

## Senate

### ECOLOGY AND PUBLIC RESOURCES

#### MINUTES OF MEETING

MARCH 12, 1973

Senator Wilson in the Chair

Present: Senator Bryan  
Senator Hecht  
Senator Blakemore  
Senator Echols  
Senator Dodge

List of interested citizens are attached hereto and marked Exhibit "A".

Senator Wilson called the meeting to order at 7:20 p.m.

S.B. 490: Establishes Nevada Tahoe regional planning agency.  
(See Exhibit "B" for Bill request)

Mr. Wm. Smith, Minden, commented that he is speaking in opposition to the bill on behalf of Ted Jennings who has a parcel of land on U.S. 50, which has been designated for resort hotel facilities. Mr. Smith is a planning consultant. Mr. Smith stated that he has not been able to obtain maps, etc. that were presented to the committee. Mr. John Meder stated that the material presented was: a) Maps of the Stateline area, including what is being developed now; b) Alternate route around Stateline - a by-pass. Mr. Smith further commented that the rooms that are there now consist of approximately 821 rooms; 540 in the Sahara, 200 at Harvey's, 130 at Harvey's Inn, and 285 under construction. Also there are 688 rooms at Park Cattle Company. There are 3,000 rooms being contemplated. If these rooms were built, it would produce a gross gaming revenue of approximately \$14,000,000. This figure would go a long way in solving some of the problems at Lake Tahoe. Mr. Smith advised of facts and figures, and stated that this would imply that some of the facts so far submitted to the Legislation are questionable. Mr. Smith quoted figures on the traffic volume, showing that the peak months were July and Aug. with a total volume of traffic daily being 30,562 in July and 31,975 in August. Mr. Smith commented that we must seek a solution to the traffic problem. The original hotels that were built did not have the level of scrutiny that they now have. (See Exhibit "C" for "Guideline for Preparing an Environmental Information Report as Required for Submittal of Applications to the Tahoe Regional Planning Agency")

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Senator Coe Swobe commented that he was not appearing to oppose the thrust of the measure, but felt that it is too broad. Senator Swobe feels the underlying principle of the creation of the Lake Tahoe Planning Regional Agency was a partnership between the states of California and Nevada. If the thrust is to control the gambling on the Nevada side, it should be narrowed to that area; to allow the Nevada Tahoe Regional Planning Agency to control that area. It should not undercut the Regional Planning Agency by this broad proposal. Senator Swobe commented that he would support it if narrowed to gaming only.

Mr. F. R. Breen, representing Oliver Cahill who is proposing to build a hotel at South Tahoe, stated that careful consideration should be taken on: 1. This is a complete duplication of several other pieces of legislation on the books; 2. Would require complete duplication of studies that have already been made. The proposed bill is the same as present existing compact. The four changes that are different from the TRPA have very little to do with a control from Nevada of gaming on the Nevada side. The bill creates overall powerful agency that takes all control away from counties. Opens door for California to control gaming on the Nevada side. Mr. Breen stated that this bill should be opposed for three reasons; 1. The duplication; 2. it would violate every basis for the bi-state compact; 3. it gives away control from the State of Nevada to the State of California. Mr. Breen made reference to a meeting held on March 22, 1972 which dealt with discussion of building freeze at Tahoe (See Exhibit "D"). Mr. Breen further stated that they have been told that the reason for this bill is traffic problems. On February 10, 1972 the Land Use Regulation was adopted. (See Exhibit "E" for newspaper article). Mr. Breen suggested that if the plan is adopted, the staff be selected from Nevadans rather than from outlying states, as was staffed the previous plan. The TRPA issued guideline report in January of 1973. (See Exhibit "F" for Guidelines for Environmental Impact Reports). Mr. Breen made reference to Plan 2,000 (See Exhibit "G" for minutes of TRPA meeting). Mr. Breen commented that we do not need another agency, we need someone to solve the traffic problem.

Mrs. H. Gustafson, American Association of University Women, made statement on behalf of the Association (See Exhibit "H" for statement), urging adoption.

Mike Bernado, Douglas County, stated his opposition to S.B. 490.

