in the neighborhoods. There's an ability to create more density through the tiny homes, etc. In all his years, he's never seen such desperation from the business owners and residence in terms of housing. He's seen businesses close even though the economy is good. From a business and human standpoint there's a problem. Both states have offered the best solutions that they can, but what's standing in the way. Even with properties that are given to the developer, they can make more money building condominiums and buying their own island then they can building affordable housing. As a member of the South Tahoe Public Utility District, he pushed their board to cut their connection fees in half and waive fees for transferring in of sewer units. All these commodities coupled with properties that perhaps can be donated. The California Tahoe Conservancy has around 40,000 lots around the basin and they've identified about 17 in the South Tahoe area that can be built upon. They can create a density with height and donating of

commodities that might put a developer close to being able to make a profit. The time it takes, the commodities that have to be purchased, the rules that have to go through create an issue and they can't make a profit. The idea is for all of us to collectively find a way to clear enough of a path that someone can make a profit and build. They supported the effort and the studies that were done are accurate and the work being done is the way to go. They suggested that it be recognized that each state has their area plans and let each state have their own rules that will be allowed and please be generous.

Ed Moser said part of the problem goes back to 2003/04 when the City of South Lake Tahoe was enacting the vacation home rental ordinance. In 2004, there was a 25 to 27 percent increase in the value of homes on the south shore because it allowed for out of town buyers. We knew that this was going to prevent the ordinance from legalizing vacation home rentals and was going to prevent the City of South Lake Tahoe from creating a second and third economy. The City needed to transition from a low paying gaming economy to a mixed economic base. That didn't happen. If you look at what's been destroyed is the number of affordable, low income housing units on Kahle Drive. The 200 plus mobile home park that is now \$1 million to \$4 million dollar homes and condominiums. If you look at the numbers since the Tahoe Prosperity Center was formed in the past 15 years, the number of units that have been destroyed is astounding. That's attributed to a lack of vision both in local government and from this agency. Nothing was put in place to protect that. You start by not destroying the existing ones and also be careful of increased density. It was lack of vision that created the problem.

IX. PUBLIC HEARINGS

- A. Tahoe Douglas Visitor's Authority Tahoe South Event Center Draft Environmental Assessment, TRPA File# ERSP2017-1212, 55 Highway 50, Stateline, NV (Douglas County, Nevada, APNs 1318-27-002-006)

TRPA team member Mr. Nielsen, Mr. Brueck, Consultant for TRPA, Hauge Brueck Associates, and Mr. Osur, Director of Parking and Downtown Services, City of Aspen, Colorado provided the presentation.

Mr. Nielsen said in December with the applicant, Tahoe Douglas Visitors Authority, we provided a project overview where we discussed the project issues identified in the environmental assessment and heard comments from the Governing Board and public. Since that meeting the environmental assessment was completed and released to public for comment. Today's meeting will discuss the draft document and solicit comments from the board and public. This is a large and complex project. The environmental document is correspondingly comprehensive and complex, particularly regarding the transportation impact analysis. There are questions about the assumptions used in the analysis and the impact determinations made based on those assumptions. They engaged an outside consultant to conduct a peer review of the document that was subsequently revised based on those peer review comments and incorporated into the environmental assessment.

Mr. Brueck said his firm and the traffic analysis subcontractor, LSC Transportation were hired by TRPA to prepare the environmental assessment. Over the years they've worked on similar projects including the Homewood Master Plan, the Heavenly Ski Resort Master Plan, and the Boulder Bay Project. At the beginning of the environmental assessment process they prepared and circulated the scoping notice to describe the project description objectives and asked for

input on the content of the environmental assessment analysis and alternatives. The input received focused on the need for the project and the traffic and vehicle miles traveled impacts analysis. It also provided recommendations for mitigation measures and alternatives that should be studied in the environmental document.

They evaluated the proposed project from numerous scenic threshold viewpoints along US Highway 50 and other more distant locations. The analysis evaluated impacts to viewsheds such as views of meadows and ridgelines, and the quality of the built environment. For example, the quality of architectural limits and landscaping, etc. The analysis concludes that the project may improve scenic quality ratings by replacing the existing surface parking where the building will go with high quality architectural design. It will screen existing views of the Montbleu parking structure, it will underground the existing above ground utilities, and improve the US Highway 50 interface. Improvements include replacing the auto dominated parking lot with a high quality architectural building and pedestrian features.

Similar to the reported benefits under scenic, the events center would replace two acres of existing surface parking with a building and its cleaner stormwater runoff. Overall, the project would reduce stormwater runoff and fine sediment loading by replacing surface parking with a building that has clean runoff and treating stormwater onsite in new underground facilities built for this project.

There were extensive geotech studies prepared for the project. The studies document seasonal high groundwater levels from about 13.5 feet to 25 feet below the ground where the proposed foundation excavations are proposed. The building excavation goes below the high seasonal groundwater levels at the back of house that has the access to trucks and equipment going into the building. The rest of the building site doesn't intercept groundwater. The groundwater level continues to the left below the foundation and the area they're concerned most about is the right side of the photo in slide nine. The groundwater was studied extensively by geotech engineers, Welsh Hagen. The studies confirm that groundwater would be intercepted during both construction, excavation, and over the long term by the center foundation and footings. To address the issue, a site specific dewatering plan has been prepared. The water will be collected and pumped across Lake Parkway to Edgewood lands and infiltrated using sprinklers without creating saturated soils. For the long term treatment of groundwater interception by the foundation, a groundwater recharge basin is included in the project design. A condition for that basin is that it be constructed early to be used during the construction of the building. The basin will infiltrate the collected water, so it doesn't leave the site as surface flow. This basin is in addition to the one that will be built to collect and treat stormwater runoff.

Throughout the scoping process and more recent communications from stakeholders, they heard concerns about traffic and vehicle miles traveled that result from the operation of the event center. A key focus of today's presentation is on trip generation, VMT, traffic and parking effects. The event center project is a new land use. Besides the surface parking that will be removed for its construction, it doesn't replace existing uses that are on the site. In comparison, the City of South Lake Tahoe's project three development included the removal of existing land uses which helped offset the new trips generated by that project. The event center project will create new trips as the environmental assessment points out up to 1,322 new trips for a 2,500 person maximum sized event in the summer. The reason they looked at 2,500 people in the summer is that it is a self-imposed limit on the project that will be conditioned as part of its proposed approval. To meet the performance standard that's been established in the environmental

assessment for trip generation and vehicle miles traveled impacts which is a net zero increase for a summer design day, the project includes a proposal for a formal and daily paid parking program that would operate at all four casinos during the summer peak period and operation of a free micro transit shuttle service. Each of these programs would be in place daily throughout the peak summer period of June 15 through the Labor Day weekend. The analysis and environmental assessment also concluded that operation of the paid parking program and microtransit shuttle service would remove about 3,500 daily vehicle trips to and from the casino core. The trip reduction is unrelated to the operation of the event center. It results from the operation of the two programs of the paid parking and the microtransit shuttle. The paid parking and the microtransit shuttle would be in place daily during summer so would this daily reduction of 3,500 trips per day regardless of whether an event is occurring at the facility. These programs would offset the 1,322 new vehicle trips associated with the maximum size summer event. Their operation would create a net reduction in daily trips on those days when events are occurring. On days when events are not occurring, the daily reduction would be greater.

To evaluate the assumptions that came up with these numbers that were used in the environmental assessment by LSC. In response to that peer review report, LSC revised the traffic section of the environmental assessment. They added a sensitivity analysis to look at the assumptions that were used to document the paid parking and microtransit, daily trips, and VMT reductions. The sensitivity analysis considered a range of more conservative assumptions for each trip reduction factor. They looked at the factors such as overnight visitors and day visitors and the percentage of reduction that would occur for both of those. The environmental assessment demonstrates that each trip reduction factor could be reduced by up to 50 percent and a net VMT reduction would still occur on a day of a summertime event. For example, instead of a 20 percent reduction in day visitor trips from the paid parking program, the sensitivity analysis considered reducing that to 10 percent. They did that for each of those factors and they still showed that the project would not create new trips or VMT on that date. Even after the results of the sensitivity analysis and putting it in the environmental assessment they understand there's still uncertainty given the assumptions that must be used for this analysis. The environmental assessment concludes that this impact is potentially significant and requires mitigation. They prepared a mitigation plan to ensure that the net zero standard is met. It requires that the paid parking program and microtransit shuttle mitigations be integrated into and made consistent with upcoming mainstreet management plan process. It requires monitoring both before and after the projects in place to demonstrate that the anticipated trip and VMT reductions are being achieved.

In addition to those analyzes on daily vehicle trips and VMT community members voiced concerns about what would happen when a large event lets out during peak traffic periods. The environmental assessment also addresses this issue. Depending on whether an event begins or ends during the peak hour, summer operations could increase vehicle trips up to 210 vehicles during the peak hour period. The highest increase would occur if an event lets out during the peak hour. For example, and event that starts in the afternoon and lets out around 5:00 or 6:00 p.m. Resulting vehicle traffic at nearby intersections and Montbleu driveways could create traffic delays on Lake Parkway and eventually the new loop road if constructed. Mitigations have been included in the document that require traffic control during large summer events that would occur during these peak hours. The environmental assessment document said that if the loop road is constructed before the event center operation begins it would likely eliminate most of these congestion events.

Mitigation requires that the proposed microtransit shuttle system be coordinated with the existing transit service providers to better address periods of high traffic that could occur before or after events and during the peak hour.

To address concerns about adequate parking supply and visitor behavior due to changes from the free to paid parking program, the environmental assessment includes a detailed parking analysis. The event center will remove approximately 460 existing spaces at Montbleu. The analysis of the parking count data demonstrates that there's sufficient parking supply in the casino core without these spaces. However, they also document the likelihood for attendees to look for free offsite parking as a result of the new paid parking program. The environmental assessment includes requirements to work with the City and County along with the mainstreet management plan process discussed earlier. They'll develop a consolidated parking and monitoring plan to address the offsite parking issue. This requirement is similar to mitigation measures that were included in the project three approvals which also reduced existing parking.

Mr. Nielsen said transportation is a big issue with this project. We know at this point there are certainties of impacts yet some uncertainties about mitigation. They know that they'll be able to capture and infiltrate groundwater. When it comes to transportation related impacts, we're less confident when it comes to what are the long term effects of paid parking. How effective will the free transit be and will there be a net reduction in vehicle miles traveled and daily vehicle trips. It would be a good thing for the basin to see a free transit system.

The foundation for the conditions that's been developed for transportation impact will have words and phrases such as "in coordination with" and "post project traffic monitoring and adaptive management." They realize that additional detail is needed to clarify these terms and with the input received today and over the comment period they will develop greater specificity on the final conditions. With the conditions they want to specify that the event center may not create a net increase in daily vehicle trips and vehicle miles traveled as described in the analysis. That will be a requirement if this proposed project is recommended for approval. It will be necessary to provide pre and post traffic monitoring to document traffic patterns and determine if traffic reduction targets are being met. They'll require the applicant to submit permanent parking agreements that are consistent with the mainstreet management plan transit circulator and parking recommendations. This is a key concern for the Tahoe Transportation District and that the event center mitigations are complimentary, and they help to implement that mainstreet management plan. There needs to be post project coordination and ongoing integration to ensure that these two efforts are complimentary. They'll require additional traffic reduction measures in coordination with the mainstreet management plan should monitoring show performance measures not being met. The Golden One transit management plan in Sacramento, California prescribed a detailed post project quarterly coordination effort with all the partners and adjustments as necessary to the traffic management plan. This is one of the concepts that they are looking at incorporating into this project.

The event center will have limited seating capacity during the high summer seasons. The maximum capacity is 6,000 but there'll be a 2,500 seat capacity from Memorial Day to Labor Day. There'll be a deed restriction recorded against the property in perpetuity. It will be approved and enforced by TRPA.

Mr. Osur said the City of Aspen started paid parking in Aspen in 1995. Four months after it was implemented it was on the ballot and the voters approved it to be kept in place by 70 percent.

GOVERNING BOARD

January 22, 2020

They have 650 parking spaces in the downtown core, 311 parking spaces in the only parking garage, and 3,000 spaces in the residential zone. They have hourly progressive parking pricing, free carpooling to park in the residential zone if there were two or more people in a vehicle. They have special pricing for service vehicles. They have an intercept lot that is six miles outside of town where people can park for free and get on a bus that's free to get to town. Twenty percent of people parking in the downtown core are parking for free such as government vehicles, American disabilities act placards, etc. They're also continuing to grow their two mobile payment systems. The City of Aspen is busier in the summer than winter months. Aspen is 100 percent built out and do not have any parking lots in the City of Aspen. Sixty percent of the people parking in the downtown core are employees of the businesses.

His first year working on this project he proposed to double the parking prices. The goal was to reduce traffic coming into town. They wanted to have no more than 85 percent occupancy in the downtown core at any one time. By doing that, there will be one empty parking space in every block phase and will eliminate people driving around looking for a place to park. He also wanted to increase transit use, carpools, pedestrians, bicycles, and the intercept lot. He requested that the City Council approve a test period of June 15 to September 15. They would raise parking prices by 50 percent in the downtown core and enforce a four hour maximum parking. They wanted to keep the pricing in the parking garage in the downtown residential zones the same price. They brought in the downtowner for microtransit for people to get into town free of charge. They started a drive less campaign which had about 800 people who signed up for it. They also have a We-cycle which is the shared bike program.

To be successful, it's very important that they have specific rules and understanding of the data so if they wanted to increase the parking prices that much, what does success look like. He wanted to decrease core parking by ten percent and increase the revenue by 25 percent. He wanted to increase the turnover in the downtown core to do more business, decrease occupancy at the parking garage by 15 percent, increase the 400 carpools by ten percent, and increase the number of people parking at the intercept lot by ten percent. They proved that they could change people's behavior. He wanted to decrease the street parking by ten percent and ended up with a 10.61 percent increase. That was 23,992 less cars parking in that three month period. The revenue went up from a goal of 25 percent to 27.44 percent, \$210,000. The goal to increase occupancy in the parking garage by 15 percent, it went up to 15.9 percent, about 6,000 increase in people parking in the garage. When he started with the City of Aspen, the parking garage was only filled in July and August and is now filled every day of the year. There was a garage pass that allowed people to park for less money and had a goal of a ten percent increase and ended up with an 11 percent increase. The goal for the intercept lot was 20 percent increase and ended up with 28 percent more which was 7,000 more cars. The carpool pass was the only thing that wasn't as successful, he projected ten percent and ended up with 8.11 percent, about 1,300 more people. When the businesses complained that their businesses would be hurt when he wanted to raise the parking prices. Business went up 19 percent through a combination of his work and the way people did business, the economy, etc.

To have paid parking or have increase paid parking you need a multi-pronged attack to make it work. The City of Aspen brought in the downtowner to do that. They were the second city that they went into after Florida. The downtowner is part of a multi-faceted way to get people to move around town. People got out of their cars, it reduced congestion in the core, and helped with the fixed bus routes. From June 15 to August 31, 2016 they did 4,886 rides, almost 12,000 passengers, the busiest hours were from 11:00 a.m. to 12:00 p.m., 6:00 p.m. to 7:00 p.m., and

10:00 p.m. to 11:00 p.m. In 2019, the downtowner was so successful for the first three months, they went for one more year. They didn't feel the downtowner would be successful in the winter, but it was as successful as the summertime. They signed a three year contract and most recently signed a five year contract with the downtowner. They now have three five passenger gem cars and two Chevy Volts as an alternative for the gem cars. It's all on demand rides and 95 percent are app created. Four percent were driver created and one percent was phone created. They had a request from the City Council to have the phone option for those that didn't have a smart phone. Service is seven days per week, year round. The summer season goes from 11:00 a.m. to 11:00 p.m. and the winter season goes from 8:00 a.m. to 11:00 p.m. The service is free to riders and no tips requested. When they first started the downtowner, it was free with the parking revenues paying for 100 percent of the downtowner and also allowed for tips to be requested. The goal in the near future, is to have the downtowner to take over some of the smaller fixed route bus routes. In order to do that, they couldn't request tips so last year they took the tips off of the app. It did increase the City's cost with the downtowner because they increased the wage of the drivers. In 2019, there were 85,000 passengers, 47,000 rides, 11,396 rides were shared, about 9,400 hours of people driving around town. The average wait time went up to 8:39 because the success has been so good. The downtowner will send a questionnaire at his request for anyone who takes a ride. One of the questions asked is if the person did not use the downtowner, what would they use. There were 18,484 who said they would have driven a car if it wasn't for the downtowner. The number one place the downtowner serves every day is the grocery store.

Presentation can be viewed at:

[Agenda-Item-No.-IX.A-Tahoe-South-Events-Center-Environmental-Assessment-.pdf](#)

[Agenda-Item-IX.A-Paid-Parking-and-Mobility-in-Aspen_Event-Center.pdf](#)

Board Comments & Questions

Ms. Aldean asked how the free carpool parking in residential zones is enforced.

Mr. Osur said the City of Aspen has one road in and out. There is a carpool kiosk at the intercept lot. If they have two or more people in the car, they will be given a carpool permit. Their officers enforce the residential zone all the time. In the next three months, they'll be changing the placard to a license plate recognition.

Ms. Aldean asked if the intercept lot kiosk is a manned station.

Mr. Osur said yes, it is.

Ms. Aldean said eventually these satellite or intercept lots need to be cumulative mitigation for all future projects. It will take some effort to locate those lots in key places. She asked what the capacity of the intercept lot is and how far is it from the downtown.

Mr. Osur said the intercept lot is six miles from downtown and by bus it's about a 15 minute ride and by car if it's busy it's about a 25 to 30 minute drive. They currently have 200 paid parking spaces, 200 spaces on recycled asphalt, and 3,000 on dirt and grass. With the X Games in town this weekend, they will fill all 3,400 spaces. They're getting a flat grant from the federal government in 2021 and will add 200 more paid parking spaces, electric vehicle stations,

GOVERNING BOARD

January 22, 2020

landscaping, and lighting. The intercept lot is free parking and a free bus. The 200 parking spaces on recycled parking spaces are filled almost every day and the fill the 3,000 spaces for a few major events.

Ms. Aldean said due to the limited capacity of the buses, do they have to supplement with additional buses during these special events?

Mr. Osur said there is the Roaring Fork Transit Association that goes up and down the valley and around the town in which the money from the parking department supports all of the no fare transit that is done for the employee housing units. About four years ago, they switched to the bus rapid transit system. The buses go to that intercept lot every seven minutes in the summertime and in the wintertime, the ski companies and the City pays for additional buses that go nonstop to the ski areas. The wait time at the most is about five minutes in the wintertime. For the X Games they bring in buses from the Rocky Mountain National Park and other places which the ski company pays for to get the people out of that intercept lot. The ridership up and down the valley is five million people per year. They saw almost a 20 percent increase when they went to the 7 minutes versus 15 minute bus service.

Mr. Lawrence said when the City of Aspen ventured into the downtowner, they felt the need was to address the summer peak capacity and not necessarily the year round. He asked Mr. Osur for more detail on why Aspen thought it may not be necessary in the wintertime and what was the cost increase and benefits.

Mr. Osur said because there's so many more people driving in the summertime that's why they felt the downtowner would be more successful. It was so successful in the first three months they had requests from the businesses in town and the chamber to try it in the wintertime. It became almost fifty fifty for summer and winter ridership. Some of the smaller hotels do not have shuttle service so that's covered by the downtowner along with some of the Airbnb's. The downtowner cost them \$550,000 per year. The parking revenue is about \$4 million and he gives \$2 million to all of the transit, the no fare buses and the downtowner.

Mr. Bruce asked if the use of the intercept parking lot is proportionate to the amount of activity for the downtowner. When there is a full parking lot, is that when the downtowner is being used the most?

Mr. Osur said there is some correlation with that. With the accessibility of the downtowner more people are parking at the intercept lot and going to town on the free bus and then using the downtowner when they get there. The downtowner is split evenly between one third locals, one third hotel guests, and one third tourist doing other things.

Mr. Bruce said when there's a full parking lot of cars, does that account for a proportionate number of rides or is the downtowner working more in the downtown area as opposed to being influenced by the number of cars in the lot.

Mr. Osur said the downtowner has a fixed area of about 20 blocks long. For example, the X Games is at the Buttermilk Ski Resort. A lot of those people don't even go to the City of Aspen. Very few of these rides are affected by the X Games for example.

GOVERNING BOARD

January 22, 2020

Mr. Yeates asked if the parking fees stay with his department. Do they control the fees for funding the downtown? They doubled the parking fees and that helped pay for the downtown and other things.

Mr. Osur said they bring in \$4 million worth of revenue with parking and parking tickets. The parking tickets are only 15 percent of the total revenue. Eight five percent come from people paying the meters. Two million of that goes to paying the downtown of \$550,000 and \$1.5 million goes to pay for the no fare buses going to the employee housing and around the close area of town. As they increased the fees, the revenue went up but didn't want to cut the regular bus service so by increasing the fees, it paid for 100 percent of the downtown.

Mr. Yeates asked if it was correct that he's keeping the fees that the city council agreed to.

Mr. Osur said yes, that is correct.

Ms. Gustafson asked if the parking that they're charging for is on public streets and rights-of-way.

Mr. Osur said yes, that is correct.

Ms. Gustafson said the individual hotels, ski areas, and other private interest may also have a parking fee which they would keep.

Mr. Osur said yes, that is correct. His revenue comes from parking on the city streets and parking in the parking garage.

Mr. Rice asked will this work here.

Mr. Osur said Lake Tahoe is similar to the City of Aspen and if the plan is put together appropriately, it will work here.

Mrs. Cegavske asked how that will affect the environment with the increase of Uber and Lyft who don't park but rather just pick up and deliver.

Mr. Nielsen said the analysis from the event center looked at the on demand ride shares. It was a fairly small percent and was considered in the analysis.

Mr. Osur said if there was a choice of a downtown or microtransit that is free compared to an Uber that will cost money, why wouldn't someone do the free transit.

Mrs. Cegavske said in Las Vegas the ride shares are popular. People don't care about the cost; they just want to get there faster than what some of the transportation options can deliver.

Mr. Bruce asked if there were any specific items Mr. Osur would recommend helping this plan work here.

Mr. Osur said one of the things they learned in the City of Aspen is with paid parking you can change behavior. People will look to find the free or less expensive parking and is why it's

GOVERNING BOARD

January 22, 2020

important to have a consolidated effort when you do paid parking and it has to be everywhere, or people will go to where it's free. Even as they raised prices, they changed the behavior. Lake Tahoe is a lot more like Aspen than he envisioned. The difference being is that Lake Tahoe has mostly casino parking and Aspen has on street parking but it's the basically the same as long as you can get everyone on board to charge parking in every possible area.

Ms. Faustinos asked what happens to the employees and local workers that may want to use this shuttle system that is six miles out of town. How does it help with mitigation of the transportation needs? How does the route help facilitate employees being able to get around?

Mr. Osur said most of the employees live in employee housing. There is a no fare bus service that goes to those employee housing units along with the downtown. The majority of the employees are moving around when the tourist is not. It helps even out the workload for the downtown.

Mr. Hester said it sounds like there's three components: One is the downtown, one is the no fare that picks up employees and a little bit larger area, and then there's the intercept lot with the larger bus rapid transit.

Mr. Osur said yes, that's correct.

Mr. Lawrence said there's a traffic analysis, a peer review, and now the environmental assessment. He asked if the questions that were raised in the peer review were answered.

Mr. Nielsen said yes, they believe they were. One of the missing pieces that the peer reviewer identified was that additional justification for the assumptions. Those were addressed in two ways. One, they looked at other information about the justifications for paid parking reductions. There was a Caltrans report that was leveraged and incorporated into the environmental assessment that acknowledged that there's not a lot of quantitative information about the effects of paid parking in this study that was contracted by Caltrans last year. They also felt that it was important because of the uncertainty of some of these assumptions in the initial draft of the traffic analysis. Instead of just pinpointing a number for a specific reduction related to paid parking and the shuttle that they develop a range. A sensitivity analysis was developed that said if we cut these assumptions by ten or 20 percent, this is what the impacts are going to be. They found that you could cut those assumptions by as much as 50 percent and you would still see a reduction in traffic. They do feel that the latest version of the analysis was responsive to the peer reviewer.

Ms. Aldean referred to table 1-1, Impact and Mitigation Summary having to do with VMT. Obviously, we're anticipating some type of adaptive management plan. If the project is approved and it's operational, we're going to be looking at travel patterns and determining whether or not the approved mitigations are sufficient to offset the VMT. One of those proposed mitigations could be to require coordination of events. If there's a facility with a capacity of 6,000 and there's an Elton John concert performing at the same time there's another headliner performing at another casino, there's going to be an issue. She encouraged central scheduling to avoid those conflicts all year long.

GOVERNING BOARD

January 22, 2020

Mr. Nielsen said there is an agreement that the event center will not compete with Harvey's Outdoor concerts but there could be other events in South Lake Tahoe. The Golden One Event Center transportation management plan post project ongoing coordination quarterly meetings with the downtown association to ensure that there's adequate planning, traffic control when there's competing events.

Ms. Faustinos said a challenge is how you implement some of these mitigation factors. She appreciated that there's an agreement to include a deed restriction for the maximum capacity of 2,500. If we could add something that says if the traffic is not reduced, maybe it goes down even more. That is a hook to ensure that the mitigation is adequate. She's pleased to hear that this has worked in other places and raised her consideration for the project.

Mr. Cashman asked if there were analysis or comparisons done to the Harvey's Outdoor Concert series.

Mr. Nielsen said the Harvey's venue seats about 8,500 people.

Mr. Cashman said there seems to be adequate parking at Harvey's for their events and not a tremendous amount of traffic congestion. Although, they do generate trips for these events. Did that inform this draft?

Mr. Nielsen said there was a survey done in 2017 during a Friday night Harvey's concert. They conducted interviews with occupants of vehicles to see how many people were in a car and where they were coming from. For example, they found that 28 percent of those attending were coming over Highway 50 Echo Summit. They also counted the parking for the four major casinos and found around a surplus of 1,000 parking spaces on a Harvey's concert night. With the event center construction, they'll lose about 460 parking spaces.

Mr. Cashman asked if that survey did an analysis of how many cars there were for the 8,500 seat arena. Typically, people attending a concert will have more than one person in the vehicle because it's not a typical daily trip.

Mr. Nielsen said the survey found it to be around 2.7 people per vehicle.

Mr. Cashman said the 8,500 is a much bigger impact than what this facility is being limited to at 2,500 during that time. It's an admirable thing to try and ensure that they don't over stress the downtown south shore area.

Mr. Nielsen said as part of that number there are also people arriving by walking, cabs, bikes, and other modes.

Mr. Lawrence said as he thinks a lot about the uncertainty of the mitigation when reviewing this project. There's been a lot of discussion about adaptive management and the term is used very loosely. Adaptive management isn't just coming in with a report but rather a strong robust adaptive management where upfront you've identified triggers and responses. He's not advocating one or the other but as we move forward that will be a consideration as he looks at the project. He wants to know what that adaptive management and monitoring will look like. If

GOVERNING BOARD

January 22, 2020

we're looking for assurances and reducing any uncertainty with proposed mitigation actions, it will be critical and a key element.

Mr. Nielsen said the Golden One has triggers and we need to do the same thing in South Lake Tahoe if this project is approved. On page 3.5-82 of the environmental assessment it shows potential additional measures that are being considered for incorporation into this performance based approach which would represent triggers if we're not seeing the projected and required traffic reductions.

Mr. Cashman said the illustration of the water table in the building contemplated that the foundation of the building is going to be on piles driven into the bedrock. He asked how the foundation and the water table will interact.

Mr. Nielsen said they've not seen the foundation details and assume that it's a traditional foundation. The foundation on the upper south end of the building will have a 25-foot wall built to allow trucks to come into the south end of the building. The interception wells will be on the other side of that 25-foot wall. They don't anticipate any portion of the foundation being pervious.

Mr. Cashman asked if it was correct that the water migrates down hill from the mountain side slope towards that building.

Mr. Nielsen said yes, that's correct. The intercepts are uphill, the water is coming off of the mountain through Van Sickle Bi-State Park and is essentially headed toward the Lake. There were some variances they saw with the data but does head towards the Lake. They also saw that with the Edgewood and the Beach Club project. Part of the planning to intercept and manage the groundwater will include the construction of a subsurface infiltration gallery that will be down slope of the building and will be separate from the stormwater infiltration chamber because the water quality of the two are different.

Ms. Faustinos asked if there are going to be any impacts to habitat by collecting more of that stormwater at that site.

Mr. Nielsen said they don't believe so. The site as it exists today is a parking lot. That groundwater is about 12 feet below that parking lot headed toward the Lake, but it would have to go through Highway 50 first. There is significant compaction and utilities under Highway 50 that create a barrier. Eventually, the water gets under there because we don't see it damming up or coming to the surface above the highway. Beyond that it heads for the golf course. By infiltrating and capturing the water roughly in the same area, they don't anticipate any additional impacts.

Mr. Yeates asked what analysis was done on the 6,000 seat facility.

Mr. Nielsen said right now the mitigation on that 6,000 seat facility would be paid parking during certain times of the year that need to be identified in the final conditions of approval. The transit stops in the Fall. They're looking at paid parking to address those impacts during the shoulder seasons which are low seasons that the event center is trying to fill.

Mr. Marshall said there may be paid parking associated with a particular event, but the analysis relies mostly on the offset, building up banked saved trips from all days during the summer season. For vehicle miles traveled they're looking at it from the summer peak time. That's what the threshold focuses on. It's not the same calculus of a year round or we don't have a winter vehicle miles traveled standard.

Mr. Yeates said if you're banking the benefits of the summer program, yet there is a 6,000 seat facility in which many people come to stateline for a large event and make a return trip it creates a lot of traffic during that particular time for the residents. He asked what the mitigation is for that because that's a significant impact on the transportation for many people who are just trying to get home at night.

Mr. Marshall referred to slide with the key issues for event day traffic-summer operations 3.5-32.

Mr. Brueck said this slide is based on a summer event. The environmental assessment also looks at the maximum 6,000 person event during off peak periods and what kind of trip creation it would have along with looking at the peak hour. Those numbers are also in the environmental assessment. They also identify the same types of increased trips from the maximum event during the winter, the same kind of increases for peak hour traffic, although the number can go up to 380 instead of 210 during the 6,000 person event. It would need to be addressed with traffic control measures in the local area. They used the trip data throughout the year to do things like annual analysis for greenhouse gas model assumptions.

Mr. Shute agreed with Mr. Yeates' comments and questions about the 6,000 person event. He doesn't feel that it's sufficient to indicate mitigation or significant standards for those events and is worrisome. We don't have intercept lots at this time and in respect to the mainstreet management plan one of the options that was thought about was to have free parking at each end of the mainstreet management area around the casinos. Then a person could use the public transit to get around the casino core. As he understands the proposal it would be legal binding agreements with all the casino operators requiring them to have paid parking. That cuts out some of the options to negotiate with some of the casino operators to have free parking in order to facilitate free transit in the core as part of the mainstreet management plan.

Mr. Hester said he doesn't feel the mainstreet management plan has been developed far enough to state that. One of the discussions with the Tahoe Transportation District is how they're going to bring the two together as they move further along with the mainstreet management plan.

Mr. Yeates said that is a concern on how this proposed project and the mainstreet management plan will align.

Ms. Laine said we have time to do what the City of Aspen did with running a program for three months and see how it goes. The League to Save Lake Tahoe was onto something one year ago. If we could get the funding possibly with a partnership from Douglas County and the City of South Lake Tahoe, we could try it and get some real data.

Ms. Faustinos said we should also consider the major holidays as part of the peak season analysis.

Public Comments & Questions

Liz Lawton, Stateline resident commended TRPA and Mr. Nielsen on the public outreach which has gone above and beyond what is normally required of an environmental assessment. The issue she has with the project is that it is a regional project with regional impacts that are going to have impacts with the increase of the 2,500 to 6,000 people coming to the basin. She has a hard time believing that the parking fee and the bus that's going to serve the casino core area is going to reduce impacts the regional congestion and the regional vehicle miles traveled that will be created. She doesn't feel that parking fees associated with the casino core is going to help reduce 6,000 more people that are going to be going to Emerald Bay or 2,500 more people that will be lining up on State Route 28 to access Sand Harbor. There'll be an increased demand to the recreation sites and infrastructure. Predicting traffic is not a science, it's not realistic, it's a concept of predicting human behavior. There's future technology and trends that may impact the way people utilize or impact the infrastructure. She challenged everyone to take a step back and ask yourself do you believe that by adding 6,000 more people to the Tahoe Basin, we're going to reduce vehicle miles traveled.

Nicole Rinke, California Attorney General's Office said their office recognizes some of the benefits that can be derived from this project for the basin. It represents some opportunities around economic development and for the community. The event center will likely be one of the largest projects approved under the Regional Plan Update. They want to ensure that the vehicle miles traveled impacts associated with the project are adequately analyzed and reduced to net zero. They appreciated that TRPA is applying a net zero standard to the project but at present they don't feel confident that the analysis that's been provided will have the adequate assurance that it will be reduced to net zero. She agreed with the comments that were made by the last speaker. Their office will be submitting a written comment that outlines their concerns with the environmental analysis. The reductions that are being claimed in the environmental assessment certainly rely upon these commitments that are being made with paid parking, the microtransit, and the reduced capacity for the event center. They're concerned on how those commitments are going to be enforced and at what performance measures and monitoring will be utilized to be sure that the commitments are fulfilled and effective. They would like to see protocols established in terms of the adaptive management that clearly outline a plan B if the vehicle miles traveled are realized there's a next step that would be triggered. There are inadequacy's in terms of the analysis and how it estimates the vehicle miles traveled that will be generated by the project as well as the vehicle miles traveled reductions that will result from the conditions that are being incorporated into the project. There are several places where there are unsubstantiated assumptions or where the analysis could be significantly improved. The analysis relies heavily as has been acknowledged on the paid parking to reduce vehicle miles traveled by the project. The estimates on how that is going to look are based on four studies that were conducted in urban areas with no studies from a resort setting. It's probably accurate that those studies do not exist. Paid parking was implemented at two of the casinos in Lake Tahoe in 2018 and there is StreetLight data available that could be analyzed to understand the impacts of that paid parking. That would be a quantitative data driven thing to consider as they look at this project. They share the concerns on whether or not the maximum 6,000 day event has been looked at adequately. The environmental assessment does include some discussion but is unclear what role that plays in the standards of significance and concerning the impacts analysis and want it better addressed. They would like more details on how the paid parking is going to work. They would like to know how the microtransit that's being discussed here relates to the circulator

that's being proposed by the Tahoe Transportation District as part of the mainstreet management plan. They don't feel that microtransit is enough, reducing reliance on the automobile requires working both sides of the issue. Paid parking will disincentive people to drive a car but there also needs to be other attractive options to get places. While the microtransit is a good step that they support, they would like to see a transit service or transit contribution added to the project to address the other side of the coin. After hearing the City of Aspen presentation that the paid parking will be a revenue generator and would be reasonable to have some of that revenue to improve transit and alternative modes in the stateline area.

Tiffany Zabaglo, Lake Tahoe Resort Hotel and member of the Tahoe Chamber board said she sees firsthand the need for an event center. It will benefit the community, the guests, and viable employment opportunities for locals. The event center will increase pedestrian friendly areas and promote workability and multi modal transportation alternatives. The event center is not a total solution but is a start. As a local, she's also experienced the traffic congestion. It's the visitors who contribute to local business success and revenues and the demand needed to provide transportation alternatives. The environmental assessment with its detailed traffic and scenic analysis and proposed mitigation measures should be certified as adequate. There are many environmental and community benefits to the proposal, it provide accommodation for formal paid parking, microtransit shuttle service will inspire action for further improvements in the area. As a 20-year resident, she's seen the benefits of redevelopment projects, the event center is necessary for Lake Tahoe to be viewed as a world class destination. The event center can provide the solution to many of our challenges and is in full support of the project.

Stacy Noyes, Lakeside Inn & Casino said the Tahoe Douglas Visitors Authority is meeting all the requirements of the environmental assessment. By delaying the project, it will mean no transit solutions. With increased revenues for the entire area, more visitation will provide a revenue stream that will be able to contribute more meaningfully so it wouldn't be just a seasonal circulator. There's a huge opportunity to utilize the components that the City of Aspen is using. It's critical and is the path forward.

John Cahill, Paragon Gaming owners/operators of the Hard Rock Casino said this has been a dynamic, positive, and thoughtful process in the review of the event center project especially regarding the ability of this project to reduce the existing summertime vehicle miles traveled and create a functional and positive experience on Highway 50/mainstreet. When the environmental assessment made findings on this subject it indicated that the projects proposed mitigation measures at minimum summertime paid parking in stateline and the implementation of microtransit from Round Hill to Bijou would result in a reduction of vehicle miles traveled. Since the initial response to these findings were seen by many as questionable to overstated. It is a credit to this process that TRPA commissioned an independent third party peer review to determine the efficacy of the proposed mitigation measures which essentially supported the finding and refined and improved the implementation. The peer review said the concern that assumptions from microtransit TTD route were not explained as to how the percentages were derived. This led to the peer review consultant recommendations of establishing a range of mode shift effectiveness assumptions which would allow the identification of the inflection point where diminishing returns occur, i.e., where vehicle miles traveled benefits disappear. This becomes the metric, the trigger for the adaptive management plan. All of the people who have worked on this project, analyzing, and trying to perfect this go to saying a process should be followed. There are people who want an environmental impact statement, it didn't hit the thresholds for an EIS. The final mitigation conditions of the project call for post project coordination with the mainstreet

GOVERNING BOARD

January 22, 2020

management plan. Traffic monitoring in the first summer season set a baseline for volumes, post project validation of paid parking, and development of an adaptive management plan should the required reductions not be met. He's never seen a project with more collars and cuffs that gives this board total power to amend and shape this program. This project won't happen if it doesn't get approved next month. We'll miss the window to commence construction and if there's not a construction schedule that's covered by the bond issue, they cannot engage the project. He urged the support and approval of the proposed project.

Rich Bodine, South Lake Tahoe Lodging Association said the board and members are in support of this project. Even if this project doesn't get done, there's still a serious issue with transportation. The environmental assessment addresses the vehicle miles traveled reductions and we need to figure out a way to reduce vehicle miles traveled. If we use the resources that we have, especially in the summer and adopt the model that the City of Aspen is using and have some satellite lots in Meyers, Heavenly Stagecoach parking lot or Heavenly Cal base could help come up with a good transportation plan from the Y to stateline and surrounding areas.

John Packard, Harrah's & Harvey's said they supported the proposed project and are cognizant of the need for a viable plan to ensure there will not be an increase in vehicle miles traveled as a result of the project. They feel the plan being proposed for both paid parking in the casino core and a new microtransit system working with the existing transit systems will have the combined effect of reducing vehicle miles traveled by a projected 12 percent. They've seen evidence from other parts of the basin that vehicle miles traveled can be reduced with a microtransit system. It can be further enhanced by incentivizing people to leave their vehicles with enforced paid parking in the core and free transportation in and around the bed base and the entertainment epicenter. Back in the day, every casino had a free shuttle service. Those systems were flawed largely due to the fact that there was little to no coordination and communications from the businesses running those services. With a coordinated microtransit system and more pedestrian and bicycle friendly infrastructure as a result of implementing the mainstreet management plan, the net reduction of vehicle miles traveled will be more significant than any other project TRPA has ever considered. The urged the support of the proposed event center.

Bob Hassett, Camp Richardson Resort and Round Hill Pines Beach Resort said the project will be the impetus to create a transportation system that will work and reduce the vehicle miles traveled. One and one half years ago, Round Hill Pines teamed up with the League to Save Lake Tahoe to help fund the pilot program for the Chariot bus. They learned a lot from that program and know what we need now with micro system. They've committed funds to help with a new system. Our community needs a transportation system that is going to work. This project is the trigger we need to get a transportation system going. Timing is important and if we miss the target on this, who knows if we'll get another opportunity.

Sonja Leonard, PCS Stateline owner of the Wells Fargo building said the Regional Transportation Plan as approved by TRPA is Lake Tahoe's blueprint for a regional transportation system that enhances the quality of life of the stateline region and promotes sustainability for its improved mobility for residents and tourist. Construction of an event center within the casino core will further develop pedestrian friendly areas where room supply exists and promotes walkability and the use of local transit. A new event center would result in a reduction of vehicle miles traveled levels that are below TRPA threshold standards. A seasonal microtransit system in alignment with a paid parking program in the casino core is desired, needed, and now deliverable. Similar transportation systems in comparable markets such as Squaw Valley have produced positive

results. The environmental assessment the most accurate data set at our disposal should be trusted. Disregarding the findings of this report will not only stall progress of much needed event center at stateline but will impede the opportunity of economic vitality throughout Douglas County. The analysis completed by the environmental assessment signifies a 12 percent reduction of vehicle miles traveled. Contributing factors to the reduction include new transit shelters, a 100 foot long transit pull off along Highway 50, a seasonal microtransit system, and paid parking in the casino core. The event center management team could also consider additional resources to further improve the vehicle miles traveled reduction percentage. Some suggestions include designation of an employee transportation coordinator responsible to working with employees to identify free transit services and boost ecofriendly practices, provide secured bicycle parking a part of the event center facility, and educating and providing tourist alternative transportation information through public service announcements, signage, and social media campaigns. As a supporter of the event center, they take the vehicle miles traveled seriously and are committed to contributing to being part of the greater solution. The cost of doing nothing is a cost that Douglas County cannot afford.

Scott McCoubrey, Stateline resident said progress lies not in enhancing what is but advancing toward what will be. He envisions free and innovative transit with an increase of bicycle use and family foot exploration. As a multi-year tourist before moving here full time he would have preferred to use free transit than paid parking in the core. But since parking was free, he drove around and parked in the core as much as possible and ended being part of the problem and not the solution. Since the event center and microtransit proposals have been successful elsewhere, we can make it work as well. He supported the proposed event center project and microtransit.

Carl Hasty, Tahoe Transportation District said the board was provided a letter from subconsultant Dixon Resources Unlimited for TTD who is preparing the parking management plan relevant to their requirement when it comes to the Highway 50 project. This is where they look to integrate this. When it comes to the conditions in the permit, they're looking for the flexibility in what will work and be applicable to this project. The project presents a tremendous opportunity for making this parking available. The parking is primarily all private, there is very little public parking and the majority of the public parking is in the City of South Lake Tahoe. How do we organize this in between the two projects, we have this opportunity for that stretch of corridor to create a parking policy that will make sense. They'll be able to provide way finding signage, etc. He agreed that a lot of the congestion and confusion around that area is people driving around just looking for parking and then whether it's paid for free. They'll continue to work with TRPA staff and the project proponents in integrating this.

Lisa DeLeon, Destination Tahoe Meeting & Events said 90 to 100 percent of the 100 to 125 groups that they manage annually, utilize private motor coach transportation services to and from the airport or origin. Once in the corridor, the groups are walking or utilizing private transfers to their offsite events or activities. Traveling to conferences, she would expect to pay for parking at an event center. Therefore, conference organizers work diligently to ensure that transportation is provided as necessary. Conference organizers are always looking into the walkability of a destination because attendees don't come with vehicles. Las Vegas and Washington, DC don't offer on demand shuttles like the downtowner that the City of Aspen has. Sporting and concert events are not the only events that are estimated in that proposed 130 events per year. Trade shows and conferences are also included in that. Regarding the 6,000 seat event, people are not arriving alone for those concert or sporting events. Often, the casinos are also organizing player events and those guests are being brought in by chartered transportation.

Sheila Boothby said she supported the proposed event center project and microtransit. If the vehicle miles traveled are better than hoped, can we increase the capacity of the events during those times where the numbers are capped? No matter what act may be brought in for a concert, the seats are still limited at 6,500.

Gavin Feiger, League to Save Lake Tahoe said the League did submit written comments yesterday. The event center is an exciting project and could deliver significant benefits to the community. Given the scale of this proposal, its location in a high visibility area, and the current status of vehicle miles traveled, this needs to be a shining example of the Regional Plan. The economic benefits of the project are compelling, and the League applauds the new transit service and the paid parking management. From what they've seen, a project of this scale has not been approved under just an environmental assessment. The things that they would have liked to see that would have been in an environmental impact statement are a public comment period with required agency responses, an analysis of project alternatives, a monitoring and mitigation plan, and more time to review the analysis and work towards some common solutions. The peer review of the traffic analysis did answer a lot of the questions, the sensitivity analysis was good, but still left a few things hanging. There's a large number of events at peak season with no mitigation that will create a big impact. There's no real response to that concern along with no response to the mode shift effectiveness. The initial analysis of the environmental assessment does leave them with concerns about the approach, the assumptions, results, mitigations, and specifically related to traffic and vehicles miles traveled. They didn't get into too much detail in their comment letter but feel like if the proponents are confident in the assessment of the analysis. We need to work on mechanisms to ensure that the design of the operation achieves the results in the analysis. It was good to see some of the monitoring and adaptive management measure mentioned in the environmental assessment and staff report. It still has a little way to go. Some of the remaining concerns that can be addressed through another mechanism besides a full environmental impact statement over this next month or two are the effectiveness of paid parking, especially if it's not year round. Looking back to the studies in the source data the studies for the paid parking of the four limited ones, all included year round paid parking. Not just sporadic or event based paid parking. The microtransit needs to be year round and in a bigger service area. If we were to charge \$20 per day for less than 80 parking spots in the casino core, that's \$500,000. There's a lot of opportunity here. There hopeful that the proposed project can be amended to provide certain benefits, specifically a monitoring plan with a self-implementing adaptive a management. The environmental assessment in its draft form doesn't have all the detail they would like to see for a project of this scale. They're uncertain that the project can deliver what the proponents are promising but are willing to work with TRPA and the project proponents to find a way that the project can deliver everything that's promised.

Carol Chaplin, Tahoe Douglas Visitor's Authority, applicant of the proposed event center said back in 2000, they purchased a yacht for charter operations. They asked TRPA if they needed a charter permit, TRPA had never written a charter permit and didn't have a definition of charter. They wrote that chapter with fueling restrictions, operation limits, etc. Again, TRPA had never written a water transit permit and didn't have a definition. They also wrote that chapter. They had similar restrictions they complied because it was the right thing to do. This chapter is more about the transportation than it is about the event center. They knew that they had homework to do and they needed to get an "A." The question is have they met scenic quality, reduced impervious surface, and agreed to attendance caps in peak seasons? Yes, they have. Have they demonstrated vehicle miles traveled reductions? Yes, they have twice. The peer review came to similar conclusions. Are they participating in the mainstreet management plan and have they

agreed to a microtransit project as a potential catalyst for a comprehensive system? Yes, they have. Will they provide jobs, rebuild an economy, firm up shoulder seasons, provide entertainment in a variety of events, and create a community gathering place? Yes, they will. This is not out of the public view, there's been public presentations and meetings with the League to Save Lake Tahoe. She's learned that staff doesn't know that the Tahoe Douglas Visitors Authority has monthly public meetings with a standing event center agenda item. They don't know her contact information or anyone else that can provide it so they could converse, collaborate, and create a shared vision. Destination marketing organizations are evolving into destination management organizations. The industry realizes its role to make the environment resilient and sustainable. They are your partners anxious to collaborate to bring solutions to this big beautiful Lake. The right thing to do is to consider the project merits under the environmental assessment and to not ambush it at the eleventh hour but to come together in sincere partnership. It's a tough sell to trust that collectively we're better together than by ourselves and that we can in February come back to you with a new chapter written and a great project to set the tone and tempo for transit and our destinations future.

Steve Teshara, Lake Tahoe South Shore Chamber of Commerce said there's been some suggestions that it was a weeklong opportunity to comment on the environmental assessment. It is a 30-day plus period. He's confident that many of the comments and concerns that were heard today will be incorporated. They've reviewed the draft environmental assessment, transportation analysis, and the scenic quality evaluation. They also note that there are project alternatives which seem to be missed by some folks. They've also reviewed the Dixon Resources parking management comments which they feel will be very helpful. They support the proposed action alternative and will be submitting written comments. They appreciated Mr. Nielsen's comments today to talk about the pre and post monitoring. It is hard to predict human behavior. It's essential to understand that we need to get out and try these things for the benefits they will have in the community. They support the collaborative efforts by the agency staff and board to use the next period of time to strengthen and clarify the environmental assessment to address the written and verbal comments that have been made. On behalf of the chamber as a member of the South Shore Transportation management association, the newly expanded board who met for the first time on 17th, they're excited about the opportunity to have this be a trigger and stimulus for the microtransit service. The staff report and environmental assessment specify that the microtransit vehicles should be 20 to 25 passengers. Microtransit vehicles are smaller, similar to the pictures shown by the City of Aspen. These microtransit vehicles do not require the driver to have a commercial driver license which changes the cost structure and makes providing the service more affordable. The benefits of this project are transformational. The other item that would be transformational is the One Tahoe transportation funding initiative. They've gone on for many years in this community flogging individual projects to solve a giant region full of problems. We need to stop doing that. It would be transformational to have free transit throughout the basin including water borne transit. This will be a step in the right direction but let's not try to solve every project in the region based on this one project even though it is a project of scale.

Ed Moser, South Lake Tahoe resident said he agreed with the traffic study comments made by Ms. Lawton where she stated, "Additionally I've seen my projects to fruition and have realized that traffic studies are make believe." He said he's not opposed to building this but is opposed to all the extra-curricular activities and how they'll be mitigated. Ms. Laine and the city council voted on Tuesday to give the Crescent V Center \$50,000 to help enforce their parking. You allowed the shops at Heavenly Village to be permitted. There are dozens of shops there and no

parking spaces had to be provided. Look at how things are really going to be mitigated and the realities here, and they're vast. He wouldn't take any consultants word for anything because it's all imaginary numbers. In the past, he's proposed the jitney's that hold a smaller amount of people rather than the large buses that may only have a few people on it at a time. Paid parking in itself will not reduce vehicle miles traveled. There is mitigation needed here and more than an environmental assessment is needed.

Lew Feldman on behalf of the Tahoe Douglas Visitor's Authority said when they have achieved great things in this community, they have done so through partnership. What's proposed here is clearly a partnership to address both economic and environmental challenges. A prior speaker indicated a willingness to step up and participate in the microtransit funding opportunity. He feels that we'll see others step up to participate in this funding opportunity. Microtransit is one of those tools with our fixed route and paid parking that we know has helped solve the problem in other jurisdictions. This is a unique moment in time where we have an opportunity for the public and private side to replicate our partnership successes. This will bring something transformational to change behavior in this marketplace, reduce vehicle miles traveled, create economic prosperity, and jobs for those that are most at risk. In spring and fall, we cut hours for our most vulnerable members of the workforce and this is an opportunity to address that cutback and provide employment to those that need it most. We're all in this together and are on a tight timeline. He appreciated the comments from the California Attorney General's Office and the League to Save Lake Tahoe. They'll get together with these stakeholders and come back to this board with hopefully an agreed upon package of monitoring, mitigation, and implementation.

Board Comments & Questions

Ms. Laine said Lew Feldman on behalf of the Tahoe Douglas Visitor's Authority provided a presentation to the City of South Lake Tahoe city council a few weeks ago that was very well received by the public and elected officials. They view this as Nevada stepping up to the plate and investing at the Lake in a significant way similar to what the City of South Lake Tahoe did when they built the gondola project with many partners. We're all in this together and to the degree possible, the City of South Lake Tahoe is ready to assist Douglas County.

Ms. Gustafson said there were a few comments today on human behavior. Pricing does make a difference, human behavior does respond to pricing. She managed a water system where they dramatically increased rates to ensure that they met conservation targets. It resulted in huge long term savings. Most recently they made the Tahoe Truckee Area Regional Transportation system free for two years and they saw dramatic increases during the holidays by having a free service. She's optimistic that the discussions we're having and the results from other communities will make a difference in how we use it. We have to do something different. Doing the same thing is not going to change how we deal with vehicle miles traveled and transit. Thirty years ago, TRPA didn't support intercept parking lots when she was trying to get a park and roll lot. It's good that we're talking about these things now, we have an opportunity with great partnership.

