



**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

---

MEMORANDUM

Date: January 23, 2019  
To: Performance Review Committee  
From: TRPA Staff  
Subject: Recommendation to Distribute 2019 and 2020 Residential Allocations

---

Summary and Staff Recommendation:

In the Tahoe Region, residential allocations are distributed to local jurisdictions every two years. Distribution to the local jurisdictions is based on residential permit review and code compliance and Total Maximum Daily Load (TMDL) implementation (TRPA Code, Section 50.5). The Performance Review Committee (PRC), comprised of staff from each participating local jurisdiction and the Tahoe Regional Planning Agency (TRPA), is tasked with reviewing the Performance Review System results for 2017 and 2018 and TMDL implementation as set forth in this staff summary. Based on the review, the PRC is asked to make a recommendation to TRPA's Advisory Planning Commission (APC) and Governing Board to distribute the allocations.<sup>1</sup>

Based on the Performance Review System addressed in TRPA Code, Section 50.5: *Allocation of Additional Development*, TRPA staff recommends that the City of South Lake Tahoe, El Dorado County, Placer County, and Douglas County receive their base number of residential allocations and Washoe County receive their base number of allocations with one increment 1.75 (rounded up to 2) deducted for both 2019 and 2020.

Required Motions:

In order to recommend approval of the proposed allocation distribution to the APC and Governing Board, the PRC must make the following motions, based on this staff summary and the evidence in the record:

- 1) A motion that the proposed distribution of residential allocations for 2019 and 2020 meets the requirements of Chapter 50, Section 50.5: *Allocation of Additional Residential Units* of the TRPA Code of Ordinances; and
- 2) A motion to recommend approval of the distribution of residential allocations for 2019 and 2020.

---

<sup>1</sup>Pursuant to TRPA Code 50.5.2.A.1, TRPA will reserve 10% of each jurisdiction's annual allocations for distribution to parcels below the IPES line. Local jurisdictions that provide an equal or superior opportunity for the owners of parcels with IPES scores below the respective buildable line to receive allocation will not be subject to this set aside.

Residential Audits:

In 2017 and 2018, TRPA staff completed residential project review and code compliance audits for each jurisdiction (City of South Lake Tahoe, Douglas County, El Dorado County, Placer County, and Washoe County), as required by TRPA Code of Ordinances Section 50.5.2.E. The purpose of these audits is to (1) ensure residential projects reviewed and inspected by Memorandum of Understanding (MOU) partners on behalf of TRPA comply with the TRPA Code and Rules of Procedure, (2) identify project review training and education opportunities for MOU partners, and (3) provide the PRC with a summary of MOU performance for the distribution of residential allocations.

The 2017 and 2018 Audit Results are provided below. Local jurisdictions were provided initial audit results in December 2017 and 2018 and provided an opportunity to work with TRPA to address comments. In jurisdictions without an active MOU, permits issued by TRPA were audited. Overall, MOU partners did an exceptional job completing TRPA environmental review, ensuring project files were complete and well organized, and completing inspections.

<b>Table 1: 2017 &amp; 2018 MOU Residential Project &amp; Compliance Review Audits</b>						
<b>Jurisdiction</b>	<b>2017</b>			<b>2018</b>		
	<b>Project Review</b>	<b>Compliance</b>	<b>Average</b>	<b>Project Review</b>	<b>Compliance</b>	<b>Average</b>
City of South Lake Tahoe	96%	95%	96%	97%	94%	96%
Douglas County	97%	93%	95%	99%	94%	97%
El Dorado County	98%	94%	96%	95%	95%	95%
Placer County	99%	91%	95%	93%	91%	92%
Washoe County	88%	86%	87%	87%	91%	89%

As part of the audit, TRPA identified potential training and educational opportunities the Agency could facilitate in collaboration with local jurisdictional partners to ensure successful delegation. In response, TRPA held a 3-Day TRPA Permit Review Training in December 2018 for all MOU partners and has offered to provide additional trainings in the future.