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Mr. Roy Robinette, Incline area, stated that he agrees in part but not in whole of S.B. 490. Mr. Robinette further stated that he is in favor of this approach, but urged broadening to include minimum standards of California Tahoe Bill.

Paul Oelsner, property owner, spoke in opposition of the bill - we have enough government regulations.

George C. Finn, Zephyr Cove, spoke in opposition to S.B. 490.

Harold Dayton, Chairman, Douglas County Commission, commented that if NTRPA is adopted, Nevada should withdraw to save duplication of effort.

Milt Manoukian, Attorney for Douglas County Sewer District, commented extensively on S.B. 490. Mr. Manoukian's summary indicated that he feels that the area of pre-emption should be weighed carefully by reason of the adoption of the compact at the federal level, and the language of Judge Thompson, who concludes that by reason of the compact becoming a law of the United States, then the language contained in the compact itself - he (Judge Thompson) does not care what the compact says - that is not the law. Case reference: Brown vs. TRPA.

Walt Beagley, Douglas County, commented that they need protection. We must think of the impact this will have on the small areas.

Ray Knisley, Governor O'Callaghan's appointee on TRPA, commented that we should be aware of the jurisdiction of the federal law. Mr. Knisley stated that he fails to see by what means TRPA obtained authority over Nevada legislation subsequent to the legislation related to the TRPA. Mr. Knisley further stated that if this agency is created, it will be sued. (Nevada Environmental Protection Agency)

John Meder, TRPA, stated that the action proposed is that of Nevada members - not supported by TRPA. Mr. Meder further stated that they are asking for support, and that he agrees with Senator Swobe's proposal. The number of qualified consultants in the State is limited and their consultants

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are of high caliber. The biggest problem is traffic, and they are working on a traffic program that will take three to five years to complete. They do need help from legislation in order to take care of problems of traffic on the Nevada side.

Elmo DeRicco, commented that he supports this proposed plan, and that all Nevadans should protect the gaming industry. We need this Nevada agency to control gaming within the Tahoe Basin. Mr. DeRicco suggested that if the bill is passed, that it be provided that they can review the additional gaming structure within Tahoe Basin .

Being no further testimony at this time, Senator Wilson adjourned the meeting at 11:00 p.m.

Respectfully submitted,

*Sharon W. Maher*

Sharon W. Maher, Secretary

Thomas R.C. Wilson, Chairman

P L E A S E P R I N T  
 ++++++  
 ++++++

NAME	REPRESENTING	TESTIFY		ADDRESS
		YES	NO	
John Meeder	TRDA	X		
Pat K...	N...	X		80112
Norman Hall	DC & NR		✓	
Dr. ...			✓	
Arthur Keane	Seco Inc		✓	
Patricia Huntington	LTDC			glebrook
P. Barason				Zephyr Cove
Janette ...	...		X	Demoo
Richard Blakey	Parent & C		X	Reno
Ray Armstrong	Rock Cott Co		X	Reno
Tom D. Mason	/		X	Lakeland
W. ...			X	Fordville
Robert ...			X	Centerville
Margaret ...	...	X		J. J. J.
David ...	Self-Property owner		X	Carson City
Harold P. Dayton Jr	Douglas County		X	
Walt ...	W...			Reno

# General Attendance

Jeff Cohen Taboe Daily Tribune

Tom [unclear] 1711 D

Jack Q. Bladen

W. J. [unclear]

Walt [unclear]

Robert [unclear]

John [unclear]

William [unclear]

Frank [unclear]

John [unclear]

W. F. [unclear]

John [unclear] of Elm [unclear]

W. H. [unclear]

Lewis J. [unclear]

Margaret V. Gustafson - S. L. J. A. U. U.

Mrs & Mr. Harry [unclear] S. L. J. A. U. U.

REQUESTED AFTER 40<sup>TH</sup> DAY

SUMMARY--Establishes Nevada Tahoe regional planning agency.  
Fiscal Note: No. (BDR 22-1883)

AN ACT relating to the Lake Tahoe Basin; establishing the Nevada Tahoe regional planning agency; making an appropriation; providing penalties; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND  
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 278 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 36, inclusive, of this act.