Mr. Rice said there's a sense of urgency regarding this project. They're not trying to steam roll it through, they've been talking about this project for a long time with a lot of public comment. There is a short window that they have to operate in, in which there are bonds that have to be sold. There are folks in the valley that don't feel that anything should happen at the Lake. For

Douglas County, this project is a life saver. They're losing funds from the Lake every year because of the economic blight. They've been losing tax money flowing from the Lake, traditionally Douglas County tax money from the Lake is about 40 percent of the budget. It's dwindling rapidly. The event center will enhance the services that they can provide their citizens. He hopes everyone understands the sense of urgency and if they don't start construction this year, this project may go away. He asks that everyone think about the benefits of this project and what it will bring to the Lake in a positive manner. This project will enhance their ability to protect this Lake.

Mr. Yeates said he views this like the mainstreet management plan. The loop road in itself was not going to advance their concerns about transit or other issues which is where the mainstreet management plan was created. They dealt with the fact that the housing would be built before the road was built, there would be a neighborhood amenities program, things that would give back to the community. The events center is the right location, the right use and can see it from the standpoint of this community having more opportunities as a result of the event center. It's positive and is grateful for Douglas County to propose it. He wants to ensure that the League to Save Lake Tahoe and those that are concerned about vehicle miles traveled and the impacts of additional visitors coming here are addressed. He appreciated staff's willingness to sit down and provide that opportunity to work with them on this adaptive management program in hopes that we can come up with an agreement that everyone is on board with. It has the potential to be that catalyst. We have to start somewhere.

X. REPORTS

A. Executive Director Status Report

Ms. Marchetta said yesterday morning was the first session of the reconvening the Bi-State Consultation on Transportation and has been raised to a very high priority within the basin, particularly with the leadership of the two states. The Secretary of California Natural Resources Agency and the Department of Conservation and Natural Resources in Nevada have sponsored this bi-state consultation. It's tiering off of what was adopted in the last consultation which was a ten-year action plan. It had the highest of high priorities identified in it. The action plan was valued at about \$400 million and the highest of the high priority was about half of that. Within that highest of high priority was significantly enhanced transit for the basin. Along with TRPA staff, board members, Mr. Yeates, Mr. Bruce, on behalf of TRPA, Mr. Lawrence on behalf of the Department of Conservation and Natural Resources, Ms. Gustafson for Placer County and Tahoe Fund attended the meeting. That meeting was energized and feels that the conversation had matured from the last round and feels that there'll be significant progress made particularly on transit and transit funding strategies with the help of a deep partnership at that table. Yesterday was also the second session of the Nevada Oversight Committee that also discussed the topic of transportation.

Mr. Lawrence thanked TRPA and TRPA staff for staffing the effort and putting together all the materials. It does seem like the energy and listening is there. It was a lot of information yesterday and the listening that occurred particularly listening to the differences on what Placer County is doing with the Truckee Area Regional Transportation and their transportation systems and the challenges of the south shore. Having a better common understanding of the transit challenges and the different authorities for which they're working under. This was a great first step. He thanked everyone for remaining engaged.

GOVERNING BOARD

January 22, 2020

B. General Counsel Status Report

Mr. Marshall said the oral argument for the Dr. Garmong litigation on the cell tower will be held on March 26, 2020 in Las Vegas. That same day, the court will hear a litigation for Dr. Garmong regarding a cell tower in Lyon County which was also dismissed on standing grounds.

Ms. Aldean asked if the Lyon County case preceded TRPA's case.

Mr. Marshall said it was about the same time period.

XI. GOVERNING BOARD MEMBER REPORTS

None.

XII. COMMITTEE REPORTS

A. Main Street Management Plan and other components of the US 50 South Shore Community Revitalization Project

Mr. Hester said a lot of the stakeholders are now involved with the Tahoe Transportation District's consultants on the parking management study.

B. Local Government & Housing Committee

The committee will meet on February 12, 2020.

C. Legal Committee

None.

D. Operations & Governance Committee

Ms. Aldean said the committee has been discussing how to restructure our debt. A document comparable to a request for proposal was put out to private lenders who might be interested in participating in the restructuring of our debt. They received two responses; one was just an inquiry and the other is putting it through their process. Interest rates are low and are favorable to restructuring at this time. Also, the five year contract with our auditor is expiring and staff has elected to put it out on a request for proposal rather than giving them a two year extension. The reason the two year extension was considered was because we're going through some accounting transitions and thought it might be beneficial to have a company that is intimately acquainted with our accounting system.

Mr. Bruce agreed with putting it out for competitive bidding because we've already renewed their contract once.

GOVERNING BOARD

January 22, 2020

Ms. Aldean said it's also consistent with our general policy.

E. Environmental Improvement, Transportation, & Public Outreach Committee

The committee will meet at the conclusion of the Governing Board meeting.

F. Forest Health and Wildfire Committee

Mr. Hicks said today the Regional Plan Implementation Committee considered code amendments to chapter 61 related to tree removal and prescribed fire. They're continuing to work on the schedule of getting items in place before the next fire season.

G. Regional Plan Implementation Committee

Mr. Bruce the committee reviewed and recommended approval for code amendments to Chapter 84 regarding development standards for Stream Mouth Protection Zones and Chapter 61, Vegetation Management and Forest Health, Sections 61.1, Tree Removal, and 61.2 Prescribed Fire.

XIII. PUBLIC COMMENT

Ed Moser, South Lake Tahoe resident said we keep getting compared to Colorado and other mountain towns. None of these other towns have six casinos which is part of the traffic and vehicle miles traveled problems and is never factored in. Douglas County and the casino core was supposed to contribute to the convention center at the Chateau hole in the ground through raising the transient occupancy tax. That was supposed to be about \$400,000 to \$500,000 per year contribution. Some how they couldn't sway the state legislators to help raise the transient occupancy tax. In the past, the casinos had their own shuttles to make on call pickups at the local motels. It was fast and efficient and then got swept under the rug and ended up being taken over by the transit system and then eliminated altogether. Use some of the paid parking money for the events to put the free shuttles back in service or contribute to the microtransit.

XIV. ADJOURNMENT

Chair Mr. Yeates adjourned the meeting at 2:19 p.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

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



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

STAFF REPORT

Date: February 19, 2020
To: TRPA Governing Board
From: TRPA Staff
Subject: January Financial Statements, Fiscal Year 2019/20

Summary and Staff Recommendation:

Staff recommends acceptance of the January Financial Statements for Fiscal Year 2019/20.

Required Motion:

In order to accept the Financial Statements, the Governing Board must make the following motion:

- 1) A motion to accept the January 2020 Financial Statements

In order for the motion to pass, an affirmative vote of any eight Board members is required.

Background:

We have now completed seven months (58%) of the fiscal year. Revenues are at 71% of the annual budget, and expenditures at 46%, normal for this time of year.

YTD Revenues and Expenses

Revenues are strong, we've received over 70% of our budgeted revenue for the year. January saw high fees in the Current Planning area. These are new (one-time) applicants for piers and moorings under the Shoreline program. We have now received all our state funds for the year. Planning revenue is 43% ahead of the average of the last three years. Grant revenues appear low at 33%, but we bill most grants in arrears, at the end of the quarter.

Expenditures are at or below budgeted levels. Compensation expenses are at 55% of the annual budget, consistent with the timing of payrolls and incentive pay. We have two open positions. Contract expenses are only at 38%, but that is consistent with normal billing/payment lags. All other expenses are on track.

CONSENT CALENDAR ITEM NO. 1

TRPA Financials
Fiscal YTD January 2020

	State & Local	Fees	Grants	Grand Total
Revenue				
Fees for Service		2,314,810		2,314,810
Grants		3,135	1,453,960	1,457,095
State Revenue	7,516,233			7,516,233
Local Revenue	150,000		9,349	159,349
Rent Revenue		226,870		226,870
Other Revenue	(66,843)	(417)	(8)	(67,268)
TRPA Rent Revenue		401,905		401,905
Revenue Total	7,599,390	2,946,303	1,463,300	12,008,993
Expenses				
Compensation	2,436,144	1,093,240	355,742	3,885,125
Contracts	1,014,820	719,753	1,152,073	2,886,646
Financing		24,794		24,794
Other	446,509	120,975	60,410	627,894
Rent	404,398	17,950		422,348
A&O/Transfers	(997,249)	775,097	261,374	39,221
Expenses Total	3,304,622	2,751,808	1,829,598	7,886,028
Grand Total	4,294,767	194,494	(366,297)	4,122,965

TRPA Balance Sheet

The "TRPA" column represents funds freely available to the Agency. Grant funds are restricted to the purpose of the grant. "Trust" funds represent monies TRPA holds on behalf of other beneficiaries and are not available for general TRPA use. Trust funds are mitigation funds to be used to offset development impacts, and project securities.

Net Assets declined by \$0.2M from last month. Assets declined by \$1.0M due to spending down state funds received earlier in the year. Liabilities dropped \$0.8M due to clearing Accounts Payables.

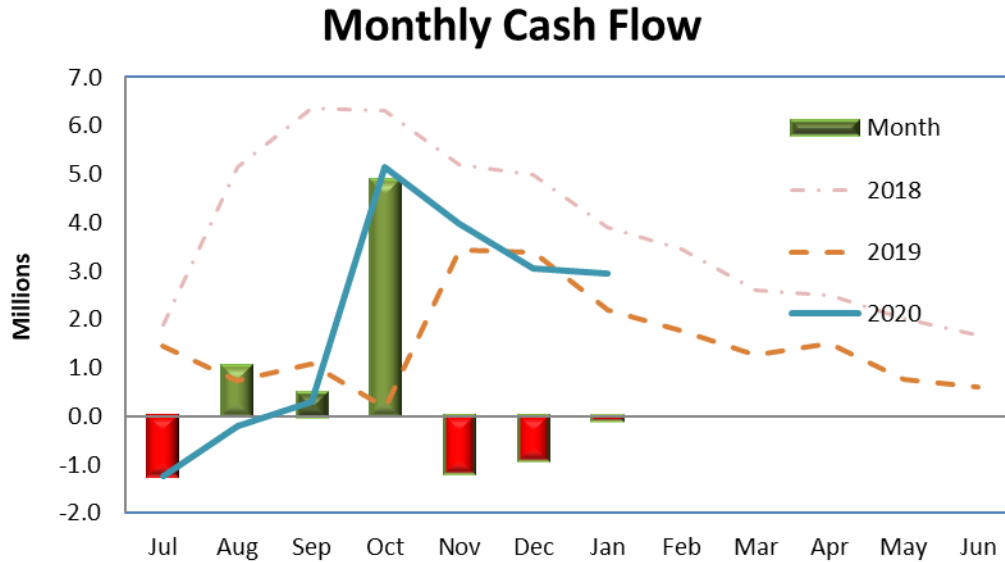
Tahoe Regional Planning Agency

Balance Sheet @ 1-31-20

	TRPA	Grants	Trust	Total
Cash & Invest	8,058,298	1,533,425	18,020,395	27,612,118
A/R	171,928	1,157,855		1,329,783
Current Assets	40,917			40,917
LT Assets	9,180,277			9,180,277
Total Assets	17,451,421	2,691,280	18,020,395	38,163,095
A/P	72,740	4,363		77,103
Benefits	701,186			701,186
Deferred Rev	414,659	282,680		697,338
Deposits	150,464	10,190		160,655
LT Debt	8,445,000			8,445,000
Mitigation			12,430,849	12,430,849
Securities			5,468,296	5,468,296
Total Liabilities	9,784,050	297,233	17,899,145	27,980,428
Net Position	7,667,371	2,394,047	121,250	10,182,667

Cash Flow

Cash flow for the month was a negative \$0.1M. We received \$1.1M in revenues and disbursements were \$1.2M. Planning fees, due to the Shoreline Program, were high for the month. Our state funding comes in early in the year and is spent through year-end. Revenue from Grants and Fees for Services continue to flow throughout the year.



When reading the detailed reports (attached), be aware that fund balances January may not be intuitive. Negative balances mean revenues exceeded expenses. Positive fund balance occurs when expenses exceed revenue. This reflects the formatting in our accounting system.

Contact Information:

For questions regarding this agenda item, please contact Chris Keillor at (775) 589-5222 or ckeillor@trpa.org.

Attachment:

- A. Attachment I January Financial Statements

Attachment A

January Financial Statements

TRPA Financials
Actuals vs. Budget by Program
Fiscal YTD January 2020

	Ann Budget	YTD	Remaining	% Remaining
TRPA Totals				
Revenue				
State Revenue	7,476,073	7,516,233	40,160	-1%
Grants	4,447,435	1,457,095	2,990,340	67%
Fees for Service	3,672,826	2,314,810	1,358,017	37%
Local Revenue	156,881	159,349	2,468	-2%
Rent Revenue	328,844	226,870	101,974	31%
TRPA Rent Revenue	688,980	401,905	287,075	42%
Other Revenue	196,455	67,268	263,723	
Revenue Total	16,967,494	12,008,993	4,958,501	29%
Expenses				
Compensation	7,064,067	3,885,125	3,178,942	45%
Contracts	7,502,474	2,886,646	4,615,828	62%
Financing	427,641	24,794	402,846	94%
Rent	728,980	422,348	306,632	42%
Other	1,252,903	627,894	625,009	50%
A&O/Transfers	8,570	39,221	47,791	
Expenses Total	16,967,494	7,886,028	9,081,466	54%
TRPA Net	(0)	4,122,965		

Agency Mgmt

Page # 11

Revenue				
Fees for Service	17,954	0	17,954	100%
Grants	10,000	1,035	8,965	90%
State Revenue	6,501,073	6,597,236	96,163	-1%
Other Revenue	180,230	66,843	247,072	137%
Local Revenue	156,881	150,000	6,881	4%
Revenue Total	6,866,138	6,681,428	184,709	3%
Expenses				
Compensation	1,893,109	1,075,749	817,361	43%
Contracts	191,733	84,339	107,394	56%
Financing	676	0	676	100%
Rent	8,685	1,908	6,777	78%
Other	264,197	146,345	117,852	45%
Expenses Total	2,358,401	1,308,340	1,050,061	45%
Agency Mgmt Net	4,507,736	5,373,088		

	Ann Budget	YTD	Remaining	%
Current Planning			Page # 12	
Revenue				
Fees for Service	2,526,658	1,699,684	826,974	33%
Grants	3,600	2,100	1,500	42%
State Revenue	124,000	124,000	0	0%
Other Revenue	34	417	382	
Revenue Total	2,654,224	1,825,367	828,857	31%
Expenses				
Compensation	1,722,386	999,663	722,723	42%
Contracts	624,000	484,870	139,130	22%
Financing	20,000	13,130	6,870	34%
Other	72,663	38,854	33,809	47%
A&O/Transfers	1,233,322	748,988	484,334	39%
Expenses Total	3,672,371	2,285,506	1,386,866	38%

Curr Plan Net	(1,018,148)	(460,139)
----------------------	--------------------	------------------

Envir. Imp.			Page # 17	
Revenue				
Fees for Service	1,128,214	613,326	514,888	46%
Grants	2,394,639	732,171	1,662,468	69%
State Revenue	750,000	750,000	0	0%
Revenue Total	4,272,853	2,095,497	2,177,357	51%
Expenses				
Compensation	892,586	479,241	413,345	46%
Contracts	3,660,281	1,363,309	2,296,972	63%
Financing	15,020	11,664	3,356	22%
Rent	30,771	17,950	12,821	42%
Other	150,546	94,146	56,401	37%
A&O/Transfers	61,255	42,061	19,194	31%
Expenses Total	4,810,459	2,008,371	2,802,088	58%

Env Imp Net	(537,606)	87,126
--------------------	------------------	---------------

	Ann Budget	YTD	Remaining	%
L RTP				
Page #19				
Revenue				
Grants	1,809,467	692,669	1,116,798	62%
Fees for Service	0	1,800	1,800	
Other Revenue	0	8	8	
Revenue Total	1,809,467	694,461	1,115,006	62%
Expenses				
Compensation	1,462,203	666,577	795,626	54%
Contracts	968,228	526,428	441,800	46%
Rent	544	585	41	-8%
Other	78,219	38,202	40,018	51%
A&O/Transfers	521,330	238,488	282,841	54%
Expenses Total	3,030,524	1,470,280	1,560,244	51%

L RTP Net	(1,221,057)	(775,819)
-----------	-------------	-----------

	Ann Budget	YTD	Remaining	%
R & A				
Page # 23				
Revenue				
Grants	229,729	29,120	200,609	87%
State Revenue	101,000	44,997	56,003	55%
Revenue Total	330,729	74,117	256,612	78%
Expenses				
Compensation	1,003,797	612,631	391,166	39%
Contracts	1,658,698	290,138	1,368,560	83%
Other	57,893	5,599	52,294	90%
A&O/Transfers	45,478	8,579	36,900	81%
Expenses Total	2,765,866	916,946	1,848,920	67%

R & A Net	(2,435,137)	(842,829)
-----------	-------------	-----------

	Ann Budget	YTD	Remaining	%
Infrastructure			Page # 22	
Revenue				
Other Revenue	16,260	0	16,260	100%
Rent Revenue	328,844	226,870	101,974	31%
TRPA Rent Revenue	688,980	401,905	287,075	42%
Revenue Total	1,034,084	628,775	405,309	39%
Expenses				
Compensation	89,986	51,265	38,721	43%
Contracts	399,534	137,562	261,972	66%
Financing	391,944	0	391,944	100%
Rent	688,980	401,905	287,075	42%
Other	629,384	304,749	324,635	52%
Expenses Total	2,199,828	895,481	1,304,347	59%
Infrastructure Net	(1,165,744)	(266,706)		

Other			Page # 23	
Expenses				
A&O/Transfers	1,869,955	998,895	871,060	47%
Expenses Total	1,869,955	998,895	871,060	47%

Tahoe Regional Planning Agency

Fee Report, Fiscal YTD January 2020

	2017	2018	2019	2020	% v.3yrs	\$'s v Avg.
RESIDENTIAL	138,626	87,164	130,028	196,255	165%	77,650
SHOREZONE	30,240	30,100	26,200	158,891	551%	130,044
OTHER_REV	53,983	24,775	14,168	62,754	203%	31,779
COMMERCL_TA	16,350	38,960	29,183	56,743	201%	28,579
ENFORCEMNT	35,639	32,862	19,628	48,002	163%	18,626
TREE_RMVL	20,829	27,838	27,841	44,722	175%	19,219
RECR_PUBLIC	34,520	44,468	32,470	44,315	119%	7,163
ALLOCATION	51,059	65,270	40,659	43,119	82%	(9,211)
FULL_SITE	79,900	63,138	52,734	40,000	61%	(25,257)
GENERAL	26,834	56,685	13,724	34,453	106%	2,038
LAND_CHALL	22,667	34,593	33,730	29,730	98%	(600)
REVISIONS	1,840	11,744	35,684	29,294	178%	12,871
SECURITIES	18,138	17,757	24,483	28,337	141%	8,211
GRADE_EXCEPT	16,272	15,104	17,992	20,916	127%	4,460
SOILS_HYDRO	13,587	16,071	18,019	16,138	102%	246
LAND_CAP	12,869	13,003	18,156	12,282	84%	(2,394)
VB_USE	2,880	10,800	4,320	11,232	187%	5,232
STD	5,029	5,054	6,135	7,525	139%	2,119
VB_COVERAGE	10,352	7,468	6,959	6,411	78%	(1,849)
LLADJ_ROW	5,960	4,496	8,980	6,370	98%	(109)
GRADING	7,504	8,673	8,260	6,195	76%	(1,951)
QUAL_EXEMPT	3,264	5,576	4,665	6,023	134%	1,521
TRANS_DEV	20,976	5,545	8,547	5,512	47%	(6,177)
QE SHOREZONE	1,848	4,851	6,468	4,758	108%	369
AMEND_PLAN				4,626		
PARTIAL_SITE	5,290	5,819	3,703	4,012	81%	(925)
B_TANK_JJ	1,216	1,162	1,216	2,880	240%	1,682
MONITORING	15,329	(563)	2,789	2,800	48%	(3,052)
SHORZONE				2,036		
TEMP_USE	1,245	2,503	2,928	2,016	91%	(209)
LMTD_INCENT	267	267	252	1,388	530%	1,126
PRE-APP	1,272	2,120	2,559	1,272	64%	(712)
CONSTR_EXT	1,048	1,474	1,104	1,164	96%	(45)
SUBDIV_EXIST	6,132	9,986	2,052	1,002	17%	(5,055)
NOTE_APPEAL	2,964	1,112	2,223	963	46%	(1,137)
SIGNS	246	592	2,684	960	82%	(214)
RES_DRIVE	149	782	298	776	189%	366
SCENIC_ASSES				400		
IPES	8,171	12,152	11,972	16	0%	(10,749)
HISTORIC	2,909	5,363	2,487		0%	(3,586)
LEGAL_DETERM	424				0%	(424)
MASTERPLAN		7,412			0	(7,412)
Totals	677,828	682,176	625,298	946,288	143%	284,521

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
Agency Mgmt			
GF Revenue			
Revenue			
State Revenue	6,501,073	6,597,236	96,163
Fees for Service	17,954	0	17,954
Local Revenue	156,881	150,000	6,881
Other Revenue	180,230	66,843	247,072
Revenue Total	6,856,138	6,680,393	175,744
GF Revenue Total	6,856,138	6,680,393	175,744
Gov Board			
Expenses			
Contracts	933	500	433
Other	22,173	8,520	13,653
Rent	5,545	1,633	3,912
Expenses Total	28,651	10,653	17,998
Gov Board Total	28,651	10,653	17,998
Executive			
Expenses			
Compensation	702,042	418,445	283,597
Other	18,397	1,328	17,068
Rent	207	0	207
Expenses Total	720,646	419,773	300,872
Executive Total	720,646	419,773	300,872
Legal			
Expenses			
Compensation	242,616	142,374	100,242
Contracts	60,000	16,182	43,818
Other	13,522	5,512	8,010
Expenses Total	316,138	164,068	152,070
Legal Total	316,138	164,068	152,070
Communications			
Expenses			
Compensation	193,684	104,878	88,805
Contracts	17,000	0	17,000
Other	73,768	25,139	48,629
Rent	2,933	275	2,658
Expenses Total	287,385	130,292	157,093

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
Communications Total	287,385	130,292	157,093
Env. Newsletter			
Revenue			
Grants	10,000	1,035	8,965
Revenue Total	10,000	1,035	8,965
Expenses			
Other	34,278	28,872	5,406
Expenses Total	34,278	28,872	5,406
Env. Newsletter Total	24,278	27,837	3,559
Finance			
Expenses			
Compensation	432,682	255,584	177,098
Contracts	64,200	42,056	22,144
Financing	676	0	676
Other	2,798	17,781	14,982
Expenses Total	500,357	315,421	184,936
Finance Total	500,357	315,421	184,936
HR			
Expenses			
Compensation	322,085	154,467	167,618
Contracts	49,600	25,601	24,000
Other	99,261	59,193	40,068
Expenses Total	470,946	239,260	231,686
HR Total	470,946	239,260	231,686
Agency Mgmt Total	4,507,736	5,373,088	865,351
Current Planning			
Other			
Revenue			
Fees for Service	477,322	94,112	383,210
Other Revenue	34	417	382
Revenue Total	477,288	93,695	383,593
Other Total	477,288	93,695	383,593
Current Planning			

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
Revenue			
Fees for Service	1,779,336	1,600,572	178,764
Revenue Total	1,779,336	1,600,572	178,764
Expenses			
A&O/Transfers	920,277	540,983	379,294
Compensation	1,210,891	708,372	502,519
Contracts	270,000	344,553	74,553
Financing	20,000	13,130	6,870
Other	10,398	93	10,305
Expenses Total	2,431,567	1,607,131	824,436
Current Planning Total	652,231	6,559	645,672
Code Enforcement			
Expenses			
A&O/Transfers	272,738	152,035	120,703
Compensation	358,866	199,077	159,789
Other	2,220	1,084	1,136
Expenses Total	633,823	352,196	281,627
Code Enforcement Total	633,823	352,196	281,627
Boat Crew			
Revenue			
State Revenue	124,000	124,000	0
Revenue Total	124,000	124,000	0
Expenses			
Compensation	100,230	17,051	83,179
Other	44,825	30,684	14,142
Expenses Total	145,055	47,735	97,320
Boat Crew Total	21,055	76,265	97,320
Shorezone Boat Crew			
Expenses			
A&O/Transfers	30,555	49,271	18,717
Compensation	39,571	64,516	24,945
Contracts	20,000	39,818	19,818
Other	0	6,471	6,471
Expenses Total	90,126	160,076	69,950
Shorezone Boat Crew Total	90,126	160,076	69,950

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
Communications			
Expenses			
A&O/Transfers	3,472	2,891	581
Compensation	4,565	3,785	779
Contracts	65,000	45,000	20,000
Other	0	23	23
Expenses Total	73,036	51,699	21,338
Communications Total	73,036	51,699	21,338
Implementation			
Expenses			
A&O/Transfers	6,280	3,807	2,473
Compensation	8,263	4,985	3,278
Expenses Total	14,544	8,792	5,751
Implementation Total	14,544	8,792	5,751
Legal - Direct or Disallowed			
Revenue			
Fees for Service	120,000	0	120,000
Revenue Total	120,000	0	120,000
Expenses			
Compensation	0	1,877	1,877
Contracts	120,000	0	120,000
Expenses Total	120,000	1,877	118,123
Legal - Direct or Disallowed Total	0	1,877	1,877
Settlements			
Revenue			
Fees for Service	150,000	5,000	145,000
Grants	3,600	2,100	1,500
Revenue Total	153,600	7,100	146,500
Expenses			
Contracts	149,000	55,500	93,500
Other	15,220	500	14,720
Expenses Total	164,220	56,000	108,220
Settlements Total	10,620	48,900	38,280
Current Planning Total	1,018,148	460,139	558,009

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
Envir. Imp.			
(CLOSED) NDSL LTLT Tributary Monitoring			
Revenue			
Grants	0	20,044	20,044
Revenue Total	0	20,044	20,044
Expenses			
Contracts	0	20,043	20,043
Expenses Total	0	20,043	20,043
(CLOSED) NDSL LTLT Tributary Monitoring Total	0	0	0
Watercraft Inspection Fees			
Revenue			
Fees for Service	1,116,214	483,453	632,761
Revenue Total	1,116,214	483,453	632,761
Expenses			
A&O/Transfers	0	0	0
Compensation	135,746	76,440	59,305
Contracts	830,496	157,404	673,092
Financing	15,020	11,664	3,356
Other	104,182	20,769	83,413
Rent	30,771	17,950	12,821
Expenses Total	1,116,214	284,227	831,987
Watercraft Inspection Fees Total	0	199,226	199,226
CA Gen Fund AIS Prevention			
Revenue			
State Revenue	375,000	375,000	0
Revenue Total	375,000	375,000	0
Expenses			
Contracts	375,000	375,000	0
Expenses Total	375,000	375,000	0
CA Gen Fund AIS Prevention Total	0	0	0
NV Gen Fund AIS Prevention & Control			
Revenue			
State Revenue	375,000	375,000	0
Revenue Total	375,000	375,000	0
Expenses			

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
A&O/Transfers	0	0	0
Compensation	165,608	95,472	70,135
Contracts	181,551	66,218	115,334
Other	27,841	19,510	8,331
Expenses Total	375,000	181,200	193,800
NV Gen Fund AIS Prevention & Control Total	0	193,800	193,800
AIS Prevention (SNPLMA Rnd 12 Final)			
Revenue			
Grants	0	18,858	18,858
Revenue Total	0	18,858	18,858
AIS Prevention (SNPLMA Rnd 12 Final) Total	0	18,858	18,858
Tahoe Keys & Lakewide AIS Control (LTRA)			
Revenue			
Grants	1,851,531	426,013	1,425,519
Revenue Total	1,851,531	426,013	1,425,519
Expenses			
A&O/Transfers	13,543	7,041	6,502
Compensation	17,820	9,220	8,600
Contracts	1,820,000	533,163	1,286,837
Other	168	5	173
Expenses Total	1,851,531	549,419	1,302,113
Tahoe Keys & Lakewide AIS Control (LTRA) Total	0	123,406	123,406
ANS Mgmt Plan - Meeks Bay Control			
Revenue			
Grants	47,695	47,695	0
Revenue Total	47,695	47,695	0
Expenses			
Contracts	47,695	47,695	0
Expenses Total	47,695	47,695	0
ANS Mgmt Plan - Meeks Bay Control Total	0	0	0
Lakewide AIS Control (USACE)			
Revenue			
Grants	217,337	91,513	125,824
Revenue Total	217,337	91,513	125,824

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
Expenses			
Contracts	217,337	33,806	183,532
Other	0	45,140	45,140
Expenses Total	217,337	78,946	138,391
Lakewide AIS Control (USACE) Total	0	12,567	12,567
Sand Harbor Asian Clam Control (NDSL)			
Revenue			
Grants	76,102	5,040	71,062
Revenue Total	76,102	5,040	71,062
Expenses			
Contracts	76,102	4,800	71,302
Expenses Total	76,102	4,800	71,302
Sand Harbor Asian Clam Control (NDSL) Total	0	240	240
Secret Shopper Inspection Stations (DBW)			
Revenue			
Grants	7,150	2,560	4,590
Revenue Total	7,150	2,560	4,590
Expenses			
Contracts	7,150	2,560	4,590
Expenses Total	7,150	2,560	4,590
Secret Shopper Inspection Stations (DBW) Total	0	0	0
Shorezone Fees			
Revenue			
Fees for Service	0	106,080	106,080
Revenue Total	0	106,080	106,080
Shorezone Fees Total	0	106,080	106,080
Env. Improv.			
Expenses			
Compensation	478,719	243,805	234,914
Contracts	25,000	17,658	7,342
Other	16,933	8,668	8,265
Expenses Total	520,652	270,131	250,521
Env. Improv. Total	520,652	270,131	250,521

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
CalFire Wildfire Prevention Outreach			
Revenue			
Grants	59,950	18,210	41,740
Revenue Total	59,950	18,210	41,740
Expenses			
Contracts	59,950	18,210	41,740
Expenses Total	59,950	18,210	41,740
CalFire Wildfire Prevention Outreach Total	0	0	0
BMP Enforcement in NV (NV 319)			
Revenue			
Grants	124,873	19,536	105,337
Revenue Total	124,873	19,536	105,337
Expenses			
A&O/Transfers	35,209	9,254	25,955
Compensation	78,242	20,564	57,678
Contracts	10,000	0	10,000
Other	1,423	64	1,359
Expenses Total	124,873	29,881	94,993
BMP Enforcement in NV (NV 319) Total	0	10,345	10,345
Douglas County BMPs Enforcement			
Expenses			
A&O/Transfers	0	6,590	6,590
Compensation	0	8,630	8,630
Local Revenue	0	9,349	9,349
Expenses Total	0	5,871	5,871
Douglas County BMPs Enforcement Total	0	5,871	5,871
LTInfo BMP Database (NDEP)			
Revenue			
Grants	10,000	0	10,000
Revenue Total	10,000	0	10,000
Expenses			
Contracts	10,000	0	10,000
Expenses Total	10,000	0	10,000
LTInfo BMP Database (NDEP) Total	0	0	0

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
NDEP Stormwater Tool			
Revenue			
Grants	0	82,702	82,702
Revenue Total	0	82,702	82,702
Expenses			
Contracts	0	86,753	86,753
Expenses Total	0	86,753	86,753
NDEP Stormwater Tool Total	0	4,051	4,051
Stormwater Planning Support			
Revenue			
Fees for Service	12,000	23,793	11,793
Revenue Total	12,000	23,793	11,793
Expenses			
A&O/Transfers	12,503	19,176	6,673
Compensation	16,451	25,110	8,658
Expenses Total	28,954	44,286	15,332
Stormwater Planning Support Total	16,954	20,492	3,539
Envir. Imp. Total	537,606	96,474	634,080
L RTP			
Long Range & Transp. Planning			
Expenses			
Compensation	582,423	349,502	232,922
Contracts	60,170	40,889	19,281
Other	10,799	621	10,177
Rent	544	0	544
Expenses Total	653,936	391,012	262,924
Long Range & Transp. Planning Total	653,936	391,012	262,924
TMPO			
Expenses			
Contracts	306,105	72,911	233,194
Other	43,049	14,722	28,327
Rent	0	585	585
Expenses Total	349,154	88,218	260,936
TMPO Total	349,154	88,218	260,936

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
Transportation			
Revenue			
Grants	1,474,617	352,815	1,121,802
Other Revenue	0	8	8
Revenue Total	1,474,617	352,807	1,121,810
Expenses			
A&O/Transfers	518,031	234,818	283,213
Compensation	681,621	307,702	373,919
Contracts	274,965	53,723	221,242
Other	0	6,451	6,451
Expenses Total	1,474,617	602,693	871,924
Transportation Total	0	249,886	249,886
Other			
Expenses			
Compensation	193,819	0	193,819
Other	24,148	0	24,148
Expenses Total	217,967	0	217,967
Other Total	217,967	0	217,967
CA Prop 1B Transit Capital Improvement Program South Shore			
Revenue			
Grants	0	214,777	214,777
Revenue Total	0	214,777	214,777
Expenses			
Contracts	0	214,777	214,777
Expenses Total	0	214,777	214,777
CA Prop 1B Transit Capital Improvement Program South Shore Total	0	0	0
Transportation SB1 Formula & Competitive			
Revenue			
Grants	309,988	84,291	225,697
Revenue Total	309,988	84,291	225,697
Expenses			
Contracts	309,988	119,479	190,509
Expenses Total	309,988	119,479	190,509
Transportation SB1 Formula & Competitive Total	0	35,188	35,188

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
CA SGC SSARP Grant - Safety			
Revenue			
Grants	17,000	28,935	11,935
Revenue Total	17,000	28,935	11,935
Expenses			
Contracts	17,000	4,440	12,560
Expenses Total	17,000	4,440	12,560
CA SGC SSARP Grant - Safety Total	0	24,495	24,495
CTC Shoreline Plan			
Revenue			
Grants	4,670	7,677	3,007
Revenue Total	4,670	7,677	3,007
Expenses			
A&O/Transfers	1,954	2,776	822
Compensation	2,571	3,629	1,059
Contracts	0	134	134
Other	146	5,713	5,567
Expenses Total	4,670	12,252	7,582
CTC Shoreline Plan Total	0	4,575	4,575
NDSL LTLP Shoreline Plan			
Revenue			
Grants	3,192	4,174	982
Revenue Total	3,192	4,174	982
Expenses			
A&O/Transfers	1,345	894	450
Compensation	1,769	2,232	463
Contracts	0	71	71
Other	78	3,047	2,969
Expenses Total	3,192	6,245	3,053
NDSL LTLP Shoreline Plan Total	0	2,071	2,071
USFS Meeks Bay Restoration			
Revenue			
Compensation	0	3,446	3,446
Revenue Total	0	3,446	3,446
Expenses			

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
Compensation	0	6,958	6,958
Expenses Total	0	6,958	6,958
USFS Meeks Bay Restoration Total	0	3,512	3,512
Mtn Town Summit			
Revenue			
Fees for Service	0	1,800	1,800
Revenue Total	0	1,800	1,800
Expenses			
Contracts	0	20,004	20,004
Other	0	7,648	7,648
Expenses Total	0	27,652	27,652
Mtn Town Summit Total	0	25,852	25,852
L RTP Total	1,221,057	775,819	445,238
Infrastructure			
General Services			
Expenses			
Compensation	89,986	51,265	38,721
Contracts	56,364	370	55,994
Other	168,591	56,171	112,420
Rent	688,980	401,905	287,075
Expenses Total	1,003,921	509,710	494,211
General Services Total	1,003,921	509,710	494,211
IT			
Expenses			
Contracts	290,720	130,161	160,559
Other	210,962	193,063	17,900
Expenses Total	501,682	323,224	178,459
IT Total	501,682	323,224	178,459
Building			
Revenue			
Other Revenue	16,260	0	16,260
Rent Revenue	328,844	224,351	104,493
TRPA Rent Revenue	688,980	401,905	287,075
Revenue Total	1,034,084	626,256	407,828

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
Expenses			
Contracts	52,450	7,031	45,419
Financing	391,944	0	391,944
Other	164,759	6,241	158,517
Expenses Total	609,153	13,272	595,880
Building Total	424,931	612,984	188,053
CAM			
Revenue			
Rent Revenue	0	2,519	2,519
Revenue Total	0	2,519	2,519
Expenses			
Other	85,072	49,275	35,797
Expenses Total	85,072	49,275	35,797
CAM Total	85,072	46,756	38,316
Infrastructure Total	1,165,744	266,706	899,038
Other			
Expenses			
A&O/Transfers	1,869,955	998,895	871,060
Expenses Total	1,869,955	998,895	871,060
Other Total	1,869,955	998,895	871,060
Other Total	1,869,955	998,895	871,060
R & A			
Research & Analysis			
Expenses			
A&O/Transfers	21,333	8,579	12,754
Compensation	963,164	610,203	352,961
Contracts	1,402,305	262,506	1,139,798
Other	53,527	4,216	49,311
Expenses Total	2,440,328	885,504	1,554,824
Research & Analysis Total	2,440,328	885,504	1,554,824
Nearshore Trib Monitoring (Lahontan)			
Revenue			
Grants	75,188	12,420	62,768

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
Revenue Total	75,188	12,420	62,768
Expenses			
A&O/Transfers	0	0	0
Compensation	3,188	253	2,935
Contracts	72,000	12,420	59,580
Expenses Total	75,188	12,673	62,515
Nearshore Trib Monitoring (Lahontan) Total	0	253	253
Climate Impacts on Alpine Lake			
Revenue			
Grants	0	16,700	16,700
Revenue Total	0	16,700	16,700
Climate Impacts on Alpine Lake Total	0	16,700	16,700
Lake Tahoe West GIS Support			
Revenue			
Grants	55,915	0	55,915
Revenue Total	55,915	0	55,915
Expenses			
A&O/Transfers	24,145	0	24,145
Compensation	31,770	0	31,770
Expenses Total	55,915	0	55,915
Lake Tahoe West GIS Support Total	0	0	0
Wetland Monitoring (EPA)			
Revenue			
Grants	98,625	0	98,625
Revenue Total	98,625	0	98,625
Expenses			
Contracts	98,625	0	98,625
Expenses Total	98,625	0	98,625
Wetland Monitoring (EPA) Total	0	0	0
Science Council			
Revenue			
State Revenue	101,000	44,997	56,003
Revenue Total	101,000	44,997	56,003

TRPA Financials

Thru 1/31/20

Row Labels	2020 Budget	YTD Actuals	Remaining Balance
Expenses			
A&O/Transfers	0	0	0
Compensation	5,674	2,174	3,500
Contracts	85,768	15,211	70,557
Other	4,366	1,382	2,984
Expenses Total	95,809	18,768	77,041
Science Council Total	5,191	26,229	21,037
R & A Total	2,435,137	842,829	1,592,308
Grand Total	0	4,122,965	4,122,965



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

STAFF REPORT

Date: February 19, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Transfer of previously released Water Quality Interest Mitigation funds in the amount of \$12,392 from Phase One (complete) to Phase Three (active) of the Lake Clarity Crediting Program Support Services Project

Summary and Staff Recommendation:

Staff recommends that the Governing Board approve the Nevada Division of Environmental Protection (NDEP) request, subject to the conditions cited below. The request is consistent with the Environmental Improvement Program objectives, Chapter 60 of the TRPA Code of Ordinances, and the Governing Board’s policy guidelines for the release of mitigation funds.

Required Motion:

To approve the requested transfer, the Board must make the following motion:

- 1) A motion to approve the transfer subject to the conditions contained in this memorandum.

In order for the motion to pass, an affirmative vote of any eight Board members is required.

Background:

The Nevada Division of Environmental Protection (NDEP) is requesting the transfer of the remaining balance of \$12,392 in Water Quality Interest Mitigation Funds from phase one (complete) to phase three (active) of the Lake Clarity Crediting Program Support Services Project.

The original fund release was approved by the TRPA Governing Board in 2010. Washoe County, Douglas County and the City of South Lake Tahoe all contributed Water Quality Interest Mitigation Funds to the Nevada Division of Environmental Protection (NDEP), who managed the Crediting Program Project. The balance of \$12,392 is the unused portion of these funds.

Phase one of the project provided water quality planning assistance to help local jurisdictions learn the protocols, tools, and methods of the Lake Clarity Crediting Program. Phase three of the project will complete improvements to the Lake Tahoe Info Stormwater Tools online platform.

The project goal for phase three is consistent with the original intent to assist local jurisdictions with their participation in the Lake Clarity Crediting Program.

The reallocation redistributes previously released funds and does not impact current fund balances.

Conditions:

Staff recommends approving the release of these funds subject to the following conditions of approval:

1. The recipient shall only use the funds for the projects cited above and as approved by TRPA.
2. TRPA reserves the right to withhold funds to ensure project priorities, goals, and objectives are consistent with those of the Environmental Improvement Program and TRPA's Regional Plan.
3. The Nevada Division of Environmental Protection (NDEP) agrees to follow all laws, codes, and regulations adopted by federal, state, and local authorities/agencies.
4. The Nevada Division of Environmental Protection (NDEP) agrees to maintain a report detailing the use and expenditures of all funds used on the project. These records shall be made available for review and audit by TRPA within thirty (30) calendar days upon written request.
5. All mitigation funds not used as described above shall be returned to TRPA. Upon written approval from TRPA, these funds may be re-allocated to another project.
6. These funds may not be used for design studies, environmental documents, application costs, or other pre-design tasks.
7. The Nevada Division of Environmental Protection (NDEP) agrees to report the applicable EIP Performance Measures achieved by this project.

Regional Plan Compliance: The proposed release complies with the TRPA Regional Plan and Code of Ordinances.

Contact Information: If you have any questions regarding this item please contact Kimberly Caringer, Division Manager, Environmental Improvement Program at kcaringer@trpa.org or by phone at (775) 589-5263.

Attachment:

- A. EIP Project Fact Sheet – LT INFO Program Oversight and Tracking

Attachment A
LT INFO Program Oversight and Tracking

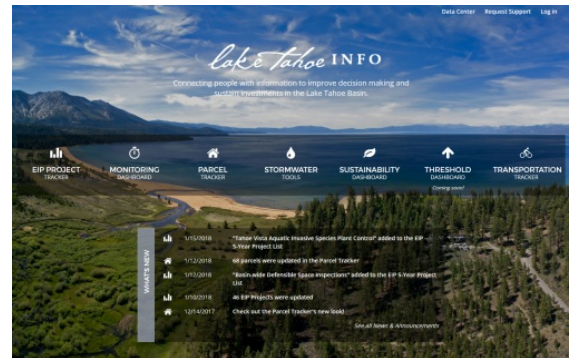


LT INFO Program Oversight and Tracking System

Project Number	06.01.02.0009
Action Priority	Annual Coordination and Reporting
Implementers	Tahoe Regional Planning Agency, Environmental Incentives, Sitka Technology Group
Primary Contact	Kimberly Caringer (kcaringer@trpa.org)
Stage	Implementation
Duration	2012 - ongoing

Program Support, Reporting, and Technical Assistance ➤ Annual Coordination and Reporting

Lake Tahoe Info is a collaborative data management hub that connects people with information to improve decision-making and sustain investments in the Lake Tahoe Basin. LT Info brings increased transparency and accountability on funding spent and the associated accomplishments to the public while also creating efficiencies among agencies in planning and reporting. The portals on LT Info allow users to see linkages between actions, intermediate results, and outcomes. Ongoing funding is needed to build out these portals and the linkages between them and to maintain a user-friendly site.



LT INFO Home Page January 2018

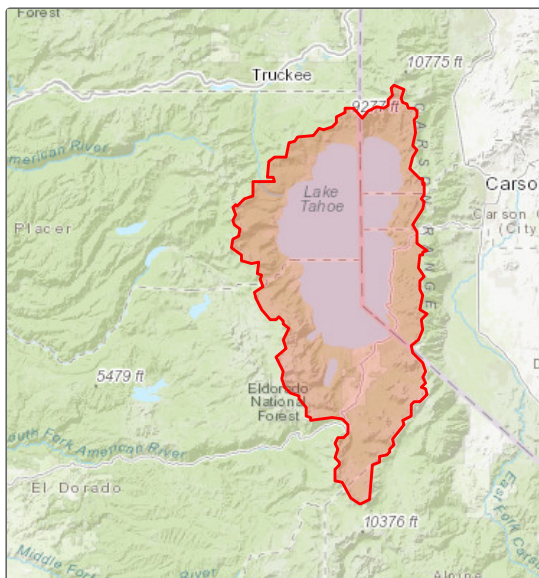
Key Accomplishments

- People Served: **46,836**

Threshold Categories

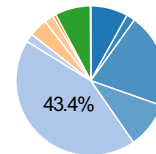
- Air Quality
- Noise
- Scenic Resources
- Vegetation Preservation
- Wildlife
- Fisheries
- Recreation
- Soil Conservation
- Water Quality

Location



Expenditures

Expenditures by Funding Source to Date: \$2,627,197
(Estimated Cost: \$2,800,000)



- Federal Lands Highway Funding (FHWA): \$211,627
- FTA - 5303 (FTA): \$49,178
- Southern Nevada Public Land ... (USEPA): \$537,461
- Southern Nevada Publi... (USFS - LTBMU): \$262,000
- Tahoe Regional Planning Agenc... (TRPA): \$1,139,923
- Tahoe Resource Conservation D... (TRCD): \$48,000
- California State Water Re... (Lahontan): \$2,552
- California Strategic Growth Co... (SGC): \$103,857
- Caltrans (Caltrans): \$53,319
- ProjectFirma Contributions t... (Sitka): \$17,500
- Nevada Division of Environmen... (NDEP): \$201,780

STAFF REPORT

Date: February 19, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Resolution of Enforcement Action: Swarn Singh; Unauthorized Disturbance in SEZ Setback and Failure to Follow Construction Winterization Requirements Resulting in Unauthorized Site Disturbance around the Residence and in Protected Areas, 776 Eagle, Incline Village, NV, Assessor's Parcel Number 128-072-01.

Summary and Staff Recommendation:

Staff recommends that the Governing Board accept the proposed Settlement Agreement (Attachment A) in which Swarn Singh ("Singh") agrees to pay a \$45,000 penalty to TRPA for submitting incorrect information on plans and unauthorized site disturbance during the winter construction season at 776 Eagle, Incline Village, NV, Assessor's Parcel Number 128-072-01 ("Singh Property").

Required Motions:

In order to approve the proposed violation resolution, the Board must make the following motion, based on this staff summary:

A motion to approve the Settlement Agreement as shown in Attachment A.

In order for the motion to pass, an affirmative vote of any 8 members of the Board is required.

Violation Description/Background:

In June 2019, TRPA issued a conditional permit to Singh for a single-family dwelling residence on the Singh Property. The project was acknowledged one year later in June 2019 and commenced construction on September 4, 2019.

On October 14, 2019, TRPA staff inspected the project and found that the site was not winterized, and extensive grading was still needed to get the site in a stable condition to meet the TRPA winterization requirements. TRPA issued a correction notice for the following items not in compliance with provisions of law or conditions of project approval: Fix and maintain temporary erosion control measures to prevent discharge into sensitive stream environment zone, Backfill foundation by hand or remove the stockpiles located onsite, Extend vegetation fencing by SEZ to corner of property line, Remove staging materials located under tree canopies and vegetation, Remove staging materials located on unpaved surfaces, and fix and maintain silt fence. The items were requested to be completed by the end of the week, October 18, 2019.

On October 15, 2019, the next day, TRPA approved a grading season exception for utility work and to backfill the foundation. This grading season exception was to allow Singh more time to complete the grading needed for foundation and utilities and to get the site to a stable condition for winter construction. The grading season exception was good through October 31, 2019 which Singh explained was sufficient time to complete the required items.

On October 25, 2019, TRPA staff inspected the Singh Property and found that some of the required temporary BMPs had still not been fixed allowing a possibility for discharge in to the SEZ. A correction notice was issued to fix and maintain temporary erosion control measures to prevent discharge into sensitive stream environment zone and to notify TRPA immediately once corrections have been completed. Corrections were to be made by end of day 10/25/2019. TRPA was never notified that the corrections were made.

On October 31, 2019 TRPA staff inspected the Singh site to make sure all corrections had been completed and that the site was winterized and could continue construction throughout the winter season. Staff found that the grading and foundation had not been completed and issued another correction notice to complete the backfill and fix temporary BMPs by end of day Thursday, November 6th, 2019.

On October 1, 2019, the next day, TRPA followed up with a phone conversation with Singh expressing the urgency to get the site winterized. Staff explained that any further grading would be allowed through a corrective action to get the site winterized and stable. Singh was given approval to complete the back fill with existing soil onsite or up to 200 yards of clean washed gravel.

On November 6, 2019, TRPA staff conducted a site visit to investigate SEZ disturbance and found evidence of concrete washout discharging directly to the ground. Singh was directed to clean-up the concrete waste immediately. As a result of that inspection and additional research staff also identified that the SEZ setback was drawn incorrectly on the site plan from the original land capability issued to Singh. TRPA followed up two days later, on November 8, 2019 with a request that all grading stop and that the winterization is complete by the end of the day. At that time, staff mentioned that the SEZ setback was drawn incorrectly on submitted plans and there was a possibility that part of the residence could have been constructed in the SEZ setback.

On November 12, 2019, TRPA sent another request by email to Singh and Kristina Hill ("Hill"), Singh's consultant, to winterize the site. Staff reminded Singh that no work other than winterizing the site shall continue until the SEZ setback matter is resolved and that there is no grading season exception at this time. It was made clear to Singh that continuing to import gravel to the site does require a grading season exception.

On November 15, 2019, TRPA staff placed a cease and desist on the Singh Property requiring him to stop all work until the setback matter is resolved. TRPA found that additional grading of soil had occurred around the site without authorization along with bringing in an additional 300 cubic yards of gravel.

Staff determined that the unauthorized construction activities during the winter season occurred in violation of TRPA Code Section 33.3.1.D (All construction sites shall be winterized by October 15 to reduce water quality impacts associated with winter weather), Code Section 33.3.1.A (Excavation, filling, and clearing of vegetation or other disturbance of the soil shall not occur between October 15 and May 1 of each year, unless approval has been granted by TRPA), Code Section 33.3.2.B: Indirect discharges to the waters of the region are prohibited unless controlled by discharge devices approved by TRPA), Code Section 33.3.4 (The disposal of solid or liquid materials, including soil, silt, clay, sand, or other organic or

earthen materials must be reviewed and approved by TRPA), Code Section 36.12 (The area of disturbance during construction of a structure shall be limited to the area between the footprint of the building and the public road. For the remainder of the site the disturbance area shall not exceed 12 feet from the footprint of the structure), Code Section 53.9.2 (No buildings, other structures, or land coverage shall be permitted in SEZ setbacks, except in accordance with subsection 30.5.2 and the exception for the backshore set forth in subsection 85.5.4), Code Section 60.1.3.D (The discharge of toxic or hazardous waste to Lake Tahoe, other lakes in the region, their tributaries, the ground waters of the Tahoe region, the lands of the Tahoe region, or the Truckee River within the Tahoe region is prohibited), Code Section 60.4.3.A (Temporary BMPs in accordance with the Handbook of Best Management Practices, and as required in Section 33.5, shall be implemented on construction sites and maintained throughout the construction period until winterization and permanent BMPs are in place).

Singh has explained that the new SEZ setback line was drawn in for him by TRPA staff and then again approved by email by another staff member. TRPA has found no evidence of approving a change to the SEZ or SEZ setback line. Unfortunately, the change was not caught on the final site plans and the residence was approved 5-8 feet into the SEZ setback. After further discussions with Singh and his attorney, Singh has agreed to a settlement where the foundation will remain in place, the disturbed areas around the property and in the SEZ will be restored, and Singh will pay a penalty of \$45,000 to TRPA.

Regional Plan Compliance:

The Tahoe Regional Planning Compact Article VI (k), Compliance, provides for enforcement and substantial penalties for violations of TRPA ordinances or regulations. The proposed resolution complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances.

Contact Information:

For questions regarding this agenda item, please contact Steve Sweet, Code Compliance Program Manager at (775) 589-5250 or ssweet@trpa.org.