TMDL Implementation:

The City of South Lake Tahoe, El Dorado County, and Placer County have worked with the Lahontan Regional Water Quality Control Board (LRWQCB) to demonstrate compliance with all Municipal Storm Water Permit requirements, including Lake Clarity Credit elements. Water Board staff have reviewed and approved submitted Lake Clarity Credit registration information describing pollutant load reduction improvements and maintenance actions. All three California jurisdictions are in compliance with applicable requirements and have documented pollutant load reduction efforts to meet applicable Lake Tahoe TMDL targets. Similarly, Douglas County and Washoe County have performed satisfactorily in terms of conformance with their TMDL implementation obligations as specified in their respective Interlocal Agreements and therefore

the Nevada Division of Environmental Protection (NDEP) supports TRPA's finding of conformance with TMDL Implementation.<sup>2</sup>

LOS and VMT Monitoring:

Pursuant to TRPA Code, Sections 50.4.2 and 50.4.3, two years after each release of allocations, TRPA shall monitor existing and near-term LOS to evaluate compliance with applicable LOS policies. Should LOS projections indicate that applicable LOS policies will not be met, TRPA shall take action to maintain compliance with LOS standards. TRPA shall also monitor VMT and only release commodity allocations upon demonstrating, through modeling and the use of actual traffic counts, that the VMT Threshold Standard shall be maintained over the subsequent four-year period.

The last release of allocations was in 2017. At that time LOS and VMT was evaluated in the *Linking Tahoe: Regional Transportation Plan and Sustainable Communities Strategy Initial Study/Mitigated Negative Declaration/Initial Environmental Checklist/Finding of No Significant Effect (RTP/SCS MND/IEC/FONSE)*, dated February 22, 2017. The analysis found that LOS would become unacceptable in some locations by 2040, but that the monitoring and responsive measures required under mitigation presented in the 2012 Regional Plan EIS and the 2017 RTP/SCS MND/IEC/FONSE would ensure compliance with LOS policies. The analysis also found that VMT is currently in Threshold attainment and would be for the subsequent four-year period and that mitigation presented in the 2012 Regional Plan EIS would adequately address future increases in VMT. The next VMT and LOS analysis is scheduled to coincide with the next 2021 allocations distribution process.

2017 and 2018 Performance Review System Results:

Douglas County – Base number of residential allocations is 10 per year.

- TMDL Implementation: Douglas County was awarded 67 credits. The County's target in their Interlocal Agreement (ILA) for the 2018 Water Year is 41.
- 2017 Permit Monitoring and Compliance: Douglas County scored 97% on the project review portion of the performance audit and scored 93% on the compliance portion.
- 2018 Permit Monitoring and Compliance: Douglas County scored 99% on the project review portion of the performance audit and scored 94% on the compliance portion.
- Recommendation: Staff recommends that Douglas County receive 10 residential allocations for 2019 and 10 residential allocations for 2020.

El Dorado County – Base number of residential allocations is 30 per year.

- TMDL Implementation: El Dorado County is in compliance with Lake Tahoe TMDL and Municipal Storm Water Permit requirements, including Lake Clarity Credit requirements.
- 2017 Permit Monitoring and Compliance: El Dorado County scored 98% on the project review portion of the performance audit and scored 94% on the compliance portion.
- 2018 Permit Monitoring and Compliance: El Dorado County scored 95% on the project review portion of the performance audit and scored 95% on the compliance portion.

---

<sup>2</sup> Source: Robert Larsen, Lahontan Regional Water Quality Control Board, and Jason Kuchnicki, Nevada Division of Environmental Protection.

- Recommendation: Staff recommends that El Dorado County receive 30 residential allocations for 2019 and 30 residential allocations for 2020.

Placer County – Base number of residential allocations is 37 per year.

- TMDL Implementation: Placer County is in compliance with Lake Tahoe TMDL and Municipal Storm Water Permit requirements, including Lake Clarity Credit requirements.
- 2017 Permit Monitoring and Compliance: Placer County scored 99% on the project review portion of the performance audit and scored 91% on the compliance portion.
- 2018 Permit Monitoring and Compliance: Placer County scored 93% on the project review portion of the performance audit and scored 91% on the compliance portion.
- Recommendation: Staff recommends that Placer County receive 37 residential allocations for 2019 and 37 residential allocations for 2020.