Sec. 2. The legislature finds and declares that:

1. The waters of Lake Tahoe and other resources of the Lake Tahoe region are threatened with deterioration or degeneration, which may endanger the natural beauty and economic productivity of the region.

2. By virtue of the special conditions and circumstances of the natural ecology, developmental pattern, population distribution and human needs in the Lake Tahoe region, the region is experiencing problems of resource use and deficiencies of environmental control.

3. There is a need to maintain an equilibrium between the region's natural endowment and its manmade environment, and to preserve the scenic beauty and recreational opportunities of the region.

4. For the purpose of enhancing the efficiency and governmental effectiveness of the region, it is imperative that there be established an areawide planning agency with power to adopt and enforce a regional plan of resource conservation and orderly development, to exercise effective environmental controls and to perform other essential functions.

Sec. 3. As used in sections 2 to 35, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 4 to 9, inclusive, of this act have the meanings ascribed to them in sections 4 to 9, inclusive, of this act.

Sec. 4. "Agency" means the Nevada Tahoe regional planning agency.

Sec. 5. "Governing body" means the governing body of the agency.

Sec. 6. "Interim plan" means the plan adopted pending adoption of the regional plan.

Sec. 7. "Planning commission" means the advisory planning commission.

Sec. 8. "Region" includes Lake Tahoe and the adjacent parts of Carson City and the counties of Douglas and Washoe lying within the Tahoe Basin in the State of Nevada. The region defined and described in this section shall be precisely delineated on official maps of the agency.

Sec. 9. "Regional plan" means the long-term general plan for the development of the region.

Sec. 10. 1. The Nevada Tahoe regional planning agency is hereby created as a separate legal entity.

2. The governing body of the agency shall consist of:

(a) Three members appointed respectively by the board of supervisors of Carson City and the boards of county commissioners of Douglas and Washoe counties. Any member so appointed from Carson City shall be a resident of Carson City and any member so appointed from Douglas or Washoe counties shall be a resident of the county from which he is appointed, and each member may be, but is not required to be:

- (1) A member of the board which appoints him; and
- (2) A resident of or the owner of real property in the region, as the board of supervisors or each board of county commissioners



may in its own discretion determine. The manner of selecting the person so to be appointed may be further prescribed by city or county ordinance. A person so appointed shall, before taking his seat on the governing body, disclose all his economic interests in the region, and shall thereafter disclose any further economic interest which he acquires, as soon as feasible after he acquires it. If the board of supervisors or any board of county commissioners fails to make an appointment required by this paragraph within 30 days after the effective date of this act or the occurrence of a vacancy on the governing body, the governor shall make such appointment. The position of a member appointed by the board of supervisors or a board of county commissioners shall be deemed vacant if such member is absent from three consecutive meetings of the governing body in any calendar year.

(b) One member appointed by the governor of Nevada, who shall not be a resident of the region and shall represent the public at large.

(c) The director of the state department of conservation and natural resources or his designee.

Sec. 11. The term of office of the members of the governing body shall be at the pleasure of the appointing authority in each case, but each appointment shall be reviewed no less often than every 4 years.

Sec. 12. The position of a member of the governing body is vacated upon his loss of any of the qualifications required for his appointment, and the appointing authority shall appoint a successor.

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Sec. 13. The members of the agency shall serve without compensation, but are entitled to receive the per diem expense allowances and travel expenses provided by law for city, county and state employees, respectively. All other expenses incurred by the

governing body in the course of exercising the powers conferred upon it by sections 2 to 35, inclusive, of this act, unless met in some other manner specifically provided, shall be paid by the agency out of its own funds.

Sec. 14. The governing body shall elect from its own members a chairman and vice chairman, whose terms of office shall be 2 years, and who may be reelected. If a vacancy occurs in either office, the governing body may fill such vacancy for the unexpired term.

Sec. 15. 1. The governing body of the agency shall meet at least monthly. All meetings shall be open to the public to the extent required by the law applicable to local governments at the time such meeting is held.

2. The governing body shall fix a date for its regular monthly meeting in such terms as "the first Monday of each month," and shall not change such date oftener than once in any calendar year. Notice of the date so fixed shall be given by publication at least once in a newspaper or combination of newspapers whose circulation is general throughout the region and in Carson City and in each county a portion of whose territory lies within the region.