Attachment:

- A. Settlement Agreement

Attachment A
Settlement Agreement

SETTLEMENT AGREEMENT

This Settlement Agreement is made by and between Swarn Singh (“Singh”) and the Tahoe Regional Planning Agency (“TRPA”). This Settlement Agreement represents the full and complete compromise and settlement of certain violations alleged by TRPA, as described below:

The Tahoe Regional Planning Agency (TRPA) inspected the Single Family Dwelling Project located at 776 Eagle Drive, Incline Village, NV, Assessor’s Parcel Number 128-072-01 (“Singh Property”) and found that the following violations of the TRPA Code of Ordinances had occurred (referred to herein as the alleged “Violations”):

1. TRPA Code Section 33.3.1.D: All construction sites shall be winterized by October 15 to reduce water quality impacts associated with winter weather as follows: (applicable sub sections) Disturbed areas shall be stabilized; where feasible mechanical stabilization and drainage improvements shall be installed; Parking and operation of vehicles and equipment shall be restricted to paved areas. *The site was not properly winterized by October 15, 2019. TRPA issued an exception because the site was left in an unstable condition. A pregrade was done on 9/4/19 and the site needed to be stabilized by 10/15/19.*
2. TRPA Code Section 33.3.1.A: Excavation, filling, and clearing of vegetation or other disturbance of the soil shall not occur between October 15 and May 1 of each year, unless approval has been granted by TRPA. *Grading had occurred outside of the approved grading season exception.*
3. TRPA Code Section 33.3.2.B: Indirect discharges to the waters of the region are prohibited unless controlled by discharge devices approved by TRPA. *TRPA observed discharge of concrete waste and washout on the construction site.*
4. TRPA Code Section 36.12: The area of disturbance during construction of a structure shall be limited to the area between the footprint of the building and the public road. For the remainder of the site the disturbance area shall not exceed 12 feet from the footprint of the structure. *BMPs were damaged and removed for staging of material outside of the approved construction area creating additional disturbance under the dripline of trees and in SEZ.*
5. TRPA Code Section 53.9.2: No buildings, other structures, or land coverage shall be permitted in SEZ setbacks, except in accordance with subsection 30.5.2 and the exception for the backshore set forth in subsection 85.5.4. *The SEZ and setback line were misrepresented on submitted plans that resulted in the residence being constructed partially in the SEZ setback.*

6. TRPA Code Section 60.1.3.D: The discharge of toxic or hazardous waste to Lake Tahoe, other lakes in the region, their tributaries, the ground waters of the Tahoe region, the lands of the Tahoe region, or the Truckee River within the Tahoe region is prohibited. *TRPA observed discharge of toxic or hazardous materials on the construction site. Concrete waste is considered toxic and/or hazardous.*
7. TRPA Code Section 60.4.3.A: Temporary BMPs in accordance with the Handbook of Best Management Practices, and as required in Section 33.5, shall be implemented on construction sites and maintained throughout the construction period until winterization and permanent BMPs are in place. *BMPs were not installed on the unpaved, unauthorized staging area.*
8. TRPA Code Section 33.3.4: The disposal of solid or liquid materials, including soil, silt, clay, sand, or other organic or earthen materials must be review and approved by TRPA. *Fill was placed within the dripline of large tree located on the North side of the property and up against the silt fence that borders the SEZ causing damage to the temporary BMPS and allowing soil to be stockpiled in areas outside of the construction boundary including the SEZ.*

This Settlement Agreement is conditioned upon approval by the TRPA Governing Board. Execution of the Agreement prior to Board action shall not be binding on either party in the event that the Board does not authorize settlement on the terms set forth below:

In order to fully resolve the matter, the parties hereby agree as follows:

1. Upon the execution of this Settlement Agreement, TRPA shall lift the Cease and Desist Order from the Singh Property. Mr. Singh may commence construction prior to May 1, 2020, upon approval by TRPA of a winterization construction plan.
2. Singh shall pay TRPA \$45,000 within 270 days of Governing Board approval of this settlement agreement, to be paid in 3 installments of \$15,000 every 90 days, with the first such payment due 90 days after the Governing Board approves this Settlement Agreement.
3. Singh shall submit a restoration plan for the disturbed areas in the Stream Environment Zone (SEZ), SEZ setback, and around the residence no Later than April 1, 2020. Singh shall follow the TRPA revegetation template found in the TRPA BMP Handbook. Restoration in the SEZ and SEZ setback shall include the following: removal of fill material from construction, recontouring the disturbed area to maintain natural hydrologic function, revegetation with native wetland species from the TRPA approved plant list, all SEZ and SEZ setback restoration will be done by hand. No equipment is allowed in the SEZ or SEZ setback. For the remaining area around the residence and within the driplines of trees, all additional soil will be removed from the site and re-graded to natural contours. All disturbed areas shall be revegetated with upland plant species from the TRPA approved plant list. The Plan will be reviewed and approved by TRPA current planning staff and will become a condition of the permit. The site restoration shall be completed no later than October 1, 2020.
4. If Singh fails to comply with any of the actions required by this Settlement Agreement, Singh confesses to judgment against him and in favor of TRPA in the amount of \$90,000 (payable

immediately), less any payments made by Singh pursuant to this Settlement Agreement, and an injunction to enforce the terms of this Settlement Agreement. Singh also agrees to pay all reasonable attorneys' fees and costs associated with collecting the increased settlement of \$90,000. Notwithstanding the foregoing, the confession of judgment shall not be filed unless TRPA has provided Singh with written notice of default and notice to cure such default within thirty days of the date of written notice. If the default has not been cured by that time, TRPA may file the confession of judgment.

5. TRPA hereby unconditionally and irrevocably remises, waives, satisfies, releases, acquits, and forever discharges Singh from and against any and all past and present claims, actions, suits, rights, causes of action, lawsuits, controversies, damages, judgments, attorneys' fees, costs, bills, expenses, debts, and liabilities that TRPA has, at the time this Settlement Agreement is executed, against Singh relating to the Violations.

Singh has read this Settlement Agreement and understands all of its terms. Singh has executed this Settlement Agreement after opportunity to review the terms with an attorney and acknowledges that the above-described activities constitute a violation of TRPA regulations. Singh agrees to comply with all applicable TRPA requirements in the future.

Signed:

Swarn Singh

Date

Joanne S Marchetta, Executive Director
Tahoe Regional Planning Agency

Date



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

STAFF REPORT

Date: February 19, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Spooner Frontcountry Improvement Project at Spooner State Park in Douglas County, Nevada APN 1418-00-001-007, TRPA File Number EIPC2019-0009, EIP Number 04.01.03.0164

Summary and Staff Recommendation:

Staff recommends that the Board make the required findings and approve the proposed project.

Required Motions:

In order to approve the proposed project, the Board must make the following motion(s) based on the staff summary and evidence in the record:

- 1) A motion to approve the required findings including a finding of no significant effect as shown in Attachment A.
- 2) A motion to approve the proposed project subject to the conditions contained in the draft permit as shown in Attachment B.

In order for motion(s) to pass, an affirmative vote of 5-9 (5 Nevada and 9 Total) of the Board is required.

Project Description/Background:

The Spooner Front Country Improvement Project (Project) will redesign and update the facilities at Spooner Lake State Park located near the intersection of State Route 28 and U.S. 50 in Douglas County, Nevada. Spooner Lake State Park is a popular destination for hiking, mountain biking, fishing, and provides access to popular backcountry recreation. The Project will improve access to the amenities the park provides, provides new amenities, and will improve the recreation experience. It will also act as the southern bookend to the planned Incline to Spooner Summit Shared Use Path. The Project is high priority Recreation Environmental Improvement Program (EIP) project. The Project identified as a high priority in the Nevada Division of State Parks Master Plan and the Lake Tahoe Nevada State Parks (LTNSP) Trails Plan.

The project is proposed in two phases in order to start construction on phase one, while funding for phase two is secured simultaneously. Phase one improvements include a visitor center, amphitheater, improvements to the entrance road, pathways, interpretive and wayfinding signs. Phase two improvements include improved and relocated picnic areas, 6 additional restrooms, a group event area, improved pathways, new and enhanced parking, an enhanced maintenance area, and best management

practices for the entire Spooner Front County project area. Refer to site plan (Attachment C) for all improvements and their location. Construction for phase one will begin in 2020 and is anticipated to take two years to complete. Construction of phase two will commence shortly after construction of phase one.

The Project is not considered additional recreation and therefore does not require Person At One Time (PAOT) allocations. All proposed improvements are accessory to the primary use, day use areas.

Issues and Concerns:

The TRPA Code or Ordinances requires Governing Board approval for recreation projects that involve more than 3,500 square feet of new land coverage. The project will add 890 square feet of coverage in Land Capability Class 1a and 45,117 square feet of land coverage in land capability class 6. The increase in coverage is required for several of the proposed facilities including the expanded parking lot, the visitor center, the amphitheater, and trails. The Nevada Division of State Parks has coverage available within the State Parks project area. All new coverage is required to be mitigated and offset per the requirements of Chapters 30 and 60 of the TRPA Code of Ordinances (see draft permit).

Environmental Review:

The Nevada Division of State Parks submitted an Initial Environmental Checklist (IEC) with the application and has been reviewed and deemed adequate by TRPA staff. TRPA staff completed the V(g) checklist. Based on the IEC, the staff recommends make a finding of no significant impact for the Project.

Regional Plan Compliance:

The project complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances, including all required findings in Chapter 4.

Contact Information:

For questions regarding this agenda item, please contact Shannon Friedman, at (775) 589-5205 or sfriedman@trpa.org.

Attachments:

- A. Required Findings/Rationale
- B. Draft Permit
- C. Site Plan

Attachment A

Required Findings/Rationale

Required Findings: The following is a list of the required findings as set forth in Chapters 4 and 30 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 4.4.1 – Required Findings:

- A. The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code and other TRPA plans and programs.

The project is located in Plan Area Statement 057, Spooner Lake. The land use classification is recreation, and the Plan area statement states the area is a major entry point to the Basin and offers excellent potential for expanded recreational opportunities. The use, day use areas is an allowed use in the Plan Area Statement. The project, as conditioned in the Draft Permit, is consistent with the Regional Plan and the Lake Tahoe Environmental Improvement Program (EIP). The project is a TRPA priority and is on the 5-year EIP list (EIP # 04.01.03.0164 & 04.01.03.0172)

- B. The project will not cause the environmental threshold carrying capacities to be exceeded.

TRPA staff has completed the “Project Review Conformance Checklist and Article (V)g Findings” in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. The applicant has completed an Initial Environmental Checklist (IEC) in accordance with the TRPA Code of Ordinances. No significant environmental impacts were identified, and staff has concluded that the project will not have a significant effect on the environment. The IEC and (V)g checklist are part of the record.

- C. Wherever federal, state or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V (g) of the TRPA Compact, the project meets or exceeds such standards.

(Refer to paragraph b, above)

2. Chapter 30.5.1.B - Land coverage and disturbance for public outdoor recreation facilities, including public recreation projects on public lands, private recreation projects through use of public lands, and private recreational projects on private lands that are depicted or provided for on a public agency's recreational plan, may be permitted in Land Capability Districts 1a, 1c, 2, or 3 if TRPA finds that:

- A) project is a necessary part of a public agency's long-range plans for public outdoor recreation:

The Project is a high priority Recreation EIP project. The Nevada Division of State Parks (NDSP) has prioritized the Spooner Front County Improvement Project in their Master Plan and Trails Plan. The Project will improve access to Spooner Lake and the varied recreation options at the park and serves as a portal to over 60 miles of backcountry trails.

- B) The project is consistent with the Recreation Element of the Regional Plan:

The project will increase the quality of the recreation experience and improve access to recreation opportunities at Spooner Lake State Park and surrounding backcountry. It is consistent with the Recreation Element of the Regional Plan and achieves threshold attainment for recreation and water quality.

- C) The project by its very nature must be sited in Land Capability Districts 1a, 1c, 2, or 3, such as a ski run or hiking trail:

The portion of coverage located on land capability 1a is attributed to trails that provide sustainable access to Spooner Lake.

- D) There is no feasible alternative that avoids or reduces the extent of encroachment in Land Capability Districts 1a, 1c, 2, or 3; and

The trails provide sustainable access to Spooner Lake. There is no alternative route that would provide this access on higher land capability. The trails have been designed to minimize disturbance and coverage while also meeting trail design guidelines including ADA compliance to the extent practical.

- E) The impacts of the coverage and disturbance are fully mitigated through means including, but not limited to, the following:

1. Application of best management practices; and

Existing best management practices (BMPs) will be maintained and new BMPs will be installed to accommodate the increase in coverage.

2. Restoration, in accordance with subsection 30.5.3, of land in Land Capability Districts 1a, 1c, 2, 3, and 1b (Stream Environment Zone) in the amount of 1.5 times the area of land in such districts covered or disturbed for the project beyond that permitted by the coefficients in

Table 30.4.1-1.

NDSP has restored and banked 1a coverage as the result of previous projects. NDSP will be transferring in the required land coverage from their banked coverage. Therefore, a restoration project is not required at this time.

Attachment B

Draft Permit



Mail
 PO Box 5310
 Stateline, NV 89449-5310

Location
 128 Market Street
 Stateline, NV 89449

Contact
 Phone: 775-588-4547
 Fax: 775-588-4527
 www.trpa.org



**Attachment B
 DRAFT PERMIT**

PROJECT DESCRIPTION: Spooner Front Country Improvement Project Phase 1 and 2

EIP NUMBER: 04.01.03.0164 & 04.01.03.0172

PERMITTEE(S): Nevada Division of State Parks

FILE #: EIPC2019-0009

COUNTY/LOCATION: Douglas County/Spooner Lake State Park

Having made the findings required by Agency ordinances and rules, the TRPA approved the project on February 26, 2020 subject to the Standard Conditions of Approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on February 26, 2023 unless project is diligently pursued every year. Diligent pursuit shall be defined by the condition of approval relating to completion of the project. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

 TRPA Executive Director/Designee

 Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) _____ Date _____

sf

of coverage, or a combination of the two. The mitigation plan or water quality fees shall be submitted to TRPA within 6 months of acknowledging the permit.

- D. Submit the Maintenance Responsibilities and Plan Chart which outlines who will maintain what infrastructure, and the anticipated funding source to support that work.
4. Prior to the pre-grade inspection, the following conditions of approval shall be satisfied:
 - A. The permittee shall submit an updated construction schedule to TRPA prior to commencement of construction. This schedule shall identify dates for the following:
 - When installation of temporary erosion control structures will occur;
 - When each stage of construction will start;
 - When construction spoils and debris will be removed;
 - When installation of all permanent erosion control structures will occur;
 - When construction will be completed;
 - The estimated date for when the final inspection by TRPA Environmental Compliance staff will take place to ensure that all conditions of project approval have been satisfied.
 - B. An EIP project sign shall be approved, fabricated and installed at approved location(s) within the project area.
 5. An onsite inspection by TRPA staff is required prior to any construction or grading activity. TRPA staff shall determine if the onsite improvements required by Attachment Q (Standard Conditions of Approval) have been properly installed. No grading or construction shall commence until TRPA pre-grade conditions of approval are met.
 6. Upon completion of the project and verification that restoration is complete, Nevada Division of State Parks will bank 372 square feet of coverage in land capability district 1b. This will be reflected in the master coverage spreadsheet that is updated by State Parks and reviewed and approved by TRPA.
 7. All new galvanized or reflective metal surfaces including but not limited to guardrails, traffic signal posts, light posts, utility boxes, backs of signs, and exposed culverts shall be colored. Color samples shall be submitted to TRPA for review and approval prior to installation.
 8. Any normal construction activities creating noise in excess to the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M. Regular construction work outside of these hours may require noise monitoring to ensure the project will not be in violation of TRPA noise standards.
 9. The color of rock, articulated block or concrete shall blend in with the native environment and be approved by TRPA prior to placement.
 10. All above ground facilities, new or currently existing, such as sign posts, the back of signs, electrical boxes, etc. shall be colored the approved TRPA color, Brown Fed. Standard 595 FS 30059 or another approved color by TRPA.

11. Grading is prohibited any time of the year during periods of precipitation and for the resulting period of time when the site is covered with snow, or is in a saturated, muddy, or instable conditions (pursuant to Subsection 64.2.C of the TRPA Code of Ordinances).
12. The adequacy of all required temporary BMPs, as shown on the final construction plans, shall be confirmed at the time of the TRPA pre-grading or pre-construction inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time. Adequate BMPs must be installed prior to construction, regardless of the amount or type of BMPs shown on final construction plans.
13. All construction equipment working in or near Stream Environment Zones (SEZ) must be steam cleaned prior to mobilization at the project site and maintained in clean and good working order with maintenance logs available to TRPA per request.
14. All material obtained from any excavation work that is not contained within foundations, retaining walls, or by other methods approved by TRPA shall be removed from the subject parcel and disposed of at a site approved by TRPA.
15. If artifacts, archaeological soils, or unusual amounts of bone or shell are uncovered during the construction activities, all work in the area will be stopped and a qualified archeologist will be immediately contacted for on-site consultation.
16. The roots of trees (adjacent to the pathway) over four inches in diameter shall not be severed, if avoidable, pursuant to Subsection 65.2F of the TRPA Code of Ordinances.
17. No trees shall be removed (other than those shown on the approved site plan) without prior TRPA written approval as per the Landscape and Revegetation Plan. During the project design refinement all opportunities shall be explored to reduce the number of trees to be cut that are greater than 14 inches diameter at breast height (dbh), especially those greater than 24" dbh in east side forest types and 30" dbh in west side forest types.
18. The path and revegetated areas will be maintained over time consistent with the approved plans. Modifications to this facility, including improvements constructed in association with this project, shall be subject to TRPA review and approval.
19. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
20. Any modifications to the TRPA approved plans shall be submitted to TRPA for review and approval.
21. The permittee is responsible for ensuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.

22. This site shall be winterized in accordance with the provisions of Attachment Q by October 15th of each construction season. All disturbed areas shall be stabilized with a 3-inch layer of mulch or covered with an erosion control blanket.
23. All permanent BMPs shall be maintained per an approved BMP inspection and maintenance plan.
24. Permittee shall contact TRPA for a final inspection at the conclusion of the project to verify that all conditions of the permit have been met and the project was implemented per the TRPA approved Plans.
25. All rock material (gravel, cobble, and boulders) shall be clean and thoroughly washed prior to arrival at the site to ensure that the rock is free of any silt or clay particles.
26. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Region is prohibited. All surplus construction waste materials shall be removed from the project site and disposed of at approved points of disposal.
27. All waste resulting from the saw-cutting of pavement shall be removed using a vacuum (or other TRPA approved method) during the cutting process or immediately thereafter. Discharge of waste material to surface drainage features is prohibited and constitutes a violation of this permit.
28. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

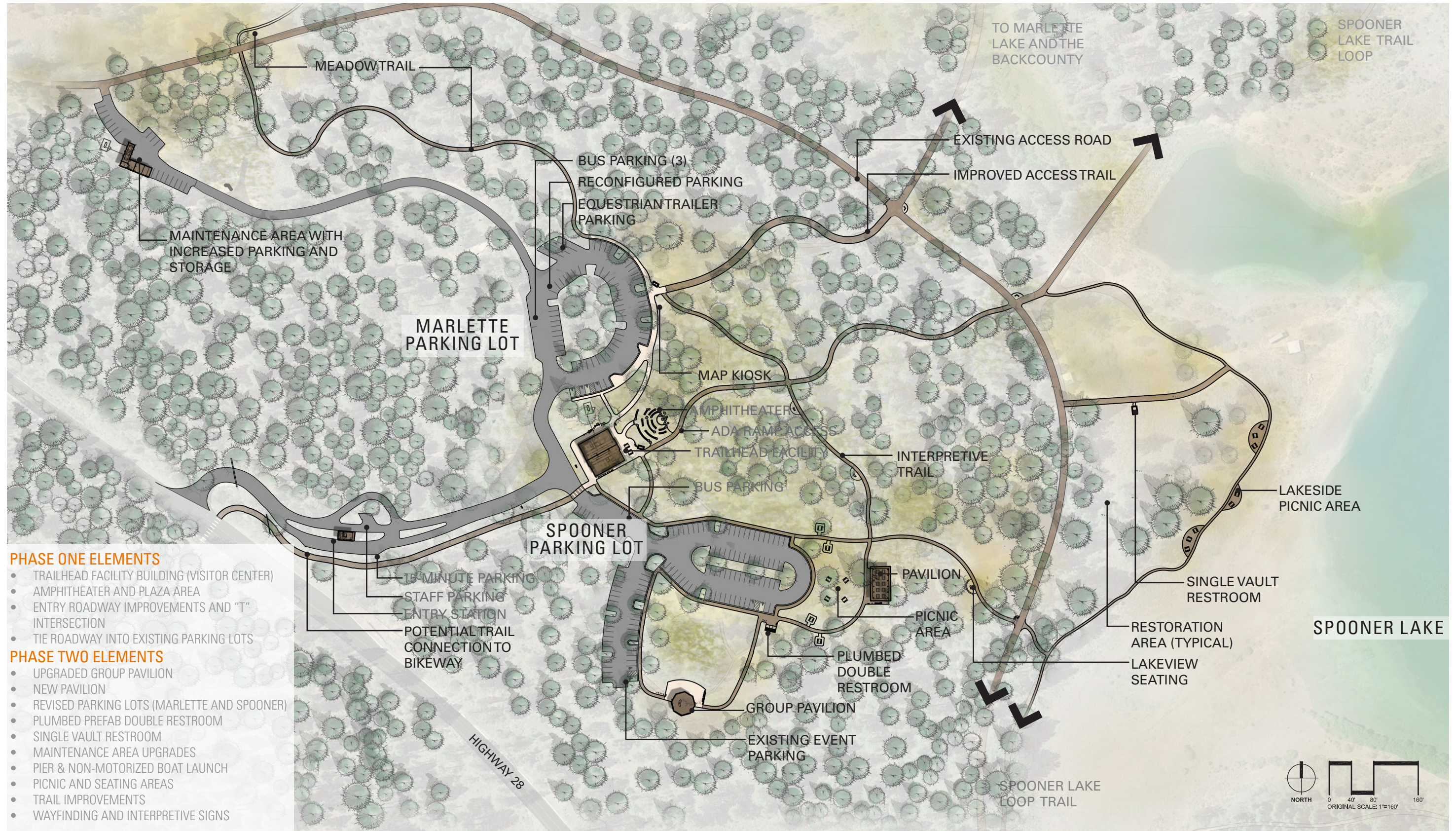
Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions arising directly or indirectly from issuance or implementation of this permit. Permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same.

END OF PERMIT

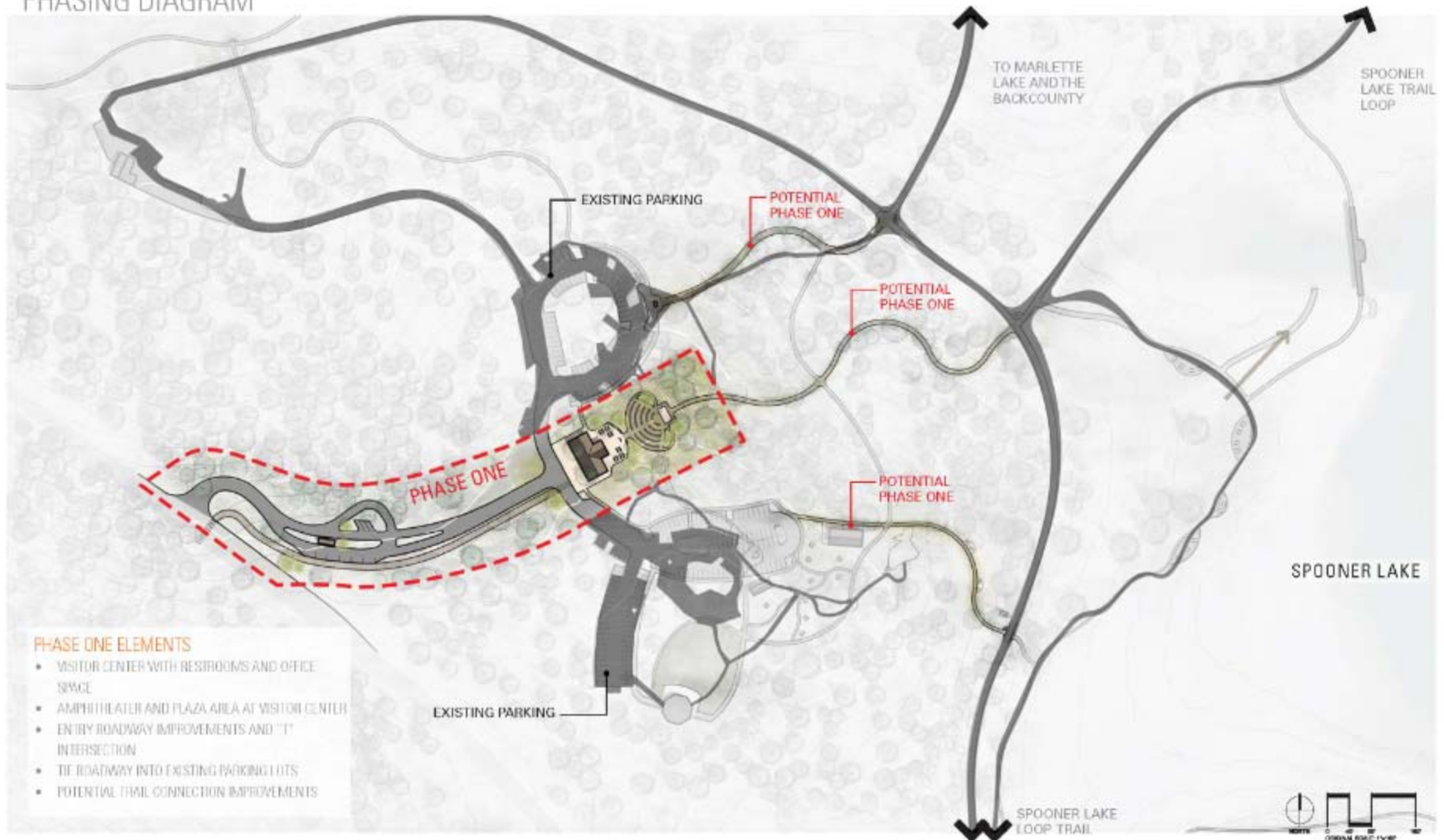
Attachment C

Site Plan

PREFERRED CONCEPT



PHASING DIAGRAM



SPOONER FRONTCOUNTRY
NEVADA DIVISION OF STATE PARKS

DESIGNWORKSHOP
JULY 28, 2017

STAFF REPORT

Date: February 19, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Proposed amendment to Chapter 84 of the TRPA Code of Ordinances regarding utility infrastructure within a Stream-Mouth Protection Zone

Summary and Staff Recommendation:

Staff recommends that the Governing Board approve the proposed amendments to the Code of Ordinances. These amendments address implementation of the Shoreline Plan relating to utility infrastructure within a Stream-Mouth Protection Zone.

Required Motions:

In order to adopt the proposed ordinance amendment, the Governing Board must make the following motion(s), based on the staff summary:

- 1) A motion to approve the Required Findings, as described in Attachment B, including a Finding of No Significant Effect, for adoption of the Code of Ordinance amendment as described in the staff summary; and
- 2) A motion to adopt Ordinance 2020-_____, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A.

In order for the motions to pass, an affirmative vote of at least four Board members from each state is required.

Regional Plan Implementation Committee (RPIC) Recommendation/Discussion:

The RPIC considered the proposed amendment at its January 22, 2020 meeting and recommended approval with no changes.

Advisory Planning Commission (APC) Recommendation / Discussion:

The APC reviewed the proposed amendment at its February 12, 2020 meeting. At that time, they recommended Governing Board approval of staff's recommendation. They also asked that staff return to the APC by May 2020 to discuss TRPA's process and criteria for determining when it would be feasible to relocate utilities to areas outside of a Stream-Mouth Protection Zone.

Background:

In October 2018, the Governing Board adopted the Shoreline Plan, a comprehensive program for regulating uses and structural development in the shorezone and lakezone. As part of that plan, TRPA

designated Stream-Mouth Protection Zones (SMPZs) around the lake to protect important fish habitat. SMPZs generally represent the historical meander pattern of creeks and rivers tributary to Lake Tahoe that support, or could support if restored, migrating fish populations.

Within a designated SMPZ, no new structures are allowed. Maintenance and repair of existing structures are allowed; reconstruction, expansion, and modification, however, are prohibited. Though TRPA developed these restrictions with a focus on piers, buoys, and other moorings, the code language presently applies to all structures within the shorezone.

Structures within the shorezone include water-intake and sewer lines and public and quasi-public utility lines and appurtenant facilities (e.g. pumps) submerged in Lake Tahoe. Some of these lines are located within designated SMPZs. Submerged utility lines require periodic maintenance or modification in order to continue serving their customers. In some cases, older utility lines may no longer be serviceable and would require complete replacement rather than repair. As technology changes, service providers may also need to modify or reconfigure submerged infrastructure.

Under current code provisions, such reconstruction or modification to utility lines in SMPZs would not be allowable. Strict adherence to this provision could result in disruption of essential services to developed parcels if there are no feasible alternatives to replace a degraded utility line. In the most serious of cases, a wastewater line that has degraded beyond repair could discharge untreated sewage into the lake.

The Shorezone Steering Committee reviewed the proposed amendment and generally supported it. The League to Save Lake Tahoe supports the exemption within SMPZs as long as the reconstruction, modification, or expansion does not increase the service capacity of the utility provider. In response, TRPA staff notes that service capacity is regulated independently by TRPA's growth control mechanisms (i.e., development rights). The Tahoe Lakefront Owners Association generally supports allowing reconstructions, modifications for all structures including piers.

Amendment Description:

This proposal amends Chapter 84 of the TRPA Code of Ordinances as shown in Exhibit 1 to Attachment A. The proposed amendment would modify Subparagraph A.1.b, *Stream-mouth Protection Zones*, of Subsection 84.4.3, *Piers*. The amendment would specify that water-intake lines, wastewater lines, and other essential services may be repaired, replaced, upgraded, reconstructed, or expanded, as long as there is no increase in service capacity.

Environmental Review:

The Code amendment has been reviewed in an Initial Environmental Checklist (IEC) pursuant to Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The IEC, which tiers from the Shoreline Plan Environmental Impact Statement (EIS), finds that the proposed amendments would not result in significant effects on the environment (see Attachment C).

Regional Plan Compliance:

The proposed amendments to the Code of Ordinances are consistent with the Shorezone and Fisheries Subelements, which are components of the Regional Plan's Conservation Element.

Contact Information:

For questions regarding this item, please contact Michael Conger, AICP, Senior Planner, at (775) 589-5221 or mconger@trpa.org.

Attachments:

- A. Adopting Ordinance
 - Exhibit 1: Code Amendments
- B. Required Findings/Rationale
- C. Initial Environmental Checklist (IEC)

Attachment A
Adopting Ordinance

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2020-

AN AMENDMENT TO ORDINANCE NO. 87-9, AS PREVIOUSLY AMENDED, TO AMEND THE TRPA CODE
OF ORDINANCES, CHAPTER 84 REGARDING UTILITY LINES WITHIN STREAM-MOUTH PROTECTION
ZONES AND OTHER MATTERS PROPERLY RELATED THERETO

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 87-9 by amending the TRPA Code of Ordinances to further implement the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 The TRPA Code of Ordinances amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The TRPA Code of Ordinances amendments have been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed TRPA Code of Ordinances amendments. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.
- 1.40 The Governing Board finds that the TRPA Code of Ordinances amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
- 1.50 Prior to the adoption of this ordinance, the Governing Board made the findings required by Section 4.5 of the TRPA Code of Ordinances, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 87-9, as previously amended, is hereby amended by amending the TRPA Code of Ordinances, as set forth in Exhibit 1.

Section 3.00 Interpretation and Severability

The provisions of this ordinance amending the TRPA Code of Ordinances adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Regional Plan Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package are hereby declared respectively severable.

Section 4.00 Effective Date

The provisions of this ordinance amending the TRPA Code of Ordinances shall become effective on_____

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on _____, 2020, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

William Yeates, Chair
Tahoe Regional Planning Agency,
Governing Board

Exhibit 1 to Attachment A

Code Amendments

EXHIBIT 1

CODE AMENDMENT

Text to be deleted shown in ~~red with strikeout~~.

Text to be added shown in blue with underline.

Modify Subparagraph A.1.b of Subsection 84.4.3 to read as follows:

CHAPTER 84: DEVELOPMENT STANDARDS LAKEWARD OF HIGH WATER IN THE SHOREZONE AND LAKEZONE

84.3. PIERS

84.4.3. Development Standards

In addition to the general standards in subsection 84.3.2, mooring buoys are subject to the following standards:

A. General Standards

1. Stream-mouth Protection Zones.

- a. Designation Criteria: Stream-mouth Protection Zones shall generally represent the historical meander pattern of creek and rivers tributary to Lake Tahoe that support or could with restoration support migrating populations of fish. The designated area shall include all portions of the shorezone, including areas lakeward, if the designation is a linear distance from the stream-mouth.
- b. Development Restrictions: No additional shorezone structures shall be permitted in Stream-mouth Protection Zones. Maintenance and repairs to existing structures may be allowed; ~~Re~~reconstructions, expansions and modifications of existing structures shall be prohibited, except for private water-intake lines and public and quasi-public utilities, such as water, wastewater, power, gas, and communications services. Shorezone structures may only be relocated outside of Stream-mouth Protection Zones if authorized by other provisions of this Code.
- c. Adjustment in Zones: TRPA may adjust a Stream-mouth Protection Zone if an applicant can demonstrate that the location for a proposed project is outside of the historical meander pattern for the applicable stream or river. In order to make the necessary demonstration, the applicant shall select from a list of TRPA-approved experts to conduct an applicant-funded historical meander study.

d. The placement of a pier shall be prohibited within Stream-mouth Protection Zones of the following creeks and rivers:

- (i) Third Creek;
- (ii) Incline Creek;
- (iii) Wood Creek;
- (iv) Slaughterhouse Creek;
- (v) Upper Truckee River;
- (vi) Taylor Creek;
- (vii) Tallac Creek;
- (viii) Cascade Creek;
- (ix) Eagle Creek;
- (x) Lake Tahoe Tributary at Mouth of Paradise Flat;
- (xi) Lonely Gulch Creek;
- (xii) Meeks Creek;
- (xiii) General Creek;
- (xiv) McKinney Creek;
- (xv) Quail Creek;
- (xvi) Madden Creek;
- (xvii) Blackwood Creek;
- (xviii) Ward Creek;
- (xix) Truckee River;
- (xx) Dollar Creek;
- (xxi) Watson Creek;
- (xxii) Griff Creek;
- (xxiii) Baldy Creek; and
- (xxiv) Snow Creek.

Attachment B

Required Findings/Rationale

ATTACHMENT B

REQUIRED FINDINGS / RATIONALE

TRPA Code of Ordinances Section 3. 3 – Determination of Need to Prepare an Environmental Impact Statement

Finding: TRPA finds that the proposed Code amendments will not have a significant effect on the environment.

Rationale: An Initial Environmental Checklist (IEC) has been prepared to evaluate the effects of the proposed amendments to the Code of Ordinances (see Attachment C). The IEC found that the proposed Code amendments would not have a significant effect on the environment.

The proposed amendment is consistent with and will implement the Shoreline Plan. The amendment is minor in nature and are not anticipated to result in environmental effects. The proposed amendment is consistent with the assumptions and analysis supporting the [Shoreline Plan Environmental Impact Study \(EIS\)](#). As demonstrated in the EIS and accompanying findings, implementation of the Shoreline Plan will not result in an unmitigated significant impact on the environment or cause the environmental threshold carrying capacities to be exceeded.

TRPA Code of Ordinances Section 4. 4 – Threshold-Related Findings

1. Finding: The project (amendments to the Code of Ordinances) is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs;

Rationale: The amendments are substantially consistent with the Shoreline Plan’s project description, environmental baseline, and associated policies. The code changes are minor in nature and will not result in environmental effects. The code amendments are consistent with Regional Plan policies that call for establishment of adequate services and protection of liquid and solid wastes from entering Lake Tahoe. As such, the amendment will support the achievement and maintenance of thresholds. The amendments are consistent with all applicable goals and policies and implementing elements of the Regional Plan.

2. Finding: The project will not cause the environmental threshold carrying capacities to be exceeded; and

Rationale: The proposed amendments are consistent with the threshold attainment strategies in the Regional Plan. As demonstrated in the [EIS](#) and [findings](#) for adoption for the Shoreline Plan, implementation of the Shoreline Plan will not

cause the environmental threshold carrying capacities to be exceeded. The proposed amendments to the Code of Ordinances are intended to more effectively facilitate Shoreline Plan implementation.

3. Finding: Wherever federal, state, or local air and water quality standards apply for the region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

Rationale: The proposed amendment would not adversely affect any state, federal, or local standards. The amendment is intended to add an unintentionally omitted Code provisions, which will maintain consistency with the Shoreline Plan.

TRPA Code of Ordinances Section 4. 6 – Findings Necessary to Amend or Adopt TRPA Ordinances, Rules, or Other TRPA Plans and Programs.

Finding: The Regional Plan and all of its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains thresholds.

Rationale: As demonstrated in the Chapter 4 [findings](#) for adoption of the Shoreline Plan (see Attachment C of the October 24, 2018 Governing Board packet), implementation of the Shoreline Plan will achieve and maintain thresholds. The proposed amendments to the Code of Ordinances will improve implementation of the threshold attainment strategies by providing a means to proactively replace and upgrade utility lines before deterioration causes impacts to the lake.

Therefore, the Code of Ordinances, as amended by the proposed amendments, and in combination with other regulatory programs, will attain and maintain thresholds.

Attachment C

Initial Environmental Checklist (IEC)



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

INITIAL DETERMINATION OF ENVIRONMENTAL IMPACT CHECKLIST

Project Name:

Shoreline Code Amendment – Utilities in Stream-Mouth Protection Zones

Code Amendment Description:

This proposal amends Chapter 84 of the TRPA Code of Ordinances as shown in Exhibit 1 to Attachment A. The proposed amendment would modify Subparagraph A.1.b, *Stream-mouth Protection Zones*, of Subsection 84.4.3, *Piers*. The proposed modifications would specify that water-intake lines, wastewater lines, and other essential services may be repaired, replaced, upgraded, reconstructed, or expanded, as long as there is no increase in service capacity.

The project constitutes a minor amendment to Code of Ordinances provisions implementing the Shoreline Plan. The Shoreline Plan was adopted in October 2018 pursuant to an Environmental Impact Statement (EIS).

The Shoreline Plan EIS considered the potential for repair, replacement, modification, and expansion of shorezone structures throughout Lake Tahoe subject to certain provisions. These provisions include the prohibition of certain shorezone structures within designated Stream-Mouth Protection Zones (SMPZs): piers, boat ramps, buoys, floating platforms, general multiple-use facilities, and other moorings. Though the EIS never considered restricting modification of utility lines in an SMPZ, the adopting ordinance language specified that the restriction applies to all shorezone structures.

Under the proposal, the code of ordinances would be amended to allow for modification, replacement, and expansion of utility lines in SMPZs. Such activities are within the scope of Alternative 1, as it was considered in the Shoreline Plan EIS.

Because the amendment focuses on a minor amendment to code language, and the resulting policy remains within the parameters of Alternative 1, this amendment is not anticipated to result in any further impacts than what was already analyzed in the Shoreline Plan EIS. This IEC tiers from the Shoreline Plan EIS and considers only the potential for impacts of the amendment that were not otherwise addressed in the Shoreline Plan EIS.

The Shoreline Plan EIS, which is included by reference, is available at this link under the “Shoreline Plan” heading: <http://www.trpa.org/document/projects-plans/>

The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments.

I. ENVIRONMENTAL IMPACTS:

1. Land

Will the proposal result in:

a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

- Yes No
- No, With Mitigation Data Insufficient

b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

- Yes No
- No, With Mitigation Data Insufficient

c. Unstable soil conditions during or after completion of the proposal?

- Yes No
- No, With Mitigation Data Insufficient

d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

- Yes No
- No, With Mitigation Data Insufficient

e. The continuation of or increase in wind or water erosion of soils, either on or off the site?

- Yes No
- No, With Mitigation Data Insufficient

f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?

- Yes No
- No, With Mitigation Data Insufficient

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

- Yes No
- No, With Mitigation Data Insufficient

2. Air Quality

Will the proposal result in:

a. Substantial air pollutant emissions?

- Yes No
- No, With Mitigation Data Insufficient

b. Deterioration of ambient (existing) air quality?

- Yes No
- No, With Mitigation Data Insufficient

c. The creation of objectionable odors?

- Yes No
- No, With Mitigation Data Insufficient

d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

- Yes No
- No, With Mitigation Data Insufficient

e. Increased use of diesel fuel?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

3. Water Quality

Will the proposal result in:

a. Changes in currents, or the course or direction of water movements?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

c. Alterations to the course or flow of 100-yearflood waters?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

d. Change in the amount of surface water in any water body?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

f. Alteration of the direction or rate of flow of ground water?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

- Yes No
- No, With Mitigation Data Insufficient

h. Substantial reduction in the amount of water otherwise available for public water supplies?

- Yes No
- No, With Mitigation Data Insufficient

i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

- Yes No
- No, With Mitigation Data Insufficient

j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

- Yes No
- No, With Mitigation Data Insufficient

Discussion (Item 3.a, 3.e): Pursuant to the Shoreline Plan EIS, shoreline development under the parameters of Alternative 1 will not result in a significant water quality impact. This proposal is consistent with the description of Alternative 1.

4. Vegetation

Will the proposal result in:

a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

- Yes No
- No, With Mitigation Data Insufficient

b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

- | | | |
|---|--|--|
| | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |
| c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |
| d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |
| e. Reduction of the numbers of any unique, rare or endangered species of plants? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |
| f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |
| g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |
| h. A change in the natural functioning of an old growth ecosystem? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

5. Wildlife

Will the proposal result in:

- a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?

- Yes No
- No, With Mitigation Data Insufficient

- b. Reduction of the number of any unique, rare or endangered species of animals?

- Yes No
- No, With Mitigation Data Insufficient

- c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

- Yes No
- No, With Mitigation Data Insufficient

- d. Deterioration of existing fish or wildlife habitat quantity or quality?

- Yes No
- No, With Mitigation Data Insufficient

Discussion (Item 5.a, 5.b, 5.d): Pursuant to the Shoreline Plan, any utility project within a Stream Mouth Protection Zone would be required to comply with mitigation provisions in Section 84.11, *Mitigation* of the TRPA Code of Ordinances. This includes in-kind habitat replacement of 1.5:1. With incorporation of this provision, the Shoreline Plan EIS concludes that impacts would be less-than-significant.

6. Noise

Will the proposal result in:

- a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?

- Yes No
- No, With Mitigation Data Insufficient

b. Exposure of people to severe noise levels?

- Yes No
- No, With Mitigation Data Insufficient

c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

- Yes No
- No, With Mitigation Data Insufficient

d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?

- Yes No
- No, With Mitigation Data Insufficient

e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?

- Yes No
- No, With Mitigation Data Insufficient

f. Exposure of existing structures to levels of ground vibration that could result in structural damage?

- Yes No
- No, With Mitigation Data Insufficient

7. Light and Glare

Will the proposal:

a. Include new or modified sources of exterior lighting?

- Yes No
- No, With Mitigation Data Insufficient

b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?

- Yes No

No, With Mitigation Data Insufficient

c. Cause light from exterior sources to be cast off -site or onto public lands?

Yes No
 No, With Mitigation Data Insufficient

d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?

Yes No
 No, With Mitigation Data Insufficient

8. Land Use

Will the proposal:

a. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?

Yes No
 No, With Mitigation Data Insufficient

b. Expand or intensify an existing non-conforming use?

Yes No
 No, With Mitigation Data Insufficient

9. Natural Resources

Will the proposal result in:

a. A substantial increase in the rate of use of any natural resources?

Yes No
 No, With Mitigation Data Insufficient

b. Substantial depletion of any non-renewable natural resource?

Yes No

No, With Mitigation Data Insufficient

10. Risk of Upset

Will the proposal:

a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?

Yes No
 No, With Mitigation Data Insufficient

b. Involve possible interference with an emergency evacuation plan?

Yes No
 No, With Mitigation Data Insufficient

11. Population

Will the proposal:

a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?

Yes No
 No, With Mitigation Data Insufficient

b. Include or result in the temporary or permanent displacement of residents?

Yes No
 No, With Mitigation Data Insufficient

12. Housing

Will the proposal:

a. Affect existing housing, or create a demand for additional housing?

To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:

(1) Will the proposal decrease the amount of housing in the Tahoe Region?

Yes No

(2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?

No, With Mitigation Data Insufficient

Yes No

No, With Mitigation Data Insufficient

Number of Existing Dwelling Units: _____

Number of Proposed Dwelling Units: _____

b. Will the proposal result in the loss of housing for lower-income and very-low-income households?

Yes No

No, With Mitigation Data Insufficient

13. Transportation/Circulation

Will the proposal result in:

a. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

Yes No

No, With Mitigation Data Insufficient

b. Changes to existing parking facilities, or demand for new parking?

Yes No

No, With Mitigation Data Insufficient

c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

Yes No

No, With Mitigation Data Insufficient

d. Alterations to present patterns of circulation or movement of people and/or goods?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

e. Alterations to waterborne, rail or air traffic?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

14. Public Services

Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?

a. Fire protection?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

b. Police protection?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

c. Schools?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

d. Parks or other recreational facilities?

- Yes No
- No, With Mitigation Data Insufficient

e. Maintenance of public facilities, including roads?

- Yes No
- No, With Mitigation Data Insufficient

f. Other governmental services?

- Yes No
- No, With Mitigation Data Insufficient

15. Energy

Will the proposal result in:

a. Use of substantial amounts of fuel or energy?

- Yes No
- No, With Mitigation Data Insufficient

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

- Yes No
- No, With Mitigation Data Insufficient

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

a. Power or natural gas?

- Yes No
- No, With Mitigation Data Insufficient

b. Communication systems?

- Yes No
- No, With Mitigation Data Insufficient

c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?

- Yes No
- No, With Mitigation Data Insufficient

d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?

- Yes No
- No, With Mitigation Data Insufficient

e. Storm water drainage?

- Yes No
- No, With Mitigation Data Insufficient

f. Solid waste and disposal?

- Yes No
- No, With Mitigation Data Insufficient

Discussion (Items 16.a, 16.b, 16.e, 16.f): The proposal is anticipated to result in beneficial utility impacts, as it will provide a means of replacing and upgrading old submerged utility lines.

17. Human Health

Will the proposal result in:

a. Creation of any health hazard or potential health hazard (excluding mental health)?

- Yes No

b. Exposure of people to potential health hazards?

No, With Mitigation Data Insufficient

Yes No

No, With Mitigation Data Insufficient

18. Scenic Resources/Community Design

Will the proposal:

a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

Yes No

No, With Mitigation Data Insufficient

b. Be visible from any public recreation area or TRPA designated bicycle trail?

Yes No

No, With Mitigation Data Insufficient

c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

Yes No

No, With Mitigation Data Insufficient

d. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

Yes No

No, With Mitigation Data Insufficient

e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

Yes No

No, With Mitigation Data Insufficient

19. Recreation

Does the proposal:

a. Create additional demand for recreation facilities?

- Yes No
- No, With Mitigation Data Insufficient

b. Create additional recreation capacity?

- Yes No
- No, With Mitigation Data Insufficient

c. Have the potential to create conflicts between recreation uses, either existing or proposed?

- Yes No
- No, With Mitigation Data Insufficient

d. Result in a decrease or loss of public access to any lake, waterway, or public lands?

- Yes No
- No, With Mitigation Data Insufficient

20. Archaeological/Historical

a. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?

- Yes No
- No, With Mitigation Data Insufficient

b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?

- Yes No
- No, With Mitigation Data Insufficient

c. Is the property associated with any historically significant events and/or sites or persons?

- Yes No
 No, With Mitigation Data Insufficient

d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

- Yes No
 No, With Mitigation Data Insufficient

e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

- Yes No
 No, With Mitigation Data Insufficient

21. Findings of Significance.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

- Yes No
 No, With Mitigation Data Insufficient

Discussion (Item 21.a): Pursuant to the Shoreline Plan, any utility project within a Stream Mouth Protection Zone would be required to comply with mitigation provisions in Section 84.11, *Mitigation* of the TRPA Code of Ordinances. This includes in-kind habitat replacement of 1.5:1. With incorporation of this provision, the Shoreline Plan EIS concludes that impacts would be less-than-significant.

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)

- Yes No
 No, With Mitigation Data Insufficient

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

Determination:

On the basis of this evaluation:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.


Yes No

- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures.

Yes No

- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedure

Yes No



Signature of Evaluator

Date January 13, 2020

Michael T. Conger, AICP, Senior Planner

Title of Evaluator

STAFF REPORT

Date: February 19, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Proposed amendments to Chapter 61 of the TRPA Code of Ordinances regarding Tree Removal and Prescribed Burning

Summary and Staff Recommendation:

Chapter 61 of the TRPA Code of Ordinances addresses vegetation management and forest health. Staff recommends that the Governing Board recommend the proposed amendments to the Code of Ordinances. The proposed amendments listed below are related to Section 61.1. (Tree Removal) and Section 61.2. (Prescribed Burning).

Required Motions:

In order to recommend adoption of the ordinance amendments, the APC must make the following motion(s), based on the staff summary:

- 1) 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 Ordinance amendments as described in the staff summary; and,
- 2) A motion to recommend adoption of the Ordinance 2020 - ____, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A.

In order for the motions to pass, an affirmative vote of a majority of the quorum present is required.

Background:

Most forests within the Lake Tahoe Basin are overly dense from decades of fire suppression and historic patterns of timber harvest. Dense, even aged forests are at greater risk from insects and disease, drought, and potential catastrophic wildfire. Thinning and tree removal within dense forests can increase structural heterogeneity and complexity, increase habitat diversity, and make forests more resilient to disturbance. Additionally, tree removal allows for critical protection of homes, infrastructure, and fire fighter safety, while allowing for the potential reintroduction of prescribed fire post-treatment.

During the Forest Health and Wildfire Committee's September and November 2019 meetings, the Committee approved proposed direction to update Section 61.1. Tree Removal and Section 61.2. Prescribed Burning. These amendments are recommended by the Forest Health and Wildfire Committee

(November 2019), the Regional Plan Implementation Committee (January 2020), and the Advisory Planning Commission (February 2020). These edits focused primarily on developing a user-friendly code.

Amendments to Section 61.1. Tree Removal focus on:

1. Moving sections that reference protections to 61.3. Vegetation Protection and Management.
2. Modifying code language to reflect recommendations from partner land management and regulatory agencies that focus on current practices and increased pace and scale of forest restoration.
 - a. Relying on partner Memorandums of Understanding (MOU) with TRPA when feasible and appropriate.
 - b. Relying on the judgement of a qualified forester when feasible and appropriate.
 - c. Including both revegetation and soil stabilization plans.
 - d. Consideration of plans developed under California Forest Practice Rules or other California Environmental Quality Act documents in place of a Harvest or Tree Removal Plan.
3. Reorganizing and renumbering subsections within Section 61.1. Tree Removal to a facilitate a logical flow.

Amendments to Section 61.2. Prescribed Burning included:

1. Relying on partner agency MOU's with the TRPA.
2. Deleting line 61.2.5.B.7. regarding additional information TRPA may require.
3. Deleting Section 61.2.3.B.1-5. Limitations regarding the limited use of prescribed burning for activities such as seral stage management, fuels management, wildlife habitat management, silviculture, or pest control.

Code Amendment:

Chapter 61 of the TRPA Code of Ordinances as shown in Exhibit 1 to Attachment A would have several amendments to Sections 61.1. Tree Removal and 61.2. Prescribed Burning.

Environmental Review:

The Code amendments have been reviewed in an Initial Environmental Checklist (IEC) pursuant to Chapter 3: Environmental Documentation of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The IEC finds that the proposed amendments would not result in significant effects on the environment (see Attachment C).

Regional Plan Compliance:

The proposed amendments to the Code of Ordinances are consistent with the Vegetation Sub-element, a component of the Regional Plan's Conservation Element.

Contact Information:

For questions regarding this agenda item, please contact Kathleen McIntyre, at (775) 589-5268 or kmcintyre@trpa.org.

Attachments:

- A. Adopting Ordinance
 - Exhibit 1: Code Amendments
 - Exhibit 2: Code Amendments and Rationale

Exhibit 3: Clean Version of Updated Code Language

- B. Required Findings/Rationale
- C. Initial Environmental Checklist (IEC)
- D. Examples of TRPA and Partner Agency Memorandums of Understanding

Attachment A
Adopting Ordinance

Attachment A

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2020-

AN AMENDMENT TO ORDINANCE NO. 87-9, AS AMENDED, TO AMEND THE TRPA CODE OF ORDINANCES, CHAPTER 61 REGARDING PRESCRIBED BURNING AND TREE REMOVAL.