City of South Lake Tahoe – Base number of residential allocations is 33 per year.

- TMDL Implementation: The City of South Lake Tahoe is in compliance with Lake Tahoe TMDL and Municipal Storm Water Permit requirements, including Lake Clarity Credit requirements.
- 2017 Permit Monitoring and Compliance: The City of South Lake Tahoe scored 96% on the project review portion of the performance audit and scored 95% on the compliance portion.
- 2018 Permit Monitoring and Compliance: The City of South Lake Tahoe scored 97% on the project review portion of the performance audit and scored 94% on the compliance portion.
- Recommendation: Staff recommends that the City of South Lake Tahoe receive 33 residential allocations for 2019 and 33 residential allocations for 2020.

Washoe County – Base number of residential allocations is 10 per year.

- TMDL Implementation: Washoe County was awarded 215 of the 217 credits specified in their ILA (99% conformance rate).
- 2017 Permit Monitoring and Compliance: Washoe County scored 88% on the project review portion of the performance audit and scored 86% on the compliance portion.
- 2018 Permit Monitoring and Compliance: Washoe County scored 87% on the project review portion of the performance audit and scored 91% on the compliance portion.
- Recommendation: Based on TRPA Code, Section 50.5.2, which requires one increment of deduction for average audit scores between 75% and 90%, staff recommends that Washoe County be deducted one increment 1.75 (rounded up to 2) from their base allocation for 2019 and 2020 based on the County’s average audit scores for 2017 and 2018, which were 87% and 89%, respectively. Thus, staff recommends Washoe County receive 8 residential allocations for 2019 and 8 residential allocations for 2020.

Results:

TRPA staff recommends the number of 2019 residential allocations for each local jurisdiction as follows:

Douglas County . . . . .10 allocations

El Dorado County . . . . .	30 allocations
Placer County. . . . .	37 allocations
City of South Lake Tahoe. . . . .	33 allocations
<u>Washoe County. . . . .</u>	<u>8 allocations</u>
<b>Total</b>	<b>118 allocations</b>

TRPA staff recommends the number of 2020 residential allocations for each local jurisdiction as follows:

Douglas County . . . . .	10 allocations
El Dorado County . . . . .	30 allocations
Placer County. . . . .	37 allocations
City of South Lake Tahoe. . . . .	33 allocations
<u>Washoe County. . . . .</u>	<u>8 allocations</u>
<b>Total</b>	<b>118 allocations</b>

<b>Table 3: 2017 &amp; 2018 Performance Evaluation Results Summary</b>				
<b>Jurisdiction</b>	<b>Annual Base Allocation*</b>	<b>Deduction Increments*</b>	<b>Minimum Allocation with Deductions</b>	<b>Total Recommended 2019 and 2020 Allocations</b>
<b>Douglas County</b>	10	2.0	2	20
<b>El Dorado County</b>	30	5.5	8	60
<b>Placer County</b>	37	6.5	11	74
<b>City of South Lake Tahoe</b>	33	5.75	10	66
<b>Washoe County**</b>	10	1.75	3	16
<b>Total</b>	120		34	236

\* The Annual Base Allocation and Deduction Increments are provided in Table 50.5.2 of TRPA Code.

\*\*A 1.75 (rounded up to 2) deduction increment is proposed to be subtracted from Washoe County’s annual base allocation for both 2019 and 2020 based on 2017 and 2018 Audit Results.

TRPA staff appreciates the efforts of the local jurisdictions in helping to achieve the targets of the residential allocation program and for responding to requests for information in a timely manner.

Contact Information:

For questions regarding this agenda item, please contact Brandy McMahon, AICP, Local Government Coordinator, at (775) 589-5274 or [bmcMahon@trpa.org](mailto:bmcMahon@trpa.org).