3. Notice of any special meeting, except an emergency meeting, shall be given by so publishing the date, place and agenda at least 5 days prior to the meeting.

Sec. 16. 1. A majority of the members of the governing body constitute a quorum for the transaction of the business of the agency. A majority vote of the members present shall be required to take action with respect to any matter. The vote of each member of the governing body shall be individually recorded. 182

2. The governing body may in other respects adopt its own rules of procedure.

Sec. 17. 1. The agency shall establish and maintain an office within the state. The agency may rent property and equipment.

Every plan, ordinance and other record of the agency which is of such nature as to constitute a public record under the law of the State of Nevada shall be open to inspection and copying during regular office hours.

2. The agency shall be deemed to be a local government for the purposes of the Local Government Budget Act.

Sec. 18. The agency shall appoint an advisory planning commission, which shall include but shall not be limited to:

1. The chief planning officers of Carson City and the counties of Douglas and Washoe;

2. The county health officer of Douglas County or his designee;

3. The county health officer of Washoe County or his designee;

4. The chief of the bureau of environmental health of the health division of the department of health, welfare and rehabilitation or his designee;

5. The executive officer of the Nevada Tahoe regional planning agency, who shall act as chairman; and

6. At least two lay members, each of whom shall be a resident of the region.

Sec. 19. 1. The governing body shall determine the qualification of, and it shall appoint and fix the salary of, the executive officer of the agency, and may employ such other staff and legal counsel as may be necessary to execute the powers and functions provided for under sections 2 to 35, inclusive, of this act or in accordance with any intergovernmental contracts or agreements which the agency may be responsible for administering.

2. The agency is a public employer for the purposes of chapter 286 of NRS, and a public agency for the purposes of chapter 287 of NRS.

Sec. 20. 1. Except as otherwise provided in section 24 of this act, in preparing each of the plans required by sections 21

to 24, inclusive, of this act and each amendment thereto, if any, subsequent to its adoption, the planning commission after due notice shall hold at least one public hearing, which may be continued from time to time, and shall review the testimony and any written recommendations presented at such hearing before recommending the plan or amendment. The notice required by this subsection shall be given at least 20 days prior to the public hearing by publication at least once in a newspaper or combination of newspapers whose circulation is general throughout the region and in Carson City and in each county a portion of whose territory lies within the region.

2. The planning commission shall then recommend such plan or amendment to the governing body for adoption by ordinance. The governing body may adopt, modify or reject the proposed plan or amendment, or may initiate and adopt a plan or amendment without referring it to the planning commission. If the governing body initiates or substantially modifies a plan or amendment, it shall hold at least one public hearing thereon after due notice as required in subsection 1.

3. If a request is made for the amendment of the regional plan by:

(a) A political subdivision a part of whose territory would be affected by such amendment; or

(b) The owner or lessee of real property which would be affected by such amendment,

the governing body shall complete its action on such amendment within 60 days after such request is delivered to the agency.

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Sec. 21. Within 9 months after the formation of the agency, the planning commission shall recommend a regional plan. Within 12 months after the formation of the agency, the governing body shall adopt a regional plan. After adoption, the planning commission

and governing body shall continuously review and maintain the regional plan. The regional plan shall consist of a diagram or diagrams and text or texts setting forth the projects and proposals for implementation of the regional plan, a description of the needs and goals of the region and a statement of the policies, standards and elements of the regional plan.

Sec. 22. The regional plan shall include the following correlated elements:

1. A land use plan for the integrated arrangement and general location and extent of, and the criteria and standards for, the uses of land, water, air, space and other natural resources within the region, including but not limited to, an indication or allocation of maximum population densities.

2. A transportation plan for the integrated development of a regional system of transportation, including but not limited to freeways, parkways, highways, transportation facilities, transit routes, waterways, navigation and aviation aids and facilities, and appurtenant terminals and facilities for the movement of people and goods within the region.

3. A conservation plan for the preservation, development, utilization and management of the scenic and other natural resources within the basin, including but not limited to soils, shoreline and submerged lands, scenic corridors along transportation routes, open spaces, recreational and historical facilities.