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 87-9, as previously amended, by amending the TRPA Code of Ordinances to further implement the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 The TRPA Code of Ordinances amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The TRPA Code of Ordinances amendments have been determined not to have a significant effect on the environment, and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed TRPA Code of Ordinances amendments. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.
- 1.40 The Governing Board finds that the TRPA Code of Ordinances amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
- 1.50 Prior to the adoption of this ordinance, the Governing Board made the findings required by Section 4.5 of the TRPA Code of Ordinances, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 87-9, as previously amended, is hereby amended by amending the TRPA Code of Ordinances, as set forth in Exhibit 1.

Section 3.00 Interpretation and Severability

The provisions of this ordinance amending the TRPA Code of Ordinances adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Regional Plan Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package are hereby declared respectively severable.

Section 4.00 Effective Date

The provisions of this ordinance amending the TRPA Code of Ordinances shall become effective on (Insert Month) XX, 2020.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on (Insert Month) XX, 2020, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

William Yeates, Chair
Tahoe Regional Planning Agency,
Governing Board

Attachment A – Exhibit 1
Code Amendments

EXHIBIT 1: CODE AMENDMENTS

Language to be added is shown in blue with an underline. Language to be removed is ~~shown in red with a strikeout~~. Relocated language is indicated in green with double underline.

Section 1. Renumber Subsection 61.1.4, *Old Growth Enhancement and Protection* as Subsection 61.3.7, with no changes to the language.

Section 2. Renumber Subsection 61.1.7, *Reasons for Tree Removal* and its subparagraphs as Subsection 61.1.4, with no changes to the language.

Section 3. Modify Subsection 61.1.4, Subparagraph A, Hazardous Tree Removal to read as follows:

61.1. TREE REMOVAL

61.1.4. Reasons for Tree Removal

Except for trees identified for retention under subsection 61.3.7 ~~61.1.4~~, tree removal shall incorporate measures and prescriptions that promote a range of threshold standards and SEZs pursuant to subsection ~~paragraph~~ 61.3.10 ~~61.1.6.C~~. Trees may be removed for the reasons provided below.

A. Hazardous Tree Removal

To protect lives and property, trees reported by a qualified forester to be hazardous to property or lives may be removed upon approval by TRPA unless otherwise exempt through a Memorandum of Understanding. Other vegetation shall be protected during removal operations to prevent their damage. ~~injury~~.

Section 4. Within Subsection 61.1.4, renumber Subparagraphs B, *Emergency Tree Removal*; D, *Fire Hazard Tree Removal*; and J, *Tree Removal During Emergency Fire Suppression Activities* as Subparagraphs A.2, A.1, and A.3 respectively.

Section 5. Add a new Subparagraph B, *Ecosystem Management Goals and EIP Projects* to Subsection 61.1.4 to read as follows:

61.1. TREE REMOVAL

61.1.4. Reasons for Tree Removal

B. Ecosystem Management Goals and EIP Projects

Section 6. Renummer Subparagraph 61.1.6.A, *Management Objectives* as Subparagraph 61.1.4.B.1 and modify the language.

61.1. TREE REMOVAL

61.1.4. Reasons for Tree Removal

B. Ecosystem Management Goals and EIP Projects

~~61.1.6. —~~ Reasons for Tree Removal

A.1. Management Objectives

~~Management techniques shall be employed that are consistent with the following objectives, where applicable: —~~ Trees may be removed to meet ecosystem management goals:

~~a1.~~ a1. Restoration and expansion of stream environment zones and riparian vegetation;

~~b2.~~ b2. Improvement of the structural diversity of all forests based on judgement of qualified forester, ~~including the protection and establishment of younger aged trees;~~

~~c3.~~ c3. Enhancement of native wildlife species and/or native wildlife habitat diversity;

~~d4.~~ d4. Enhancement and protection of tree species of limited occurrence, such as aspen, black cottonwood, ponderosa pine, Douglas-fir, incense-cedar, sugar pine, western white pine, mountain hemlock, whitebark pine, and western juniper;

~~e5.~~ e5. Protection of sensitive lands;

~~f6.~~ f6. Minimization of construction of new roads;

~~g7.~~ g7. Revegetation of existing temporary roads;

~~h8.~~ h8. Avoidance of disturbance of stream environment zones, unless to enhance the health of stream environment zones through projects intended to thin trees or prescribe burn ~~remove trees~~ within SEZ in accordance with subparagraph ~~61.3.10 61.1.6.C;~~ 61.3.10 61.1.6.C;

~~i9.~~ i9. Utilization of existing openings or disturbed areas as landings where appropriate;

~~10. Provisions for revegetation;~~

~~j11.~~ j11. The promotion of a diversity of seral stages, species diversity, and age class ~~late seral or old growth characteristics;~~

~~12. Early successional stage vegetation management; and~~

~~k13.~~ k13. Fuels management for fire hazard reduction; and

l. Forest health and resilience to drought, insects, disease, and climate change.

Section 7. Within Subsection 61.1.4, renumber Subparagraphs C, *Dead, Dying, or Diseased Tree Removal*; E, *Early Successional Stage Vegetation Management*; and F, *Tree Removal for Enhancement of Forest Health* as Subparagraphs B.2, B.3, and B.4, respectively and modify the language to read as follows:

61.1. TREE REMOVAL

61.1.4. Reasons for Tree Removal

B. Ecosystem Management Goals and EIP Projects

2C. Dead, Dying, or Diseased Tree Removal

To enhance forest health, dying, or diseased trees may be removed upon approval by TRPA. Dead trees less than or equal to 30 inches in westside forest types and less than or equal to 24 inches in eastside forest types may be removed without TRPA approval pursuant to subsection 2.3.2.E.

3E. Tree Removal for Early Successional Stage Vegetation Management

Tree removal may be permitted when it has been determined by TRPA that it is appropriate to convert an area to, and/or maintain an area in, an early successional stage vegetation type. (See Chapter 90 for definition of "early successional stage vegetation management.") Where ~~revegetation~~ soil stabilization is required ~~to stabilize soils~~ and/or the replacement of removed vegetation, the applicant shall provide a revegetation or soil stabilization plan in accordance with subsection 61.4.5.

4K. Tree Removal to Enhance Scenic View Points from Public Roadways

Select trees may be removed to enhance scenic viewpoints from scenic turnouts located on highways, public right-of-ways and other public lands immediately adjacent to highway corridors.

Section 8. Within Subsection 61.1.4, renumber Subparagraphs G, *Tree Removal for Solar Access*; H, *Tree Removal for Ski Areas and Rights-of-Way*; I, *Tree Removal for Development*; and K, *Tree Removal to Enhance Scenic View Points from Public Roadways* as Subparagraphs C, E, F, and G, respectively, with no changes to the language.

Section 9. Within Subsection 61.1.4, move a portion of Subparagraph E into a new Subparagraph D, *Public Utility Rights-of-Way*, to read as follows:

61.1. TREE REMOVAL

61.1.4. Reasons for Tree Removal

D. Public Utility Rights-of-Way

The removal of trees within utility and public rights-of-way may be allowed if TRPA finds that the removal is for public health and safety. When a tree-related emergency exists, the utility or public agency may remove the trees and advise TRPA of the action on the next business day. At that time TRPA may issue an emergency permit in accordance with its Rules of Procedure.

E. **Tree Removal for Ski Areas and Rights-of-Way**

~~The tree removal standards below apply to ski areas and utility and public rights-of-way.~~

- ~~1. For expansion of ski areas, including but not limited to, the widening of runs and the addition or replacement of lifts, only the minimum number of trees necessary for the operation of the ski area shall be removed.~~
- ~~2. The removal of trees within utility and public rights-of-way may be allowed if TRPA finds that the removal is for public health and safety. When a tree-related emergency exists, the utility or public agency may remove the trees and advise TRPA of the action on the next business day. At that time TRPA may issue an emergency permit in accordance with its Rules of Procedure.~~

Section 10. Modify Subsection 61.1.5, *General Tree Removal Standards* to read as follows:

61.1. TREE REMOVAL

61.1.5. General Tree Removal Standards

The cutting, moving, removing, killing, or materially damaging of live trees, and the attachment of appurtenances to trees, shall comply with this subsection. The removal of trees 14 inches dbh or less shall be exempt from TRPA approval under subparagraph 2.3.2.M and requirements of this chapter, except as provided herein. Removal of trees greater than 14 inches dbh shall require approval by TRPA except as provided in subparagraphs [61.1.4.A.2](#), ~~61.1.7.B~~ and [61.1.4.A.3](#) ~~61.1.7.J~~. Removal of trees greater than six inches dbh on lakefront properties where the trees to be removed provide vegetative screening of existing structures as viewed from Lake Tahoe requires TRPA approval, except as provided in subsections ~~61.1.4.A.2~~ ~~7.B~~ and ~~3.J~~. Permits shall be granted or denied in conformity with the provisions of this chapter.

A. **Additional Code Standards**

Such tree-related projects and activities also shall conform to the provisions of the Code as provided below.

1. If vegetative screening is required by an existing permit for any property, the vegetative screening shall not be removed without

prior approval from TRPA except for defensible space purposes pursuant to subparagraph 61.3.6.D.

2. If tree and/or vegetation removal to occur on any property where existing permit conditions require retention of vegetation, including tree and/or vegetation removal for defensible space purposes pursuant to subparagraph 61.3.6.D, alternative scenic mitigation shall be proposed to TRPA within 30 days of vegetation removal and shall be subject to review and approval by TRPA notwithstanding the permit exemption in subparagraph 2.3.2.M.

B. Findings

Before tree-related projects and activities are approved by TRPA, TRPA shall find, based on a report from a qualified forester, that the project or activity is consistent with this chapter and the Code. TRPA may delegate permit issuance to a federal, state, or other qualified agency through a memorandum of understanding.

C. Harvest or Tree Removal Plan

In cases of substantial tree removal, as set forth in subparagraph 61.1.8, the applicant shall submit a harvest plan or tree removal plan prepared by a qualified forester. The plan shall set forth prescriptions for tree removal, water quality protection, vegetation protection, residual stocking levels, reforestation, slash disposal, fire protection, and other appropriate considerations. The plan, as approved by TRPA, shall become a part of the project and prescriptions contained in the plan shall be conditions of approval. [TRPA may consider plans developed pursuant to the California Forest Practice Rules or other CEQA documents completed by a qualified forester to meet the intention of this section provided all the required elements are addressed.](#)

Section 11. Delete Subparagraph H, *Restocking* from Subsection 61.1.6.

Section 12. Renumber Subparagraphs J, *Historic Resource Protection*, J.1, and J.2 of Subsection 61.1.6 as Subsection 61.3.8 and Subparagraphs 61.3.8.A and 61.3.8.B, respectively, with no change to the language.

Section 13. Renumber Subparagraphs K, *Wildlife, Habitat, and Sensitive Plants* and K.1 through K.3 of Subsection 61.1.6 as Subsection 61.3.9 and Subparagraphs 61.3.9.A through 61.3.9.C, respectively, with no change to the language.

Section 14. Within Subsection 61.1.6, renumber Subparagraph B, *Cutting Practices* as Subparagraph A and modify the language to read as follows:

61.1. TREE REMOVAL

61.1.6. Minimum Standards for Tree Removal

AB. Cutting Practices

The following cutting practice standards apply:

1. Sufficient trees shall be reserved and left uncut and undamaged to meet the minimum acceptable stocking standards of the appropriate state or federal forestry agency, except in cases of early successional stage management;
2. Group selections shall be limited to use for achieving management objectives based on the judgement of a qualified forester; ~~as approved by TRPA~~. Group selections shall be limited in size to less than five acres (See subparagraph 61.1.6);
3. All live trees to be cut shall be marked on bole and stump with paint by, or under the supervision of, a qualified forester prior to TRPA approval. Trees to be removed or protected may be designated by other means in situations involving clear cuts or thinning of exceptionally dense thickets, or other situations that warrant an alternate method of designation. The alternate method shall be stated in the plans and must be approved by TRPA;
4. Damage to unmarked trees and residual vegetation shall be avoided to the extent feasible;
5. All trees shall be felled in line with the skidding direction wherever possible;
6. All trees shall be limbed on all sides where feasible and topped prior to skidding except where whole tree skidding is less disruptive to the forest resources;
7. Stumps shall be cut as low as can be done safely and to the extent that is feasible for harvesting equipment; ~~kept to a height of six inches or less on the side adjacent to the highest ground, except where safety or imbedded metal make this impractical~~;
8. If stump removal will result in greater than three cubic yards of soil disturbance, a grading permit shall be obtained from TRPA prior to removal of stumps;
9. Green stumps shall be treated to prevent the spread of root disease as specified by a qualified forester; and
10. Insect-infested wood and wood susceptible to insect infestation shall be treated or disposed of as specified by a qualified forester.

Section 15. Renumber Subparagraphs 61.1.6.C, *Tree Cutting within Stream Environment Zones* and its subparagraphs C.1 through C.5 as Subsection 61.3.10 and Subparagraphs 61.3.10.A through E, respectively, with no change in language.

Section 16. Within Subsection 61.1.6, renumber Subparagraphs D through F as Subparagraphs B through D, respectively, with no change in language.

Section 17. Within Subsection 61.1.6, renumber Subparagraph G, Slash Disposal as Subparagraph E and modify the language to read as follows:

61.1. TREE REMOVAL

61.1.6. Minimum Standards for Tree Removal

E.G. Slash Disposal
Slash shall be disposed of according to an approved slash disposal plan.
~~within two years of project completion by the methods below.~~

1. Lop and scatter, pile and burn or broadcast burn (consistent with Sections 61.2 and 65.1), chip, or haul away. All burns shall be located beyond approved buffers at least 50 feet from any stream channel, unless it can be demonstrated, using best available science, that slash burning within the approved buffer 50 feet of a channel will not cause adverse environmental impacts.
2. Cull logs and other material shall be disposed of as required by the permit.

Section 18. Within Subsection 61.1.6, renumber Subparagraph I, *Erosion Control*, as Subparagraph F and modify the language to read as follows:

61.1. TREE REMOVAL

61.1.6. Minimum Standards for Tree Removal

F.I. Erosion Control
The adequacy of all required BMPs shall be confirmed at the time of the TRPA pre-operations inspection. Any modifications to the required BMPs as determined by TRPA shall be incorporated into the project permit at that time or as determined to be necessary throughout forest management operations. The following erosion control standards apply:

1. The following Temporary BMPs are required to be installed prior to the commencement of any forest management or equipment operations:
 - a. Temporary erosion controls and vegetation protection measures.
 - b. Equipment exclusion area boundary markings or fencing, as necessary to comply with the TRPA-approved forest management plan.
2. Excavated material shall be stored upslope from the excavated areas to the extent possible. No material shall be stored in any SEZ, wet area, or stream buffer zone.

3. [Projects must have design criteria to avoid tracking soil off the project site.](#) ~~Soil shall not be tracked off the project site.~~ Equipment operations shall cease when a violation of this condition exists. The site shall be cleaned and the road right-of-way swept clean when necessary.
4. No equipment or vehicle repairs, other than necessary maintenance of harvest equipment, shall be permitted in the project area unless authorized by TRPA. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. Spill containment and absorbent materials shall be kept on site at all times. All petroleum products and hazardous waste shall be removed from the project area and disposed of at an approved location.

Section 19. Renumber Subsection 61.1.9, *Commercial Tree Removal* as Subsection 61.1.7, with no change to the language.

Section 20. Modify Subparagraph 61.1.8.B to read as follows:

61.1. TREE REMOVAL

61.1.8. Substantial Tree Removal

Substantial tree removal shall be activities on project areas of three acres or more and proposing the removal of more than 100 live trees 14 inches dbh or larger, or proposing tree removal that as determined by TRPA after a joint inspection with appropriate state or federal Forestry staff does not meet the minimum acceptable stocking standards set forth in subparagraph 61.1.6.H. Substantial tree removal projects shall be processed by the appropriate state and federal agencies in coordination with TRPA as required below.

A. Private Parcels

The review process for private parcels shall include the following:

1. Harvest plan shall be written by a qualified forester;
2. Harvest plan shall be submitted to the appropriate state and federal agencies and TRPA with an initial environmental checklist or environmental assessment;
3. Preparation of environmental impact statement if necessary;
4. Pre-approval field review;
5. Approval of project by TRPA;
6. Pre-harvest field review; and
7. Post-harvest review.

B. Public Parcels

1. [The review process for substantial tree removal for public parcels administered by public land management agencies may be](#)

~~determined according a to Memorandum of Understanding (MOU) between the partner agency and the TRPA. For agencies without an MOU with the TRPA, the process shall be the same as for private parcels listed above; public parcels administered by the U.S. Forest Service shall include the following:~~

- ~~a.—Coordination with TRPA at the initial planning stages;~~
- ~~b.—Preparation of environmental assessment;~~
- ~~c.—Preparation of environmental impact statement (if necessary);~~
- ~~d.—Submittal of tree removal or harvest plan;~~
- ~~e.—Approval of project by TRPA; and~~
- ~~f.—TRPA monitoring and evaluation.~~

- ~~2.——For other public parcels the process shall be the same as for private parcels in 1 above.~~

Section 21. Delete Subparagraph 61.2.3.B, Limitations.

Section 22. Delete Subparagraph 61.2.5.B.7.

Attachment A – Exhibit 2
Code Amendments and Rationale

AMENDMENTS AND RATIONALE

The proposal would entail amending Chapter 61, *Vegetation and Forest Health* of the TRPA Code of Ordinances. The proposal involves modifications to Sections 61.1, *Tree Removal* and 61.2, *Prescribed Burning*. It would also involve relocating certain standards from these sections into Section 61.3, *Vegetation Protection and Management*. The amendments are broken down into 22 individual components, which are listed in the table below.

Text to be added is shown in blue with an underline.

Text to be deleted is shown in ~~red with strikeout~~.

Text to be relocated is shown in green with double underline.

SECTIONS BEING AMENDED

ID #	Current Numbering	Title	Proposal	New Numbering	Page
1	61.1.4	Old Growth Enhancement and Protection	Renumber	61.3.7	2
2	61.1.7	Reasons for Tree Removal	Renumber	61.1.4	3
3	61.1.7.A	Hazardous Tree Removal	Modify	61.1.4.A	3
4	61.1.7.B	Emergency Tree Removal	Renumber	61.1.4.A.2	4
	61.1.7.D	Fire Hazard Tree Removal	Renumber	61.1.4.A.1	
	61.1.7.J	Tree Removal During Emergency Fire Suppression Activities	Renumber	61.1.4.A.3	
5	---	Ecosystem Management Goals and EIP Projects	Add new subparagraph	61.1.4.B	5
6	61.1.6.A	Management Objectives	Renumber and modify	61.1.4.B.1	5
7	61.1.7.C	Dead, Dying, or Diseased Tree Removal	Renumber	61.1.4.B.2	6
	61.1.7.E	Tree Removal for Early Successional Stage Vegetation Management	Renumber and modify	61.1.4.B.3	
	61.1.7.F	Tree Removal for Enhancement of Forest Health and Diversity	Renumber	61.1.4.B.4	
8	61.1.7.G	Tree Removal for Solar Access	Renumber	61.1.4.C	7
	61.1.7.H	Tree Removal for Ski Areas and Rights-of-Way	Renumber	61.1.4.D.	
	61.1.7.I	Tree Removal for Development	Renumber	61.1.4.F	

	61.1.7.K	Tree Removal to Enhance Scenic View Points from Public Roadways	Renumber	61.1.4.G	
9	---	Public Utility Rights-of-Way	Add a new subparagraph	61.1.4.E	8
10	61.1.5	General Tree Removal Standards	Modify	61.1.5	9
11	61.1.6.H	Restocking	Delete	---	10
12	61.1.6.J	Historic Resource Protection	Renumber	61.3.8	11
13	61.1.6.K	Wildlife, Habitat, and Sensitive Plants	Renumber	61.3.9	12
14	61.1.6.B	Cutting Practices	Renumber and modify	61.1.6.A	12
15	61.1.6.C				13
16	61.1.6.D	Logging Roads, Skid Trails, and Landings	Renumber	61.1.6.C	16
	61.1.6.E	Removal Methods	Renumber	61.1.6.D	
	61.1.6.F	Skidding and Ground Based Vehicle Systems	Renumber	61.1.6.E	
17	61.1.6.G	Slash Disposal	Renumber and modify	61.1.6.F	16
18	61.1.6.I	Tree Cutting within Stream Environment Zones	Renumber and modify	61.1.6.G	17
19	61.1.9	Commercial Tree Removal	Renumber	61.1.7	18
20	61.1.8.B	Public Parcels	Modify	61.1.8.B	19
21	61.2.3.B	Limitations	Delete	---	20
22	61.2.5.B.7	Other Information	Delete	---	20

PROPOSED AMENDMENTS

-
1. Renumber Subsection 61.1.4, *Old Growth Enhancement and Protection* as Subsection 61.3.7, with no changes to the language.
-

<i>Description</i>	Section 61.1.4.A-C. Old Growth Enhancement and Protection is moved to Section 61.3.Vegetation Protection and Management and assigned a new subsection 61.3.7.A-C.
<i>Purpose</i>	To ensure sections regarding protections are all under one subsection of Chapter 61
<i>Result</i>	Standards regarding Old Growth Enhancement and Protection will now be found under Vegetation Protection and Management.

61.1. TREE REMOVAL

~~61.1.4. Old Growth Enhancement and Protection~~

61.3. VEGETATION PROTECTION AND MANAGEMENT

61.3.7. Old Growth Enhancement and Protection

-
2. Renumber Subsection 61.1.7, *Reasons for Tree Removal* and its subparagraphs as Subsection 61.1.4, with no changes to the language.
-

<i>Description</i>	Section 61.1.7. Reasons for Tree Removal moved to the beginning of the Tree Removal Section.
<i>Purpose</i>	To ensure a logical flow of the Section 61.1.
<i>Result</i>	Section 61.1. on Tree Removal will now begin with Reasons for Tree Removal

61.1. TREE REMOVAL

~~61.1.74. Reasons for Tree Removal~~

-
3. *Modify Subsection 61.1.4, Subparagraph A, Hazardous Tree Removal*
-

<i>Description</i>	Section 61.1.4.A. is modified to state “unless otherwise exempt through a Memorandum of Understanding with the TRPA”. Replaced “injury” with “damage”.
<i>Purpose</i>	To add clarity for partner agencies with MOUs.
<i>Result</i>	Partner agencies with MOUs will not need to seek approval for Hazardous Tree Removal if activities are outlined within their MOU.

61.1. TREE REMOVAL

61.1.4. Reasons for Tree Removal

Except for trees identified for retention under subsection ~~61.3.7~~ ~~61.1.4~~, tree removal shall incorporate measures and prescriptions that promote a range of threshold standards and SEZs pursuant to ~~subsection~~ ~~paragraph~~ ~~61.3.10~~ ~~61.1.6.C~~. Trees may be removed for the reasons provided below.

A. Hazardous Tree Removal

To protect lives and property, trees reported by a qualified forester to be hazardous to property or lives may be removed upon approval by TRPA unless otherwise exempt through a Memorandum of Understanding. Other vegetation shall be protected during removal operations to prevent their ~~damage.~~ ~~injury.~~

-
4. Within Subsection 61.1.4, renumber Subparagraphs B, *Emergency Tree Removal*; D, *Fire Hazard Tree Removal*; and J, *Tree Removal During Emergency Fire Suppression Activities* as Subparagraphs A.2, A.1, and A.3 respectively.
-

<i>Description</i>	Section 61.1.7.D. Fire Hazard Tree Removal, Section 61.1.7.B. Emergency Tree Removal, and Section 61.1.7.J. Tree Removal During Emergency Fire Suppression Activities moved under new 61.1.4.A. Hazard Tree Removal Section.
<i>Purpose</i>	To ensure clarity and organization throughout the tree removal section.
<i>Result</i>	Information will be consolidated under the Hazard Tree Removal heading.

61.1. TREE REMOVAL

61.1.4. Reasons for Tree Removal

Except for trees identified for retention under subsection 61.1.4, tree removal shall incorporate measures and prescriptions that promote a range of threshold standards and SEZs pursuant to subparagraph 61.1.6.C. Trees may be removed for the reasons provided below.

A. Hazardous Tree Removal

To protect lives and property, trees reported by a qualified forester to be hazardous to property or lives may be removed upon approval by TRPA unless otherwise exempt through a Memorandum of Understanding. Other vegetation shall be protected during removal operations to prevent their damage.

B1. Fire Hazard Tree Removal

Trees identified and marked by a qualified forester as a fire hazard may be removed upon approval by TRPA or pursuant to a TRPA MOU Authorization. Trees identified and marked by a defensible space assessor for defensible space purposes associated with a building or structure may be removed upon approval by TRPA or pursuant to a TRPA MOU Authorization. Fuel reduction projects shall consider multiple threshold objectives. As an alternative to tree removal, the defensible space assessor may approve the limbing of trees that are determined to be a fire hazard, consistent with defensible space requirement of the applicable fire agency. (See Chapter 90 for definition of "fuels management.")

D2. Emergency Tree Removal

When a tree constitutes a physical emergency (e.g., imminent threat of falling on occupied or substantial structures or people), the tree may be removed, but the land owner or manager shall provide photographic documentation and all applicable paperwork and fees to TRPA within ten working days of removal of the hazardous tree.

J3. Tree Removal During Emergency Fire Suppression Activities

Trees may be removed when an emergency fire suppression need exists as determined by the local, state, or federal fire suppression agency involved in a fire suppression activity.

5. Add a new Subparagraph B, *Ecosystem Management Goals and EIP Projects* to Subsection 61.1.4

<i>Description</i>	Add new subparagraph under reasons for tree removal as 61.1.4.B. Ecosystem Management Goals and EIP Projects
<i>Purpose</i>	To ensure clarity and organization throughout the tree removal section. Encapsulate tree removal efforts that meet EIP project goals.
<i>Result</i>	61.1.4.B. Ecosystem Management Goals and EIP Projects encompasses reasons for tree removal directly related to ecosystem management goals in one place.

61.1. TREE REMOVAL

61.1.4. Reasons for Tree Removal

B. Ecosystem Management Goals and EIP Projects

6. Renumber Subparagraph 61.1.6.A, *Management Objectives* as Subparagraph 61.1.4.B.1 and modify the language.

<i>Description</i>	Moved 61.1.6.A. Management Objectives moved under 61.1.4.B. Ecosystem Management Goals and EIP Projects. Modified 61.1.6.A. Management Objectives.
<i>Purpose</i>	To ensure clarity and organization throughout the tree removal section. The Management Objectives refer to ecosystem management goals and are more appropriately located in this section of the code. Modifications within the Management Objectives increase clarity and modern forestry issues.
<i>Result</i>	Management Objectives related to ecosystem management goals can now be found in subsection 61.1.4.B. Modifications to Management Objectives now reflect modern forestry issues with the Basin.

61.1. TREE REMOVAL

61.1.4. Reasons for Tree Removal

B. Ecosystem Management Goals and EIP Projects

61.1.6. Reasons for Tree Removal

A.1. Management Objectives

~~Management techniques shall be employed that are consistent with the following objectives, where applicable:~~ Trees may be removed to meet ecosystem management goals:

- a1. Restoration and expansion of stream environment zones and riparian vegetation;
- b2. Improvement of the structural diversity of all forests based on the judgement of a qualified forester, ~~including the protection and establishment of younger aged trees;~~
- c3. Enhancement of native wildlife species and/or native wildlife habitat diversity;
- d4. Enhancement and protection of tree species of limited occurrence, such as aspen, black cottonwood, ponderosa pine, Douglas-fir, incense-cedar, sugar pine, western white pine, mountain hemlock, whitebark pine, and western juniper;
- e5. Protection of sensitive lands;
- f6. Minimization of construction of new roads;
- g7. Revegetation of existing temporary roads;
- h8. Avoidance of disturbance of stream environment zones, unless to enhance the health of stream environment zones through projects intended to thin trees or prescribe burn ~~remove trees~~ within SEZ in accordance with subparagraph ~~61.3.10~~ 61.1.6.C;
- i9. Utilization of existing openings or disturbed areas as landings where appropriate;
- ~~10. Provisions for revegetation;~~
- j11. The promotion of a diversity of seral stages, species diversity, and age class ~~late seral or old growth characteristics;~~
- ~~12. Early successional stage vegetation management; and~~
- k13. Fuels management for fire hazard reduction; and
- l. Forest health and resilience to drought, insects, disease, and climate change.

-
7. Within Subsection 61.1.4, renumber Subparagraphs C, *Dead, Dying, or Diseased Tree Removal*; E, *Early Successional Stage Vegetation Management*; and F, *Tree Removal for Enhancement of Forest Health* as Subparagraphs B.2, B.3, and B.4, respectively and modify the language.
-

<p><i>Description</i></p>	<p>Moved 61.1.7.C. Dead, Dying, or Diseased Tree Removal, 61.1.7.E. Tree Removal for Early Successional Stage Vegetation Management, and 61.1.7.F. Tree Removal for Enhancement of Forest Health and Diversity under 61.1.4.B. Ecosystem Management Goals and EIP Projects. Modified 61.1.7.E. Tree Removal for Early Successional Stage Vegetation Management language to reference soil stabilization.</p>
---------------------------	--

<i>Purpose</i>	To ensure clarity and organization throughout the reasons for tree removal section. Replacing language regarding revegetation allows managers to focus on soil stabilization and erosion avoidance rather than just revegetation
<i>Result</i>	These topics can now be found under Ecosystem Management Goals and EIP Projects.

61.1. TREE REMOVAL

61.1.4. Reasons for Tree Removal

B. Ecosystem Management Goals and EIP Projects

2C. Dead, Dying, or Diseased Tree Removal

To enhance forest health, dying, or diseased trees may be removed upon approval by TRPA. Dead trees less than or equal to 30 inches in westside forest types and less than or equal to 24 inches in eastside forest types may be removed without TRPA approval pursuant to subsection 2.3.2.E.

3E. Tree Removal for Early Successional Stage Vegetation Management

Tree removal may be permitted when it has been determined by TRPA that it is appropriate to convert an area to, and/or maintain an area in, an early successional stage vegetation type. (See Chapter 90 for definition of “early successional stage vegetation management.”) Where ~~revegetation~~ soil stabilization is required ~~to stabilize soils~~ and/or the replacement of removed vegetation, the applicant shall provide a revegetation or soil stabilization plan in accordance with subsection 61.4.5.

4K. Tree Removal to Enhance Scenic View Points from Public Roadways

Select trees may be removed to enhance scenic viewpoints from scenic turnouts located on highways, public rights-of-way and other public lands immediately adjacent to highway corridors.

-
8. Within Subsection 61.1.4, renumber Subparagraphs G, *Tree Removal for Solar Access*; H, *Tree Removal for Ski Areas and Rights-of-Way*; I, *Tree Removal for Development*; and K, *Tree Removal to Enhance Scenic View Points from Public Roadways* as Subparagraphs C, E, F, and G, respectively, with no changes to the language.
-

<i>Description</i>	Tree Removal for Solar Access moved up under Reasons for Tree Removal and Assigned a new subsection number 61.1.4.C. Tree Removal for Development moved up under Reasons for Tree Removal and Assigned a new subsection number 61.1.4.F. Tree Removal for to Enhance Science View Points from Public Roadways moved up under Reasons for Tree Removal and Assigned a new subsection number 61.1.4.G.
--------------------	--

<i>Purpose</i>	To ensure clarity and organization throughout the Reasons for Tree Removal section.
<i>Result</i>	Subparagraphs will be numbered in sequence.

TABLE 1: REVISED SUBPARAGRAPH NUMBERS – SUBSECTION 61.1.4

Current Subparagraph Number	Title	Revised Subparagraph Number
G	Tree Removal for Solar Access	C
H	Tree Removal for Ski Areas and Rights-of-Way	D&E
I	Tree Removal for Development	F
K	Tree Removal to Enhance Scenic View Points from Public Roadways	G

9. Within Subsection 61.1.4, move a portion of Subparagraph D into a new Subparagraph E, *Public Utility Rights-of-Way*.

<i>Description</i>	Tree Removal for Ski Areas moved up under Reasons for Tree Removal and Assigned a new subsection number 61.1.4.D. Public Utility Rights-of-Way assigned separate subsection number 61.1.4.E.
<i>Purpose</i>	To ensure clarity and organization throughout the Reasons for Tree Removal section.
<i>Result</i>	Tree Removal for Ski Areas can now be located at 61.1.4.D. instead of 61.1.7.H. and Tree Removal for Public Utility Rights-of-Way can now be located at 61.1.4.E. instead of 61.1.7.H.

61.1. TREE REMOVAL

61.1.4. Reasons for Tree Removal

D. Tree Removal for Ski Areas and Rights-of-Way

~~The tree removal standards below apply to ski areas and utility and public rights-of-way.~~

- ~~1. For expansion of ski areas, including but not limited to, the widening of runs and the addition or replacement of lifts, only the minimum number of trees necessary for the operation of the ski area shall be removed.~~
- ~~2. The removal of trees within utility and public rights of way may be allowed if TRPA finds that the removal is for public health and safety. When a tree related emergency exists, the utility or public agency may remove the trees and advise TRPA of the action on the next business day. At that time TRPA may issue an emergency permit in accordance with its Rules of Procedure.~~

E. Public Utility Rights-of-Way

The removal of trees within utility and public rights-of-way may be allowed if TRPA finds that the removal is for public health and safety. When a tree-related emergency exists, the utility or public agency may remove the trees and advise TRPA of the action on the next business day. At that time TRPA may issue an emergency permit in accordance with its Rules of Procedure.

10. *Modify Subsection 61.1.5, General Tree Removal Standards.*

<i>Description</i>	Update references within the General Tree Removal Standards to reflect reorganized code. Add language to 61.1.5.C. that reflects CEQA and California forest Practice Rules documents completed by a qualified forester.
<i>Purpose</i>	To ensure clarity, organization, and correct reference subsections within Chapter 61. To allow for alternative documentation that meets forestry standards within the basin.
<i>Result</i>	Within 61.1.5., reference to 61.1.7.B. Emergency Tree Removal is changed to 61.1.4.A.2. Emergency Tree Removal. Within 61.1.5., reference to 61.1.7.J. Tree Removal During Emergency Fire Suppression Activities is changed to 61.1.4.A.3. Tree Removal During Emergency Fire Suppression Activities. 61.1.5.C. Allows TRPA to consider plans developed pursuant to California Forest Practice Rules or CEQA documents that meet the intent of a Harvest or Tree Removal Plan.

61.1. TREE REMOVAL

61.1.5. General Tree Removal Standards

The cutting, moving, removing, killing, or materially damaging of live trees, and the attachment of appurtenances to trees, shall comply with this subsection. The removal of trees 14 inches dbh or less shall be exempt from TRPA approval under subparagraph 2.3.2.M and requirements of this chapter, except as provided herein. Removal of trees greater than 14 inches dbh shall require approval by TRPA except as provided in subparagraphs ~~61.1.4.A.2~~ ~~61.1.7.B~~ and ~~61.1.4.A.3~~ ~~61.1.7.J~~. Removal of trees greater than six inches dbh on lakefront properties where the trees to be removed provide vegetative screening of existing structures as viewed from Lake Tahoe requires TRPA approval, except as provided in subsections ~~61.1.4.A.2~~ ~~7.B~~ and ~~3.J~~. Permits shall be granted or denied in conformity with the provisions of this chapter.

A. Additional Code Standards

Such tree-related projects and activities also shall conform to the provisions of the Code as provided below.

1. If vegetative screening is required by an existing permit for any property, the vegetative screening shall not be removed without prior approval from TRPA except for defensible space purposes pursuant to subparagraph 61.3.6.D.
2. If tree and/or vegetation removal to occur on any property where existing permit conditions require retention of vegetation, including tree and/or vegetation removal for defensible space purposes pursuant to subparagraph 61.3.6.D, alternative scenic mitigation shall be proposed to TRPA within 30 days of vegetation removal and shall be subject to review and approval by TRPA notwithstanding the permit exemption in subparagraph 2.3.2.M.

B. Findings

Before tree-related projects and activities are approved by TRPA, TRPA shall find, based on a report from a qualified forester, that the project or activity is consistent with this chapter and the Code. TRPA may delegate permit issuance to a federal, state, or other qualified agency through a memorandum of understanding.

C. Harvest or Tree Removal Plan

In cases of substantial tree removal, as set forth in subparagraph 61.1.8, the applicant shall submit a harvest plan or tree removal plan prepared by a qualified forester. The plan shall set forth prescriptions for tree removal, water quality protection, vegetation protection, residual stocking levels, reforestation, slash disposal, fire protection, and other appropriate considerations. The plan, as approved by TRPA, shall become a part of the project and prescriptions contained in the plan shall be conditions of approval. [TRPA may consider plans developed pursuant to the California Forest Practice Rules or other CEQA documents completed by a qualified forester to meet the intention of this section provided all the required elements are addressed.](#)

11. Delete Subparagraph H, *Restocking* from Subsection 61.1.6.

<i>Description</i>	61.1.6.H. Restocked removed
<i>Purpose</i>	To streamline Chapter 61. This section does not regulate or set standards for projects to meet. Additionally, restocking limits projects that are designed to create gaps within the forest.
<i>Result</i>	Reference to Restocking is now deleted.

61.1. TREE REMOVAL

61.1.6. Minimum Standards for Tree Removal

~~H. Restocking~~

~~A stand of timber shall be considered to be adequately stocked or to have minimum acceptable stocking when it has thrifty trees well distributed over the growing area (rocky areas, brush fields, meadows, and bodies of water excepted) in which the residual stocking meets the requirements of the appropriate state or federal forestry agency, and desired species composition is maintained.~~

12. Renumber Subparagraphs J, *Historic Resource Protection*, J.1, and J.2 of Subsection 61.1.6 as Subsection 61.3.8 and Subparagraphs 61.3.8.A and 61.3.8.B, respectively, with no change to the language.

<i>Description</i>	61.1.6.J. Historic Resource Protection moved to Section 61.3. Vegetation Protection and Management and assigned a new subsection 61.3.8.
<i>Purpose</i>	To provide a more logical and organized flow to Chapter 61 by moving all references to protections into the Vegetation Protection and Management section.
<i>Result</i>	Details regarding Historic Resource Protection will not be found within Section 61.3. Vegetation Protection and Management under 61.3.8.A-B.

61.1. TREE REMOVAL

61.1.6. Minimum Standards for Tree Removal

~~J. Historic Resource Protection~~

61.3. VEGETATION PROTECTION AND MANAGEMENT

61.3.8. Historic Resource Protection

~~A1. Operations shall incorporate measures to protect historic resources in accordance with Chapter 67: Historic Resource Protection. All historic resources located within the project area shall be flagged and avoided. Flagging shall be removed at the time of completion of operations.~~

~~B2. If there is a discovery of a historic resource during vegetation management activities, all work shall cease in the vicinity of the discovery until significance is determined. Work may resume upon approval of a resource protection plan.~~

13. Renumber Subparagraphs K, *Wildlife, Habitat, and Sensitive Plants* and K.1 through K.3 of Subsection 61.1.6 as Subsection 61.3.9 and Subparagraphs 61.3.9.A through 61.3.9.C, respectively, with no change to the language.

<i>Description</i>	61.1.6.K. Wildlife, Habitat, and Sensitive Plants moved to Section 61.3. Vegetation Protection and Management and assigned a new subsection 61.3.9.A-C.
<i>Purpose</i>	To provide a more logical and organized flow to Chapter 61 by moving all references to protections into the Vegetation Protection and Management section.
<i>Result</i>	Details regarding Wildlife, Habitat, and Sensitive Plants will not be found within Section 61.3. Vegetation Protection and Management under 61.3.9.A-C.

61.1. TREE REMOVAL

61.1.6. Minimum Standards for Tree Removal

~~K. — Wildlife, Habitat, and Sensitive Plants~~

61.3. VEGETATION PROTECTION AND MANAGEMENT

61.3.9. Wildlife, Habitat, and Sensitive Plants

- A1.** Operations shall incorporate appropriate measures to avoid impacts to wildlife during critical wildlife nesting and denning periods in accordance with Chapter 62: *Wildlife Resources*.
- B2.** Snags shall be retained in accordance with subsection 62.3.4.
- C3.** Discovery of a TRPA-designated sensitive species or species of interest, or the location of a nest or den of one of those species, shall be immediately reported to TRPA. Any nests, dens, or plant locations shall be protected in accordance with TRPA regulations. All work within the project area shall cease until TRPA identifies under what conditions the project may continue.

14. Within Subsection 61.1.6, renumber Subparagraph B, *Cutting Practices* as Subparagraph A and modify the language.

<i>Description</i>	Modified language within Section 61.1.6.A. Cutting Practices.
<i>Purpose</i>	Relying on qualified forester judgement allows for more site specificity. Avoiding damage to the extent possible recognizes that some residual vegetation in forest management practices will be affected by management actions.
<i>Result</i>	Cutting Practices reflects more modern language and management techniques.

61.1. TREE REMOVAL

61.1.6. Minimum Standards for Tree Removal

AB. Cutting Practices

The following cutting practice standards apply:

1. Sufficient trees shall be reserved and left uncut and undamaged to meet the minimum acceptable stocking standards of the appropriate state or federal forestry agency, except in cases of early successional stage management;
2. Group selections shall be limited to use for achieving management objectives based on the judgement of a qualified forester; ~~as approved by TRPA~~. Group selections shall be limited in size to less than five acres (See subparagraph 61.1.6);
3. All live trees to be cut shall be marked on bole and stump with paint by, or under the supervision of, a qualified forester prior to TRPA approval. Trees to be removed or protected may be designated by other means in situations involving clear cuts or thinning of exceptionally dense thickets, or other situations that warrant an alternate method of designation. The alternate method shall be stated in the plans and must be approved by TRPA;
4. Damage to unmarked trees and residual vegetation shall be avoided to the extent feasible;
5. All trees shall be felled in line with the skidding direction wherever possible;
6. All trees shall be limbed on all sides where feasible and topped prior to skidding except where whole tree skidding is less disruptive to the forest resources;
7. Stumps shall be cut as low as can be done safely and to the extent that is feasible for harvesting equipment; ~~kept to a height of six inches or less on the side adjacent to the highest ground, except where safety or imbedded metal make this impractical~~;
8. If stump removal will result in greater than three cubic yards of soil disturbance, a grading permit shall be obtained from TRPA prior to removal of stumps;
9. Green stumps shall be treated to prevent the spread of root disease as specified by a qualified forester; and
10. Insect-infested wood and wood susceptible to insect infestation shall be treated or disposed of as specified by a qualified forester.

-
15. Renumber Subparagraphs 61.1.6.C, *Tree Cutting within Stream Environment Zones* and its subparagraphs C.1 through C.5 as Subsection 61.3.10 and Subparagraphs 61.3.10.A through E, respectively, with no change in language.
-

<i>Description</i>	61.1.6.C.1-5. Tree Cutting Within Stream Environment Zones moved to Section 61.3. Vegetation Protection and Management and assigned a new subsection 61.3.10.1.A-E.
<i>Purpose</i>	To provide a more logical and organized flow to Chapter 61 by moving all references to protections into the Vegetation Protection and Management section.
<i>Result</i>	Details regarding Tree Cutting within Stream Environment Zones will now be found within Section 61.3. Vegetation Protection and Management under 61.3.10.

61.1. TREE REMOVAL

61.1.6. Minimum Standards for Tree Removal

~~C. Tree Cutting within Stream Environment Zones~~

61.3. VEGETATION PROTECTION AND MANAGEMENT

61.3.10. Tree Cutting within Stream Environment Zones

Tree cutting within stream environment zones may be permitted to allow for early successional stage vegetation management, sanitation salvage cuts, fuels management for fire hazard reduction, restoration or enhancement of ecosystem health and diversity, and fish and wildlife habitat improvement projects, in accordance with the standards provided below.

A. Vehicle Restrictions

All vehicles shall be restricted to areas outside of the stream environment zones or to existing roads within stream environment zones. The following exceptions shall apply:

1. TRPA may permit the use of vehicles in over-snow tree removal operations. TRPA shall conduct a pre-operation inspection to ensure that conditions are suitable to prevent significant soil disturbance and/or significant vegetation damage; and
2. TRPA shall review site-specific proposals for and may permit the use of "innovative technology" vehicles and/or "innovative techniques" for the purpose of fire hazard reduction in SEZs provided that no significant soil disturbance or significant vegetation damage will result from the use of equipment. (See Chapter 90: Definitions, for definitions of "innovative technology" vehicles and "innovative techniques.") Project proposals should be developed within an adaptive management framework that will result in data that can be used to support and/or improve on equipment and techniques. TRPA shall conduct a pre-operation inspection of the site to decide if vehicle use is appropriate for the given situation, to verify the boundaries of the SEZ, and to identify other areas of concern. The following minimum conditions shall apply:

- (i) Project proponents shall provide documentation substantiating that the use of such vehicles will not cause significant soil disturbance or significant vegetation damage. Documentation must take into account soil types, hydrology, vegetation type and cover, and other ecosystem characteristics, relevant to the use of such vehicles in similar environments. Documentation can include relevant scientific research, monitoring studies, and other supporting analyses;
- (ii) Operations using “innovative technology” vehicles in SEZs shall be limited to the management of common conifer species (e.g., lodgepole pine, white fir), however, incidental hardwoods that need to be removed from within a conifer vegetation type may also be removed using the vehicles;
- (iii) Operations shall be limited to times of the year when soils are sufficiently dry to avoid and/or minimize compaction and sufficiently stable to avoid and/or minimize erosion;
- (iv) Erosion control measures (BMPs) shall be implemented both during and after operations to avoid soil detachment and transport wherever possible, and to minimize erosion wherever soil disturbance cannot be avoided;
- (v) To prevent sediment delivery to surface waters, including wetlands, more stringent setbacks from perennial and intermittent streams than the setbacks set forth in other regulations regulating timber harvests, such as the California Forest Practice Rules and Nevada State Statutes, may be designated if deemed necessary by TRPA;
- (vi) Operations shall incorporate appropriate measures to avoid impacts to wildlife during critical wildlife nesting and denning periods in accordance with Chapter 62: Wildlife Resources;
- (vii) Operations shall incorporate measures to protect historic resources in accordance with Chapter 67: Historic Resource Protection; and
- (viii) Projects shall be monitored to ensure that the SEZ has not sustained any significant damage to soil or vegetation. Along with the project proposal, adaptive management concepts should be applied to the monitoring plan. A monitoring plan shall be submitted with all project proposals, including at a minimum: a list of sites and attributes to be monitored; specification of who will be responsible for conducting the monitoring and report; and a monitoring and reporting schedule.

B. Soil Conditions

All work within stream environment zones shall be limited to times of the year when soil conditions are dry and stable, or when conditions are adequate for over-snow tree removal operations without causing significant soil disturbance and/or significant vegetation damage (See subparagraph 61.1.6.F).

C. Trees and Debris Kept from Streams

Felled trees and harvest debris shall be kept out of all perennial or intermittent streams. If deposited in the stream, the material shall be removed unless it is determined that such logs and woody material adds structural diversity pursuant to fish and wildlife habitat improvements in accordance with Chapter 62: Wildlife Resources, and Chapter 63: Fish Resources. This determination shall be approved by TRPA. Logs or other woody material may be placed in streams to provide woody structure

pursuant to fish or wildlife habitat improvement programs approved by TRPA in accordance with Chapter 63.

D. Stream Crossings

The crossing of perennial streams or other wet areas shall be limited to improved crossings meeting Best Management Practices or to temporary bridge spans that can be removed upon project completion or at the end of the work season, whichever is sooner. Any damage or disturbance to the stream environment zone associated with a temporary crossing shall be restored within one year of its removal. In no instance shall any method requiring the placing of rock and earthen material into the stream or streambed be considered an improved crossing. Other temporary measures may be permitted for dry stream crossings in accordance with the Handbook of Best Management Practices.

E. Special Conditions

Special conditions shall be placed on all tree harvests within stream environment zones or within the transition or edge zone adjoining stream environment zones, as necessary to protect in-stream aquatic habitat values and wildlife habitat integrity and diversity.

16. Within Subsection 61.1.6, renumber Subparagraphs D through F as Subparagraphs B through D, respectively, with no change in language.

TABLE 2: REVISED SUBPARAGRAPH NUMBERS – SUBSECTION 61.1.6

Current Subparagraph Number	Title	Revised Subparagraph Number
D	Logging Roads, Skid Trails, and Landings	B
E	Removal Methods	C
F	Skidding and Ground Based Vehicle Systems	D

17. Within Subsection 61.1.6, renumber Subparagraph G, *Slash Disposal* as Subparagraph E and modify the language.

<i>Description</i>	Modified language within 61.1.6.G. Slash Disposal to reference slash disposal plans and removed specific buffer distances. Section 61.1.6.G. Slash Disposal will become 61.1.6.E. Slash Disposal through reorganization of entire section.
<i>Purpose</i>	Builds consistency with partner agency requirements for buffers.
<i>Result</i>	Language within 61.1.6.G. Slash Disposal now references slash disposal plans and approved buffers instead of specific buffer amounts that are inconsistent with partner agency requirements.

	Section 61.1.6.G. Slash Disposal will become 61.1.6.E. Slash Disposal through reorganization of entire section.
--	---

61.1. TREE REMOVAL

61.1.6. Minimum Standards for Tree Removal

EG. Slash Disposal

Slash shall be disposed of according to an approved slash disposal plan. ~~within two years of project completion by the methods below.~~

1. Lop and scatter, pile and burn or broadcast burn (consistent with Sections 61.2 and 65.1), chip, or haul away. All burns shall be located beyond approved buffers ~~at least 50 feet~~ from any stream channel, unless it can be demonstrated, using best available science, that slash burning within the approved buffer ~~50 feet~~ of a channel will not cause adverse environmental impacts.
2. Cull logs and other material shall be disposed of as required by the permit.

18. Within Subsection 61.1.6, renumber Subparagraph I, *Erosion Control*, as Subparagraph F and modify the language.

<i>Description</i>	Modified language within 61.1.6.I. Erosion Control that includes language regarding design criteria to avoid tracking soil off site. Erosion Control will be 61.1.6.F. Erosion Control through reorganization of entire section.
<i>Purpose</i>	Provides clarity throughout the Erosion Control section regarding soil leaving the project site.
<i>Result</i>	Ensures projects have design criteria in place to void tracking soil off site instead of simply saying soil cannot leave the site. Section 61.1.6.I. Erosion Control will become 61.1.6.F. Erosion Control through reorganization of entire section.

61.1. TREE REMOVAL

61.1.6. Minimum Standards for Tree Removal

FI. Erosion Control

The adequacy of all required BMPs shall be confirmed at the time of the TRPA pre-operations inspection. Any modifications to the required BMPs as determined by TRPA shall be incorporated into the project permit at that time or as determined to be necessary throughout forest management operations. The following erosion control standards apply:

1. The following Temporary BMPs are required to be installed prior to the commencement of any forest management or equipment operations:
 - a. Temporary erosion controls and vegetation protection measures.
 - b. Equipment exclusion area boundary markings or fencing, as necessary to comply with the TRPA-approved forest management plan.
2. Excavated material shall be stored upslope from the excavated areas to the extent possible. No material shall be stored in any SEZ, wet area, or stream buffer zone.
3. [Projects must have design criteria to avoid tracking soil off the project site.](#) ~~Soil shall not be tracked off the project site.~~ Equipment operations shall cease when a violation of this condition exists. The site shall be cleaned and the road right-of-way swept clean when necessary.
4. No equipment or vehicle repairs, other than necessary maintenance of harvest equipment, shall be permitted in the project area unless authorized by TRPA. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. Spill containment and absorbent materials shall be kept on site at all times. All petroleum products and hazardous waste shall be removed from the project area and disposed of at an approved location.

19. Renumber Subsection 61.1.9, *Commercial Tree Removal* as Subsection 61.1.7, with no change to the language.

<i>Description</i>	61.1.9.A-B. Commercial Tree Removal assigned an updated code section 61.1.7.A-B.
<i>Purpose</i>	To provide a more logical and organized flow to Chapter 61.
<i>Result</i>	61.1.9.A-B. Commercial Tree Removal can now be found at code section 61.1.7.A-B.

61.1. TREE REMOVAL

61.1.79. Commercial Tree Removal

A. General Standard

Trees may be removed as a commercial enterprise pursuant to the tree removal practices of subsection 61.1.6.