4. A recreation plan for the development, utilization and management of the recreational resources of the region, including but not limited to wilderness and forested lands, parks and parkways, riding and hiking trails, beaches and playgrounds, marinas and other recreational facilities.

5. A public services and facilities plan for the general location, scale and provision of public services and facilities which,

by the nature of their function, size, extent and other characteristics, are necessary or appropriate for inclusion in the regional plan.

Sec. 23. 1. In formulating and maintaining the regional plan, the planning commission and governing body shall take account of and shall seek to harmonize the needs of the region as a whole, the plans of the counties and cities within the region, the plans and planning activities of the state, federal and other public agencies and nongovernmental agencies and organizations which affect or are concerned with planning and development within the region.

2. Where necessary for the realization of the regional plan, the agency may engage in collaborative planning with local governmental jurisdictions located outside the region but contiguous to its boundaries.

3. In formulating and implementing the regional plan, the agency shall seek the cooperation and consider the recommendations of counties and cities and other agencies of local government, of state and federal agencies, of educational institutions and research organizations, whether public or private, and of civic groups and private individuals.

Sec. 24. Unless and until amended by the governing body, the regional plan adopted by the Tahoe regional planning agency is the interim plan and may be immediately enforced by the governing body. Any amendment to the interim plan may consist of statements of development policies, criteria and standards for planning and development, of plans or portions of plans, and projects and planning decisions, which the agency finds it necessary to adopt and administer on an interim basis in accordance with the substantive powers granted to it by sections 2 to 35, inclusive, of this act.

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Sec. 25. The agency shall maintain the data, maps and other information developed in the course of formulating and administering

the regional plan and interim plan in a form suitable to assure a consistent view of developmental trends and other relevant information for the availability of and use by other agencies of government and by private organizations and individuals concerned.

Sec. 26. 1. The governing body shall adopt all necessary ordinances, rules, regulations and policies to effectuate the adopted regional and interim plans. Every such ordinance, rule or regulation shall establish a minimum standard applicable throughout the region and any political subdivision may adopt and enforce an equal or higher standard applicable to the same subject of regulation in its territory. The ordinances, rules, regulations and policies of the governing body shall not conflict with any ordinance, rule, regulation or policy adopted by the Tahoe regional planning agency but the governing body may adopt and enforce an equal or higher standard applicable to the same subject of regulation.

2. The regulations shall contain general, regional standards, including but not limited to the following:

- (a) Water purity and clarity;
- (b) Subdivision;
- (c) Zoning;
- (d) Tree removal;
- (e) Solid waste disposal;
- (f) Sewage disposal;
- (g) Land fills, excavations, cuts and grading;
- (h) Piers, harbors, breakwaters, channels and other shoreline developments;
- (i) Waste disposal in shoreline areas;
- (j) Waste disposal from boats;
- (k) Mobile-home parks;
- (l) House relocation;
- (m) Outdoor advertising;
- (n) Flood plain protection;

(o) Soil and sedimentation control;

(p) Air pollution; and

(q) Watershed protection.

3. Whenever possible without diminishing the effectiveness of the interim plan or the regional plan, the ordinances, rules, regulations and policies shall be confined to matters which are general and regional in application, leaving to the jurisdiction of the respective counties and cities the enactment of specific and local ordinances, rules, regulations and policies which conform to the interim or regional plan.



Sec. 27. 1. Every ordinance adopted by the agency shall be published at least once by title in a newspaper or combination of newspapers whose circulation is general throughout the region.

2. Immediately after its adoption, a copy of each ordinance shall be transmitted to the governing body of each political subdivision having territory within the region.

Sec. 28. Interim regulations shall be adopted within 90 days from the formation of the agency and final regulations within 12 months after the formation of the agency.

Sec. 29. 1. All ordinances, rules, regulations and policies adopted by the agency shall be enforced by the agency and by Carson City and the counties. The appropriate courts of this state, each within its limits of territory and subject matter provided by law, are vested with jurisdiction over civil actions to which the agency is a party and criminal actions for violations of its ordinances.