B. Cutting and Cultivation of Christmas Trees

Legally existing Christmas tree cultivation operations, when certified by a qualified forester to be utilizing native species and proper silvicultural methods, may continue upon approval by TRPA. New Christmas tree farm operations meeting the above conditions may be permitted if TRPA finds them to be in compliance with the Code and the applicable plan area statements.

20. Modify Subparagraph 61.1.8.B.

<i>Description</i>	61.1.8.B. Public Parcels modified to include language referencing Memorandums of Understanding between partner agencies and the TRPA.
<i>Purpose</i>	To provide a clarity and simplicity for partner agencies regarding substantial tree removal.
<i>Result</i>	Details regarding the review process for public parcels have been removed and replaced with a reference to partner MOU's when applicable.

61.1. TREE REMOVAL

61.1.8. Substantial Tree Removal

Substantial tree removal shall be activities on project areas of three acres or more and proposing the removal of more than 100 live trees 14 inches dbh or larger, or proposing tree removal that as determined by TRPA after a joint inspection with appropriate state or federal Forestry staff does not meet the minimum acceptable stocking standards set forth in subparagraph 61.1.6.H. Substantial tree removal projects shall be processed by the appropriate state and federal agencies in coordination with TRPA as required below.

A. Private Parcels

The review process for private parcels shall include the following:

1. Harvest plan shall be written by a qualified forester;
2. Harvest plan shall be submitted to the appropriate state and federal agencies and TRPA with an initial environmental checklist or environmental assessment;
3. Preparation of environmental impact statement if necessary;
4. Pre-approval field review;
5. Approval of project by TRPA;
6. Pre-harvest field review; and
7. Post-harvest review.

B. Public Parcels

1. The review process for substantial tree removal for public parcels administered by public land management agencies may be determined according to a Memorandum of Understanding (MOU) between the partner agency and the TRPA. For agencies without an MOU with the TRPA, the process shall be the same as for private parcels listed above; ~~public parcels administered by the U.S. Forest Service shall include the following:~~
 - a. ~~Coordination with TRPA at the initial planning stages;~~
 - b. ~~Preparation of environmental assessment;~~
 - c. ~~Preparation of environmental impact statement (if necessary);~~

- ~~d. Submittal of tree removal or harvest plan;~~
- ~~e. Approval of project by TRPA; and~~
- ~~f. TRPA monitoring and evaluation.~~
- ~~2. For other public parcels the process shall be the same as for private parcels in 1 above.~~

21. Delete Subparagraph 61.2.3.B, *Limitations*.

<i>Description</i>	61.2.3.B.1-5. Limitations removed.
<i>Purpose</i>	To streamline Section 61.2. Prescribed Burning. Limitations are duplicative of the sentence in 61.2.3.A. "To maintain forest health and diversity and to reduce the risk of fire".
<i>Result</i>	Section 61.2.3.B.1-5. Limitations are removed.

61.2. PRESCRIBED BURNING

61.2.3. Prescribed Burning

~~B. **Limitations**~~
~~Prescribed burning shall be limited to the following activities:~~

- ~~1. Seral stage management;~~
- ~~2. Fuels management;~~
- ~~3. Wildlife habitat management;~~
- ~~4. Silviculture; or~~
- ~~5. Pest control.~~

22. Delete Subparagraph 61.2.5.B.7.

<i>Description</i>	61.2.5.B.7. is removed.
<i>Purpose</i>	To streamline Section 61.2. Prescribed Burning. 61.2.5.B.7. Other information that TRPA may require removed because it does not provide any detail and does not preclude the TRPA from requesting additional materials.
<i>Result</i>	Section 61.2.5.B.7. is removed.

61.2. PRESCRIBED BURNING**61.2.5. Compliance Program****B. Burn Prescription**

All applications to conduct prescribed burning shall be accompanied by a burn prescription. A burn prescription shall include the following items:

~~7. Other information that TRPA may require.~~

Attachment A – Exhibit 3
Updated Code Language

CHAPTER 61: VEGETATION AND FOREST HEALTH

61.1. TREE REMOVAL

61.1.1. Purpose

The purpose of this section is to regulate the management of forest resources to achieve and maintain the environmental threshold standards for species and structural diversity, to promote the long-term health of natural resources, to restore and maintain suitable habitats for native wildlife species, and to reduce accumulations of hazardous fuels in order to decrease the likelihood of catastrophic wildfire events.

61.1.2. Applicability

TRPA requires the protection and maintenance of all native vegetation types. TRPA may require the preparation and implementation of a remedial vegetation management plan for any parcel where the need for remedial vegetation management has been identified for purposes of environmental threshold maintenance or attainment. The use, protection, and maintenance of vegetation are also addressed in the following chapters of the Code of Ordinances:

- A. 2: *Applicability of the Code of Ordinances;*
- B. 30: *Land Coverage;*
- C. 33: *Grading and Construction;*
- D. 36: *Design Standards;*
- E. 53: *Individual Parcel Evaluation System;*
- F. 60: *Water Quality;*
- G. 61: *Vegetation and Forest Health;*
- H. 62: *Wildlife Resources;*
- I. 63: *Fish Resources;*
- J. 64: *Livestock Grazing;*
- K. 80: *Review of Projects in the Shorezone and Lakezone;*
- L. 84: *Development Standards Lakeward of High Water;* and
- M. 90: *Definitions.*

61.1.3. Delegation of Project Review and Permit Determination

Qualified agencies, or third party designees, may be delegated authority for permit determinations set forth in this chapter. Stream environment zone areas (SEZ's) may be excluded from the delegation. TRPA may, on a case-by-case basis, designate the review of SEZ's if the agency or third party has demonstrated expertise in hydrology, ecology, botany, restoration, soil science, or similar scientific disciplines and are qualified to evaluate and prevent negative impacts to SEZ's and water quality. If TRPA delegates these review and permitting functions, these agencies will also be responsible for ensuring compliance with all other provisions of the Compact, Regional Plan, and Code of Ordinances.

61.1.4. Reasons for Tree Removal

Except for trees identified for retention under subsection 61.1.4, tree removal shall incorporate measures and prescriptions that promote a range of threshold standards and SEZs pursuant to subparagraph 61.1.6.C. Trees may be removed for the reasons provided below.

A. Hazardous Tree Removal

To protect lives and property, trees reported by a qualified forester to be hazardous to property or lives may be removed upon approval by TRPA unless exempt through a Memorandum of Understanding with the TRPA. Other vegetation shall be protected during removal operations to prevent their injury.

1. Fire Hazard Tree Removal

Trees identified and marked by a qualified forester as a fire hazard may be removed upon approval by TRPA or pursuant to a TRPA MOU Authorization. Trees identified and marked by a defensible space assessor for defensible space purposes associated with a building or structure may be removed upon approval by TRPA or pursuant to a TRPA MOU Authorization. Fuel reduction projects shall consider multiple threshold objectives. As an alternative to tree removal, the defensible space assessor may approve the limbing of trees that are determined to be a fire hazard, consistent with defensible space requirement of the applicable fire agency. (See Chapter 90 for definition of "fuels management.")

2. Emergency Tree Removal

When a tree constitutes a physical emergency (e.g., imminent threat of falling on occupied or substantial structures or people), the tree may be removed, but the land owner or manager shall provide photographic documentation and all applicable paperwork and fees to TRPA within ten working days of removal of the hazardous tree.

3. Tree Removal During Emergency Fire Suppression Activities

Trees may be removed when an emergency fire suppression need exists as determined by the local, state, or federal fire suppression agency involved in a fire suppression activity.

B. Ecosystem Management Goals and EIP Projects

1. Management Objectives

Trees may be removed to meet ecosystem management goals such as:

CHAPTER 61: VEGETATION AND FOREST HEALTH

61.1 Tree Removal

61.1.4 Reasons for Tree Removal

- a. Restoration and expansion of stream environment zones and riparian vegetation;
- b. Improvement of the structural diversity of all forests based on the judgement of a qualified forester;
- c. Enhancement of native wildlife species and/or native wildlife habitat diversity;
- d. Enhancement and protection of tree species of limited occurrence, such as aspen, black cottonwood, ponderosa pine, Douglas-fir, incense-cedar, sugar pine, western white pine, mountain hemlock, whitebark pine, and western juniper;
- e. Protection of sensitive lands;
- f. Minimization of construction of new roads;
- g. Revegetation of existing temporary roads;
- h. Avoidance of disturbance of stream environment zones, unless to enhance the health of stream environment zones through projects intended to thin trees or prescribed burns within SEZ in accordance with subparagraph 61.3.10.;
- i. Utilization of existing openings or disturbed areas as landings where appropriate;
- j. The promotion of a diversity of seral stages, species diversity, and age class;
- k. Fuels management for fire hazard reduction; and,
- l. Forest health and resilience to droughts, insects, disease, and climate change.

2. Dead, Dying, or Diseased Tree Removal

To enhance forest health, dying, or diseased trees may be removed upon approval by TRPA. Dead trees less than or equal to 30 inches in westside forest types and less than or equal to 24 inches in eastside forest types may be removed without TRPA approval pursuant to subsection 2.3.2.E.

3. Tree Removal for Early Successional Stage Vegetation Management

Tree removal may be permitted when it has been determined by TRPA that it is appropriate to convert an area to, and/or maintain an area in, an early successional stage vegetation type. (See Chapter 90 for definition of "early successional stage vegetation management.") Where soil stabilization is required and/or the replacement of removed vegetation, the applicant shall provide a revegetation or soil stabilization plan in accordance with subsection 61.4.5.

4. Tree Removal for Enhancement of Forest Health and Diversity

Tree removal may be permitted where the species or structural diversity of an area is not in accordance with management objectives. TRPA shall apply the criteria below in reviewing tree removal to enhance forest health and diversity.

- a. A management plan that demonstrates the need for the project and the means of accomplishing the objectives listed below shall be prepared by a qualified forester.
 - (i) Removal of trees shall not result in less than minimum stocking levels required by the applicable state or federal forestry agency.
 - (ii) If improved structural diversity is the objective, removal of trees shall be linked to a reforestation program that provides for the establishment of younger-aged trees, or be accompanied by a report from a qualified forester that states the reasons why a reforestation plan is not necessary to achieve structural diversity objectives.
-

CHAPTER 61: VEGETATION AND FOREST HEALTH

61.1 Tree Removal

61.1.4 Reasons for Tree Removal

- (iii) If improved species diversity is the objective, removal of trees shall be linked to a reforestation program that provides for the establishment of native species other than the local dominant, or be accompanied by a report from a qualified forester that states the reasons why a reforestation plan is not necessary to achieve species diversity objectives.
 - (iv) On parcels of three acres or less, the tree removal permit may serve as the management plan.
 - b. The site proposed for tree removal for forest diversity shall be within a contiguous area of at least three acres in which a single tree species of similar age class dominates. There is no minimum acreage when removing trees for forest health or for successional management of stream environment zones.
- C. **Tree Removal for Solar Access**

Removal of healthy trees to maximize efficiency of solar energy systems may be permitted according to the standards below.

 - 1. TRPA may approve the removal of healthy trees provided TRPA finds that the trees unreasonably impede the operation of a solar energy system and that the solar energy system is properly located so as to minimize the need for tree removal.
 - 2. The number of healthy trees that may be removed for the system's operation shall be the minimum necessary.
 - 3. The only trees that shall be considered for removal for an active or passive solar energy system are those that lie generally south of the proposed solar collector and are in the sun's path between an 18° vertical angle measured from the base of the solar collector and a 70° vertical angle from the same base measurement. Trees on adjacent properties may be removed provided a contractual agreement to allow for such removal is signed by the affected parties. Tree removal may be conditioned upon replacement elsewhere on the property.
- D. **Tree Removal for Rights-Of-Way**

The removal of trees within utility and public rights-of-way may be allowed if TRPA finds that the removal is for public health and safety. When a tree-related emergency exists, the utility or public agency may remove the trees and advise TRPA of the action on the next business day. At that time TRPA may issue an emergency permit in accordance with its Rules of Procedure.
- E. **Tree Removal for Ski Areas**

For expansion of ski areas, including but not limited to, the widening of runs and the addition or replacement of lifts, only the minimum number of trees necessary for the operation of the ski area shall be removed.
- F. **Tree Removal for Development**

Tree removal for development in conjunction with a TRPA permit shall be in accordance with the provisions of this chapter and Section 33.6.
- G. **Tree Removal to Enhance Scenic View Points from Public Roadways**

Select trees may be removed to enhance scenic viewpoints from scenic turnouts located on highways, public rights-of-way and other public lands immediately adjacent to highway corridors.

61.1.5. General Tree Removal Standards

The cutting, moving, removing, killing, or materially damaging of live trees, and the attachment of appurtenances to trees, shall comply with this subsection. The removal of trees 14 inches dbh or less shall be exempt from TRPA approval under subparagraph 2.3.2.M and requirements of this chapter, except as provided herein. Removal of trees greater than 14 inches dbh shall require approval by TRPA except as provided in subparagraphs 61.1.4.A.2. and 61.1.4.A.3. Removal of trees greater than six inches dbh on lakefront properties where the trees to be removed provide vegetative screening of existing structures as viewed from Lake Tahoe requires TRPA approval, except as provided in subsections 61.1.4.A.2. and 3. Permits shall be granted or denied in conformity with the provisions of this chapter.

A. Additional Code Standards

Such tree-related projects and activities also shall conform to the provisions of the Code as provided below.

1. If vegetative screening is required by an existing permit for any property, the vegetative screening shall not be removed without prior approval from TRPA except for defensible space purposes pursuant to subparagraph 61.3.6.D.
2. If tree and/or vegetation removal to occur on any property where existing permit conditions require retention of vegetation, including tree and/or vegetation removal for defensible space purposes pursuant to subparagraph 61.3.6.D, alternative scenic mitigation shall be proposed to TRPA within 30 days of vegetation removal and shall be subject to review and approval by TRPA notwithstanding the permit exemption in subparagraph 2.3.2.M.

B. Findings

Before tree-related projects and activities are approved by TRPA, TRPA shall find, based on a report from a qualified forester, that the project or activity is consistent with this chapter and the Code. TRPA may delegate permit issuance to a federal, state, or other qualified agency through a memorandum of understanding.

C. Harvest or Tree Removal Plan

In cases of substantial tree removal, as set forth in subparagraph 61.1.8, the applicant shall submit a harvest plan or tree removal plan prepared by a qualified forester. The plan shall set forth prescriptions for tree removal, water quality protection, vegetation protection, residual stocking levels, reforestation, slash disposal, fire protection, and other appropriate considerations. The plan, as approved by TRPA, shall become a part of the project and prescriptions contained in the plan shall be conditions of approval. TRPA may consider plans developed pursuant to the California Forest Practice Rules or other CEQA documents completed by a qualified forester to meet the intention of this section provided all the required elements are addressed.

61.1.6. Minimum Standards for Tree Removal

The minimum standards for tree removal shall be as provided below.

A. Cutting Practices

The following cutting practice standards apply:

CHAPTER 61: VEGETATION AND FOREST HEALTH

61.1 Tree Removal

61.1.6 Minimum Standards for Tree Removal

1. Sufficient trees shall be reserved and left uncut and undamaged to meet the minimum acceptable stocking standards of the appropriate state or federal forestry agency, except in cases of early successional stage management;
2. Group selections shall be limited to use for achieving management objectives based on the judgement of a qualified forester. Group selections shall be limited in size to less than five acres (See subparagraph 61.1.6);
3. All live trees to be cut shall be marked on bole and stump with paint by, or under the supervision of, a qualified forester prior to TRPA approval. Trees to be removed or protected may be designated by other means in situations involving clear cuts or thinning of exceptionally dense thickets, or other situations that warrant an alternate method of designation. The alternate method shall be stated in the plans and must be approved by TRPA;
4. Damage to unmarked trees and residual vegetation shall be avoided to the extent feasible;
5. All trees shall be felled in line with the skidding direction wherever possible;
6. All trees shall be limbed on all sides where feasible and topped prior to skidding except where whole tree skidding is less disruptive to the forest resources;
7. Stumps shall be cut as low as can be done safely and to the extent that is feasible for harvesting equipment;
8. If stump removal will result in greater than three cubic yards of soil disturbance, a grading permit shall be obtained from TRPA prior to removal of stumps;
9. Green stumps shall be treated to prevent the spread of root disease as specified by a qualified forester; and
10. Insect-infested wood and wood susceptible to insect infestation shall be treated or disposed of as specified by a qualified forester.

B. Logging Roads, Skid Trails, and Landings

All logging roads, skid trails, and landings shall be constructed or otherwise created and maintained in accordance with the requirements of this chapter and the *Handbook of Best Management Practices*. Existing roads, skid trails, and landings shall be used whenever possible. New roads shall be approved only if TRPA finds that all alternatives have been explored and determines that the construction of new roads, skid trails, or landings would be the preferred alternative. In accordance with subparagraph 60.1.3.B, existing roads and landings may be accessed in the winter to help prepare for over-snow tree removal. Such preparation shall be limited to packing snow over the roadways to obtain a firm snow base and allow movement of logs and equipment without disturbance of the soil. The standards provided below also shall apply.

1. The requirements and standards for design, grade, tree felling in right-of-way, slash cleanup, width, and maintenance, by road type as determined by TRPA, shall be as shown in Tables 61.1.5-1 and 61.1.5-2.

CHAPTER 61: VEGETATION AND FOREST HEALTH

61.1 Tree Removal

61.1.6 Minimum Standards for Tree Removal

TABLE 61.1.5-1: LOGGING ROADS AND SKID TRAILS: DESIGN AND GRADE

Road Type	Design	Maximum Grade
Permanent administrative roads	Plans and specifications	10%
Limited use roads remaining open	Plans and specifications	10% with occasional 15%
Limited use roads closed after logging	Plans and specifications	10% with occasional 15%
Temporary roads	Flag line	20%
Tractor roads and main skid trails	Flag line	30%
Secondary skid trail	None	30%

TABLE 61.1.5-2: LOGGING ROADS AND SKID TRAILS: OTHER STANDARDS

Road Type	Right of Way Tree Falling	Minimum Slash Cleanup	Maximum Width	Maintenance
Permanent administrative roads	Prefall	Removal within 50 feet of road	30 feet*	As determined by TRPA
Limited use roads remaining open	Prefall	Removal within 50 feet of road	15 feet 2/turnouts*	Annual maintenance required**
Limited use roads closed after logging	Prefall	Lop and scatter	15 feet 2/turnouts*	Close to vehicle use and revegetate
Temporary roads	Prefall	Lop and scatter	15 feet*	Close to vehicle use and revegetate
Tractor roads and main skid trails	Concurrent	Lop and scatter	15 feet	Close to vehicle use and revegetate
Secondary skid trails	Concurrent	Lop and scatter	15 feet	Close to vehicle use and revegetate

* Unless TRPA finds that greater width is necessary for feasible use or safety.

** "Annual Maintenance" includes activities such as restoring drainage features and making other road repairs as necessary.

2. Skid trails shall be located so as to protect residual stands through utilization of natural openings and topographic characteristics. The number of skid trails shall be kept to the minimum necessary and their width shall be 15 feet or less. Directional felling shall be used whenever possible to minimize skid trail density. Main skid trails shall be flagged in advance of felling operations and shall require approval by TRPA.
3. Best Management Practices shall be installed on all skid trails, landings, and roads, no later than 15 days following completion of operations within a particular treatment unit, or at the time of seasonal shutdown, whichever is sooner.
4. Water breaks shall be spaced as provided below.
 - a. The maximum slope distance in feet by land capability district shall be according to Table 61.1.5-3.

TABLE 61.1.5-3: MAXIMUM SLOPE DISTANCE IN FEET BY LAND CAPABILITY DISTRICT

Gradient	5-7	3-4

TRPA Code of Ordinances

Adopted by Governing Board December 12, 2012 | Amended September 23, 2019 | Page 61-7

CHAPTER 61: VEGETATION AND FOREST HEALTH

61.1 Tree Removal

61.1.6 Minimum Standards for Tree Removal

Less Than 10%	200	200
10 - 20%	150	90
21 - 30%	90	50

- b. Water breaks shall be placed at lesser intervals as necessary to prevent soil erosion caused by firebreaks, trails, or landings.
- c. Construction of water breaks shall be kept current with operations or at the time of seasonal shutdown, whichever is sooner. Erosion control work, including the design and interval of water breaks, shall require TRPA approval.
- d. Landing areas shall be properly drained in a manner to prevent soil erosion and stream pollution.

C. Removal Methods

Only the tree removal methods shown in Table 61.1.5-4 shall be used on lands located within the land capability districts shown.

TABLE 61.1.5-4: TREE REMOVAL METHODS

Land Capability District	Removal Method
1a, 1c, or 2	Aerial removal, hand carry, and use of existing roads, in conformance with subsection 61.1.6. Over-snow removal may be approved pursuant to subparagraph 61.1.6.F.1.
1b (Stream Environment Zone)	As permitted in Land Capability District 1a, end lining may be approved when site conditions are dry and stable, or when winter conditions are adequate for end lining operations so as to avoid adverse impacts to the soil and vegetation. The use of “innovative technology” vehicles and/or “innovative techniques” for removing trees from SEZs may be considered pursuant to subparagraph 61.1.6.C.1.b.
3	As permitted in Land Capability District 1b, Ground skidding pursuant to subparagraph 61.1.6.F.2 may be approved.
4 - 7, Inclusive	As permitted in Land Capability District 1b. Ground skidding, as well as pickup and removal by conventional construction equipment, may be approved. Ground-based vehicle systems for removing trees without skidding may be approved pursuant to subparagraph 61.1.6.F.5.

D. Skidding and Ground Based Vehicle Systems

Skidding is the act of dragging a tree or log along the ground or snow by cable systems or by mobile equipment. Ground skidding is the act of skidding a log or tree in full contact with the ground behind mobile equipment. End lining is dragging a log or tree in full contact with the ground by a winch. Cable yarding is the act of removing a log or tree by cable with one end of the log or tree in contact with the ground. Ground based vehicle systems are all-in-one “process at the stump” harvesters that cut, process and remove trees without any ground skidding.

- 1. Skidding over snow is preferred to ground skidding. The depth of the snow shall be sufficient to prevent disturbance of the soil beneath the snow as determined by site-specific field observations. Skidding operations shall cease when soil becomes visible on the surface of the snow.
- 2. Ground skidding shall be limited to Land Capability Districts 3, 4, 5, 6, and 7.

CHAPTER 61: VEGETATION AND FOREST HEALTH

61.1 Tree Removal

61.1.6 Minimum Standards for Tree Removal

3. Logs shall only be skidded endwise.
4. No logging arches, other than integral arch equipment, shall be permitted.
5. Ground-based vehicle systems for removing trees without skidding, such as harvester and forwarder combinations, may be approved by TRPA for use in Land Capability Districts 4, 5, 6, and 7. The use of "innovative technology" vehicles and/or "innovative techniques" for removing trees without skidding may be considered in Land Capability District 1b and 3 pursuant to subparagraph 61.1.6.C.1 and subparagraph 61.1.6.E.

E. Slash Disposal

Slash shall be disposed of according to an approved slash disposal plan.

1. Lop and scatter, pile and burn or broadcast burn (consistent with Sections 61.2 and 65.1), chip, or haul away. All burns shall be located beyond approved buffers from any stream channel, unless it can be demonstrated, using best available science, that slash burning within the approved buffer of a channel will not cause adverse environmental impacts.
2. Cull logs and other material shall be disposed of as required by the permit.

F. Erosion Control

The adequacy of all required BMPs shall be confirmed at the time of the TRPA pre-operations inspection. Any modifications to the required BMPs as determined by TRPA shall be incorporated into the project permit at that time or as determined to be necessary throughout forest management operations. The following erosion control standards apply:

1. The following Temporary BMPs are required to be installed prior to the commencement of any forest management or equipment operations:
 - a. Temporary erosion controls and vegetation protection measures.
 - b. Equipment exclusion area boundary markings or fencing, as necessary to comply with the TRPA-approved forest management plan.
2. Excavated material shall be stored upslope from the excavated areas to the extent possible. No material shall be stored in any SEZ, wet area, or stream buffer zone.
3. Projects must have design criteria to avoid tracking soil off of the project site. Equipment operations shall cease when a violation of this condition exists. The site shall be cleaned and the road right-of-way swept clean when necessary.
4. No equipment or vehicle repairs, other than necessary maintenance of harvest equipment, shall be permitted in the project area unless authorized by TRPA. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. Spill containment and absorbent materials shall be kept on site at all times. All petroleum products and hazardous waste shall be removed from the project area and disposed of at an approved location.

61.1.7. Commercial Tree Removal

A. General Standard

Trees may be removed as a commercial enterprise pursuant to the tree removal practices of subsection 61.1.6.

B. Cutting and Cultivation of Christmas Trees

Legally existing Christmas tree cultivation operations, when certified by a qualified forester to be utilizing native species and proper silvicultural methods, may continue upon approval by TRPA. New Christmas tree farm operations meeting the above conditions may be permitted if TRPA finds them to be in compliance with the Code and the applicable plan area statements.

61.1.8. Substantial Tree Removal

Substantial tree removal shall be activities on project areas of three acres or more and proposing the removal of more than 100 live trees 14 inches dbh or larger, or proposing tree removal that as determined by TRPA after a joint inspection with appropriate state or federal Forestry staff does not meet the minimum acceptable stocking standards set forth in subparagraph 61.1.6.H. Substantial tree removal projects shall be processed by the appropriate state and federal agencies in coordination with TRPA as required below.

A. Private Parcels

The review process for private parcels shall include the following:

1. Harvest plan shall be written by a qualified forester;
2. Harvest plan shall be submitted to the appropriate state and federal agencies and TRPA with an initial environmental checklist or environmental assessment;
3. Preparation of environmental impact statement if necessary;
4. Pre-approval field review;
5. Approval of project by TRPA;
6. Pre-harvest field review; and
7. Post-harvest review.

B. Public Parcels

1. The review process for substantial tree removal for public parcels administered by public land management agencies may be determined according to a Memorandum of Understanding (MOU) between the partner agency and the TRPA. For agencies without an MOU with the TRPA, the process shall be the same as for private parcels listed above.

61.2. PRESCRIBED BURNING

61.2.1. Purpose

This section sets forth standards and regulations pertaining to the use of fire in controlled circumstances for vegetation management.

61.2.2. Applicability

The standards and regulations in this section apply to all intentional burning for the purpose of vegetation management, unless otherwise exempt from TRPA review under the provisions of Chapter 2: *Applicability of the Code of Ordinances*.

61.2.3. Prescribed Burning

A. Prescribed Burning Allowed

Persons who own or manage forests or range lands may use prescribed burning, consistent with the standards and regulations set forth in this section, to maintain forest health and diversity and to reduce the risk of wildfire.

61.2.4. Performance Standards

The use of prescribed burning for vegetation management shall comply with the standards provided below.

A. Location of Prescribed Burning

The use of prescribed burning shall be limited to those areas where the plan area statements designate as a permissible use one or more of the following uses:

1. Nonstructural wildlife habitat management;
2. Range improvement;
3. Fuels management; or
4. Prescribed fire management.

B. Extent of Prescribed Burning

Each prescribed burn shall be limited to the minimum area necessary to achieve the purpose of the prescription.

C. Timing of Prescribed Burning

Prescribed burning shall be limited to time periods for which TRPA finds that atmospheric conditions normally will allow complete dispersion of the smoke from the prescribed burn during each day of the burn.

D. Responsible Persons

A qualified expert, experienced in the use of fire for vegetation management, shall prepare a burning prescription for review and, if appropriate, approval by TRPA. The expert shall certify that the prescription meets the standards of this section. The expert shall oversee the conduct of the burn.

E. Standards of Other Government Agencies

All prescribed burning shall comply with applicable standards of other government agencies with appropriate jurisdiction, including but not limited to the following agencies: the El Dorado County Air Pollution Control District; the Placer County Air Pollution Control District; the California Air Resources Board; the California State Water Resources Control Board; the California Regional Water Quality Control Board; the Nevada Division of Environmental Protection; the California and Nevada Departments of Forestry; and the United States Forest Service. Where TRPA standards conflict with another agency's standards, the most stringent standard shall control.

61.2.5. Compliance Program

To achieve compliance with the standards in subsection 61.2.4, TRPA shall apply the following provisions:

A. Consistency with Primary Use

TRPA shall review and, if appropriate, approve applications to conduct prescribed burns consistent with the provisions of Chapter 21: *Permissible Uses*,

regarding allowed and special uses for those uses listed in subparagraph 61.2.4.A.

B. Burn Prescription

All applications to conduct prescribed burning shall be accompanied by a burn prescription. A burn prescription shall include the following items:

1. Detailed statement of the purpose of the prescribed burn;
2. Description, including a map at an appropriate scale of the location and a real extent of the prescribed burn. Such description shall allow TRPA to determine whether the proposed burn complies with subparagraphs 61.2.4.A and 61.2.4.B;
3. Description of the timing of the prescribed burn, and meteorological information that demonstrates that the timing of the prescribed burn will normally allow complete dispersion of the smoke from the burn during each day of the burn;
4. A list of the applicable standards of TRPA and other government agencies with jurisdiction over the burn, and a discussion of how the proposed prescription complies with those standards;
5. A detailed description of the proposed burning operation, including a description of all safety procedures that will be used to prevent wildfire;
6. A certification by a qualified expert experienced in the use of fire for vegetation management that the burn prescription complies with this section; and that the expert shall oversee the conduct of the burn to ensure that the prescription is followed; and

61.3. VEGETATION PROTECTION AND MANAGEMENT

61.3.1. Purpose

In accordance with the Vegetation Conservation Element of the Regional Plan Goals and Policies, this section provides for the protection of Stream Environment Zone (SEZ) vegetation, other common vegetation, uncommon vegetation, and sensitive plants. It also provides for remedial management of vegetation to achieve and maintain environmental thresholds for plant species and structural diversity, and the maintenance of vegetation health. The management and protection of vegetation shall, at a minimum, consider the diversity of plant species and landscape pattern of plant communities, and their attributes in relationship to wildlife and fisheries habitat, scenic quality, recreation use, soil conservation, and water quality.

61.3.2. Applicability

TRPA requires the protection and maintenance of all native vegetation types. TRPA may require the preparation and implementation of a remedial vegetation management plan for any parcel where the need for remedial vegetation management has been identified for purposes of environmental threshold maintenance or attainment.

61.3.3. Protection of Stream Environment Zones

A. General Requirement

Unless excepted in B below, no project or activity shall be undertaken in an SEZ (Land Capability District 1b) that converts SEZ vegetation to a non-native or artificial state or that negatively impacts SEZ vegetation through action

CHAPTER 61: VEGETATION AND FOREST HEALTH

61.3 Vegetation Protection and Management

61.3.4 Remedial Vegetation Management

including, but not limited to, reducing biomass, removing vegetation, or altering vegetation composition.

B. Exceptions

The activities below are exceptions to the general requirement in A above.

1. Manipulation or management of SEZ vegetation may be permitted in accordance with the Code for purposes of SEZ vegetation health or wildlife or fish habitat improvements, and after approval of a vegetation management plan pursuant to subparagraph 61.3.5.B, or as provided in Section 30.5, subsection 30.4.4, subparagraph 30.4.6.D.3, Section 63.3, or Sections 61.1 or 61.2.
2. Maintenance of landscaping that was installed prior to the creation of TRPA, or installed for the purpose of scenic quality pursuant to Chapter 36: *Design Standards*, or pursuant to a TRPA permit, or under a TRPA exemption prior to August 1, 1997, provided that fertilizer use is restricted in accordance with the BMP Handbook and described in subparagraph 60.1.8.A, unless a remedial action pursuant to subsection 61.3.4 has been taken by TRPA.
3. Removal of vegetation may be permitted pursuant to subparagraphs 2.3.2.E, or 2.3.6.A.8, Section 33.6, Chapter 64: *Livestock Grazing*, or under defensible-space guidelines approved by TRPA.

61.3.4. Remedial Vegetation Management

TRPA and resource management agencies, including the states' forestry departments, shall identify areas where remedial management of vegetation is necessary to achieve and maintain environmental thresholds for health and diversity in vegetation. Requests by TRPA to prepare and implement a remedial vegetation management plan for a specified area shall follow the procedures set forth in Section 5.12: *Remedial Action Plans*.

61.3.5. Preparation of Remedial Vegetation Management Plans

At the request of TRPA, remedial vegetation management plans shall be prepared by the property owners of areas identified for remedial vegetation management in cooperation with TRPA and appropriate resource management agencies.

A. Plan Content

Remedial vegetation management plans shall contain, at a minimum, the following information:

1. Purpose of the management plan, including a list of objectives;
2. Description of existing vegetation, including the abundance, distribution, and age class of tree species;
3. Remedial measures necessary to achieve the stated objectives, including details of harvest and revegetation plans (see Section 61.4); and
4. An implementation schedule, including a monitoring program to report progress on monitoring of vegetation.

B. Plan Approval

TRPA may approve a remedial vegetation management plan provided the plan is necessary to achieve, and can reasonably be expected to achieve, the purposes set forth in subsection 61.3.4.

61.3.6. Sensitive and Uncommon Plant Protection and Fire Hazard Reduction

A. Purpose

This subsection sets forth standards for the preservation and management of vegetation of significant scenic, recreational, educational, scientific, or natural values of the region, and for management of vegetation to prevent the spread of wildfire.

B. Applicability

This subsection applies to all projects and activities that could have a detrimental effect on designated sensitive plants or uncommon plant communities, and to all areas where vegetation may contribute to a significant fire hazard.

C. Sensitive Plants and Uncommon Plant Communities

Designation of plants for special significance is based on such values as scarcity and uniqueness. The following standards shall apply to all sensitive plants and uncommon plant communities referenced in the environmental thresholds, and to other plants or plant communities identified later for such distinction. The general locations of sensitive plant habitat and uncommon plant communities are depicted on the TRPA Special Species map layers. The special species map layers indicate the location of habitat for threatened, endangered, rare, and special interest species and where populations of sensitive or uncommon plants have been observed.

1. Sensitive Plants

a. List of Sensitive Plants

The sensitive plants are:

- (i) *Rorippa subumbellata* (Tahoe yellow cress);
- (ii) *Arabis rigidissima* var. *demote* (Galena Creek rock cress);
- (iii) *Lewisia longipetala* (long-petaled lewisia);
- (iv) *Draba asterophora* v. *macrocarpa* (Cup Lake draba); and
- (v) *Draba asterophora* v. *asterophora* (Tahoe draba).

b. Standards for Sensitive Plants

Projects and activities in the vicinity of sensitive plants or their associated habitat shall be regulated to preserve sensitive plants and their habitat. All projects or activities that are likely to harm, destroy, or otherwise jeopardize sensitive plants or their habitat shall fully mitigate their significant adverse effects. Projects and activities that cannot fully mitigate their significant adverse effects are prohibited. Measures to protect sensitive plants and their habitat include, but are not limited to:

- (i) Fencing to enclose individual populations or habitat;
- (ii) Restrictions on access or intensity of use;
- (iii) Modifications to project design as necessary to avoid adverse impacts;

- (iv) Dedication of open space to include entire areas of suitable habitat;
or
- (v) Restoration of disturbed habitat.

2. Uncommon Plant Communities

a. List of Uncommon Plant Communities

The uncommon plant communities are:

- (i) The deepwater plants of Lake Tahoe, Grass Lake (sphagnum fen);
- (ii) Osgood Swamp, Hell Hole (sphagnum fen);
- (iii) Pope Marsh, Taylor Creek Marsh, Upper Truckee Marsh; and
- (iv) The Freel Peak cushion plant community.

b. Standards for Uncommon Plant Communities

Uncommon plant communities shall be managed and protected to preserve their unique ecological attributes and other associated values. Projects and activities that significantly adversely impact uncommon plant communities, such that normal ecological functions or natural qualities of the community are impaired, shall not be approved.

D. Vegetation Management to Prevent the Spread of Wildfire

Within areas of significant fire hazard, as determined by local, state, or federal fire agencies, flammable or other combustible vegetation shall be removed, thinned, or manipulated in accordance with local and state law. Revegetation with approved species or other means of erosion control may be required where vegetative ground cover has been eliminated or where erosion problems may occur.

61.3.7. Old Growth Enhancement and Protection

The standards in this subsection shall govern forest management activities and projects.

A. Standards for Conservation and Recreation Lands or SEZs

Within lands classified by TRPA as conservation or recreation land use or SEZs, any live, dead, or dying tree larger than 30 inches diameter at breast height (dbh) in westside forest types shall not be cut, and any live, dead or dying tree larger than 24 inches diameter at breast height in eastside forest types shall not be cut, except as provided below.

1. Unreasonably Contribute to Fire Hazard

Trees and snags larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types may be cut in urban interface areas if TRPA determines that they would unreasonably contribute to fuel conditions that would pose a fire threat or hinder defense from fire in an urbanized area. Within the urban interface areas, fire management strategies favoring the retention of healthy trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types trees shall be fully considered. Urban interface areas are defined as all undeveloped lands within a 1,250 foot zone immediately adjacent to TRPA residential, commercial, or public service plan area boundaries.

- 2. Unacceptable Risk to Structures or Areas of High Use**
A tree larger than 30 inches dbh in westside forest types and larger than 24 inches dbh in eastside forest types may be felled, treated, or removed if TRPA and the land manager determine the tree pose an unacceptable risk to occupied or substantial structures or areas of high human use. Examples of areas of high human use are campgrounds, parking lots, ski trails, and developed beaches. Where a land manager determines that a tree constitutes a physical emergency (e.g., imminent threat of falling on occupied or substantial structures, or people), the land manager may remove the tree but must provide photographic documentation and any applicable paperwork and fees to TRPA within ten working days of removal of the hazardous tree.
- 3. Diseased or Infested Trees**
Where immediate treatment and removal is warranted to help control an outbreak of pests or disease, severely insect-infested or diseased trees larger than 30 inches dbh in westside forest types and larger than 24 inches dbh in eastside forest types may be removed. Trees to be felled, treated, or removed require TRPA review on a tree by tree basis, within 30 working days of written notification by the land manager.
- 4. Adverse Impacts to Stream or River**
Trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types that are likely to cause significant adverse impacts to a stream or river may be felled, treated, or removed. This determination shall be made by a qualified interdisciplinary team and approved by TRPA. The marking of these trees shall be done by TRPA.
- 5. Ecosystem Management Goals**
In limited cases, trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types may be cut if a management prescription clearly demonstrates that the identified trees need to be cut for ecosystem management goals consistent with TRPA goals and policies, such as aspen stand regeneration or achieving desired species composition. The project and prescription must be developed and reviewed by a qualified interdisciplinary team, be part of a public review process, and only the trees necessary to achieve ecosystem objectives at a specific site shall be removed. Each tree larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types shall be approved by TRPA. The marking of these trees shall be done by TRPA.
- 6. Ski Areas Master Plans**
In ski areas with existing TRPA-approved master plans, trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types may be removed for facilities that are consistent with that master plan. For activities that are consistent with a TRPA – approved master plan, trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types may be removed when it is demonstrated that the removal is necessary for the activity.

7. **EIP Projects**
Trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types may be removed when it is demonstrated that the removal is necessary for the activity.
 8. **Extreme Fuel Loading**
In case of extreme fuel loading some snags larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types may be cut if the removal is consistent with subsection 62.3.4: Snags and Coarse Woody Debris.
 9. **Large Public Utilities Projects**
Trees larger than 30 inches dbh in westside forest types and larger than 24 inches dbh in eastside forest types may be removed for large public utilities projects if TRPA finds there is no other reasonable alternative.
 10. **Emergency Fire Suppression**
Trees may be removed when an emergency fire suppression need exists as determined by the local, state, or federal fire suppression agency involved in a fire suppression activity.
 11. **Private Landowners**
Private landowners may cut trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types provided the landowner follows one of the planning processes set forth in subparagraph 61.1.4.C.
- B. Standards for Non-SEZ Urban Lands**
Within non-SEZ urban areas, individual trees larger than 30 inches dbh that are healthy and structurally sound shall be retained as desirable specimen trees having aesthetic and wildlife value, unless no reasonable alternative exists to retain the tree, including reduction of parking areas or modification of the original design.
- C. Alternative Private Landowner Process**
As an alternative to complying with the standards in subparagraph 61.1.4.A, a private landowner may follow one of the following planning processes to achieve or maintain the late seral/old growth threshold, goals, and policies.
1. **Alternative Forest Management Plan**
A private landowner, in the development of a forest management plan, shall follow the planning process described in Chapter 14: *Specific and Master Plans*, except as provided below.
 - a. In relation to subparagraph 14.8.1.A only the private landowner may initiate the private forest management planning process.
 - b. In relation to subparagraph 14.8.1.B the project team shall consist of a designee of the Executive Director, appropriate regulatory and land management agencies, the proponent's qualified forester, and the team shall consult with the appropriate public land management agencies if the private land is adjacent to public land.
 - c. In relation to Section 14.9, the content of a forest master plan shall be described in the TRPA Forest Master Plan Guidelines. The content shall include enough information to make the required findings of

Section 14.10; shall provide guidelines for salvage harvest, insect control, and fire salvage. The document shall be organized by described and mapped planning units. As an example, a non-industrial timber management plan that contains enough information to make the required findings of Section 14.10 can be submitted provided it is developed with approval of the steering committee.

- d. The harvest practices shall comply with local and state regulations.
 - e. A proposed schedule (and seasonality) of harvest projects and improvement projects shall be included within the plan.
 - f. Individual harvest projects proposed under the master plan within the planned schedule and proposed method shall receive a streamlined review.
2. **Limited Forest Plan**
Private landowners may prepare a limited forest plan when there would be limited proposed impact to large trees.
- a. A limited forest plan may be prepared if ten percent or less of the trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types within the project site are proposed to be cut within the life of the plan.
 - b. The limited forest plan shall include:
 - (i) The relative state permit application, if available;
 - (ii) Description of harvest activities;
 - (iii) Description of management activities;
 - (iv) Explanation of how thresholds, goals and policies shall be attained under the forest plan; and
 - (v) The expiration date of the plan. A minimum lifespan of ten years and a maximum lifespan of 50 years shall be accepted.
3. TRPA shall review proposed cutting of trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside or larger forest types on a tree-by-tree basis consistent with the forest plan.

61.3.8. Tree Cutting Within Stream Environment Zones

Tree cutting within stream environment zones may be permitted to allow for early successional stage vegetation management, sanitation salvage cuts, fuels management for fire hazard reduction, restoration or enhancement of ecosystem health and diversity, and fish and wildlife habitat improvement projects, in accordance with the standards provided below.

A. Vehicle Restrictions

All vehicles shall be restricted to areas outside of the stream environment zones or to existing roads within stream environment zones. The following exceptions shall apply:

1. TRPA may permit the use of vehicles in over-snow tree removal operations. TRPA shall conduct a pre-operation inspection to ensure

- that conditions are suitable to prevent significant soil disturbance and/or significant vegetation damage; and
2. TRPA shall review site-specific proposals for and may permit the use of “innovative technology” vehicles and/or “innovative techniques” for the purpose of fire hazard reduction in SEZs provided that no significant soil disturbance or significant vegetation damage will result from the use of equipment. (See Chapter 90: *Definitions*, for definitions of “innovative technology” vehicles and “innovative techniques.”) Project proposals should be developed within an adaptive management framework that will result in data that can be used to support and/or improve on equipment and techniques. TRPA shall conduct a pre-operation inspection of the site to decide if vehicle use is appropriate for the given situation, to verify the boundaries of the SEZ, and to identify other areas of concern. The following minimum conditions shall apply:
- a. Project proponents shall provide documentation substantiating that the use of such vehicles will not cause significant soil disturbance or significant vegetation damage. Documentation must take into account soil types, hydrology, vegetation type and cover, and other ecosystem characteristics, relevant to the use of such vehicles in similar environments. Documentation can include relevant scientific research, monitoring studies, and other supporting analyses;
 - b. Operations using “innovative technology” vehicles in SEZs shall be limited to the management of common conifer species (e.g., lodgepole pine, white fir), however, incidental hardwoods that need to be removed from within a conifer vegetation type may also be removed using the vehicles;
 - c. Operations shall be limited to times of the year when soils are sufficiently dry to avoid and/or minimize compaction and sufficiently stable to avoid and/or minimize erosion;
 - d. Erosion control measures (BMPs) shall be implemented both during and after operations to avoid soil detachment and transport wherever possible, and to minimize erosion wherever soil disturbance cannot be avoided;
 - e. To prevent sediment delivery to surface waters, including wetlands, more stringent setbacks from perennial and intermittent streams than the setbacks set forth in other regulations regulating timber harvests, such as the California Forest Practice Rules and Nevada State Statutes, may be designated if deemed necessary by TRPA;
 - f. Operations shall incorporate appropriate measures to avoid impacts to wildlife during critical wildlife nesting and denning periods in accordance with Chapter 62: *Wildlife Resources*;
 - g. Operations shall incorporate measures to protect historic resources in accordance with Chapter 67: *Historic Resource Protection*; and
 - h. Projects shall be monitored to ensure that the SEZ has not sustained any significant damage to soil or vegetation. Along with the project proposal, adaptive management concepts should be applied to the monitoring plan. A monitoring plan shall be submitted with all project proposals, including at a minimum: a list of sites and attributes to be monitored; specification of who will be responsible for conducting the monitoring and report; and a monitoring and reporting schedule.

B. Soil Conditions

All work within stream environment zones shall be limited to times of the year when soil conditions are dry and stable, or when conditions are adequate for over-snow

tree removal operations without causing significant soil disturbance and/or significant vegetation damage (See subparagraph 61.1.6.F).

C. Trees and Debris Kept from Streams

Felled trees and harvest debris shall be kept out of all perennial or intermittent streams. If deposited in the stream, the material shall be removed unless it is determined that such logs and woody material adds structural diversity pursuant to fish and wildlife habitat improvements in accordance with Chapter 62: *Wildlife Resources*, and Chapter 63: *Fish Resources*. This determination shall be approved by TRPA. Logs or other woody material may be placed in streams to provide woody structure pursuant to fish or wildlife habitat improvement programs approved by TRPA in accordance with Chapter 63.

D. Stream Crossings

The crossing of perennial streams or other wet areas shall be limited to improved crossings meeting Best Management Practices or to temporary bridge spans that can be removed upon project completion or at the end of the work season, whichever is sooner. Any damage or disturbance to the stream environment zone associated with a temporary crossing shall be restored within one year of its removal. In no instance shall any method requiring the placing of rock and earthen material into the stream or streambed be considered an improved crossing. Other temporary measures may be permitted for dry stream crossings in accordance with the *Handbook of Best Management Practices*.

E. Special Conditions

Special conditions shall be placed on all tree harvests within stream environment zones or within the transition or edge zone adjoining stream environment zones, as necessary to protect in-stream aquatic habitat values and wildlife habitat integrity and diversity.

61.3.9. Historic Resource Protection

1. Operations shall incorporate measures to protect historic resources in accordance with Chapter 67: *Historic Resource Protection*. All historic resources located within the project area shall be flagged and avoided. Flagging shall be removed at the time of completion of operations.
2. If there is a discovery of a historic resource during vegetation management activities, all work shall cease in the vicinity of the discovery until significance is determined. Work may resume upon approval of a resource protection plan.

61.3.10. Wildlife, Habitat, and Sensitive Plants

1. Operations shall incorporate appropriate measures to avoid impacts to wildlife during critical wildlife nesting and denning periods in accordance with Chapter 62: *Wildlife Resources*.
2. Snags shall be retained in accordance with subsection 62.3.4.
3. Discovery of a TRPA-designated sensitive species or species of interest, or the location of a nest or den of one of those species, shall be immediately reported to TRPA. Any nests, dens, or plant locations shall be protected in accordance with TRPA regulations. All work within the project area shall cease until TRPA identifies under what conditions the project may continue.

61.4. REVEGETATION**61.4.1. Purpose**

This section provides standards for revegetation for such purposes as soil stabilization and improvement of the vegetative cover mix.

61.4.2. Applicability

This section shall apply wherever revegetation is required as a condition of project approval or where revegetation is necessary to comply with other provisions of the Code. Landscaping provisions are set forth in Chapter 36: *Design Standards*.

61.4.3. Approved Species

Revegetation programs shall use TRPA-approved plant species listed on the TRPA Recommended Native and Adapted Plant List. This list shall be a part of the *Handbook of Best Management Practices* and shall be updated from time to time based on the criteria that listed plants should be adapted to the climate of the Tahoe region, should require little water and fertilizer after establishment, and should be non-invasive. Specifications of plant materials shall be in accordance with the following requirements:

A. Site Conditions

Plant species selected shall be appropriate for site conditions.

B. Small Scale Programs

Small scale revegetation programs shall emphasize the use of TRPA-approved grass species in conjunction with mulching or other temporary soil stabilization treatments, as described in the *Handbook of Best Management Practices*.

C. Large Disturbed Areas

Revegetation of disturbed areas larger than 10,000 square feet shall include reseeded with TRPA-approved grass species as well as reestablishment of appropriate shrub and tree species.

D. Fertilizer

Fertilizer may be permitted to help establish vegetation following planting, but plant species shall be selected that do not require long term fertilization.

61.4.4. Soil Stabilization

Site preparation for revegetation shall include measures necessary to stabilize the soil until the vegetation is reestablished. Revegetation and stabilization programs for disturbed sites shall minimize the use of extensive grading whenever practical. Situations where extensive grading and recontouring may be necessary include the following:

- A. Oversteepened cut slopes;
- B. Quarry sites;
- C. Abandoned landfills;
- D. Reclamation of already developed sites; or
- E. Abandoned roads.

61.4.5. Revegetation Plans

Where revegetation is required to stabilize soils, replace removed vegetation, or for rehabilitation of areas where runoff or soil erosion needs to be controlled, the applicant shall provide a revegetation plan.

A. Contents of Plan

Revegetation plans shall include at a minimum:

1. A description of the site, including the soil type, if applicable, the stream environment zone or backshore type, and existing vegetation;
2. A list of appropriate plant species to be used at the site and a plan showing where they will be planted;
3. The number and size of shrubs and trees to be used, if any;
4. A description of the extent and methods of irrigation, if any;
5. Specifications for site preparation and installation of plant materials;
6. Specifications and schedule for onsite care, including amount and method of application of fertilizers pursuant to the *Handbook of Best Management Practices*, if necessary;
7. Specifications for long term plant care and protection, including the amount and method of application of fertilizers, if necessary; and
8. A description of mulches or tackifiers to be used.

B. Plant Materials

Plant materials to be used in a stream environment zone or the backshore shall be from the list shall be derived from stock possessing genetic characteristics of native plants or, if used outside of these areas, plant materials shall originate from a similar elevation and climate as the revegetation site if stock is available. If such stock is not available, stock with demonstrated success in the region may be approved.

C. Soil Materials

Revegetation plans may include provisions that allow for the importation of soil in limited situations involving reclamation of extensively disturbed sites, such as those in subsection 61.4.4. Soil material may be permitted to be imported from outside the region if an acceptable source in the region cannot be located. Acceptable sources of soil material in the region include by-products of approved dredging or grading activities and compost.

D. Security Release

The portion of a security related to revegetation shall be released when TRPA determines that the required vegetation is established. Establishment of vegetation generally takes one or two growing seasons.

CHAPTER 61:
61.4 Revegetation
61.4.5 Revegetation Plans

Attachment B
Required Findings/Rationale

ATTACHMENT B

REQUIRED FINDINGS / RATIONALE

TRPA Code of Ordinances Section 3. 3 – Determination of Need to Prepare an Environmental Impact Statement

Finding: TRPA finds that the proposed Code amendments will not have a significant effect on the environment.

Rationale: An Initial Environmental Checklist (IEC) has been prepared to evaluate the effects of the proposed amendments to the Code of Ordinances (see Attachment C). The IEC found that the proposed Code amendments would not have a significant effect on the environment.

The proposed amendments are consistent with and will implement Chapter 61 Vegetation and Forest Health. The amendments are minor in nature and are not anticipated to result in environmental effects. As demonstrated in the accompanying findings, amendments to Chapter 61 Vegetation and Forest Health will not result in an unmitigated significant impact on the environment or cause the environmental threshold carrying capacities to be exceeded.

TRPA Code of Ordinances Section 4. 4 – Threshold-Related Findings

1. Finding: The amendments to the Code of Ordinances are consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs;

Rationale: The proposed amendments to the Code correct and clarify existing language in the Code of Ordinances. The amendments are consistent with Chapter 61 Vegetation and Forest Health. The changes are minor in nature and will not result in environmental effects. The Code amendments will improve understanding of the Code and increase the efficiency of Code administration and compliance. Additionally, they will support the achievement and maintenance of the thresholds. The Code amendments are consistent with the Regional Plan policies and goals and all implementing elements of the Regional Plan.

2. Finding: The proposed amendments will not cause the environmental threshold carrying capacities to be exceeded; and

Rationale: The proposed amendments are consistent with the threshold attainment strategies in the Regional Plan. As demonstrated in the findings , these amendments will not cause the environmental threshold carrying capacities to be exceeded.

3. Finding: Wherever federal, state, or local air and water quality standards apply for the region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

Rationale: The proposed amendments would not adversely affect any state, federal, or local standards. The amendments are intended to correct and clarify existing Code provisions, which will maintain adopted standards.

TRPA Code of Ordinances Section 4. 6 – Findings Necessary to Amend or Adopt TRPA Ordinances, Rules, or Other TRPA Plans and Programs.

Finding: The Regional Plan and all of its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains thresholds.

Rationale: The proposed amendments to the Code of Ordinances will improve implementation of forest health projects by improving the efficiency of administering the Code and reducing the staff and public resources being expended as a result of redundancy and disorganization in the currently adopted Code.

Therefore, the Code of Ordinances, as amended by the proposed amendments, and in combination with other regulatory programs, will attain and maintain thresholds.

Attachment C
Initial Environmental Checklist (IEC)



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

ATTACHMENT C

***INITIAL DETERMINATION OF
ENVIRONMENTAL IMPACT CHECKLIST***

Project Name:

Chapter 61 Code Amendments: Section 61.1. Tree Removal and Section 61.2. Prescribed Burning – January 2020

Project Description:

The project would involve amending the Chapter 61 Sections 61.1. Tree Removal and 61.2 Prescribed Burning of the TRPA Code of Ordinances as shown in Exhibit 1 to Attachment A. The proposed amendments fall into two categories:

A. Section 61.1. Tree Removal

Amendments to Section 61.1. Tree Removal include reorganizing sub-sections to facilitate a logical flow within the tree removal section and increase clarity. Amendments also include updating code language to reflect modern forestry practices, standardizing with partner agency requirements, and where possible, relying on qualified forester judgement.

B. Section 61.2. Prescribed Burning

Amendments to Section 61.2. Prescribed Burning are minor and include deleting areas of redundancy within the section.

f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?

- Yes No
 No, With Mitigation Data Insufficient

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

- Yes No
 No, With Mitigation Data Insufficient

2. Air Quality

Will the proposal result in:

a. Substantial air pollutant emissions?

- Yes No
 No, With Mitigation Data Insufficient

b. Deterioration of ambient (existing) air quality?

- Yes No
 No, With Mitigation Data Insufficient

c. The creation of objectionable odors?

- Yes No
 No, With Mitigation Data Insufficient

d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

- Yes No
 No, With Mitigation Data Insufficient

g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

- Yes No
 No, With Mitigation Data Insufficient

h. Substantial reduction in the amount of water otherwise available for public water supplies?

- Yes No
 No, With Mitigation Data Insufficient

i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

- Yes No
 No, With Mitigation Data Insufficient

j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

- Yes No
 No, With Mitigation Data Insufficient

4. Vegetation

Will the proposal result in:

a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

- Yes No
 No, With Mitigation Data Insufficient

b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

- Yes No
 No, With Mitigation Data Insufficient

5. Wildlife

Will the proposal result in:

- a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?

- Yes No
- No, With Mitigation Data Insufficient

- b. Reduction of the number of any unique, rare or endangered species of animals?

- Yes No
- No, With Mitigation Data Insufficient

- c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

- Yes No
- No, With Mitigation Data Insufficient

- d. Deterioration of existing fish or wildlife habitat quantity or quality?

- Yes No
- No, With Mitigation Data Insufficient

6. Noise

Will the proposal result in:

- a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?

- Yes No
- No, With Mitigation Data Insufficient

- b. Exposure of people to severe noise levels?

- Yes No
- No, With Mitigation Data Insufficient

c. Cause light from exterior sources to be cast off -site or onto public lands?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

8. Land Use

Will the proposal:

a. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

b. Expand or intensify an existing non-conforming use?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

9. Natural Resources

Will the proposal result in:

a. A substantial increase in the rate of use of any natural resources?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

b. Substantial depletion of any non-renewable natural resource?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

(2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?

- Yes No
 No, With Mitigation Data Insufficient

Number of Existing Dwelling Units: _____

Number of Proposed Dwelling Units: _____

b. Will the proposal result in the loss of housing for lower-income and very-low-income households?

- Yes No
 No, With Mitigation Data Insufficient

13. Transportation/Circulation

Will the proposal result in:

a. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

- Yes No
 No, With Mitigation Data Insufficient

b. Changes to existing parking facilities, or demand for new parking?

- Yes No
 No, With Mitigation Data Insufficient

c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

- Yes No
 No, With Mitigation Data Insufficient

d. Parks or other recreational facilities?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

e. Maintenance of public facilities, including roads?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

f. Other governmental services?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

15. Energy

Will the proposal result in:

a. Use of substantial amounts of fuel or energy?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

a. Power or natural gas?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

b. Exposure of people to potential health hazards?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

18. Scenic Resources/Community Design

Will the proposal:

a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

b. Be visible from any public recreation area or TRPA designated bicycle trail?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

d. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

- | | |
|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> No, With Mitigation | <input type="checkbox"/> Data Insufficient |

c. Is the property associated with any historically significant events and/or sites or persons?

- Yes No
- No, With Mitigation Data Insufficient

d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

- Yes No
- No, With Mitigation Data Insufficient

e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

- Yes No
- No, With Mitigation Data Insufficient

21. Findings of Significance.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

- Yes No
- No, With Mitigation Data Insufficient

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)

- Yes No
- No, With Mitigation Data Insufficient

Determination:

On the basis of this evaluation:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

Yes No

- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures.

Yes No

- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedure

Yes No



Signature of Evaluator

Date 2/14/2020

Forest Health Program Manager
Title of Evaluator

Attachment D
Examples of TRPA and Partner Agency Memorandums of Understanding

APPENDIX D

MEMORANDUM OF UNDERSTANDING BETWEEN
TAHOE REGIONAL PLANNING AGENCY AND
CALIFORNIA DEPARTMENT OF PARKS AND RECREATION

This Memorandum of Understanding is entered into this 23rd day of May, 1999, by and between the TAHOE REGIONAL PLANNING AGENCY (TRPA), through its Executive Director as authorized by the Governing Board, and CALIFORNIA DEPARTMENT OF PARKS AND RECREATION (DPR).

All activities described in this Memorandum of Understanding (MOU) shall be in accordance with the Regional Plan package of TRPA as adopted by Ordinance No. 87-9, as amended from time to time. It is understood that activities exempt under this MOU shall not result in the creation of additional land coverage, relocation of existing land coverage, or an increase in vehicle trips in excess of that otherwise exempt pursuant to Chapter 4 of the TRPA Code. It is also understood that all activities undertaken by the California Department of Parks and Recreation (DPR) pursuant to this MOU shall comply with applicable Best Management Practices (BMPs), and all provisions of the TRPA Code of Ordinances (Code), as it may be amended from time to time, except for the procedural provisions replaced by this MOU, and such guidelines as may be adopted by TRPA.

I. EXEMPT ACTIVITIES

The following activities on DPR land, in addition to those exempt pursuant to Chapter 4 of the TRPA Code, are not subject to review and approval by TRPA.

A. RECREATION ACTIVITIES

1. Operation of recreation sites and facilities
2. Operation of visitor information and interpretive services.
3. Landscaping and revegetation.

B. SIGNING

1. Installation of signs in compliance with the California Parks and Recreation Sign Handbook, 1973.

C. HISTORIC RESOURCES

1. Inventory, protection, maintenance, and disposition of historic resources.

D. ROADS AND TRAILS

1. Maintenance of existing roads, parking areas, trails, bridges, and related structures provided the activity does not occur in the shorezone.

E. STRUCTURES

1. Demolition of structures, improvements or facilities, provided the structure, improvement, or facility is not designated, or pending for designation, on the TRPA Historic Resource Map, as amended from time to time.

F. FISH AND WILDLIFE

1. Protection of wildlife habitat and fisheries provided there is no modification of streams. Stream modification shall include any alteration of a stream profile, which requires the use of motorized equipment or the placement of any structure within an active stream channel.
2. Establishment of wildlife viewing stations.

G. FIRE PROTECTION

1. Vegetation management for fire prevention purposes.

H. SCIENTIFIC RESEARCH AND MONITORING

1. Installation of instruments for scientific research and monitoring.

I. EROSION CONTROL AND RESTORATION ACTIVITIES

1. Installation of erosion control measures such as:
 - a. Retaining walls not exceeding 60 feet in length
 - b. Sediment basins not exceeding 150 square feet in size
 - c. Swales
 - d. Rock slope protection
 - e. Rock-lined ditches
 - f. Fences
 - g. Willow wattling
 - h. Barriers
2. Restoration of disturbed areas of one acre or less provided scarification does not exceed 6" in depth and excavation and filling does not exceed 20 cubic yards, and a complete set of plans showing all proposed plant materials and grading is submitted to TRPA at least 14 days prior to the commencement of restoration.

J. MISCELLANEOUS ACTIVITIES

1. Temporary activities, in accordance with Chapter 7 of the Code, provided that the temporary activity shall not create noise in excess of the noise limitations of Chapter 23 of the Code.
2. Land surveys, corner recovery, remonumentation and land-line capacity.
3. Maintenance of existing dams provided there is no change in holding capacity.
4. Excavation and backfilling for an area not in excess of 10 cubic yards, provided the activity occurs during the grading season (May 1 to October 15) in Land Capability Districts 4, 5, 6 & 7 and the excavation site is stabilized and revegetated with 72 hours to prevent erosion.

II. QUALIFIED EXEMPT ACTIVITIES

The following activities on DPR land are not subject to review and approval by TRPA, provided DPR certifies on a form provided by TRPA, that the activity does not result in the creation of additional land coverage or relocation of land coverage, and is in conformance with the applicable provisions of the TRPA Code. The statement shall be filed with TRPA at least 30 working days before the activity commences. The following activities are subject to the BMP retrofit requirements of Chapter 25 and are subject to the land coverage mitigation program in Chapter 20 of the Code. The following activities are in addition to those activities deemed "Qualified Exempt" pursuant to Chapter 4 of the TRPA Code.

A. RECREATION ACTIVITIES

1. Replacement of fences, roads, and utilities in recreation sites provided the use is a permissible use pursuant to Chapter 18 of the Code, and the replacement does not result in an expansion under the Code.

B. ROADS AND TRAILS

1. Reconstruction of roads, parking lots, trails, and bridges, as necessary to protect the environment or eliminate a safety hazard.

C. FISH AND WILDLIFE

1. Fish and wildlife habitat enhancement activities provided they are approved by the California Department of Fish and Game, and are included in the Environmental Improvement Program.

D. FIRE PROTECTION

1. Prescribed burning.

E. EROSION CONTROL AND RESTORATION ACTIVITIES

1. Installation of erosion control measures such as: retaining walls exceeding 60 feet in length, or sediment basins exceeding 150 square feet, provided the erosion control measures is not visible from the shore of any lake, from any roadway for which a scenic threshold rating has been established, from class I bike paths, or from a developed recreation site.
2. Restoration of stream environment zones (SEZ).
3. Restoration of disturbed areas of two acres or less provided scarification does not exceed 6" in depth and excavation and a complete set of plans showing all proposed plant materials and grading is submitted to TRPA at least 30 days prior to the commencement of restoration.

F. VEGETATION MANAGEMENT

1. The following activities are qualified exempt provided they are performed under the supervision of a registered professional forester, do not exceed 100 acres, and meet the standards and practices of Chapter 71:
 - a. Timber stand improvement projects, thinning, pruning, removal of hazardous, dying, or diseased trees, and disposal of slash burning, through the issuance of wood permits, chipping, slash burning, and scattering.
 - b. Protection and enhancement of rare, endangered, threatened, sensitive and special interest plant associations.
 - c. Protection and enhancement of wildlife habitat.
 - d. Fuel wood sales and wood permits.
 - e. Commercial timber sales.

F. MISCELLANEOUS ACTIVITIES

1. Excavation and backfilling for an area not in excess of 50 cubic yards provided the activity occurs during the grading season (May 1 to October 15) in Land Capability Districts 4, 6, or 7, and the excavation site is stabilized and revegetated within 72 hours to prevent erosion.
2. Installation of undergrounding of utilities provided the undergrounding does not occur in a SEZ.

3. Installation of overhead telephone lines, power lines under 10 kv, and service connections under one mile in length, if the service connection is located entirely on DPR land and is at least 100 feet from privately owned land and is not visible from a TRPA designated Scenic Shoreline or Roadway Travel Route or a recreation area identified in the 1993 Lake Tahoe Basin Scenic Resource Evaluation, as amended.
4. Installation of water lines, provided the water line is not located in a SEZ.

H. STRUCTURES

1. Structural repair or remodeling which does not result in excavation or backfilling in excess of that described in TRPA Code, Subparagraphs 4.2.A(6) and 4.3.A(6), additional land coverage, an increase in the dimensions of a structure (including height), a change of use, an increase in commercial floor area, or an increase in density.
2. Structural improvements to facilities/grounds to bring the facility in compliance with Best Management Practices requirements. DPR shall report annually to the TRPA on all BMP activities. Said reports shall include at a minimum the following information:
 - BMP cost by type
 - Watershed Identification
 - Schedule of completion
 - Operation and Maintenance Plans

III. TREATMENT AND ACCOUNTING OF COVERAGE FOR ACTIVITIES COVERED BY THIS MOU

It is understood by the DPR and TRPA that the activities set forth herein may result in a requirement to mitigate existing excess coverage. Further, many of the activities involve removal of existing land coverage or restoration of disturbed lands.

Chapter 38 of the Code provides for the accounting, tracking, and banking of coverage in conjunction with Chapter 20. The DPR shall report to the Executive Director of TRPA annually on the status of coverage or disturbed land which has been restored or retired.

IV. LOSS OF EXEMPTION

Any exempt activity set forth herein shall be considered a project requiring TRPA review if the Executive Director determines that, because of unusual circumstances, the activity may have a substantial effect on the land, air, water, space, or any other natural resource in the Region.

V. TERMINATION

This MOU may be terminated by either party upon sixty (60) days notice in writing.

CALIFORNIA DEPARTMENT OF
PARKS AND RECREATION

Dated: 5/11/99


Robert G. Macomber
District Superintendent

TAHOE REGIONAL PLANNING AGENCY

Dated: 5-10-99


James W. Baetge
Executive Director

APPENDIX E
MEMORANDUM OF UNDERSTANDING
TAHOE REGIONAL PLANNING AGENCY
U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE

I. PURPOSE OF THE MEMORANDUM OF UNDERSTANDING (MOU)

The following will direct the USDA Forest Service (FS) and the Tahoe Regional Planning Agency (TRPA) in the review of FS activities. FS activities that are exempt from TRPA review are listed. Activities not exempt are considered projects and are reviewed by the TRPA. Certain of these projects, as listed herein, are required to be reviewed by the TRPA Governing Board.

This MOU is executed pursuant to the TRPA Code of Ordinances (hereinafter referred to as Code). Upon execution, the MOU will become a part of Code Section 4.8.

II. GENERAL PROCEDURES

A. The FS agrees to:

1. Inform the TRPA of activities being considered for implementation on national forest land in the Lake Tahoe Basin. The Lake Tahoe Basin Management Unit (LTBMU) "PROJECT PLANNING REPORT", which is published and distributed quarterly, will be the principal means of disseminating information about activities being analyzed.
2. Conduct all exempt activities in accordance with federal laws and regulations, the applicable provisions of the FS manuals and handbooks, and the management direction of the LTBMU Land and Resource Management Plan when those directions are consistent with the TRPA Regional Plan and Code.
3. Conduct those exempt activities for which there is no applicable direction in the LTBMU Land and Resource Management Plan in accordance with the TRPA Regional Plan and Code.
4. Provide TRPA with complete applications for review of those activities that are not exempt from review by this MOU. Accompanying the application will be environmental documents, maps, drawings, and other information requested by TRPA.
5. Require that applicants seeking a permit to use or occupy the national forest, for an activity not otherwise exempt from TRPA review, also make application to the TRPA.

TRPA AGREES TO:

1. Review projects not exempted by this MOU for conformance with the Regional Plan Package.
2. Affirm that water quality, air quality, and noise management proposals for the area are appropriate.
3. Advise where other goals for the Lake Tahoe Basin can be furthered by the project where appropriate.
4. Make the following findings, if appropriate per Section 6.3 of the Code.
 - 6.3 Threshold-related Findings: The following specific findings shall be made, pursuant to Articles V(c), V(g), and VI(b) of the Tahoe Regional Planning Compact in addition to any other findings required by law.
 - 6.3.A Findings Necessary to Approve Any Project: To approve any project, TRPA must find, in accordance with Code Sections 6.1 and 6.2, that:
 - (1) The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs.
 - (2) The project will not cause the environmental threshold carrying capacities thresholds to be exceeded.
 - (3) Wherever Federal, State, or local air and water quality standards applicable to the region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the Tahoe Regional Planning Compact, the project meets or exceeds such standards.
5. Provide timely review of project applications and advise the FS if the review will exceed twenty (20) working days.

III. EXEMPT ACTIVITIES

The following activities on national forest land, in addition to those exempted by Section 4.2 of the Code, are exempt from review by TRPA.

A. RECREATION (including privately operated public recreation sites and concessions).

The following recreation activities are exempt, provided that there is no increase in vehicle trips in excess of 100 additional trips per day; the use remains recreation (Code Section 18.3); there is no increase in capacity as measured in persons at one time (PAOT) for those categories of use for which PAOT are allocated; and there is no additional land coverage or other permanent disturbance in Land Capability Districts 1, 2, or 3, or Stream Environment Zone (SEZ) or the 100 year flood plain, or the backshore of the shorezone:

1. Operation and maintenance of public sites and facilities that support developed or dispersed recreation. Maintenance of improvements associated with these recreation sites, including, but not limited to, buildings, roads, utilities, fencing, signs, parking, and walkways.
2. Replacement of recreation improvements that have been damaged or destroyed by fire or other calamity, provided that the replacement is in substantial conformance with the original structure in the floor area, height, and land coverage and the improvement is retrofitted with Best Management Practices (BMPs).
3. Reconstruction of recreation improvements provided they remain in substantial conformance with the original structure(s) in the floor area, height, volume, and land coverage, and provided they are retrofitted with BMPs. Relocation of improvements is included in the exemption where the relocation is necessary for health and safety or to avoid SEZ or other environmentally sensitive situations, provided that relocated land coverage does not exceed 2,000 square feet in land capability districts 1, 2, and 3, and SEZ, nor exceeds a total of 10,000 square feet in all land capability districts and is offset by removing and restoring an equal amount of land coverage from an area equally or more environmentally sensitive and in the same hydrologically related area.

4. Activities, such as the installation of signs, displays, and bulletin boards, and the conducting of tours, lectures, and movies, that inform visitors or interpret nature, resources, or management actions. Usually these services are within existing recreation, administrative, community, or commercial facilities, or along roads and trails.

B. CULTURAL RESOURCES

Inventories, protection, maintenance, restoration, interpretation, and disposition of cultural resources in accordance with applicable State and Federal laws and procedures. The foregoing exemption applies whether or not there is temporary disturbance in land capability districts 1, 2, 3, or Stream Environment Zones (SEZ).

C. SIGNING

Informational (but not advertising) and/or regulatory sign installation, forest entry signs, and recreation site identity signs designed and installed in conformance with the FS Sign Handbook (7109.11, 7109.11a, and 7109.11b).

D. ROADS AND TRAILS

1. Maintenance of roads, trails, bridges, parking facilities, signs, and other related improvements.
2. Reconstruction of roads, trails, bridges, and parking facilities, provided that the design of the facility is not changed to enlarge its capacity and provided that the facility is retrofitted with Best Management Practices. Relocation is included where the relocation is necessary to improve alignment for safe travel, or to avoid SEZ or other environmentally sensitive situations provided that new land coverage does not exceed 2,000 square feet in land capability districts 1, 2, 3, or SEZ, nor exceed a total of 10,000 square feet in all land capability districts and is offset by removing and restoring an equal amount of land coverage from an area equal or more environmentally sensitive and in the same hydrologically related area.
3. Construction of new non-motorized trails, provided that construction in land capability districts 1, 2, 3, does not exceed 1,000 linear feet and provided that construction in SEZ is only for the purpose of crossing a stream.

E. FOREST SERVICE ADMINISTRATIVE FACILITIES

The following activities associated with FS administrative facilities are exempt, provided there is no increase in vehicle trips in excess of 100 additional trips per day; provided the use remains administrative, and provided that there is no additional increase in land coverage or other permanent disturbance.

1. Replacement or removal of administrative facilities damaged or destroyed by fire or other calamity, provided that the replacement is in substantial conformance with the original facility in floor area, height, and land coverage.
2. Reconstruction of existing facilities provided that they remain in substantial conformance with the original structure(s) in floor area, height, volume, and land coverage, and provided they are retrofitted with Best management Practices. Relocation is included in the exemption where the relocation is necessary for health and safety or to avoid SEZ or other environmentally sensitive situations, provided that relocated land coverage does not exceed 2,000 square feet in land capability districts 1, 2, 3 and SEZ, nor exceeds a total of 10,000 square feet in all land capability districts and is offset by removing and restoring an equal amount of land coverage from an area equally or more environmentally sensitive and in the same hydrologically related area.
3. Construction of new facilities on Land Capability Districts 4, 5, 6, and 7, provided excavation or backfilling is not in excess of 200 cubic yards and Best Management Practices are installed.
4. Operation and maintenance of existing dams or other water diversion structures with no change in holding capacity.
5. Installation, operation, and maintenance of research and monitoring instruments and/or stations.

F. VEGETATION MANAGEMENT

The following exemptions apply whether or not there is disturbance in Land Capability Districts 1, 2, 3, or SEZ:

1. All tree removal activities, including substantial tree removal involving the use of heavy equipment to harvest the trees, up to 100 acres for each project and not involving the construction of permanent roads.

2. All tree removal activities, including substantial tree removal, on any amount of acreage, which results in a residual stocking of trees that meets the minimum stocking standards described in TRPA Code Subsection 71.3.B and does not involve the use of heavy equipment to harvest the trees or logs or the construction of permanent roads.
3. Reforestation or revegetation of land.
4. Protection, maintenance, or reestablishment of sensitive plants and uncommon plant communities.
5. Creation, maintenance, or replacement of landscaping.

G. FOREST PROTECTION

The following exemptions apply whether or not there is land coverage or disturbance in Land Capability Districts 1, 2, 3, or SEZ:

1. Activities necessary to suppress fires. (This does not include buildings and other improvements to house personnel, equipment and supplies, access roads, and trails, etc.)
2. Fire prevention activities, including vegetation manipulation around structures, to prevent the spread of wildfire.
3. Fuel management through prescribed burning, chipping, lop and scatter, and other techniques.

H. EROSION CONTROL AND WATERSHED RESTORATION

The following exemptions apply whether or not there is land coverage or disturbance in Land Capability Districts 1, 2, 3, or SEZ:

1. Installation and maintenance of soil erosion control and surface water runoff control measures on fifty acres or less.
2. Restoration of disturbed areas of fifty acres or less, including the maintenance of revegetation until established.

I. FISH AND WILDLIFE HABITAT MANAGEMENT

The following exemptions apply provided that land coverage or permanent disturbance does not exceed 10,000 square feet in total or 2,000 square feet in Land Capability Districts 1, 2, 3, or SEZ:

1. All wildlife and fish protection activities.
2. Creation of snags and down wood where necessary to maintain habitat for dependent wildlife.

3. Installation of stream habitat improvement measures such as boulders, stumps, plantings, and bank stabilizing structures.
4. Installation and maintenance of wildlife habitat improvement structures such as nesting or perch platforms and duck boxes.

J. MISCELLANEOUS

1. Activities (including construction of temporary structural improvements), such as outfitter guide services, production of movie or television programs, sporting events, club or group activities, or weddings, when they are temporary and of a short duration (not in excess of one year), provided:
 - a. The use is allowed by TRPA plan area statements and the requirements of Chapter 7 of the Code.
 - b. The activity is entirely upon national forest land, or is upon a combination of national forest land and other land within the jurisdiction of an agency or local government having authority (through an agreement with the TRPA) to approve temporary activities.
 - c. It is determined that there will be no significant impact to the land and water resources;
2. Maintenance of range improvements and livestock confinement facilities. Construction of fences and other range improvements provided that land coverage or permanent disturbance does not exceed 2,000 square feet in land capability districts 1, 2, 3, or SEZ, nor exceed 10,000 square feet in all land capability districts and is offset by removing and restoring an equal amount of land coverage from an area equally or more environmentally sensitive and in the same hydrologically related area.

IV. PROJECTS TO BE REVIEWED BY THE GOVERNING BOARD

All those listed in TRPA Code Chapter 4, Appendix A, except those listed below which will be reviewed by TRPA staff.

1. New temporary logging roads when part of a substantial timber removal plan.
2. Substantial timber removal plans on less than 500 acres of land not involving the construction of permanent logging roads.
3. Tree removal on national forest land for scenic views from established vista points along state highways and local roads.

4. New or expanded livestock grazing pursuant to section 73.1 of the TRPA Code.
5. Off site water quality mitigation in lieu of mitigation fees.
6. Paved road waivers.
7. Additional height for ski lift towers and communication towers or antennas.
8. New public service buildings of less than 3,000 square feet or linear utilities under one mile in length.
9. Transfer of commercial floor area within an existing resort permit site.
10. New facilities within an existing recreation site.
11. Creation of land coverage in backshore.
12. Structures to protect shoreline vegetation.
13. Additional land coverage or permanent disturbance in Land Capability Districts 1, 2, 3, or SEZ for public service or outdoor recreation facilities.

V. TREATMENT AND ACCOUNTING OF COVERAGE

It is understood, pursuant to the Lake Tahoe Basin Management Unit (LTBMU) Land and Resource Management Plan, that land coverage will not exceed the allowances of the Bailey Land Capability System for Lake Tahoe (Bailey), for the Region as a whole, for any activities including those that are exempt. In instances where land coverage, either existing or proposed, may result in exceeding Bailey on an individual project area, the FS will follow the provisions in Chapter 20 of the Code. Relocation of existing land coverage shall be in conformance with Section 20.5. C of the Code.

Before land coverage or permanent land disturbance is added to Stream Environment Zone or to Land Capability Districts 1, 2, or 3, as exempted in Section III B, G, H, I, and J, of this MOU, the FS will make the following findings:

1. The project, program, or facility is necessary for environmental protection; and
2. There is no reasonable alternative, including relocation, which avoids or reduces the extent of encroachment in Land Capability Districts 1, 2, 3, or SEZ.

3. The impacts of the coverage and disturbance are fully mitigated in the manner described in subsection 20.4.(A)(2)(e) of the Code.

It is recognized by the FS and TRPA that the aforementioned exempt activities may result in the use of land coverage. It is also recognized that activities may result in removal of land coverage and restoration of disturbance. Consequently there is a need to account for the coverage or restored disturbed land. Chapter 38 of the Code provides for the accounting, tracking, and banking of coverage in conjunction with Chapter 20 of the Code. The FS will report to the Executive Director of TRPA annually at the end of each calendar year on all activities resulting in a change in coverage or land coverage transactions consistent with the guidelines and requirements of Chapters 20 and 38 of the Code. TRPA and the FS shall develop the specific worksheet(s) and procedures for accounting for coverage and restoration. In no event shall there be a coverage deficit.

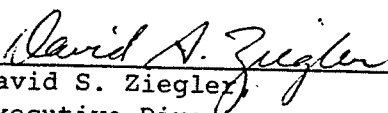
Coverage or restored land credits which are "banked" shall be available for use by the FS consistent with all applicable provisions of the TRPA Code.

VI. WATER QUALITY MITIGATION

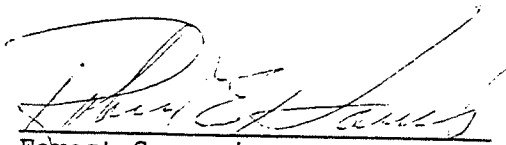
Where mitigation is required on a project because of additional land coverage, that mitigation will be accomplished through the FS watershed restoration program rather than through payment of mitigation fees. The FS will indicate in the project application when a deviation from this policy is appropriate, such as for private improvements planned on national forest land by permit. Off site restoration work as described in Code Section 82.2.A, will be equal to 150% of expected project impacts. Preferably, mitigation work will be within the same watershed or hydrologic related areas as the project requiring the mitigation. The FS will report annually to the TRPA the expenditures and descriptions of projects completed, in a manner similar to that in Section V.

VII. TERMINATION OF AGREEMENT

This MOU becomes effective 60 days after adoption by the TRPA Governing Board and may be terminated by either party by giving sixty (60) days notice in writing to the other.



David S. Ziegler
Executive Director
Tahoe Regional Planning Agency



Forest Supervisor
USDA, Forest Service

November 1, 1989
Date

November 10, 1989
Date

**MEMORANDUM OF UNDERSTANDING
BETWEEN
TAHOE REGIONAL PLANNING AGENCY
and
US FOREST SERVICE
LAKE TAHOE BASIN MANAGEMENT UNIT
Regarding
FUELS REDUCTION AND FOREST HEALTH PROJECTS**

THIS MEMORANDUM OF UNDERSTANDING (MOU) is entered into by and between the Tahoe Regional Planning Agency, hereinafter referred to as TRPA, and the U.S. Department of Agriculture, Forest Service, Lake Tahoe Basin Management Unit, hereinafter referred to as FOREST SERVICE.

I. PURPOSE:

1. The purpose of this MOU is to direct and define the framework for cooperation between the Forest Service and TRPA in the review and implementation of fuels reduction and forest health projects on National Forest System lands within the jurisdiction of the Lake Tahoe Basin Management Unit.
2. This MOU supersedes portions of the 1989 MOU between TRPA and the Forest Service that relate to or affect the implementation of fuels reduction and forest health projects.

II. STATEMENT OF MUTUAL BENEFITS AND INTERESTS:

The Forest Service protects and manages approximately 166,000 acres of National Forest System lands within the Lake Tahoe Basin as directed by the National Forest Management Act (NFMA) and other federal authorities. A significant goal for managing these lands is the attainment and maintenance of a healthy forest environment. In order to achieve this goal, the Forest Service must be able to undertake projects aimed at reducing the risk of catastrophic wildfire.

The 1989 MOU between TRPA and the Forest Service is out of date with respect to current guidance and management practices related to fuels reduction management and the promotion of a healthy forest environment.

Over the past decade, addressing the threat of catastrophic wildfire in the wildland urban interface has become a top priority. A century of fire exclusion on National Forest System lands has interrupted the natural fire cycle and resulted in higher tree densities and greater fuels accumulations. The Gondola Fire in 2002 and the Angora Fire in 2007 exemplify the potential for disastrous wildfires in the Lake Tahoe Basin and highlight the need for aggressive fuels reduction and forest health projects.

As a consequence of the Angora fire, the Governors of California and Nevada created the California-Nevada Tahoe Basin Fire Commission (Commission). The Commission recommended "that the USDA Forest Service and the TRPA work cooperatively to revise their MOU with focus on exempting fuels reduction projects and associated supporting activities from TRPA review and

permit” in order to remove any unnecessary or unintended barriers to efficient planning and accomplishment of fuels management projects. Other recommendations from the Commission encouraged the Forest Service and the TRPA (along with other regulating and implementing agencies) to streamline permitting processes, and to promote innovative practices shown to be effective and environmentally sound.

The TRPA was created by the states of California and Nevada “to encourage the wise use and conservation of the waters of Lake Tahoe and the resources of the area around said lake.” The Tahoe Regional Planning Compact (Compact) governs the actions of TRPA, and sets forth the authority of TRPA “to establish environmental threshold carrying capacities (thresholds) and to adopt and enforce a regional plan and implementing ordinances which will achieve and maintain such capacities” for the Tahoe Region.

In consenting to the Compact, Congress authorized the Forest Service to cooperate with TRPA in all respects compatible with carrying out its normal duties.

It is within this context that TRPA and the Forest Service seek to cooperate in facilitating projects that reduce forest fuel loads and improve forest health while maintaining and attaining applicable thresholds.

In consideration of the above premises, each party agrees as follows:

III. IT IS MUTUALLY UNDERSTOOD BY THE PARTIES:

1. This MOU sets out the duties of each agency with respect to fuels reduction and forest health projects;
2. ~~Sections III.F.1., III.F.2., III.G.3, IV.1., and IV.2. of the 1989 MOU between the Forest Service and the TRPA as they relate to fuels reduction and forest health projects are hereby superseded by this MOU;~~
3. Each party will continue to work cooperatively to improve forest health and reduce the risk of catastrophic wildfire on National Forest System lands in the Lake Tahoe Basin.
4. Each party will continue to cooperate to address and implement the Findings and Recommendations in the Final California-Nevada Tahoe Basin Fire Commission Report with respect to permit streamlining and project implementation.
5. The Forest Service is in the process of revising the management plan that governs the land and water under its jurisdiction. The TRPA is also in the process of updating its regional plan for the Lake Tahoe Region. Each party recognizes that these revised plans may obviate the need for this MOU or require that the MOU be updated.
6. Each party will communicate to the other all changes, including those in their respective regulations, authorities, and management direction, that may affect the purpose and/or implementation of this MOU.
7. Each party recognizes that the existing regional and local forest plans that guide the management of Forest Service lands in the Lake Tahoe Region provide environmental protections and considerations that are consistent with the environmental protections in the TRPA Regional Plan for fuels reduction and forest health projects.

8. Each party recognizes that the analysis and disclosure required by the National Environmental Policy Act (NEPA) (including the Healthy Forest Restoration Act) for Forest Service fuels reduction and forest health projects are similar to the environmental analysis and documentation requirements of Article VII of the Compact. One distinction is the TRPA requirements to make findings that the project will avoid or reduce environmental effects to less than significant levels and will not cause the Tahoe Region's environmental threshold carrying capacities to be exceeded.

IV. THE FOREST SERVICE AGREES:

1. To conduct appropriate planning and analysis of all fuels reduction and forest health projects as required by federal law, including the HFRA, NFMA and NEPA. Any such analysis will include information needed to assess the findings regarding thresholds described in paragraph III.8 above.
2. To ensure that the TRPA is notified of projects and all opportunities to review public documents and provide comment on fuels reduction and forest health projects in accordance with the requirements of NEPA and Forest Service regulations and policy for public involvement.
3. To consider TRPA input on a project basis for opportunities where environmental effects may be avoided or reduced and TRPA thresholds may be improved or maintained.

V. THE TRPA AGREES:

1. To participate in the planning and analysis of fuels reduction and forest health projects in a manner consistent with applicable NEPA requirements and Forest Service and TRPA regulations and policy.
2. To identify environmental effects that may be avoided or reduced and thresholds that may be improved or maintained as part of implementation of Forest Service fuels reduction and forest health projects and to assist the Forest Service in meeting the findings regarding thresholds described in paragraph III.8 above, as evidenced by TRPA's submittal to the Forest Service of written concurrence or approval, as appropriate.

VI. IT IS FURTHER MUTUALLY UNDERSTOOD AND AGREED UPON BY AND BETWEEN THE PARTIES

1. FREEDOM OF INFORMATION ACT (FOIA). Any information furnished to the Forest Service or TRPA under this instrument is subject to the Freedom of Information Act (5 U.S.C. 552).

2. PARTICIPATION IN SIMILAR ACTIVITIES. This instrument in no way restricts the Forest Service or TRPA from participating in similar activities with other public or private agencies, organizations, and individuals.

3. COMMENCEMENT/EXPIRATION/TERMINATION. This MOU takes effect upon the signature of both the Forest Service and TRPA and shall remain in effect until amended or terminated. This MOU may be amended upon written request of either the Forest Service or

TRPA and the subsequent written concurrence of the other. Either the Forest Service or TRPA may terminate this MOU with a 60-day written notice to the other.

4. **RESPONSIBILITIES OF PARTIES.** Unless otherwise agreed or provided, the Forest Service and TRPA will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing the objectives of this MOU. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.

5. **PRINCIPAL CONTACTS.** The principal contacts for this instrument are:

Forest Service Contact	TRPA Contact
Mike LeFevre	Lyn Barnett
Planning Staff Officer, LTBMU	Branch Chief, Environmental Review Services, TRPA
35 College Drive	PO Box 5310
South Lake Tahoe, CA 96150	Stateline, NV 89449
Phone: 530-543-2840	Phone: 775-588-4547
FAX: 530-543-2693	FAX: 775-588-4527
E-Mail: mlefevre@fs.fed.us	E-Mail: lbarnett@trpa.org

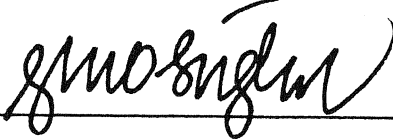
6. **NON-FUND OBLIGATING DOCUMENT:** Nothing in this MOU shall obligate either the Forest Service or TRPA to obligate or transfer any funds. Specific work projects or activities that involve the transfer of funds, services, or property among the various agencies and offices of the Forest Service and TRPA will require execution of separate agreements and be contingent upon the availability of appropriated or other funds. Such activities must be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Negotiation, execution, and administration of each such agreement must comply with all applicable statutes and regulations.

7. **ESTABLISHMENT OF RESPONSIBILITY.** This MOU is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States or TRPA, their agencies, agents, officers, or any person.

8. **DISPUTE RESOLUTION.** Any dispute between TRPA and Forest Service staff over the interpretation or implementation of this MOU shall immediately be raised to the Principal Contacts (or their designated representatives) shown in VI.5. The Principle Contacts commit to resolving any such dispute expeditiously. Should resolution not be attainable at this level the issue will be reviewed by the LTBMU Forest Supervisor and the TRPA Executive Director.

9. **AUTHORIZED REPRESENTATIVES.** By signature below, the cooperator certifies that the individuals listed in this document as representatives of the cooperator are authorized to act in their respective areas for matters related to this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument as of the last date written below.



JOHN SINGLAUB
Executive Director
Tahoe Regional Planning Agency

1-14-09
Date



TERRI MARCERON
Forest Supervisor
US Forest Service
Lake Tahoe Basin Management Unit

1/14/2009
Date

STAFF REPORT

Date: February 19, 2020
To: TRPA Governing Board
From: TRPA Staff
Subject: 2019 Annual Report

Summary and Staff Recommendation:

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

Background:

TRPA has been carrying out strategic initiatives the Governing Board identified as work program priorities for agency staff. These initiatives align directly with the four objectives in the agency's Strategic Plan. At a strategic planning retreat in March 2018, the Governing Board reaffirmed its support for these high-priority initiatives and reviewed work plans and timelines for their completion. TRPA completed several of the planning initiatives in 2018 and has updated the 2019 Agency Work Program to reflect those accomplishments and several new strategic priorities.

This staff report outlines the accomplishments and progress made in 2019. It tracks to and expands upon summary information published in the 2019 Annual Report. It also provides additional annual performance reporting required by the Regional Plan and reporting on sustainability indicators.

Contact Information:

For questions regarding this agenda item, please contact Joanne Marchetta, at (775) 589-5226 or jmarchetta@trpa.org

Attachment:

2019 Regional Plan Performance Measures Report

2019 ACCOMPLISHMENTS AND FUTURE PRIORITIES

TRPA STRATEGIC INITIATIVES

TRANSPORTATION

The Transportation Strategic Initiative implements the actions from the Bi-State Transportation Consultation including the finance action plan, corridor planning, the U.S. Highway 50 Main Street Management Plan, public-private partnerships, and mega-region collaboration. Metropolitan Planning Organization certification and a new 2020 Regional Transportation Plan, together with an updated Tahoe Transportation Model, will serve as the foundation for transportation upgrades and the update of the air quality mitigation fee system.

2019 Accomplishments

- **U.S. 50 South Shore Community Revitalization Project Implementation:**
 - Kicked off the Main Street Management Plan, a component of the U.S. 50 South Shore Community Revitalization Project, a transformational and regionally significant project. The Main Street Management Plan will redesign the portion of U.S. 50 between the Stateline casino core and Pioneer Trail into a multi-modal, pedestrian friendly Main Street.
 - Convened a stakeholder working group to guide the policy and design of the Main Street Management Plan. The group includes business and property owners in the corridor, local agency and organization representatives, and residents. The group convened four times in 2019.
 - The stakeholder working group hosted three public open houses on the Main Street Management Plan to gain extensive community input on goals, objectives, and alternatives for the future design of the Main Street corridor.
 - In November, the stakeholder working group chose a preferred alternative based on public input for the Main Street design that includes a reconfigured walkable street with new bike lanes and a multi-use path, additional landscaping, outdoor dining opportunities, and multiple small flexible spaces for community events such as farmers markets and live music. These improvements will support the policies of the Regional Plan.
- **Awarded \$6.3 million** in congestion mitigation air quality grants, surface transportation block grants, and Nevada transportation alternatives program funds to fund eight transportation projects at Lake Tahoe. These projects include bicycle and pedestrian facilities, roadway projects that include bike and pedestrian improvements, free public transit, and the U.S. 50 South Shore Community Revitalization Project.

- Processed a **2019 Federal Transportation Improvement Program** amendment for continued implementation of the Tahoe Trail bike path along the East Shore Transportation Corridor, long-awaited pedestrian improvements along U.S. 50 on the South Shore, funding for the start of the U.S. 50 East Corridor Plan, furthering the development of a transit hub in Incline Village, and examining a new South Shore site for a transit yard.
- Finalized an agreement with the U.S. Forest Service to **complete a feasibility study for the Emerald Bay section of the Tahoe Trail**, the only portion of this bike path along the West Shore not yet completed. This section of the Tahoe Trail would run from Spring Creek Road in the south through Emerald Bay to Meeks Bay in the north.
- **Continued developing the State Route 89 Recreation Corridor Management Plan** in partnership with the U.S. Forest Service and the Tahoe Transportation District. The plan looks at three transportation corridor alternatives to shift more visitation from personal vehicles to transit and trails to reduce traffic and parking congestion, and improve public safety and recreation access in this highly visited area.
- **2020 Regional Transportation Plan:**
 - Launched the next Regional Transportation Plan update with presentations to the Governing Board, public meetings, print ads, and a new website. The Regional Transportation Plan sets the vision for Tahoe’s transportation system and focuses on transit, trails, technology, and communities to support the environment, economy, quality of life, and visitor experience. The update, expected to be completed by fall 2020, will outline goals to improve the Lake Tahoe transportation system through the year 2045.
 - With enhanced transit as the Regional Transportation Plan’s key goal, new data from the Streetlight company will help identify specific short-term transit improvements as well as longer-term transit and funding needs for Lake Tahoe, including public and private partnerships.
- **Hosted the “Next Generation Mobility in Mountain Towns” workshop** to explore new transportation modes ranging from electric bikes and scooters to micro-transit and autonomous shuttles.
- Launched a **new travel management program, “Commute Tahoe”**, in December that works with local employers to reduce visitor and employee trips.
- Teamed with the Lake Tahoe Bicycle Coalition to lead the **14th annual Tahoe Bike Challenge**. In the first two weeks of June, 285 people around the Basin biked 20,420 miles, preventing an estimated 6,945 pounds of carbon dioxide emissions.

Future Focus

Implementation of the Regional Transportation Plan and 2021 Federal Transportation Improvement Program. Corridor planning and strategic distribution of funding to prioritized projects. Continuing corridor work including completion of the State Route 89 Recreation Corridor, assisting the Tahoe Transportation District with implementation of the U.S. 50 South Shore Community Revitalization Project, assisting the Nevada Department of Transportation on development of the U.S. 50 East Corridor Plan, and working with Placer

County as it completes the Resort Triangle Transportation Plan for the State Route 89/28 corridor. Regional partnership alignment on a comprehensive transit vision for Lake Tahoe through the Bi-State Transportation Consultation Working Group led by the states of California and Nevada that will reconvene in 2020.

THRESHOLDS AND PERFORMANCE MANAGEMENT

The Threshold and Performance Management Strategic Initiative includes both the thresholds standards update as well as the development or revision of other performance measures, including regional plan performance measures, transportation performance measures, and Current Planning processing measures. The initiative also includes supporting the next phase of the Tahoe Science Advisory Council's operations.



2019 Accomplishments

- The TRPA Governing Board adopted the recommendation of the Tahoe Science Advisory Council for a **structured system for the review and amendment of threshold standards** and for evaluating adaptive management. The new system led to the first set of technical corrections and the removal of six narrative policy statements as threshold standards as they did not meet best practice standards of being measurable and specific. This new system provides a coherent and consistent framework for future updates to threshold standards and performance metrics.
- **Completed initial structural improvements to the system of threshold standards** by collocating the threshold standards with the Regional Plan. These updates provide a coherent and seamless connection between threshold standards and the Regional Plan and continue to bring the threshold standards in line with best practices.
- Developed a **work plan for the vehicle miles traveled air quality threshold standard**. The work plan addresses mobility and greenhouse gas (GHG) related concerns in the Tahoe Region.

Future Focus

Continue to work with the Tahoe Science Advisory Council, partners, and stakeholders to strengthen the threshold system in the priority focus areas of forest health, recreation, and stream environment zone restoration.

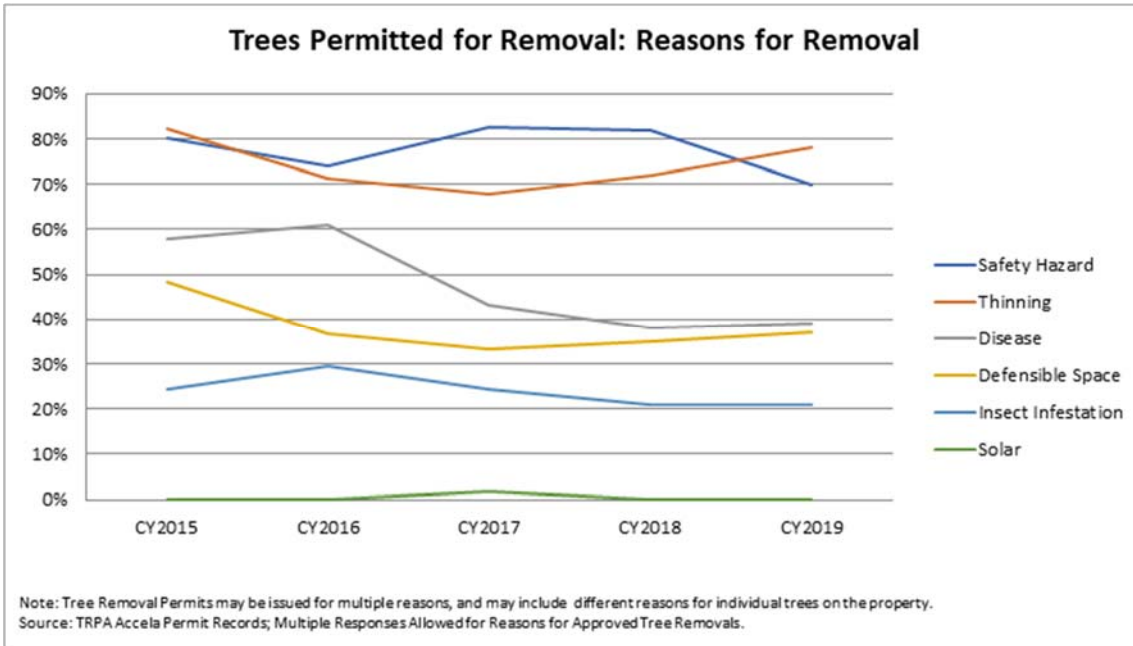
FOREST ECOSYSTEM HEALTH

The Forest Ecosystem Health Strategic Initiative supports the work of Basin partners engaged in the 10-Year Fuels Reduction Strategy and large landscape initiatives such as the Lake Tahoe West Restoration Partnership. Updating forest vegetation thresholds and forest practice code changes are key needs to accelerate forest health and fuels treatments on the landscape scale to meet the Region's growing threats.

2019 Accomplishments

- The U.S. Department of Interior awarded approximately **\$3.25 million to Lake Tahoe forest health projects** as part of Southern Nevada Public Land Management Act Funding Round 17, including \$3 million for Lake Tahoe West Restoration Partnership planning.
- Worked with the Lake Tahoe West Restoration Partnership to create a **Landscape Resilience Strategy**, outlining six overarching landscape goals with objectives and strategies for each goal for forest restoration on nearly 60,000 acres of the West Shore. The strategy identifies priority areas for treatment and serves as a roadmap for project implementation over the next 20 years.
- Partner organizations of the Tahoe Fire and Fuels Team released a **Forest Action Plan** in August. It includes a five-year program to minimize serious forest risks, including catastrophic wildfire, a potential beetle epidemic, and drought. The Forest Action Plan's three strategies target completing and maintaining all fuel reduction treatments in the wildland urban interface over the next five years, as well as implementing large landscape-scale forest restoration projects.
- Proposed **amendments to Chapter 61 of the TRPA Code of Ordinances** to align TRPA code and practices with new regulations set forth by both Nevada and California agencies. The changes will streamline the permitting process for prescribed burning while maintaining the necessary regulatory oversight. The changes have been endorsed by the TRPA Governing Board's Forest Health and Wildfire Committee and will be presented to the Governing Board for final approval in 2020.
- Held a **fire and defensible space workshop** for property owners and tree service companies. The free seminar provided an overview of tree removal rules, guidance on how to use TRPA's online tree removal application tool, and pointers on creating defensible space. Notably, the percentage of tree removal permits processed online has steadily increased, streamlining this important service for property owners and TRPA staff.
- Provided expert urban tree risk assessment and evaluation to the public and agency partners. TRPA received 992 tree removal applications and **issued 998 tree removal permits** in 2019. The number of tree removal permits issued continues to increase with most trees being removed for thinning and safety hazards. More than three-quarters (78 percent) of the tree removal applications are now received and processed online.

Summary of TRPA Tree Removal Application and Permitting Activity Calendar Year 2015 through 2019					
	CY2015	CY2016	CY2017	CY2018	CY2019
Tree Removal Applications Received	745	682	802	885	992
Number of Trees Permitted for Removal	3,212	2,974	3,117	3,806	4,523
Percent Applications Submitted Online	55%	55%	61%	72%	78%
<u>Source:</u> TRPA Accela Permit Records					



Future Focus

Support the Lake Tahoe West Restoration Partnership to collaboratively increase the pace and scale of forest restoration in the Tahoe Region, and implement actions for Tahoe that are consistent with statewide executive orders on mitigating catastrophic fire risk. Work with the TRPA Governing Board Forest Health and Wildfire Committee to update forest and vegetation management regulations.

TAHOE KEYS WEED MANAGEMENT

The Tahoe Keys Weed Management Strategic Initiative supports the stakeholder-driven collaborative process seeking solutions to control the noxious spread of invasive weeds in the Tahoe Keys and throughout Lake Tahoe. TRPA convened the collaborative and secured funds, facilitating stakeholder and community engagement essential to finding solutions to this long-standing and serious threat to Lake Tahoe’s water quality.

2019 Accomplishments

- TRPA convened a collaborative **stakeholder committee for the Tahoe Keys weed management project** to guide the development of treatment options and environmental analysis of the project, which aims to eradicate or greatly reduce populations of aquatic invasive weeds in the Tahoe Keys canals and lagoons and prevent spread into Lake Tahoe. The committee includes representatives from TRPA, the Lahontan Regional Water Quality Control Board, Tahoe Keys Property Owners Association, League to Save Lake Tahoe, Tahoe Water Suppliers Association, and Tahoe Resource Conservation District.

- Sought public input on the scope and content of the environmental study for the **Tahoe Keys weed management project test**. Circulated a notice of preparation and held public hearings. After the scoping period, TRPA and Lahontan Regional Water Quality Control Board revised the project to add an alternative requested by the public commenters that will investigate the potential to dredge and replace channel fill as a potential treatment method.
- Secured an expert environmental consultant to launch the environmental analysis of the project and alternatives. An administrative draft is expected in March 2020.

Future Focus

Push forward to complete environmental review of the Tahoe Keys weed management options and achieve broad support for a path to finally solve the most vexing water quality problem at Tahoe.

LIVABLE AND SUSTAINABLE COMMUNITIES

The Livable and Sustainable Communities Strategic Initiative includes housing policy and implementation support to partners working to solve the housing affordability and short-term vacation home rental pressures in the Tahoe Basin; area planning support; development rights and shoreline planning implementation activities; and executing the Plug-In Electric Vehicle Plan.

2019 Accomplishments

- **Housing:** The emphasis throughout 2019 has been on coordinated planning to solve Tahoe’s housing crisis and provide more housing options for local residents and employees.
 - Partnered with the Mountain Housing Council, Tahoe Prosperity Center, and multi-agency coalitions to collaboratively address the housing challenges the Tahoe Region faces and to **develop region-wide housing action plans**. The action plans are strategies needed to solve the undersupply and affordability of local resident and employee housing for Tahoe.
 - **Launched a new regional housing webpage** that identifies all incentives available for affordable, moderate, “achievable,” and market-rate housing projects at Lake Tahoe. The webpage also shows where the incentives apply, allowing developers to more easily access this important information (<http://www.trpa.org/permitting/housing/>).
- **Shoreline Plan Implementation:** The new Shoreline Plan, adopted by TRPA in 2018, authorizes new and existing shoreline structures for lake recreation access. The plan allows for a maximum of 10 new public piers and 128 new private piers around Lake Tahoe. Submittals are accepted and vetted, and through a lottery system for up to 12 new private piers, allocated to be permitted every two years. The plan also authorizes the registration of existing moorings, followed by permitting of new moorings up to allocated limits.

- As new shoreline regulations took effect, TRPA **launched a new online system for property owners to register existing moorings**. Over 1,200 mooring registration submittals were received in 2019 for more than 5,200 individual moorings (buoys, boat lifts, and slips).
- TRPA **initiated new pier permitting** in 2019. From June 1 to June 30, TRPA accepted preliminary proposals for new single-parcel and multiple-parcel piers. Of 117 submittals, 34 proposed a multiple-parcel (shared) pier and 84 requested a single-parcel pier. TRPA **held the bi-annual pier lottery** on July 17 and awarded pier allocations for seven new multiple-parcel piers and five single-parcel piers. These parcel owners may submit a new pier application for permitting.
- For boating safety of paddlers, the Shoreline Plan includes a “go slow” zone within 600 feet of shore. TRPA designed and launched a new **shoreline boating app** that is being used by over 1,200 users. The smartphone app allows boaters to see their location in regard to the 600-foot no-wake zone to help minimize the danger to swimmers and paddlers who generally recreate closer to shore.
- **Executing the Plug-In Electric Vehicle Plan:** A key strategy in the award-winning Tahoe Sustainability Plan for the reduction of regional greenhouse gas emissions is the deployment of electric vehicles. Progress is underway on this plan and includes:
 - Partners have **constructed 115 chargers in 45 locations** across the Region.
 - To connect Tahoe inter-regionally TRPA presented the Tahoe-Truckee Plug-In Electric Vehicle Readiness Plan to the Mono County Local Transportation Committee. Mono County, California, is starting to develop a **readiness plan for the deployment of electric vehicle infrastructure**. The program will provide a critical link between California and Nevada’s charging networks, eventually connecting Lake Tahoe to Mono County via U.S. Route 395.
 - Completed three site visits and pre-project consultations for **new electric vehicle charging stations** in the Tahoe Basin. These consultations allow project proponents to plan infrastructure installations and to better understand permitting requirements up front.
- The TRPA Governing Board unanimously approved comprehensive updates to Lake Tahoe’s development rights system in late 2018. In support of implementation, in 2019 TRPA **launched new development rights and area plan webpages**. The webpages provide a user-friendly guide explaining recent development rights program changes. The guide includes information on how to acquire development rights, options for the conversion and transfer of development rights, and summaries of development incentives and bonus units. These changes make it easier for the private sector to invest in environmental redevelopment projects that benefit Tahoe’s environment, revitalize communities, and provide needed housing options for residents.
- **Sustainable Recreation:**
 - The Sustainable Recreation Working Group started a \$175,000 work program with the Tahoe Science Advisory Council to **develop new metrics and shared**

monitoring protocols for recreational activities in the Tahoe Region. The work program will lead to consistent metrics that better measure public recreation access, the quality of public recreation experiences, and natural resource conditions at Lake Tahoe, **leading to a comprehensive update of the Region's recreation threshold standards and performance measures.**

- Completed the annual **recreation user online survey**, receiving 519 responses that provide valuable data on recreation use and experience in the Tahoe Basin. The Sustainable Recreation Working Group will use the survey results to evaluate recreation threshold standards in the 2019 Threshold Evaluation Report.

Future Focus

Incentivize the California Tahoe Conservancy and Nevada Division of State Lands to implement recent changes to the transfer of development rights program. Collaborate with partners to implement the housing work plan and support ongoing housing initiatives. Implement phase two of the Shoreline Plan's mooring registration and permitting program, which will allow property owners to apply for new moorings.

ONGOING INITIATIVES AND ANNUAL ACTIVITIES

LONG RANGE & TRANSPORTATION PLANNING DIVISION

The Long Range Planning and Transportation Planning Division establishes the plans, programs, and regulations to achieve and maintain environmental thresholds and oversees the plans, programs, and projects that implement Tahoe Regional Transportation Plan.

2019 Accomplishments

- **Review of local jurisdictions' area plans and area plan amendments** that implement the Regional Plan. Area plans are under development in Douglas County and Washoe County, Nevada. Long Range and Transportation Planning staff are reviewing proposed amendments to the Tourist Core Area Plan in the City of South Lake Tahoe, California; the South Shore Area Plan in Douglas County; and the Tahoe Basin Area Plan in Placer County.
- TRPA, as the Tahoe Metropolitan Planning Organization, **initiated the 2020 Regional Transportation Plan Update**. Key objectives are improvements to regional transportation modeling to better estimate visitor travel patterns and enhancements to transit implementation.
- To meet Tahoe Metropolitan Planning Organization certification standards, **updated the Public Participation Plan for transportation**, which outlines strategies to ensure strong public involvement and engagement in transportation planning at Lake Tahoe. The plan outlines strategies to seek input on all transportation modes and provide a forum for public input on how transportation options influence and support social and economic vitality.

- Sponsored and convened an inter-regional western states forum for the exchange of best practices in environmental conservation and transportation planning by hosting the **Mountain and Resort Town Planners Summit**, participating in a national podcast series, and growing peer-collaboration on sustainable development in southern Chile.
- Developed guides, websites, and training forums to **educate the public and local partners on land use regulations** in the Tahoe Region.
- With partners, engaged first steps in **climate adaptation and resilience planning for the Tahoe Region**. Collaboratively developed a Climate Vulnerability Assessment for the Tahoe Region and a menu of adaptation strategies with agency partners.
- With the USDA Forest Service, initiated planning for **restoration of Meeks Bay Marina**, a significant stream environment zone enhancement and recreation amenity revitalization.

Future Focus

Support local jurisdictions in developing and implementing remaining area plans and updating existing area plans to accelerate environmental restoration and community revitalization. Build further partnerships for the implementation of the Lake Tahoe Sustainability Action Plan. Update the Regional Plan to reflect emerging challenges such as climate adaptation.

CURRENT PLANNING DIVISION

Environmental threshold standards are achieved and maintained through project implementation by both the public and private sectors. The Current Planning Division reviews projects to achieve environmental improvement and economic investment in Lake Tahoe communities and to serve the public.

2019 Accomplishments

- **Distributed 236 residential allocations to local jurisdictions.** Allocations are distributed to local jurisdictions based on performance review that considers whether the jurisdiction is meeting water quality Total Maximum Daily Load targets and Regional Plan criteria for location, enforcement, and operation of short-term rentals.
- The Governing Board added **short-term rental neighborhood compatibility** as a third code criterion to the performance review system for distribution of residential allocations to local jurisdictions. Jurisdictions receiving residential allocations are addressing the potential impacts of short-term rental location, operation, and enforcement through best practices set out in the new guidelines. A stakeholder working group that included TRPA staff, Governing Board members, representatives from neighborhood and environmental groups, the real estate community, the building industry, and other community members collaborated to develop the best practice guidelines.

- **Fully met goals for timely and consistent review of project applications.** Reviewed 872 project permit applications in 2019. Screened 100 percent of applications for completeness within the performance target of 30 days of receipt and issued 100 percent of permits within the Code of Ordinances’ review target period of 120 days of being found complete.

Summary of TRPA Application and Permitting Activity Calendar Years 2016 through 2019				
	CY2016	CY2017	CY2018	CY2019
Applications Received¹	879	792	939	872
Residential Projects ²	147	116	214	209
Commercial Projects ²	8	15	18	19
Recreation/Public Service Projects ²	40	36	40	36
Environmental Improvement Construction Projects	8	12	14	10
Shorezone/Lakezone Projects ²	27	25	31	40
Grading Projects	38	36	36	30
Verifications and Banking ³	479	442	425	396
Development Rights Transfers and Conversions	57	32	50	25
Other ⁴	75	78	111	107
Notes:				
1. Does not include Exempt projects, Qualified Exempt declarations, Tree Removal applications, or Administrative applications.				
2. Includes New Development and Additions/Modification				
3. Includes Soils/Hydrology Verifications, IPES, Land Capability Verifications, Land Capability Challenges, Verifications of Coverage, Verifications of Uses, Site Assessments and Standalone Banking Applications				
4. 'Other' includes Historic determinations, Lot Line Adjustments, Resource Management, Temporary projects, Scenic, Underground Tank Removal, Subdivision of Existing Uses, Sign, Allocation Assignments, and other miscellaneous project types				
<u>Source:</u> TRPA Accela Permit Records				

- **Delegated additional TRPA permitting functions to El Dorado County,** which will begin in January 2020. For better “one-stop-shop” permit service, El Dorado County’s Community Development Services Department, in addition to reviewing residential projects for TRPA compliance, will now also process commercial verifications, which determine a property’s development potential; commercial qualified exempt activity permits for minor exterior and interior improvements; and permits for new signs and temporary activities.
- Released the annual **Local Government Coordination Report.** The report outlines progress made toward the development, adoption, and implementation of area plans in the Tahoe Region and makes recommendations whether or not to recertify permit delegation memorandum of understanding (MOU) agreements associated with area plans. The Governing Board recertified the City of South Lake Tahoe’s MOU.

Future Focus

Improve the land capability verification system with new data and best practices. Implement new “Welcome Mat” permitting improvements by making more parcel information essential to project applicants available online.

REGIONAL PLAN COMPLIANCE AND ENFORCEMENT

Once project permits are issued, TRPA’s permitting and compliance staff inspect properties and monitor project implementation for compliance with environmental standards.

2019 Accomplishments

- **Project Compliance Inspections:**
 - **Performed 702 compliance inspections.** TRPA opened 144 code enforcement cases; resolved, referred or recorded 113 cases; 28 cases resulted in the assessment of an administrative penalty; and three resulted in Governing Board approved settlements.
 - Instituted an **online inspection request** for pre-grade and final inspections.
 - **Completed all code case inspections within one week of intake**, meeting a TRPA performance measure. Code case investigations involve file research and field inspection.
 - **Completed all pre-grade inspections within three days of request** and all final inspections within 15 days.
- **MOU and Project Review Audits:**
 - **Audited 100 projects reviewed and approved by local MOU partners.** Ten percent of active projects are randomly selected annually and inspected for conformance with winterization guidelines. Additionally, each year at least 10 percent of projects where TRPA holds a financial security are randomly chosen and inspected for compliance with security release conditions. Local jurisdictions met requirements 90 percent to 96 percent of the time in both audit categories. Where needed, corrective action is agreed upon and monitored to completion.
- **Watercraft Team Action:**
 - TRPA’s expanded five-person watercraft team operates from May through October, assisting in threshold and aquatic invasive species monitoring, public education, and compliance with boating rules.
 - Crews educated boaters on TRPA boating rules such as the carbureted two-stroke engine prohibition, watercraft noise ordinances, shorezone regulations, and the 600-foot no-wake zone. The team led 20 education tours, completed three separate water quality tests, and assisted with noise and scenic quality monitoring, and compliance inspections.
 - The crew added for new Shoreline Plan Implementation engaged in over 1,000 hours of no-wake zone education, and the issuance of 200 verbal corrective actions for no-wake zone violations.

- Initiated Shoreline Plan mooring enforcement and assisted with the successful removal of 18 boats anchored without authorization.

Future Focus

Support the continued implementation of the Shoreline Plan. Continue to make Regional Plan compliance a top priority while providing good customer service in the field. Improve water quality BMP education with permit applicants and contractors.

ENVIRONMENTAL IMPROVEMENT PROGRAM DIVISION



The TRPA’s Environmental Improvement Division collaboratively leads and administers the Lake Tahoe Environmental Improvement Program (EIP), a public and private, multi-jurisdictional capital investment program to conserve and restore Lake Tahoe’s environment and enhance public recreation

opportunities. Under the EIP, 70+ partners work together in a collective impact model to set priorities, develop financing strategies, implement projects, and track results of the program. TRPA serves as the partnership’s backbone agency to convene, facilitate, and align partners to achieve program results that implement the Tahoe Bi-State Compact and Regional Plan.

2019 Accomplishments

EIP Leadership and Administration:

- Convened the annual **Tahoe Interagency Executives Steering Committee (TIE) retreat** to guide future EIP implementation. The retreat brings together agency executives in each EIP sector to discuss updated to EIP programs and priorities, sector alignment, and collective leadership of the EIP.
- The TIE Steering Committee finalized the **Lake Tahoe Restoration Act project priority list** for fiscal year 2020, requesting \$78.3 million in federal funding for EIP projects.
- The EIP Division continues to improve the shared measurement, monitoring, and reporting system for the EIP. TRPA partnered with Sitka Technology Group to update the homepage of the EIP Tracker (www.eip.laketahoeinfo.org) to showcase an **“Accomplishment Ticker”** for six key EIP performance measures that update in real time as partners enter accomplishments.
- In October, the EIP Division convened a workshop of over 30 partner organizations to launch the **new EIP logo and kick-off the 2019 EIP reporting**



A screenshot of the new EIP “Accomplishment Ticker.”

season. Each year from November 1 through January 15, EIP partners enter their EIP project spending and accomplishment data into the EIP Tracker so that TRPA can accurately track the Basin’s progress toward threshold attainment.

- Launched updated EIP branding including a **new logo for the Lake Tahoe Environmental Improvement Program (EIP)**. The logo provides a modern look and feel for the EIP and was developed collaboratively with EIP partners. Created design and style guidelines for partners with the goal of consistent branding on project signs and materials Basin-wide.
- **Mitigation fund releases:** Released \$225,000 in mitigation funds to local jurisdictions for stream environment zone restoration projects, new stormwater maintenance equipment, and water quality improvement projects.
- Joined the facilitation team for the California Natural Resources Agency’s new **“Cutting the Green Tape” Initiative**. Secretary Wade Crowfoot announced the need for bold systems change to improve permitting and program efficiencies for increased natural resources restoration statewide. The California Landscape Stewardship Network partnered with the California Natural Resources Agency for a series of roundtables in 2018-2019 to develop specific, actionable strategies and policy recommendations to improve existing programs. TRPA is recognized as an important regional voice in this initiative.

Aquatic Invasive Species Program:

Lake Tahoe faces a constant and serious threat from the introduction and spread of aquatic invasive species (AIS). Prevention programs are keeping new AIS out of waterbodies in the Tahoe Region and control programs manage AIS already established. TRPA leads the multi-sector AIS partnership at Lake Tahoe, but accomplishments are the result of the collective contributions of many organizations and individuals.

- **Control Projects and Funding:**
 - **Treated or retreated 20.2 acres of invasive aquatic weeds and clams** in Elk Point Marina, Sand Harbor, Emerald Bay, Lakeside Beach and Marina, the Truckee River, Ski Run Marina, Meeks Bay, and the Tahoe Keys.
 - **Completed the Lake Tahoe Aquatic Invasive Species Control Action Agenda**, setting a proactive path to address all aquatic invasive species in the Tahoe Region over 10 years, with targets and metrics for success and total costs to achieve goals.
 - The effectiveness of **ultraviolet light** as a control method for aquatic invasive species underwent continued testing this year. The second phase of the ultraviolet light pilot project started at Lakeside Beach along with small scale testing in the Tahoe Keys waterways. Results from the initial tests are promising with additional testing needed and underway.
 - Preliminary results from the **laminar flow aeration test** at Ski Run Marina show a significant reduction in invasive aquatic weed populations and a decrease of the organic layer at the bottom of the marina. While the

specific mechanism of the test that caused these desirable results is unknown, partners will continue to monitor and investigate the project and drivers of its results.

- **Prevention Program:**

- **Directed the clean and safe launch of 31,134 motorized watercraft in 2019.** A comprehensive inspection was performed on 7,499 watercraft, with 3,475 watercraft requiring decontamination. Boat inspections detected 40 boats carrying aquatic invasive species, preventing them from launching until cleaned, drained, dry, and decontaminated.
- Implemented a **modified watercraft inspection fee schedule** that the Governing Board approved. The fees more accurately reflect the amount of work needed for certain inspections and bring in additional funds to offer more competitive wages to inspectors and replace aging equipment in the watercraft inspection program.
- TRPA, Tahoe Resource Conservation District, and California Department of Fish and Wildlife worked with A&M Marine and Sierra Boat Company on **two mussel-infested boats that were intercepted before launch** at their facilities. This partnership ensured the boats were safe to launch on Lake Tahoe by disassembling and decontaminating each area and component of concern on the boats.

- **Monitoring Program**

- **A comprehensive survey of aquatic invasive species locations around Lake Tahoe** is underway. Program partners are reviewing the draft survey along with a monitoring plan that will allow for consistent updates to AIS survey information over time. This project used underwater diver transects, cutting-edge green light LiDAR, and high-resolution aerial imagery to create detailed maps of the nearshore bathymetry, helping to understand the scope and location of current AIS infestations. This survey enables the AIS partnership to target and design control projects.
- Completed a **diver survey of invasive aquatic weeds in the Taylor and Tallac marshes** to support control work that will begin in 2020. The U.S. Forest Service will lead the control project and the two marshes are high-priority treatment locations in the Aquatic Invasive Species Control Action Agenda.

Stormwater Management Program:

Reducing polluted stormwater runoff from urban areas and roads is a foundation of the EIP's water quality focus area. Area-wide solutions offer opportunities for the public and private sectors to partner and meet stormwater infiltration and erosion control requirements, generate funding for system maintenance, implement the Lake Tahoe Total Maximum Daily Load (TMDL) Program, and achieve other community goals.

- **Issued 342 new best management practices (BMP) certificates** to Lake Tahoe property owners who completed parcel-based stormwater infiltration and erosion control requirements: 294 certificates for single family residential parcels, 32 for multi-family

residential parcels, and 16 for commercial parcels. Of these certificates, three are for parcels participating in area-wide water quality treatment projects.

BMP Certificates issued from Jan. 1 to Dec. 31, 2019		
	Land Use	Total Certificates Issued
California	Single Family Residential	244
	Multi-Family Residential	6
	Commercial	9
	California Total	259
	Single Family Residential	50
Nevada	Multi-Family Residential	26
	Commercial	7
	Nevada Total	83
	Total Certificates Issued	342

- **Certified 66 new Tahoe businesses as Lake-Friendly.** By the end of 2019, 161 businesses (88 in California and 73 in Nevada) are participating members of the Lake-Friendly Business Program. The program encourages businesses to protect the lake by completing and maintaining stormwater BMPs. The program recognizes member businesses as good stewards of the lake through print advertisements and social media campaigns.
- **TRPA reissued 144 BMP certificates verifying BMP maintenance and effectiveness.** Staff helped property owners develop inspection and maintenance logs and completed on-site inspections to verify maintenance and ensure continued BMP effectiveness in reducing stormwater pollution.
- **Analyzed areawide water quality treatment opportunities at Tahoe.** TRPA staff evaluated regional data to identify site constraints that restrict stormwater infiltration and made recommendations to partners on establishing areawide treatment systems at 18 Tahoe locations.

Future Focus

The EIP Division will continue to strengthen collaborative EIP partnerships by working with all sectors to align priorities, develop multijurisdictional projects, and increase the pace and scale of restoration needed to implement the Regional Plan. The partnership will focus on funding strategies for the Forest Action Plan, the Aquatic Invasive Species Control Action Agenda, and watershed restoration projects through the Lake Tahoe Restoration Act and other state and local sources. Continue to investigate newly emerging solutions for the

prevention, control, and monitoring of AIS. Continue BMP compliance in TMDL priority areas to reduce stormwater pollution and its impact on lake clarity.

RESEARCH & ANALYSIS DIVISION

TRPA monitors hundreds of environmental threshold standards, performance measures, and management actions for progress and effectiveness. TRPA's Research and Analysis Division connects the science community to the implementation of the Regional Plan and provides the best possible information for policy decisions, operations, and accountability. The division organizes science inputs, builds data platforms, monitors and maintains current data, and analyzes information needed for policy development and decision making.

2019 Accomplishments

- **Released the 2018 Annual Monitoring Report.** It summarizes monitoring TRPA performed related to the threshold categories of streams, stream environment zones, air quality, noise, wildlife, Tahoe yellow cress, and bicycle/pedestrian path usage.
- **Completed annual field monitoring.** 2019 was a busy monitoring year gearing up and compiling data for the upcoming threshold evaluation report. Extra emphasis was placed on **stream environment zones**. Data was collected in nearly 240 meadows; over 20 miles of streams were assessed for streambank stability and erosion, and 60 bioassessment samples were collected in stream environment zones. TRPA also monitored **noise** for 35 plan area statements and eight transportation corridors, and at 10 sites as part of implementing the Shoreline Plan; maintained three **air quality and visibility** monitoring stations; for **wildlife**, worked with partner agencies to complete three basin-wide osprey breeding surveys, peregrine falcon surveys at five sites, and waterfowl habitat surveys; participated in the annual winter bald eagle count; completed an annual lake-wide survey of Tahoe yellow cress with partner agencies; completed **bicycle and pedestrian** monitoring at 22 sites around the basin using automated counters; and completed **scenic quality** monitoring for 33 shoreline units, 46 roadway units, and nearly 400 individual photo viewpoints.
- **Lake Tahoe Info Development:** Further improvements were made to the <https://laketahoeinfo.org/> website, the centralized information platform for the EIP partnership and vital regional data sets:
 - The system has over 1,200 registered users representing more than 155 state, federal, local, and private organizations. Most information on the website is viewable without a login.
 - The **Parcel Tracker** (<https://parcels.laketahoeinfo.org>) now has information on over 23,500 parcels in the Tahoe Region. Available parcel information includes land capability verifications, detailed ledgers of development rights transferred to or from a parcel, and TRPA permit and document history. On average, TRPA updates information on more than 30 parcels each week.



- The **EIP Project Tracker** (<https://eip.laketahoeinfo.org>) software is open source, allowing new participants to add technical improvements to the site without expense to TRPA. Eight other organizations — California Association of Conservation Districts, Clackamas Partnership, Idaho Soil and Water Conservation Commission, Peaks to People Water Fund, Puget Sound Partnership, Washington State Department of Natural Resources, John Day Basin Partnership, and the U.S. Bureau of Reclamation — now utilize the EIP Parcel Tracker software for their own program reporting.
- **Additional paper files converted to electronic formats for efficient access to permit information.** Staff converted an additional 2,137 paper project files to electronic formats and uploaded them to TRPA’s permitting database for easy, efficient access by staff and the public. More than 11,500 paper permit files have been converted and uploaded since 2013.
- Created a **new navigation system for use on TRPA owned watercraft.** The new system replaces outdated technology by deploying high accuracy GPS receivers with newly created bathymetric mapping layers that give the TRPA boat crew unprecedented navigation information.

Future Focus

Build the most comprehensive, reliable, up-to-date, and accessible regional information for policy, planning, analysis, and implementation of the Regional Plan and its programs. Continue work on the threshold update strategic initiative and produce a newly formatted online version of the 2019 Threshold Evaluation Report. Integrate data across applications on <https://laketahoeinfo.org/> to link actions to outcomes and enable additional data analysis, visualization, and reporting capabilities.

EXTERNAL AFFAIRS

TRPA supports a culture committed to public education, outreach, and community engagement to implement the Compact, Regional Plan, and Environmental Improvement Program. External Affairs leads public engagement initiatives in collaboration with a wide array of agency and nonprofit stakeholders.

2019 Accomplishments

- **Legislative Affairs:**
 - Worked with the Tahoe Partnership to secure **more than \$16 million in 2020 federal funding** through the Lake Tahoe Restoration Act.
 - TRPA organized nearly a dozen **field tours** for representatives and staff of California and Nevada’s congressional and state delegations.
 - The EIP partnership held a **presummit educational workshop** for U.S. Senate and House staffers, as well as California and Nevada officials, ahead of the Lake Tahoe Summit in August. TRPA and partner agency representatives briefed nearly 50 attendees on forest health and

- management initiatives, science, sustainable communities and recreation work, and aquatic invasive species programs.
 - TRPA continues to play a leadership role at the annual **Lake Tahoe Summit**. The 23rd Summit was held at Valhalla in August and the team engaged hundreds of members of the public along with state and federal officials.
- **Environmental Education:**
 - Coordinated the fourth annual **EpicPromise Winter Adventure Program**, helping more than 300 local fifth-grade students snowshoe at the top of Heavenly Mountain Resort's Aerial Tram. Students learn about snowmaking, avalanche safety, and winter wildlife survival through a series of stations with agency partners. Zephyr Cove Elementary School was added to the program this year for the first time.
 - Engaged with hundreds of people at the **2019 Fire Fest** event at the Hard Rock Hotel and Casino in September. The community event fostered knowledge about wildfire risk and prevention, community preparedness, and how TRPA and other partners on the Tahoe Fire and Fuels Team are working to reduce catastrophic wildfire risk and improve forest health.
- **Public Outreach:**
 - **Tahoe in Depth:** Published two editions of this award-winning newspaper in 2019 featuring 43 articles. The publication provide homeowners, landowners, residents, visitors and policymakers with information about the Lake Tahoe environment. Tahoe in Depth is mailed to 36,000 Tahoe Basin homeowners and 7,000 copies are distributed to various visitor locations around Tahoe.
 - TRPA presented the annual **Best in Basin Awards** program to the Governing Board, publicly recognizing six exceptional public and private projects around the lake completed in 2018.
 - TRPA sits on the steering committee of the **California Landscape Stewardship Network** that convenes practitioners across the state to coordinate on policy, funding, and implementation of multijurisdictional environmental restoration programs. TRPA spoke as a panel member on the future of regional collaboratives and new ways of thinking to make these partnerships successful.
 - **Shoreline Plan Outreach:** Developed and executed broad-reaching strategic public outreach for the shoreline plan throughout the year. Outreach tactics included rack cards, opinion pieces, press releases, educational Tahoe TV no-wake zone spots and interviews, a TRPA front counter display, updated Tahoe boating map, and two mooring registration direct mail pieces to lakefront property owners.
 - **Increased local television news coverage** of various TRPA programs and accomplishments. All Reno television stations covered the launch of the new TRPA mobile boating application. TRPA's aquatic invasive species boat inspection program also garnered coverage during the summer after intercepting two boats with live mussels onboard. And KOLO-TV aired a

- feature story on the creation of a mural that was painted on the side of the boat inspection equipment container in Meyers.
- Purchase of a new camera has allowed the agency's communications staff to **expand their production of HD video to support outreach through social media.**

Future Focus

Continue to grow TRPA's role as a leader in collaborative outreach locally, regionally, nationally, and globally to help inspire and achieve conservation and stewardship at Lake Tahoe.

EXECUTIVE, LEGAL, FINANCE, INFORMATION TECHNOLOGY, HUMAN RESOURCES & FACILITIES

2019 Accomplishments

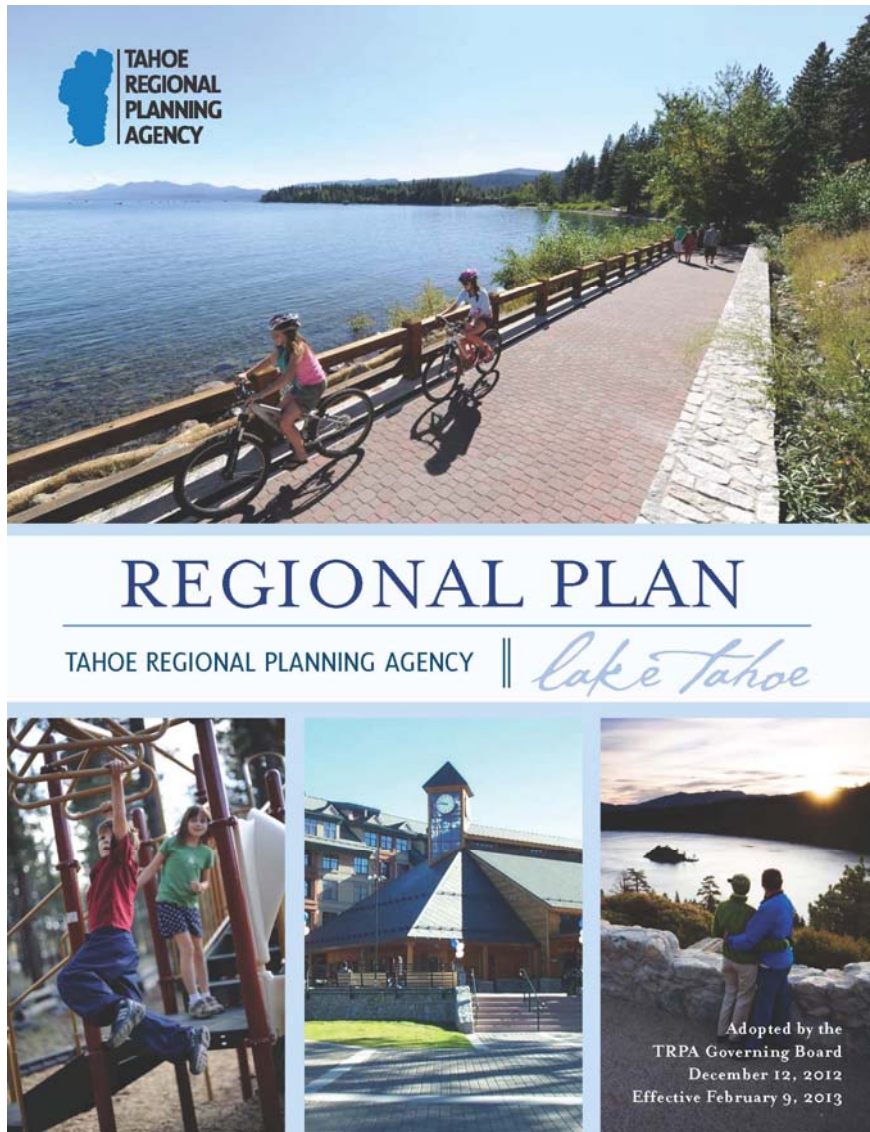
- **Executive:**
 - **Held the annual TRPA Governing Board retreat** in May in the Guinn room inside the Nevada State Capitol Building. Following Carson City Mayor Bob Crowell's welcome, Governor Steve Sisolak and Lieutenant Governor Kate Marshall made brief opening remarks about the importance of Lake Tahoe and TRPA's role in protecting it. The Governing Board and TRPA executive staff reviewed and discussed top priority initiatives in transportation, recreation, and sustainable communities throughout the daylong retreat. Governing Board members also toured Carson City's revitalized downtown area as an example of what's possible for Tahoe from the U.S.50 South Shore Community Revitalization Project. The Carson City revitalization project rerouted U.S. Route 395 around the downtown core to create a business, visitor, and pedestrian friendly main street that runs through the state capitol corridor.
- **Finance:**
 - TRPA's fiscal years run from July 1 to June 30, so the calendar year covers parts of two fiscal years. For the fiscal year ending June 30, 2019, TRPA ran a surplus of \$400,000 due to contract savings.
 - The independent external auditor completed its review of the agency's fiscal year 2018/19 financial audit and identified no issues or significant findings, resulting in a clean audit opinion.
 - The states of California and Nevada directly contribute over 40 percent of the TRPA's budget. Significant state budgeting activity occurred in 2019 as both California (annual) and Nevada (bi-annual) completed new budgets. California will provide \$5 million and Nevada will provide \$2.3 million.
 - TRPA obtained increased funding to provide annual salary increases equal to state employees, funds for 2019 Threshold Evaluation Report work, and

- funding to move toward equalization of TRPA's retirement plan compared to the two state's PERS plans.
- Grants managers administered 39 unique grants from 20 different funding sources during 2019, and total grant billings were \$4.3 million. TRPA received six new grants worth \$2.4 million during the year. Each grant required multiple billings and progress reports during the year.
 - The Finance Department received Governing Board approval for a balanced budget for fiscal year 2020. Revenues and expenditures are tracking well according to the budget. Internal budget priorities for 2020 include implementing the shoreline and development rights initiatives and U.S. 50 South Shore Community Revitalization project.
- **Information Technology:**
 - Installed a modern voice over internet protocol phone system. The system significantly enhances remote work, teleconferencing, and messaging throughout the agency.
 - Switched broadband vendors and doubled internet bandwidth for the agency. Upgraded all network switches, improving reliability, throughput, and manageability. A new storage area network was purchased and will be deployed in early 2020.
 - **Facilities:**
 - Major leasing activity occurred in 2019, filling excess space in the TRPA owned building. Lake Tahoe Epic Curling occupied the first floor of the building with a remodel that included expanding the building and installing two curling ice sheets. The General Services Administration tenant signed a new 10-year lease with a five-year option and all other tenants have renewed their leases.
 - Solar panels on the roof of the TRPA building generated over 400,000 kilowatt-hours of electricity in 2019, reducing carbon dioxide emissions by 300 tons.
 - **Human Resources:**
 - Selected Kronos as the new vendor for payroll, timekeeping, and human resources information, following a competitive request for proposals process. The Kronos product allowed TRPA to consolidate three software platforms into one cohesive system.
 - There were several employee learning and development events this year. Alison Gauden of the University of Nevada, Reno Reynolds School of Journalism returned for a "Writing for Results" refresher workshop. The University of Nevada, Reno Extended Studies program delivered a custom workshop on government and public finance. TRPA managers attended a workshop on harassment prevention that addressed federal and Nevada law and employer/manager responsibilities. To build stronger feedback skills, Combs Consulting delivered a two-part training session on "Powerful Non-Defensive Communications" to the entire TRPA staff.

ATTACHMENTS

Attachment 1 2019 Regional Plan Performance Measure Report

2019 REGIONAL PLAN PERFORMANCE MEASURE REPORT



Prepared by:



February 2020

INTRODUCTION

In May 2013, the Tahoe Regional Planning Agency's (TRPA) Governing Board approved 14 Regional Plan Performance Measures and associated sub-categories. Each performance measure has a level-1 and level-2 benchmark, or target, to be reported both annually and on a multi-year timeframe.

The approved measures relate directly to the intended implementation actions resulting from the 2012 Regional Plan amendments which incentivize compact environmental redevelopment in pursuit of threshold attainment as directed in the Bi-State Compact. Many level-2 measures are long-term land use or environmental goals and may take years or even decades to show measurable progress. In those instances, ongoing activities expected to lead to performance results are described. Also, the Governing Board established short-term level-1 benchmarks to indicate interim progress, and where information is available, progress is reported.

The entire suite of TRPA performance measures is under review as part of TRPA's performance management and threshold update initiative. This review of performance measures will enable TRPA to refine the measures evaluated in this report.

EXECUTIVE SUMMARY OF PERFORMANCE MEASURE STATUS

A brief summary of the status of the 14 Regional Plan Performance Measures follows.

REGIONAL LAND USE PATTERNS

1. *Distribution of development for land-use types*: In 2019, the distribution of commercial floor area, property improvement values, and residential units met the benchmarks to increase the percentage of development in town centers and reduce the percentage in remote areas. The sub-category for tourist accommodation units did not meet the benchmark.
2. *Annual average number of units transferred to town centers from sensitive and remote land*: In 2019, the benchmarks for transferring tourist accommodation units and potential residential units from stream environment zones and remote areas were met; all other transfer benchmarks were not met.
3. *Retirement rate for existing non-residential units of use*: The benchmark to remove commercial and tourist units from sensitive lands has not been met. Nonetheless, since 2012, 94 tourist units and almost 27,500 square feet of commercial floor area have been removed from stream environment zones. Rather than being retired, these units were subsequently banked and are available for future transfer. Dedicated funding or grants directed to offset the acquisition and retirement cost for these non-residential units, would likely increase the number of units permanently retired through these programs.

4. Housing availability for residents and workers: Affordable housing is a significant challenge state-wide. In the Tahoe Region, two multi-residential bonus units were used in 2019 for low- or moderate-income housing, so the performance measure benchmark has not been met. TRPA continues to support the housing initiatives spearhead by local governments and non-profits, including the Mountain Housing Council and South Shore Housing Task Force.

TRAVEL BEHAVIOR

5. Percentage of all trips using non-automobile modes of travel (transit, bicycle, pedestrian): Data for this measure is collected on a two-year cycle with the next update in 2020. The summer 2018 non-auto share of 25.4 percent exceeded both the level-1 and level-2 benchmarks. The combined annual average non-auto share including summer 2018 and winter 2016 values of 19.4 percent exceeded both the level-1 and level-2 benchmarks.
6. Automobile vehicle miles traveled per capita (excluding through trips): Data for this measure is collected on a four-year cycle with the next update in 2020. A working group is engaged on refining measurements for vehicle miles traveled to align better with state and regional polices.
7. Construction of pedestrian and bicycle improvements: An annual average of five miles of pedestrian and bicycle improvements have been constructed between 2013 and 2019, meeting the level-1 benchmark of 4.15 miles constructed per year, but below the level-2 benchmark of nine miles constructed per year.

ENVIRONMENTAL RESTORATION

8. Coverage removal from Stream Environment Zones and other sensitive lands (privately funded): Since 2013, private property owners have transferred more than 0.4 acres of land coverage from stream environment zones, meeting the level-1 and level-2 benchmarks. The benchmarks for other sensitive lands were not met. In addition, TRPA identified more than 7.7 acres of previously existing land coverage removed from stream environment zones and another 3.9 acres removed from other sensitive lands since 2012.
9. Issuance of Best Management Practices (BMP) Certificates in conjunction with property improvements and area-wide BMP installations: In 2019, TRPA issued 259 BMP certificates in conjunction with property improvements and area-wide BMP installations. This total met the level-1 benchmark but was below the level-2 benchmark to increase the annual average rate of BMP certification in conjunction with property improvements by 25 percent. However, since 2013, TRPA has issued 3,550 BMP certificates, and 42 percent of these have been issued in conjunction with property improvements and area-wide BMP installations.
10. Total Maximum Daily Load (TMDL) performance benchmarks: The [Lake Tahoe TMDL Program 2019 Performance Report](#) found that local governments and highway departments at Lake Tahoe collectively met and exceeded their 2018 water year pollutant load reduction targets. Pollutant controls reduced fine sediment particulate load by over 18 percent, total phosphorus by 14 percent, and total nitrogen loads by over 10 percent.

11. *Scenic improvement rate on urban roadways*: A scenic evaluation was performed in 2019 as a part of the 2019 Threshold Evaluation Report monitoring. The scenic quality ratings based on that evaluation will be available later in 2020, but preliminary results indicate that scenic quality along urban roadways is generally improving.

EFFECTIVE REGIONAL PLAN IMPLEMENTATION

12. *Prepare and maintain area plans in conformance with the 2012 Regional Plan*: The Governing Board has approved five local area plans as of 2019, meeting benchmarks. The area plans cover 24 percent of the land in the region and area plans now cover more than three-quarters of town centers.
13. *Complete mitigation measures identified in the Regional Plan Update Environmental Impact Statement (EIS)*: The 2012 Regional Plan Update environmental impact statement called for mitigation measures covering four topic areas. All the Regional Plan Update mitigation measures have been completed and adopted by the TRPA Governing Board.

ECONOMIC VITALITY

14. *Rate of redevelopment*: TRPA approved 192 redevelopment permits in 2019, including 177 residential permits, and 15 commercial/tourist accommodation permits. The 2013 to 2019 average of 130 redevelopment projects exceeded the level-1 and level-2 benchmarks.

DISCUSSION & PERFORMANCE MEASURE STATUS

Detailed discussion and analysis of the status of all Regional Plan performance measures is set out below. The included summaries for each set of measure outline the adopted level-1 and level-2 targets as well as the 2019 status for each indicator. A discussion and analysis of the results follows for each. A detailed synopsis of the results is included in Table 13.

BACKGROUND

In May 2013, the TRPA Governing Board adopted performance measures to track the effectiveness of the 2012 amendments to the Regional Plan. This report covers activities for the calendar year 2019 and cumulatively since the Board's adoption of the measures.

PERFORMANCE MEASURE #1

Modify the distribution of development after 2012 compared to the distribution in 2012

This performance measure tracks the anticipated increase in the percentage of development within town centers, and the accompanying decrease in the percentage of auto-dependent development (defined as development located more than one-quarter mile from town centers and not at a ski area with transit service). Progress is tracked by measuring the distribution of residential units, tourist accommodation units, commercial floor area, and taxable market valuation of property/structural improvements.

Performance Measure #1: Summary	2019 Level-1 Benchmark	2019 Level-2 Benchmark
Increase the percent of commercial floor area located within centers to more than 63.13% (level-1) and 63.23% (level-2)	Met	Met
Decrease the percent of commercial floor area in remote areas to less than 26.32% (level-1) and 26.22% (level-2)	Met	Met
Increase the percent of residential units located within centers to more than 3.84% (level-1) and 4.24% (level-2)	Met	Met
Decrease the percent of residential units in remote areas to less than 67.66% (level-1) and 67.26% (level-2)	Met	Met
Increase the percent of tourist accommodation units located within centers to more than 83.37% (level-1) and 83.47% (level-2)	Not Met	Not Met
Decrease the percent of tourist accommodation units in remote areas to less than 10.44% (level-1) and 10.34% (level-2)	Not Met	Not Met
Increase the value of property improvements within centers to more than 10.94% (level-1) and 11.14% (level-2)	Met	Met
Decrease the value of property improvements in remote areas to less than 71.38% (level-1) and 71.18% (level-2)	Met	Met

* Close to target indicates that the performance measure is within 5% of the benchmark.

Table 1 outlines the changes in the distribution of commercial floor area, residential units and tourist accommodation units compared to the baseline. The regional distribution of development has changed as a result of the redevelopment and revitalization activity throughout the Region and the transfer incentives to promote the relocation of existing development to centers. In 2019, the distribution of commercial floor area, property improvement values and residential units met the level-1 and level-2 benchmarks to increase the percentages located in centers and to decrease the percentage in remote areas.

The distribution of tourist accommodation units was lower in town centers and higher in remote areas because numerous tourist units previously located in centers have been removed and banked in anticipation of transfers or conversions to projects, such as the Tahoe City Lodge, which is in a town center. In addition, the Edgewood Lodge redevelopment project constructed 154 tourist accommodation units—including 144 transferred from dated motels previously located in town centers. The South Stateline resort is just outside the town center boundary. Although the sending sites are environmentally improved (converted to community parks or open space), these transfers and restoration do not count toward the benchmarks. As a result, the share of tourist units in centers was below the level-1 and level-2 benchmarks.

Table 1: Distribution of development measured as percentage of units and commercial floor area			
Land Use	Baseline	2019	Net Change Since Baseline
Commercial Floor Area			
Town Centers	63.13%	64.64%	+1.51%
Neutral areas within ¼-mile of a Town Center	10.55%	9.44%	-1.11%
Remote Areas	26.32%	25.92%	-0.40%
Residential Units			
Town Centers	3.84%	4.67%	+0.83%
Neutral areas within ¼-mile of a Town Center	28.50%	28.47%	-0.03%
Remote Areas	67.66%	66.85%	-0.81%
Tourist Accommodation Units			
Town Centers	83.37%	76.67%	-6.70%
Neutral areas within ¼-mile of a Town Center	6.19%	3.85%	-2.34%
Remote Areas	10.44%	19.48%	+9.04%
<p>Source: TRPA Permit Records, LakeTahoeInfo.org/Parcel Tracker and TRPA Geographic Information System (GIS) Analysis for Town Centers. Neutral areas are properties located within one-quarter mile of town centers and ski areas that have transit service (Homewood Ski Area and Heavenly Mountain Resort California Base). Remote areas include auto-dependent locations that are more than one-quarter mile from town centers.</p>			

Overall total taxable value¹ of properties in the Lake Tahoe Region continues to rise, exceeding \$25.5 billion in 2019, an increase of 28 percent from 2012. The taxable value of

¹ Total taxable values for properties are sourced from County Assessors data for the assessed value of land and any property improvements.

property improvements² in the Lake Tahoe Region have increased 30 percent since 2012, to \$13.65 billion in 2019, as shown in Table 2. Improvement values in area plans have grown 38 percent since 2012. Taxable value of town centers located within the adopted area plans have grown by 37 percent. These increases in property improvement values suggest that the Regional Plan is among the factors encouraging redevelopment and investment in town centers.

Table 2: Change in property improvement values between 2012 and 2019, by location				
	Improvement Value Change 2012-2019			
Jurisdiction	All Areas	Town Centers	Area Plans	Town Centers in Area Plans
Carson County	71%	n/a	n/a	n/a
City of South Lake Tahoe	28%	36%	33%	36%
Douglas County	33%	36%	48%	36%
El Dorado County (exc. CSLT)	28%	34%	44%	44%
Placer County	38%	41%	38%	41%
Washoe County	18%	9%	n/a	n/a
Grand Total– Tahoe Region	30%	32%	38%	37%

Source: County Assessor Records, TRPA Geographic Information System (GIS) Analysis for Town Center and Area Plans.

Throughout the Tahoe Region, significant private and public investment in redevelopment, community revitalization, and environmental improvement occurred in 2019:

- In Placer County, CA, the SR 89/Fanny Bridge Community Revitalization Project, continued, with the installation of two roundabouts and a new bridge over the Truckee River in Tahoe City, new signage, and other improvements including new crosswalks. Also, construction work is underway on the \$60 million Tahoe City Lodge. In Kings Beach, construction is wrapping up on the Wood Vista Lodge project, a former motel that is being converted and redeveloped into seven residential units. The Tahoe Cedars project in Tahoma is under construction; this project will convert eleven tourist units into six residential units.
- In the City of South Lake Tahoe, CA, the Bijou Marketplace and the Bijou Park Creek Watershed restoration project in the Tourist Core Area Plan, at the corner of Ski Run Boulevard and Lake Tahoe Boulevard was completed and new businesses, including Whole Foods, have opened in that complex. The Y to Trout Creek improvements along Highway 50 in the Tahoe Valley Area Plan were also completed, including water quality improvements and new sidewalks. The Sierra Boulevard Complete Streets project was completed in 2019. This project rehabilitated the 0.6 mile stretch of Sierra Boulevard by redesigning the roadway and water quality improvements, the addition of a bike lane, a pedestrian path, and streetscape improvements such as pedestrian lighting and landscaping. This project provides a major link between pedestrian and bike trails along Highway 50 and will connect to the South Tahoe Greenway project at the end of Sierra Blvd. to be constructed in 2020.

² Improvements may include buildings, landscaping, or other development on the property.

- In Washoe County, NV, 2019 marked the opening of the East Shore Bike Trail between Incline Village and Sand Harbor State Park and the start of the planning phase for the Sand Harbor to Spooner portions of the bike trail through Washoe and Carson City counties. Progress continues on the Boulder Bay project, and plans are taking shape for the redevelopment and revitalization of the Cal Neva Hotel.
- In El Dorado County, CA, Caltrans completed the construction of a roundabout at the intersection of Highway 50 and State Route 89 in Meyers. This project will improve safety, walkability, traffic flow, and recreation access in this area.
- In Douglas County, NV, construction work is progressing on the Beach Club and Sierra Colina projects in the South Shore Area Plan. As a condition of approval, the Beach Club project permanently converted 54 existing residential units to deed-restricted affordable- and moderate-income housing. Harveys Casino recently announced a \$41 million renovation.

Table 3 reflects the changes to the distribution of taxable value of property improvements between town centers, neutral areas within one-quarter mile from a town center and remote areas. The value of improvements in town centers has increased and the value of improvements in remote areas have decreased as a percentage of overall value since 2012, meeting the level-1 and level-2 benchmarks.

Table 3: Percentage of taxable property improvement value by location			
Location	Baseline*	2019	Net percentage change since baseline
Town Centers	10.94%	11.21%	+0.27%
Areas within ¼-mile of a Center	17.67%	21.39%	-0.05%
Remote Areas	71.38%	71.17%	-0.21%
Total Market Value	100.00%	100.00%	

Source: County Assessor Records for Taxable Property Improvement Values, TRPA Geographic Information System (GIS) Analysis for Town Center and Area Plans.

PERFORMANCE MEASURE #2

Increase the annual average number of units transferred to town centers from sensitive and remote land compared to the annual average prior to 2012.

This measure complements the tracking of distribution of development in Performance Measure #1 by tracking the rate at which the transfer of units of use occurs from stream environment zones (SEZ), other sensitive areas, and remote lands to town centers. For this performance measure, tourist accommodation units, commercial floor area, and residential units, and potential residential units are tracked and reported separately. The benchmarks for beneficial transfers of tourist accommodation units and potential residential units were met, but the benchmarks for transfers of existing residential units and commercial floor area

were not met. This performance measure specifically tracks the transfer of development; not apparent in these outcomes are significant sums of previously existing development rights that have been removed from sensitive sites and are banked, awaiting transfer. Banked development rights are readily available sources of transferable rights to support beneficial redevelopment if projects can be matched to them. TRPA built a more transparent tracking of transferable rights, through the Lake Tahoe Info Parcel Tracker (<https://parcels.laketahoeinfo.org>) and an online marketplace (<http://tdr.trpa.org>) to connect project proponents with holders of banked development in order to spur progress toward meeting this performance measure.

The TRPA Governing Board unanimously approved changes to the development rights system in October 2018. The changes allow conversions between different types of development rights using environmentally neutral exchange rates. This will provide more flexibility and simplicity while also maintaining the overall cap on development potential in the Tahoe Region.

Performance Measure #2: Summary	2019 Level-1 & Level-2 Benchmarks
Transfer more than zero residential units to centers from SEZs	Not Met
Transfer more than 414.18 square feet of commercial floor area to centers from SEZs	Not Met
Transfer more than 0.36 tourist accommodation units to centers from SEZs	Met
Transfer more than zero potential residential units* to centers from SEZs	Met
Transfer more than zero residential units to centers from other sensitive lands	Not Met
Performance Measure #2: Summary (continued)	2019 Level-1 & Level-2 Benchmarks
Transfer more than 959.55 square feet of commercial floor area to centers from other sensitive lands	Not Met
Transfer more than zero tourist accommodation units to centers from other sensitive lands	Not Met
Transfer more than 0.18 potential residential units* to centers from other sensitive lands	Not Met
Transfer more than 0.09 residential units to centers from remote areas	Not Met
Transfer more than 470.18 square feet of commercial floor area to centers from remote areas	Not Met
Transfer more than zero tourist accommodation units to centers from remote areas	Met
Transfer more than 0.09 potential residential units* to centers from remote areas	Met

*Note: Potential residential units were formerly called Residential Development Rights (RDR)

In 2019, the benchmarks for transferring potential residential units and tourist accommodation units from stream environment zones and from remote areas were met; all other transfer benchmarks were not met. Overall, however, 31 transfers of development occurred in 2019, and each resulted in environmentally beneficial improvements. Tables 4 and 5 below outline the cumulative benefits of the 210 transfers that TRPA approved between 2013 and 2019. More than 73,000 square feet of coverage, 72 residential units, and 109 tourist units have been removed and transferred from sensitive stream environment zones to less-sensitive areas. In addition, more than 108,000 square feet of coverage, 16,700 square feet of commercial floor area and 23 residential units have been transferred from remote areas into town centers and the walkable areas near centers.

Table 4: Cumulative changes by land sensitivity from TRPA approved transfers, 2013-2019			
Development Right	Stream Environment Zones	Other Sensitive Areas	Non-Sensitive Areas
Coverage (sq. ft.)	- 73,393	+ 14,478	+ 58,915
Commercial Floor Area (CFA) (sq. Ft.)	0	-3,992	+3,992
Residential Units (ERU/RDR)	- 72	- 7	+ 79
Tourist Units (TAU)	- 109	0	+ 109

Table 5: Cumulative changes by location from TRPA approved transfers, 2013-2019			
Development Right	Remote Areas	Areas within 1/4 mile of a Town Center	Town Centers
Coverage (sq. ft.)	- 108,483	+ 15,523	+ 92,960
Commercial Floor Area (CFA) (sq. ft.)	0	- 16,791	+ 16,791
Residential Units (ERU/RDR)	- 23	+ 5	+ 18
Tourist Units (TAU)	- 12	0	+ 12

Additionally, TRPA analyzed banked development rights (Table 6) on both public and private parcels and identified 22,800 square feet of banked commercial floor area, 15 banked tourist accommodation units, 25 banked residential units, 98 banked potential residential units, and more than 484,800 square feet of existing coverage that has been removed from stream environment zones and is currently banked and ready to be transferred. And, 42,000 square feet of banked commercial floor area, 45 tourist accommodation units, 68 residential units, 217 potential residential units, and 1.2 million square feet of banked coverage was identified as ready to be transferred from remote areas. These rights may lead to the redevelopment of town centers in the future, as the 2012 Regional Plan encourages and incentivizes the relocation of sensitive and remote development to these centers.

	Commercial Floor Area (sq. ft.)	Tourist Accommodation Units	Existing Residential Units/Potential Residential Units ¹	Coverage ² (sq. ft.)
All Banked Rights³	191,263	963	204 / 276	1,765,615
Banked in Stream Environment Zones	22,810	15	25 / 98	484,823
Banked in Remote Areas	42,068	45	68 / 217	1,255,223

Notes:
¹ Potential residential units were formerly called Residential Development Rights (RDR)
² Coverage includes banked hard and soft coverage (potential coverage is not included)
³ The categories of Banked in Stream Environment Zones and Banked in Remote Areas are not mutually exclusive and this table it not intended to be combined into an aggregated total.
Source: TRPA Permit Records and LakeTahoelInfo.org/Parcel Tracker

PERFORMANCE MEASURE #3

Accelerate the removal rate for existing non-residential units of use on sensitive lands

Historically, the Tahoe Region has relocated existing non-residential development but has not retired any non-residential units of use. The 2012 Regional Plan Update added policy language encouraging a publicly funded acquisition program targeted at acquiring and retiring excess existing non-residential development on sensitive lands. This performance measure tracks this program’s effectiveness at removing existing commercial floor area and tourist accommodation units from sensitive lands.

Performance Measure #3: Summary	2019 Level-1 Benchmark	2019 Level-2 Benchmark
Remove existing tourist units of use from sensitive lands (Develop and fund a program to acquire and retire tourist units of use within 4 years – level 1) (acquire 10 TAUs – level 2)	Partially Met	Partially Met
Remove existing commercial floor area from sensitive lands (Develop and fund a program to acquire CFA within 4 years – level 1) (acquire 5,000 sf of CFA – level 2)	Partially Met	Partially Met

The benchmark to establish a program to remove commercial and tourist units from sensitive lands has not been met. Funded acquisition programs or similar strategies are needed for a significant number of units to be retired to meet this benchmark. TRPA made changes to the development rights program in October 2018 to reaffirm the role of land banks in achieving the goals of the development rights transfer system. In addition, TRPA will allow local governments and philanthropic non-profit organizations to form banks under a memorandum of understanding with TRPA in order to acquire, hold, disperse, retire or transfer development rights. These actions were designed to increase the effectiveness of the development rights removal/restoration, banking and transfer systems by accelerating the removal and relocation of development rights from sensitive and remote areas.

The California Tahoe Conservancy (Conservancy) developed the Tahoe Livable Communities Program to seek opportunities to acquire and restore properties and retire the associated non-residential development rights. Over the last five years, the Conservancy has acquired 10 developed or roadless subdivision properties, restored the environmentally sensitive portions of the properties, and banked the development rights to be used for future housing and other infill projects in town centers. The Conservancy has sold banked development rights for several Livable Communities projects, including a sale to support the conversion of an aging motel into a new housing development in Kings Beach and the relocation of tourist units from stream environment zones to a town center for the Tahoe City Lodge project. However, the Conservancy has not yet retired any non-residential units of use. Instead, these units have been deposited into the Conservancy’s asset land bank for future consideration. Due to very different development patterns on sensitive lands in Nevada, the Nevada Division of State Lands (NDSL) relies primarily on coverage removal rather than retirement of existing development. No non-residential units of use have been acquired from sensitive lands in Nevada by NDSL.

Additionally, incremental progress can be made in other ways. Since the adoption of the 2012 Regional Plan, private property owners have removed 94 tourist accommodation units from stream environment zones, and 42 of these units were transferred to non-sensitive land. Additionally, 27,500 square feet of commercial floor area has been removed and banked from stream environment zones since 2012. These development rights were subsequently banked and are available for transfer, rather than permanently retired, though it is likely that these units will be transferred into less sensitive areas and town centers due to the Regional Plan incentives for the relocation of sensitive development.

PERFORMANCE MEASURE #4

Improve housing availability for residents and workers

The 2012 Regional Plan Update Environmental Impact Statement (EIS) documented that housing in the Tahoe Region has become less affordable and quality housing is prohibitively expensive for essential workers, including teachers and police officers. This measure evaluates the utilization of multi-residential bonus units for affordable and workforce housing.

Performance Measure #4: Summary	2019 Level-1 Benchmark	2019 Level-2 Benchmark
Average annual rate of multi-residential bonus unit utilization 20.23 units per year (level-1) and 21.24 units per year (level-2)	Not Met	Not Met

In the Tahoe Region, two multi-residential bonus units were used in 2019 for low- or moderate-income housing, so the performance measure benchmark has not been met.

To address regional affordable housing issues, TRPA is supporting proactive housing initiatives spearhead by local governments and non-profits, including the Mountain

Housing Council and South Shore Housing Task Force. These groups are evaluating larger systemic impediments, incentives, and potential changes to bonus unit allocation programs that could lead to the development of additional affordable and moderate housing.

The TRPA development rights initiative expanded the income eligibility for residential bonus units in 2018. These bonus units can now be used for affordable, moderate, and achievable housing, a change intended to help provide greater housing options for low-income residents up to the “missing middle,” people who earn above the area median income but cannot afford the median home price.

Despite the lack of multi-residential bonus unit utilization, resident and workforce housing has increased in the region. Since the adoption of the 2012 Regional Plan, approximately 372 multi-family residential units have been permitted or constructed. One hundred twenty-eight of these units have been deed-restricted for affordable or moderate-income residents, eight deed-restricted moderate-income residential units constructed on the second floor of the boathouse building at the Tahoe City Marina in 2019. In addition, as a condition of approval for the Beach Club project in Douglas County, 54 existing residential units have been deed-restricted for affordable-income residents (39 units) and moderate-income (15 units).

Several other large projects are in the planning phase that would include housing availability for residents and local workers throughout the region. California Governor Gavin Newsom recently signed Executive Order N-06-19 that requires the California Department of General Services (DGS) and the Department of Housing and Community Development (HCD) to identify and prioritize excess state-owned property, and aggressively pursue sustainable, innovative, cost-effective housing projects. As part of its implementation of the Executive Order, in September 2019, DGS selected two California Tahoe Conservancy asset land parcels in the City of South Lake Tahoe for housing projects. Planning and coordination efforts as well as public input, outreach and scoping are underway for this project. Also, the U.S. 50 South Shore Community Revitalization Project proposed to replace more than the 76 aging housing units displaced by the new highway alignment by building 109 new affordable housing units. All the new housing units will be built within one-quarter mile of the project area, served by transit, and remain affordable for residents through permanent deed restrictions. A stakeholder working group has been convened to guide the design of the Highway 50/Main Street Management Plan.

PERFORMANCE MEASURE #5

Increase percentage of all trips using non-automobile modes of travel (transit, bicycle, pedestrian).

Non-auto mode share travel captures the percentage of people bicycling, walking, and using transit or other non-auto travel modes indicating the degree to which land-use patterns, policy, and funding decisions at Lake Tahoe influence travel behavior of residents

and visitors. Non-auto mode share at Tahoe is measured by intercept surveys at commercial and recreation sites in winter and summer.

Performance Measure #5: Summary	2019 Level-1 Benchmark	2019 Level-2 Benchmark
Percentage of trips by auto/truck/motorcycle/other motorized vehicles below 80.93% (level-1) and below 80.68% (level-2)	Not Evaluated. Last Evaluation= Met	Not Evaluated. Last Evaluation= Met

Since 2006, TRPA has conducted basin-wide travel surveys every two years in order to better understand basic travel characteristics of both residents and visitors. The 2018 Summer Travel Survey was conducted in August 2018 (see http://www.trpa.org/wp-content/uploads/travel_survey_report.html). The data collected, which includes information such as mode share, origin-destinations, and trip purpose, is used for a variety of purposes at TRPA including regional performance metrics, project planning, and travel demand modelling. An updated Winter Travel Survey will be conducted in 2020.

Benchmarks are shown in Table 7 using data from the summer 2018 survey and winter 2016 surveys.

	2016 Winter Percentage of Trips	2018 Summer Percentage of Trips	Average 2016/2018	Average Mode Level-1 Benchmark	Average Mode Level-2 Benchmark
Auto, Truck, Motorcycle, Van	86.0%	74.6%	80.6%	80.93%	80.68%
Walk	8.0%	14.1%	10.9%	10.75%	n/a
Bike	1.0%	7.3%	3.9%	4.20%	n/a
Transit	2.0%	2.2%	2.1%	4.13%	n/a
Other*	3.0%	1.8%	2.4%	n/a	n/a
Total Non-Auto Mode Share	14.0%	25.4%	19.4%	19.07%	19.32%
Note: Other includes miscellaneous non-auto modes, such as skateboards, scooters, and skiing. Percentages may not add due to rounding. Source: Tahoe Regional Planning Agency, 2018 Summer Travel Survey, October 2018					

The summer 2018 non-auto share of 25.4 percent exceeded both the level-1 and level-2 benchmarks. The combined annual average non-auto share including summer 2018 and winter 2016 values of 19.4 percent exceeded both the level-1 and level-2 benchmarks.

PERFORMANCE MEASURE #6

Decrease in automobile vehicle miles travelled per capita (excluding through-trips).

Vehicle miles traveled (VMT) per capita is a measure of the efficiency of the transportation system and the degree to which the land use pattern affects personal motor vehicle travel. VMT per capita is measured through an activity-based computer model, which is updated with empirical data including traffic counts, population, and parcel-based land-use data. VMT per capita is analyzed for the Regional Transportation Plan update every four years. The next update and progress report for the performance measure will be part of the 2019 Threshold Evaluation Report and the 2020 Regional Transportation Plan, both scheduled for release later in 2020.

The level-1 benchmark is a decreasing average travel distance from 2013 levels (estimated at 33.7 miles per day). The level-2 benchmark is an additional one percent improvement (33.4 miles per day using the current transportation model). The last evaluation of this performance measure was based on data from the 2017 Regional Transportation Plan; regional VMT per capita (excluding through trips) met the level-1 target, and the level-2 benchmark was within one percent of the level-2 goal.

Performance Measure #6: Summary	2019 Level-1 Benchmark	2019 Level-2 Benchmark
Decrease per-capita VMT below baseline average of 33.7 miles per day (level-1) and 33.4 miles per day (level-2)	Not Evaluated. Last Evaluation = Met	Not Evaluated. Last Evaluation = Close to Target

* Close to target indicates that the performance measure is within 5% of the benchmark.

Implementing the Regional Transportation Plan and Sustainable Communities Strategy continues to be the priority for the Transportation Program. The plan outlines key priorities to reduce vehicle miles traveled. This past year, TRPA and partners continued to complete gaps in the pedestrian and bike trail system around the lake, explore transit options such as micro mobility, address recreation travel through comprehensive corridor planning, and transportation design strategies that put pedestrians first and prioritizes safety for all users. Additionally, in 2018 the states of California and Nevada formed a bi-state transportation consultation group adopting a 10-year Bi-State Transportation Action Plan that includes a list of priority corridor, transit, technology and trail projects that address the Region's most critical transportation needs. Implementation of the 10-year Action Plan will make the Region's roadways safer and less congested; and, will make it easier for people to travel to, from and around Tahoe without their cars. In 2020, the bi-state transportation consultation group will again convene to explore priority actions for regional transit and funding.

PERFORMANCE MEASURE #7

Accelerate pedestrian and bicycle improvements

This measure is related to Regional Plan policies regarding sidewalks, trails, and public investment levels. The 2012 Regional Plan Update included coverage exemptions and other amendments intended to decrease costs for construction of these facilities and increase the number of improvements. The data used to calculate the average annual miles of pedestrian and bicycle facilities constructed was obtained from the Lake Tahoe Region Bicycle and Pedestrian Plan and the Environmental Improvement Program Project Tracker.

Performance Measure #7: Summary	2019 Level-1 Benchmark	2019 Level-2 Benchmark
Construction of pedestrian and bicycle improvements: 4.15 miles per year (level-1) and 9 miles per year (level-2)	Met	Not Met

The results of this analysis show that Tahoe implementing agencies constructed five miles of improvements in 2019, for a combined post-2012 annual average for this performance measure of 4.7 miles. This meets the level-1 benchmark of 4.15 miles per year derived from the Lake Tahoe Region Bicycle and Pedestrian Plan. The level-2 benchmark of nine miles of pedestrian and bicycle facilities constructed per year was not met.

Several pedestrian and bicycle trails were completed in 2019, including the Sierra Boulevard complete streets project, Baldwin Beach trail, and the East Shore Trail from Incline Village to Sand Harbor, which quickly became one of the most-used trails in the region. In addition, the U.S. Highway 50 Water Quality Improvement Project was completed in South Lake Tahoe which added sidewalks along Highway 50.

PERFORMANCE MEASURE #8

Accelerate privately funded coverage removal from stream environment zones and other sensitive lands.

This measure relates to policy amendments in the 2012 Regional Plan that seek to facilitate environmental improvements through redevelopment and private investment. The effectiveness of key amendments related to transfer incentives for coverage is tracked through coverage removal from stream environment zones, coverage removal from other sensitive lands, and collection of excess coverage mitigation fees.

The data to determine the average annual removal was obtained from coverage transfer records using the same methods as in Performance Measure #2; however, data transfers initiated as a result of public acquisitions were removed from the analysis.

Performance Measure #8: Summary	2019 Level-1 Benchmark	2019 Level-2 Benchmark
Increase the amount of coverage removed and transferred from SEZs to more than 0.14 acres/year (level-1) and 0.17 acres/year (level-2)	Met	Met
Increase the coverage removed and transferred from other sensitive areas to more than 0.17 acres/year (level-1) and 0.2 acres/year (level-2)	Not Met	Not Met
Increase the collection of excess coverage mitigation fees: more than \$693,738/year (level-1) and \$728,425/year (level-2)	Met	Met

Privately funded coverage removal and transfer from stream environment zones and other sensitive lands continues to result in environmental restoration. However, this measure is dependent on project activity which requires transfers of land coverage and private investment decisions. Table 8 shows the post-2012 average coverage transferred from stream environment zones and sensitive areas compared to the baseline average calculated for the years 2002 through 2019.

Table 8: Private coverage transfer by year		
Year	SEZ Transfer (acres)	Sensitive Transfer (acres)
2019	0.06	0.00
2018	1.20	0.01
2017	0.19	0.09
2016	0.04	0.04
2015	0.12	0.03
2014	0.13	0.03
2013	0.00	0.08
2013 to 2019 Average	0.35	0.04
Baseline average	0.14	0.17
Source: TRPA Permit Records and LakeTahoelInfo.org/Parcel Tracker		

As referenced in Performance Measure #2, banked development rights were evaluated as a measure of future transfer potential. TRPA identified more than 7.7 acres of previously existing land coverage removed from stream environment zones and another 3.9 acres removed from other sensitive lands since 2012. This land coverage is currently banked and will likely be transferred in the future to non-sensitive areas and town centers because of 2012 Regional Plan policies that provide incentives to relocate development in these areas. In addition to these figures, more than 33,000 square feet of previously existing land coverage from stream environment zones has been permanently retired by private property owners since 2012, as a condition of project approval.

For excess coverage mitigation (ECM) fees, the baseline is an annual average of \$693,738 collected per year. The post-2012 annual average of \$708,144 meets the level-1 benchmark to increase ECM fees collected above the pre-2012 average but was slightly below the level-2 benchmark to further increase collections by five percent above the benchmark.

Numerous projects in 2019 paid the entirety of their excess coverage mitigation fees in order to be eligible for coverage exemptions. These coverage exemptions exempt certain structures—including decks, sheds, or pervious driveway pavers—from the calculation of land coverage on high-capability, non-sensitive lands. To receive an exemption, the property must also have a certificate of completion for water quality Best Management Practices (BMPs).

Table 9: Annual average excess coverage mitigation fees collected in 2013 -2019 compared to baseline		
Annual Year	Total Excess Coverage Mitigation Fees	Post-2012 Excess Coverage Mitigation Fees
2002	\$941,189	
2003	\$618,351	
2004	\$677,895	
2005	\$332,921	
2006	\$837,451	
2007	\$404,932	
2008	\$1,932,739	
2009	\$291,533	
2010	\$287,305	
2011	\$613,066	
2012	-	
2013		\$335,632
2014		\$451,103
2015		\$996,804
2016		\$1,025,772
2017		\$874,386
2018		\$593,825
2019		\$679,483
Baseline annual average	\$693,738	
Post 2012 annual average		\$708,144
Source: TRPA Permit Records and TRPA Financial Records		
Note: These baseline figures have been restated to match the baseline originally adopted by the TRPA Governing Board in May 2013. Data for 2012 was not included in the baseline. Prior year reports included erroneous baseline information that has been corrected here. In addition, the data for 2013-2016 were also recalculated using updated methodology to ensure consistency and accuracy of the calculations.		

PERFORMANCE MEASURE #9

Accelerate issuance of water quality BMP certificates in conjunction with property improvements.

This performance measure tracks the private investment to mitigate the impacts of development through implementation of water quality BMPs associated with development permits. The measure seeks to evaluate the rate of issuance of certifications for the control of stormwater through permits issued by TRPA and MOU partners for property improvements (new construction, redevelopment, additions, remodels, etc.). The level-1 benchmark is an increase in the rate of certification from permitting, as a percentage of all

remaining properties without certification, from the baseline of one percent. The level-2 benchmark calls for a 25 percent improvement upon the baseline average.

Performance Measure #9: Summary	2019 Level-1 Benchmark	2019 Level-2 Benchmark
Increase the rate of BMP Certificates issued in conjunction with property improvements: issue BMP certificates to 1% of outstanding properties through permitting (level-1) and 1.25% (level-2)	Met	Close to target*

* Close to target indicates that the performance measure is within 5% of the benchmark

Certificates issued as a result of permitted projects, as well as the certification rates for single-family residential, multi-family residential, and commercial properties by all methods as shown in Table 10, were obtained directly from the TRPA BMP database.

Performance Measure	2019	Average per Year (2013 to 2019)
Percent of total outstanding properties issued BMP certificates in conjunction with property improvements	1.18%	1.00%
Certification of single-family residential parcels all methods	288	382
Certification of multi-family residential parcels all methods	38	135
Certification of commercial parcels	16	39
Total number of certifications issued in area-wide BMPs	3	14
Completed area-wide BMP projects	0	1
Approved and funded area-wide BMP projects	0	1

Source: TahoeBMP.org BMP Database

The post-2012 annual average percentage of uncertified parcels that receive BMP certificates through permitting was 1.18 percent, above the level-1 benchmark. The level-2 benchmark, a 25 percent increase in the annual average rate of BMP certificates issued in conjunction with property improvements, was not achieved.

In 2019, TRPA staff identified 18 potential locations in the Tahoe Region where area-wide BMPs treatments are deemed feasible. Currently, 16 of these potential locations have existing treatments that could support additional properties and two would require planning, design, and construction.

As described in the excess coverage mitigation section above, in recent years, TRPA has seen an increase in property owners installing their BMPs on residential parcels in order to be

eligible for TRPA’s special coverage exemptions. These exemptions allow property owners to exempt certain structures, including decks, pervious driveways and sheds, from land coverage calculations for properties located on high capability lands that have installed water quality BMPs. In addition, TRPA’s new mooring registration and permitting program requires that properties are compliant with the requirements to install stormwater BMPs in order to apply or register moorings. In 2019, 34 of the properties that received BMP certificates during the year installed their BMPs to be able to register their moorings.

PERFORMANCE MEASURE #10

Achieve Lake Tahoe Total Maximum Daily Load performance benchmarks.

This measure tracks the performance benchmarks set by the Lake Tahoe Total Maximum Daily Load (TMDL) program, which is a water quality program adopted and administered directly by the states of California and Nevada for Lake Tahoe. TRPA’s 2012 Regional Plan and land use regulations play a critical part in the overall implementation system relied on to achieve the TMDL and attain TRPA water quality threshold standards. The TMDL performance benchmarks are tracked by the Lahontan Regional Water Quality Control Board and the Nevada Division of Environmental Protection. For this performance measure, there is no level-2 benchmark.

Performance Measure #10: Summary	2019 Level-1 & Level 2 Benchmarks
Completion of required TMDL load reductions as established by State TMDL programs	Met

The Lake Tahoe TMDL Program 2019 Performance Report released in August 2019 (see <https://clarity.laketahoeinfo.org/Document/Index>), found that local governments and highway departments at Lake Tahoe collectively met and exceeded their 2018 water year pollutant load reduction targets. Pollutant controls reduced fine sediment particulate load by over 18 percent, total phosphorus by 14 percent, and total nitrogen loads by over 10 percent.

The report states that TMDP implementers completed 38 registrations and awarded 2,214 credits in 2018 water year, well above the target of 1,735 credits. The TMDL program efforts are now over 80 percent of the way to achieving the 2021 milestone, equivalent to a 21 percent fine sediment particle load reduction from baseline levels.

PERFORMANCE MEASURE #11

Accelerate Scenic Threshold attainment on urban roadways.

Scenic conditions in the Tahoe Region’s less intensely developed areas generally meet adopted threshold standards. Scenic quality along roadways in developed areas is generally

out of attainment. The 2012 Regional Plan included amendments to accelerate redevelopment activity that is expected to also achieve scenic improvements in town centers. This performance measure analyzes the average annual improvement in developed areas, especially community centers.

Within the Tahoe Region, 14 of the scenic roadway units have portions that are within urban areas. The level-2 benchmark for this performance measure is to increase the average annual scenic improvement rate for urban roadway units by 20 percent.

The last scenic evaluation was completed for the 2015 Threshold Evaluation Report. Based on that report, the cumulative improvement in these 14 units was not enough for the annual average scores to meet the level-1 or level-2 benchmarks. A scenic evaluation was performed in 2019 as a part of the 2019 Threshold Evaluation Report monitoring. The scenic quality ratings based on that evaluation will be available later in 2020, but preliminary results indicate that scenic quality along urban roadways is generally improving in part because of highway projects in South Lake Tahoe and Kings Beach and because of redevelopment projects on private property. Redevelopment activity is occurring (see discussion of Performance Measure #1 above) that may be improving roadway unit scenic conditions, and scenic quality progress along roadways in developed areas will be analyzed and reported in the upcoming 2019 Threshold Evaluation Report.

Performance Measure #11: Summary	2019 Level-1 Benchmark	2019 Level-2 Benchmark
Accelerate scenic improvement on urban roadways by increasing annual scenic scores for urban roadway units by 1.45 points/year (level-1) and 1.74 points/year (level-2)	Not Evaluated. Last Evaluation = Not Met	Not Evaluated. Last Evaluation = Not Met

PERFORMANCE MEASURE #12

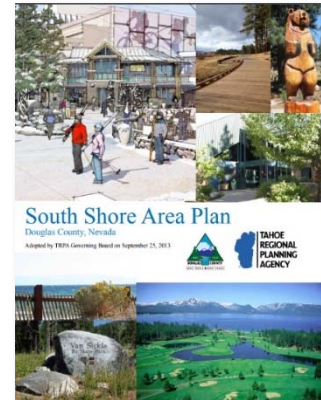
Prepare and maintain area plans in conformance with the 2012 Regional Plan.

Under the 2012 Regional Plan, area plans, once approved by local governments and found to be in conformance with the Regional Plan by TRPA, replace community plans and plan area statements. There are three indicators evaluated under this measure: the number of acres included in new area plans; the recertification rate for area plans; and the number of public meetings for each area plan under development.

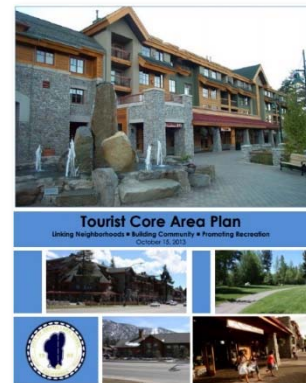
Performance Measure #12: Summary	2019 Level-1 and Level-2 Benchmarks
Include 20% of private land in new area plans (level-1 and -2)	Met
100% recertification rate for area plans (level-1 and -2)	Met
At least two public meetings for each area plan under development (level-1 and -2)	Met

To date, five area plans have been approved, covering more than 24 percent of the land area of the Lake Tahoe Region, including 76 percent of Centers (Town Centers, Regional Centers, and the highest density commercial district) in the Region. This exceeds the 20 percent benchmark.

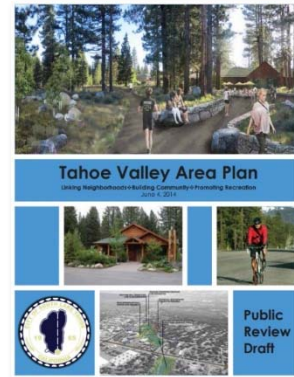
- The Governing Board adopted the **South Shore Area Plan** and an associated delegation memorandum of understanding (MOU) on September 25, 2013. The area plan includes approximately 667 acres in Douglas County, Nevada. Due to resource constraints at Douglas County, the MOU is not in effect and the county is not delegated project review; TRPA continues to issue permits within the area plan.



- The Governing Board adopted the City of South Lake Tahoe’s **Tourist Core Area Plan** on November 11, 2013. It includes approximately 282 acres (excluding roadways) in the City of South Lake Tahoe. An MOU for the plan was adopted by the TRPA Governing Board on December 17, 2014. The MOU covers the entire City, including areas within and outside of existing and future Area Plans. The MOU took effect in September 2015. The City is currently processing two applicant-initiated requests to amend the Tourist Core Area Plan. The first request is to annex 49 parcels located north of US Highway 50 near its intersection with Johnson Boulevard and Fairway Avenue. Existing uses within this area include the Beach Retreat, Lakeshore Lodge, Howard Johnson, and CVS. The purpose of the proposed amendment is to encourage redevelopment of densely developed parcels by providing the incentives (height, density and coverage) available to parcels within Town Centers. The second request is to annex three parcels at the intersection of Pioneer Trail and Ski Run Boulevard. The purpose of the proposed amendment is to facilitate the development of affordable community housing, and the amendment would enable an increase in land coverage, height, and density.



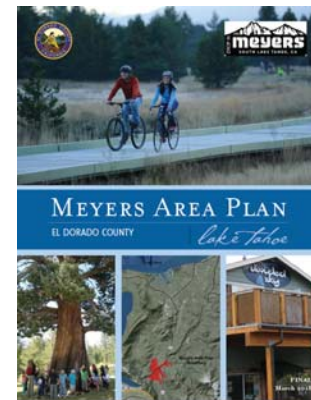
- The Governing Board adopted the City of South Lake Tahoe’s **Tahoe Valley Area Plan** on July 22, 2015. The plan includes a 337-acre mixed-use area, centered on the U.S. Highway 50 and State Route 89 “Y” intersection. The plan’s focus is on accelerating transfers of development out of sensitive lands and promoting more vibrant and walkable community centers through redevelopment and expansion of the bike/pedestrian system. The MOU adopted by the City in September 2015 includes the Tahoe Valley Area Plan.



- The Governing Board adopted the **Placer County Tahoe Basin Area Plan** on January 25, 2017. The plan covers all 46,162 acres (72.1 square miles) of Placer County, California, located within the Region. The area plan and implementing regulations update and replace six previous TRPA community plans and 57 TRPA plan area statements within the Tahoe Region, as well as County general plans, land use regulations, and development standards and guidelines. The plan contains policies that concentrate development and enhance mobility within the Kings Beach and Tahoe City Town Centers, ensure transit is a viable alternative to automobile travel, and encourage environmentally beneficial redevelopment and restoration of sensitive land. The Governing Board approved a delegation MOU in October 2017 and it went into effect in May 2018. Placer County is currently processing amendments to the area plan related to housing policy. Following TRPA Code amendments in 2018 to remove barriers to workforce housing, Placer County has compiled a list of suggested housing-related updates to the Placer County Tahoe Basin Area Plan Implementing Regulations to review with RPIC. These proposed changes would bring the TBAP more closely into alignment with California law and TRPA Code while improving the County’s capacity to provide affordable, moderate, and achievable housing options in the Tahoe Basin.



- The Governing Board adopted the **Meyers Area Plan** on February 21, 2018. This Area Plan includes approximately 669 acres in the Meyers community in El Dorado, California. A delegation MOU that covers the Meyers Area Plan and future Area Plans, as well as the rest of El Dorado County in the Tahoe Region, was adopted by the Governing Board in November 2018. The MOU went into effect in January 2020.



Based on an annual audit of the previously adopted area plans and implementation of delegated permitting authority, the TRPA Governing Board reviewed and recertified all existing area plans and associated MOUs on October 16, 2019, meeting the benchmark of 100 percent area plan recertifications.

Table 11 summarizes the number of public meetings that occurred in 2019 related to the development and update of area plans. Currently, the City of South Lake Tahoe and Washoe County are preparing new or modified area plans. Public meetings were held in 2019 for amendments to the City of South Lake Tahoe’s Tourist Core Area Plan and on the draft Washoe County Area Plan, which includes all area under the jurisdiction of Washoe County in the Lake Tahoe Basin.

Table 11: Number of public meetings and workshops held in 2019 in support of the development and update of area plans	
Area Plan	Number of Public Meetings/Workshops
Washoe County Area Plan	4
CSLT, Tourist Core Area Plan Amendments	3
Placer County Tahoe Basin Area Plan Amendment	1

PERFORMANCE MEASURE #13

Complete mitigation measures identified in the Regional Plan Update EIS

This measure is related to the mitigation measures called for in the 2012 Regional Plan Update Environmental Impact Statement (EIS). The mitigation measures address construction best practices for air quality and noise, Region-wide traffic noise reduction, noise policy for mixed-use development, and greenhouse gas emissions reduction. The benchmark for this performance measure is to develop and adopt the mitigation measure identified in the Regional Plan Update EIS.

Performance Measure #13: Summary	2019 Level-1 Benchmark	2019 Level-2 Benchmark
Complete mitigation measures identified in the Regional Plan Update EIS	Met	Met

Mitigation programs for all the specified categories were developed and the TRPA Governing Board adopted these programs in November 2013.

PERFORMANCE MEASURE #14

Increase rate of redevelopment

An objective of the 2012 Regional Plan is to improve economic vitality through accelerated property improvement and redevelopment associated with environmental improvement. This performance measure tracks the average annual rate of permits issued for rebuild, addition, and remodel projects (Table 12). The level-1 benchmark requires an increase in redevelopment from the 2002 to 2012 baseline. The level-2 benchmark seeks a 10 percent increase in redevelopment from the baseline.

Performance Measure #14: Summary	2019 Level-1 Benchmark	2019 Level-2 Benchmark
Approve more than 108.2 redevelopment permits (level-1) and 119 redevelopment permits (level-2)	Met	Met

* Close to target indicates that the performance measure is within 5% of the benchmark.

TRPA approved 192 redevelopment permits in 2019, including 177 residential permits and 15 commercial/tourist accommodation permits. The 2013 to 2019 average of 129.9 redevelopment projects exceeds the level-1 and level-2 benchmarks.

Additions/Modifications/Rebuilds	2019	2013-2019 Average	Level-1 Pre-2012 Baseline Average (2002 – 2012)	Level-2 10% Increase from Level 1
Residential Permits	177	121.1	n/a	n/a
Commercial/Tourist Permits	15	8.7	n/a	n/a
Total	192	129.9	108	119

Table 13: Summary of regional plan performance measures and indicators with 2019 status

Category	Performance Measure	Indicator	Level-1 Benchmark	2019 Level-1 Results	2019 Level-1 Status	Level-2 Benchmark	2019 Level-2 Results	2019 Level-2 Status
Regional Land Use Patterns	PM1. Distribution of development for land-use types	Increase the percent of commercial floor area located within centers to more than 63.13% (level-1) and 63.23% (level-2)	63.13%	64.64%	102% = Met	63.23%	64.64%	102% = Met
		Decrease the percent of commercial floor area in remote areas to less than 26.32% (level-1) and 26.22% (level-2)	26.32%	25.92%	102% = Met	26.22%	25.92%	101% = Met
		Increase the percent of residential units located within centers to more than 3.84% (level-1) and 4.24% (level-2)	3.84%	4.67%	120% = Met	4.24%	4.67%	110% = Met
		Decrease the percent of residential units in remote areas to less than 67.66% (level-1) and 67.26% (level-2)	67.66%	66.85%	101% = Met	67.26%	66.85%	101% = Met
		Increase the percent of tourist accommodation units located within centers to more than 83.37% (level-1) and 83.47% (level-2)	83.37%	76.67%	92% = Not Met	83.47%	76.67%	92% = Not Met
		Decrease the percent of tourist accommodation units in remote areas to less than 10.44% (level-1) and 10.34% (level-2)	10.44%	19.48%	53% = Not Met	10.34%	19.48%	53% = Not Met
		Increase the value of property improvements within centers to more than 10.94% (level-1) and 11.14% (level-2)	10.94%	11.21%	103% = Met	11.14%	11.21%	101% = Met
		Decrease the value of property improvements in remote areas to less than 71.38% (level-1) and 71.18% (level-2)	71.38%	71.17%	100% = Met	71.18%	71.17%	100% = Met
	PM2. Annual average number of units transferred to town centers from sensitive and remote land	Transfer more than zero residential units to centers from SEZs	>0	0	Not Met	No Level 2 Benchmark		
		Transfer more than 414.18 square feet of commercial floor area to centers from SEZs	>414.18 sf	0 sf	Not Met	No Level 2 Benchmark		

Table 13: Summary of regional plan performance measures and indicators with 2019 status (continued)

Regional Land Use Patterns	PM2. Annual average number of units transferred to town centers from sensitive and remote land	Transfer more than 0.36 tourist accommodation units to centers from SEZs	>0.36	12	Met	No Level 2 Benchmark	
		Transfer more than zero potential residential units* to centers from SEZs	>0	2	Met	No Level 2 Benchmark	
		Transfer more than zero residential units to centers from other sensitive lands	>0	0	Not Met	No Level 2 Benchmark	
		Transfer more than 959.55 square feet of commercial floor area to centers from other sensitive lands	>959.55 sf	0 sf	Not Met	No Level 2 Benchmark	
		Transfer more than zero tourist accommodation units to centers from other sensitive lands	>0	0	Not Met	No Level 2 Benchmark	
		Transfer more than 0.18 potential residential units* to centers from other sensitive lands	>0.18	0	Not Met	No Level 2 Benchmark	
		Transfer more than 0.09 residential units to centers from remote areas	>0.09	0	Not Met	No Level 2 Benchmark	
		Transfer more than 470.18 square feet of commercial floor area to centers from remote areas	>470.18 sf	0 sf	Not Met	No Level 2 Benchmark	
		Transfer more than zero tourist accommodation units to centers from remote areas	>0	12	Met	No Level 2 Benchmark	
		Transfer more than 0.09 potential residential units* to centers from remote areas	>0.09	2	Met	No Level 2 Benchmark	
	PM3. Removal rate for existing non-residential units of use	Remove existing tourist units of use from sensitive lands (Develop and fund a program to acquire and retire tourist units of use within 4 years – level 1) (acquire 10 TAUs – level 2)	Develop/fund program	Program developed, not funded	Partially Met	Remove 10 TAUs	94 TAUs have been removed from SEZs since 2012. None have been permanently retired.

Table 13: Summary of regional plan performance measures and indicators with 2019 status (continued)

Regional Land Use Patterns	PM3. Removal rate for existing non-residential units of use	Remove existing commercial floor area from sensitive lands (Develop and fund a program to acquire CFA within 4 years – level 1) (acquire 5,000 sf of CFA – level 2)	Develop/ fund program	Program developed, not funded	Partially Met	Remove 5K sf CFA	More than 27,450 sf of CFA have been removed and banked from SEZs since 2012. None have been permanently retired.	Partially Met
	PM4. Housing availability for residents and workers	Average annual rate of multi-residential bonus unit utilization 20.23 units per year (level-1) and 21.24 units per year (level-2)	20.23 units/year	2 units	10% = Not Met	21.24 units/year	1.74 unit/year	8% = Not Met
Travel Behavior	PM5. Percentage of all trips using non-automobile modes of travel (transit, bicycle, pedestrian)	Increase percentage of trips by non-auto modes (transit, bicycle, pedestrian) above 19.07% (level-1) and above 19.32% (level-2)	19.07%	Not Evaluated	Last Evaluation: 102% = Met	19.32%	Not Evaluated	Last Evaluation: 100% = Met
	PM6. Automobile vehicle miles traveled per capita (excluding through trips)	Decrease per-capita VMT below baseline average of 33.7 miles per day (level-1) and 33.4 miles per day (level-2)	33.7 miles/day	Not Evaluated	Last Evaluation: 101% = Met	33.4 miles/day	Not Evaluated	Last Evaluation: 99% = Close to target
	PM7. Construction of pedestrian and bicycle improvements	Construction of pedestrian and bicycle improvements: 4.15 miles per year (level-1) and 9 miles per year (level-2)	4.15 miles/year	5 miles	120% = Met	9 miles/year	4.7 miles/year	53% = Not Met
Environmental Restoration	PM8. Coverage removal from Stream Environment Zones and other sensitive lands (privately-funded)	Increase the amount of coverage removed and transferred from SEZs to more than 0.14 acres/year (level-1) and 0.17 acres/year (level-2)	0.14 acres/year	0.35 acres/year	250% = Met	0.17 acres/year	0.35 acres/year	206% = Met
		Increase the coverage removed and transferred from other sensitive areas to more than 0.17 acres/year (level-1) and 0.2 acres/year (level-2)	0.17 acres/year	0.04 acres/year	24% = Not Met	0.2 acres/year	0.04 acres/year	20% = Not Met

Table 13: Summary of regional plan performance measures and indicators with 2019 status (continued)

Environmental Restoration	PM8. Coverage removal from Stream Environment Zones and other sensitive lands (privately-funded)	Increase the collection of excess coverage mitigation fees: more than \$693,738/year (level-1) and \$728,425/year (level-2)	\$693,738 /year	\$708,144 /year	102% = Met	\$728,425 /year	\$708,144 /year	97% = Close to target
	PM9. Issuance of best management practices (BMP) certificates in conjunction with property improvements and area-wide BMP installations	Increase the rate of BMP Certificates issued in conjunction with property improvements: issue BMP certificates to 1% of outstanding properties through permitting (level-1) and 1.25% (level-2)	1.00%	1.18%	118% = Met	1.25%	1.18%	95% = Close to target
	PM10. Lake Tahoe Total Maximum Daily Load (TMDL) performance benchmarks	Completion of required TMDL load reductions as established by State TMDL programs	Achieve Reductions	Achieved Reductions	Met	No Level 2 Benchmark		
	PM11. Scenic improvement rate on urban roadways	Accelerate scenic improvement on urban roadways by increasing annual scenic scores for urban roadway units by 1.45 points/year (level-1) and 1.74 points/year (level-2)	1.45	Not Evaluated	Last Evaluation: 86% = Not Met	1.74	Not Evaluated	Last Evaluation: 72% = Not Met
Effective Regional Plan Implementation	PM12. Prepare and maintain area plans in conformance with the 2012 Regional Plan	Include 20% of private land in new area plans (level-1 and -2)	20%	24%	120% = Met	No Level 2 Benchmark		
		100% recertification rate for area plans (level-1 and -2)	100%	100%	100% = Met	No Level 2 Benchmark		

Table 13: Summary of regional plan performance measures and indicators with 2019 status (continued)								
Effective Regional Plan Implementation	PM12. Prepare and maintain area plans in conformance with the 2012 Regional Plan	At least two public meetings for each area plan under development (level-1 and -2)	2	1	200% = Met	No Level 2 Benchmark		
	PM13. Complete mitigation measures identified in the Regional Plan Update environmental impact statement	Complete mitigation measures identified in the Regional Plan Update EIS	Complete Measures	Completed Measures	Met	No Level 2 Benchmark		
Economic Vitality	PM14. Rate of redevelopment	Approve more than 108.2 redevelopment permits (level-1) and 119 redevelopment permits (level-2)	108.2	192	177% = Met	119	129.9	109% = Met

Note: Close to target indicates that the performance measure is within 5% of the benchmark.



Mail
 PO Box 5310
 Stateline, NV 89449-5310

Location
 128 Market Street
 Stateline, NV 89449

Contact
 Phone: 775-588-4547
 Fax: 775-588-4527
 www.trpa.org

STAFF REPORT

Date: February 19, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Update on the Main Street Management Plan and Other Components of the US 50/South Shore Community Revitalization Project

Summary and Staff Recommendation:

This staff report provides a brief update on the Main Street Management Plan and the South Shore Community Revitalization Project. This item is for informational purposes and no action is required.

Project Description/Background:

Prior to permit acknowledgement of Phase 1 of the South Shore Community Revitalization Project (SSCRP), the Main Street Management Plan (MSMP) must be developed and adopted by the TRPA Governing Board. The MSMP will provide a plan for the transition of the Main Street area after its conversion from a five lane US highway to a space which enhances the business environment, visitor experience and environmental sustainability. TRPA, as a partner agency and in coordination with the Tahoe Transportation District (TTD), is the lead in developing the MSMP. TTD is the lead in developing and completing three components of the MSMP and the remaining project conditions/components of the SSCR, as shown in the table below.

Project Condition/Component	Lead Entity
Main Street Management Plan must be approved by TRPA before proceeding with roadway realignment	TRPA
<ul style="list-style-type: none"> • Main Street Design and Wayfinding • Main Street Management Plan Transit Circulator • Main Street Management Plan Property and Improvements Ownership, Management, and Funding • Parking Management 	TRPA TTD TTD TTD
Replacement Housing - 109 Transit Oriented Development (TOD) Residential Units (102 low income, 7 moderate income).	TTD
<ul style="list-style-type: none"> • 76 units shall be constructed prior to displacement of any residents for any part of the SSCR. • No less than 33 units shall be constructed before or concurrent with the roadway realignment. 	

Rocky Point Neighborhood Amenities Plan	TTD
US 50 Engineering and Construction Plans	TTD
Secure Project Funding	TTD

TRPA Status Report:

Outreach

- The MSMP has a new [website](#) highlighting the work that has been developed through the MSMP Stakeholder Working Group so far. The purpose of the new site is to give the public an overview of the MSMP in relation to the SSCRP, the process for development of the plan, and the design concepts that were decided upon during the November SWG meeting.

TTD Status Report:

Main Street Parking Management Plan

- TTD and Dixon Consulting, the subcontractor assisting with the plan, are holding a parking symposium on February 24th. This day-long session will include best practices for parking systems, policies, and technology to consider when planning for parking in the region. The afternoon session will be specific to the Main Street Management Plan area and will consist of interactive roundtable discussion of parking policies and programs that could be implemented along the corridor. The MSMP Stakeholder Working Group members are invited and encouraged to attend all or part of the symposium.

MSMP Circulator

- TTD and TRPA staff are coordinating on the fixed route transit improvements, addition of a micro-transit shuttle, and potential transit from intercept (a.k.a., satellite) lots that will implement parts of the Regional Transportation Plan (RTP), serve as the transit and circulator plan component of the MSMP, and identify conditions for the proposed Events Center permit. The objective is to have consistency between the proposed Events Center transit service conditions, the MSMP transit component, and the RTP, and to have each partially implement the plan for the larger area. In other words, the objective is to have transit improvements from the Events Center partially implement the MSMP, and the MSMP partially implement the RTP.

Replacement Housing

- In November, Pacific Development Group and TTD applied to the City of South Lake Tahoe for an amendment to the Tourist Core Area Plan. The amendment incorporates three parcels adjacent to Ski Run Blvd and Pioneer Trail into the existing Tourist Core Area Plan and allows for a 17 unit increase in multi-family residential density. The City of South Lake Tahoe City Council will review the amendment on March 3rd. If approved, it will be considered by the TRPA Governing Board in April.

Contact Information:

For questions regarding this agenda item, please contact Alyssa Bettinger, Associate Planner, at (775) 589-5301 or abettinger@trpa.org.

STAFF REPORT

Date: February 19, 2020

To: Environmental Improvement, Public Outreach, and Transportation Committee

From: TRPA Staff

Subject: Regional Transit Coordination Update

Action Requested:

Discussion and possible direction to staff regarding the 2020 Tahoe Regional Transportation Plan update.

Summary and Staff Recommendation:

The presentation and discussion will cover the following:

- A near-term transit performance measure, consistent with the 2018 Bi-State Transportation 10-Year Action Plan, to be included as an assumption in the 2020 RTP Update. Staff will discuss cost, resources, and outcome needed to achieve the differing assumptions in transit performance and seek clarification on assumptions to be included in the 2020 RTP update.
- Progress on a short-term Transit Action Plan under development by the Region's transit operators in coordination with TRPA. The short-term implementation plan delivers the first increment of transit actions prioritized in the December 2018 Bi-State Consultation on Transportation 10-Year Action Plan. The near-term plan, or Transit Action Plan, includes transit service that partners believe can reasonably be implemented within the next five years, and these services will be assumed as near term implementation actions in the RTP analysis and project list.
- Funding strategies under consideration to implement the Transit Action Plan as well as longer term transit funding needs within the Region.

Background:

At the November 2019 meeting of the committee, staff presented information on regional transit operations and funding. Transit program enhancements are under development for the 2020 Linking Tahoe: Regional Transportation Plan update (RTP or Plan). In November, the Committee directed staff to bring forward both near-term transit actions and a longer-term approach to realizing a coordinated Tahoe transit system over the next 25 years. That presentation outlined data and analyses completed supporting the regional transit system for both near-term and long-term transit serving commuters, transit dependent travelers, and recreation visitors.

TRPA, as the Regional Transportation Planning Agency and Metropolitan Planning Organization (MPO) is responsible for coordinating transportation planning across all modes. Vision plans, programs and projects are aggregated into a comprehensive Regional Transportation Plan (RTP) that is updated every

four years. TRPA is accountable in the RTP to show that the regional slate of transportation programs and actions will achieve required transportation performance measures, including greenhouse gas (GHG) reductions, and must evaluate and forecast transit's contribution to those goals. Thus, the planned transit service, as part of the overall transportation system for the Region, is included in the RTP and analyzed as to its effect on achieving mobility and reducing GHG emissions. In addition, TRPA is responsible for administering federal and state transit funding. That requires TRPA to evaluate and approve transit projects, seek public input on unmet transit needs, and provide productivity improvement recommendations to the regional transit operators, TTD on the south shore and Placer County on the north shore. The transit operators (TTD and Placer County) are responsible for providing transit services, planning system improvements, and reporting operating data to the Federal Transit Administration and TRPA.

Since the last committee meeting in November 2019 and to satisfy RTP requirements, staff from TRPA, the Tahoe Transportation District and the Placer County Department of Public Works have been updating a specific near-term (3 to 5 year) Transit Action Plan that builds from the existing TTD and TART transit plans, current development project transit requirements (e.g., Events Center mitigation), and includes the transit priorities of the Bi-State Consultation on Transportation from the 10-year Action Plan. The near-term Transit Action Plan establishes regional transit goals, specifies immediate transit service necessary to realize those goals and, provides a transit implementation roadmap that can be used to highlight the funding gap associated with executing the identified transit enhancements. These near-term transit enhancements are the basis for immediate action and illustrate the foundational system improvements needed to implement a world class resort-community transit system.

In developing the Transit Action Plan, TRPA, TTD, and Placer County identified key assumptions that require review and alignment among the partner agencies in order to complete the analysis and assumptions for input into the 2020 RTP update. These include:

Establishing a regional near-term transit mode share goal: The TRPA Regional Plan and Regional Transportation Plan establish the need to increase transit ridership and overall non-auto mode share to meet the established regional GHG reduction target. The **current transit mode share in the Tahoe Region is approximately .9%**, meaning that approximately one percent of trips are taken on transit. Over the last two years, transit mode share dropped by half a percent as transit ridership dropped substantially on the south shore. The Bi-State Transportation Working Group's action plan included a realistic goal to double the number of transit riders. Staff recommends that the Committee sets guidance to assume this feasible and achievable mode share goal. Staff is currently analyzing the estimated increase in regional transit capital investment and increase in regional transit operating costs for this shift. The TRPA-TTD-Placer County partnership is currently designing the near-term Transit Action Plan for incorporation into their future short-range transit plans, to be completed in 2021. The recommendation is also consistent with the transit priorities identified in the 10-Year Action Plan endorsed by the two states in the December 2018 Bi-State Consultation on Transportation Summary Report.

Integration of private sector operated micro-transit with publicly operated transit service: Due to new private transit services in the region, significant differences have come to light in the cost of providing public versus private transit service. The near-term Transit Action Plan makes assumptions regarding the proportion of public versus private sector provided

transit. For the south shore where the greatest uncertainty in transit service exists currently, the near-term Transit Action Plan assumes delivery of the proposed transit programs from the US Highway 50/South Shore Community Revitalization Project (SSCRP) Main Street Management Plan and the Event Center private micro-transit. The proposed transit programs are 15-minute headway fixed route TTD service along the “Main Street” corridor that is free for those boarding within the corridor and for free to the user private service micro-transit in the area surrounding the Events Center. Staff recommends that these transit proposals be included as the basis for the Transit Action Plan for the RTP update.

Transit system funding strategy alignment: The transportation funding partners are reconciling and aligning strategies to fill unfunded transit service needs. TTD initiated the One Tahoe study to look at options to fully fund the \$1.5 billion in unfunded RTP transportation needs. The multi-stakeholder Bi-State Transportation Consultation reconvened in 2020 to assist in guiding transit funding strategies for the Region. To meet the needs of the near-term Transit Action Plan assumed for the RTP, the Event Center project conditions provide a path to securing significant catalyst funding needed to start-up micro-transit services on the south shore, a need that has gone unfunded. Combining the funding for private micro-transit needed to mitigate traffic impacts from the proposed South Tahoe Event Center project, if approved, with the mainline transit service currently operated by TTD to satisfy the Main Street Management Plan transit program would significantly implement the unfunded portions of the Transit Action Plan designed for the south shore transit service needs of the RTP.

Other expected enhancements to the RTP transit element will include recent transportation corridor updates and transit capital projects as well as enhanced transit service. For example:

- **Emerald Bay SR89 Corridor Plan:** If approved, transit will provide new travel options for this corridor. Alternatives being considered include a dedicated transit lane segment, 65% to 85% transit mode share, intercept lots, and parking management strategies.
- **Resort Triangle Transportation Plan:** Stakeholders are developing implementation plans for a cohesive multi-modal transportation system within the North Tahoe Resort Triangle (bounded by State Routes 28, 89 and 267).
- **The Hwy 89 and 267 Bus-on-Shoulder Projects:** This proposal seeks to make transit a better option than the private automobile by improving transit travel time via a dedicated transit lane along the shoulders of State Route 89 and 267 in North Lake Tahoe.

In addition to transit operations, infrastructure improvements are necessary to support the future transit system, such as development of mobility hubs that serve as multimodal nodes and intercept parking lots within and adjacent to the Lake Tahoe Basin, and a larger bus fleet to increase the frequency of buses and number of transit routes. A larger fleet will in turn create a need for new and improved transit maintenance/operations facilities, the most pressing need being on the south shore.

Next Steps:

TRPA staff is requesting the EIP Committee provide direction endorsing the recommendations and approaches to the near-term Transit Action Plan for the RTP outlined herein including:

- Establishing a feasible and achievable regional transit mode share goal
- Developing a near-term (5 year) Transit Action Plan to realize the goal.

The Committee's direction will be included at the next Bi-State Transportation Consultation meetings and be made part of the 2020 RTP Update on transit. TRPA will continue to coordinate with TTD, Placer County and other stakeholders to finalize the Transit Action Plan proposed to achieve the goals of the RTP.

Contact Information: For questions or comments regarding this item, please contact Michelle Glickert, Transportation Program Manager, at 775.589.5204 or mglickert@trpa.org.