2. The agency shall police the region to ensure compliance with the general plan and adopted ordinances, rules, regulations and policies. If it is found that the general plan, or ordinances, rules, regulations and policies, are not being enforced by a local jurisdiction, the agency may bring action in a court of competent jurisdiction to ensure compliance.

Sec. 30. Violation of any ordinance of the agency is a misdemeanor.

Sec. 31. 1. Every public works project proposed to be constructed within the region shall be submitted to the agency for its review and recommendation as to conformity with the regional or interim plan.

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2. Except as provided in subsection 3, a public works project shall not be constructed unless it has been approved by the agency.

3. If the public works project is proposed and is to be constructed by a department of this state, the agency shall submit its

recommendations to the executive head of the department and to the governor, but the project may be constructed as approved by the executive head of the department.

Sec. 32. Whenever under the provisions of section 31 of this act or any ordinance, rule, regulation or policy of the agency, the agency is required to review or approve any proposal, public or private, the agency shall take final action upon whether to approve, to require modification or to reject such proposal within 60 days after such proposal is delivered to the agency. If the agency does not take final action within 60 days, the proposal shall be deemed approved.

Sec. 33. 1. The agency may initiate, negotiate and participate in contracts and agreements among the local governmental authorities of the region, or any other intergovernmental contracts or agreements authorized by state or federal law.

2. Each intergovernmental contract or agreement shall provide for its own funding and staffing, but this shall not preclude financial contributions from the local authorities concerned or from supplementary sources.

Sec. 34. 1. The agency may fix and collect reasonable fees for any services rendered by it.

2. The agency shall be strictly accountable to all participating bodies for all receipts and disbursements.

3. The agency may receive gifts, donations, subventions, grants and other financial aids and funds.

Sec. 35. 1. It is unlawful for any member of the governing body of the agency to be interested, directly or indirectly, in any contract made by him, or be a purchaser or be interested, directly or indirectly, in any purchase of a sale made by him in the discharge of his official duties.

2. All contracts made in violation of subsection 1 may be declared void at the instance of the agency, or of any other party interested in such contract, except the member prohibited from making or being interested in such contract.

3. Any person who violates the provisions of this section is guilty of a gross misdemeanor and shall forfeit his office.

Sec. 36. 1. In the region of this state for which there has been created by sections 2 to 35, inclusive, of this act a regional planning agency, the powers conferred by this chapter upon any other authority are subordinate to the powers of such regional planning agency, and may be exercised only to the extent that their exercise does not conflict with any ordinance or plan adopted by such regional planning agency. The powers conferred by this chapter shall be exercised whenever appropriate in furtherance of a plan adopted by the regional planning agency.

2. Upon the adoption by a regional planning agency created by sections 2 to 35, inclusive, of this act of any regional plan or interim plan, any plan adopted pursuant to this chapter shall cease to be effective as to the territory embraced in such regional or interim plan. Each planning commission and governing body whose previously adopted plan is so affected shall, within 90 days after the effective date of the regional or interim plan, initiate any necessary procedure to revise its plan and any related zoning ordinances which affect adjacent territory.

Sec. 37. Chapter 244 of NRS is hereby amended by adding thereto a new section which shall read as follows:

In the region of this state for which there has been created by sections 2 to 35, inclusive, of this act a regional planning agency, the powers of a county for the location and construction of all public works are subordinate to the powers of such regional planning agency.

Sec. 38. Chapter 266 of NRS is hereby amended by adding thereto a new section which shall read as follows:

In the region of this state for which there has been created by sections 2 to 35, inclusive, of this act a regional planning agency, the powers of a city incorporated under this chapter for the location and construction of all public works are subordinate to the powers of such regional planning agency.

Sec. 39. Chapter 267 of NRS is hereby amended by adding thereto a new section which shall read as follows:

In the region of this state for which there has been established by sections 2 to 35, inclusive, of this act a regional planning agency, the powers of a city organized under this chapter with respect to the location and construction of all public works are subordinate to the powers of such regional planning agency.

Sec. 40. Chapter 268 of NRS is hereby amended by adding thereto a new section which shall read as follows:

In the region of this state for which there has been established by sections 2 to 35, inclusive, of this act a regional planning agency, the powers conferred by this chapter which relate to planning, subdivision regulation and zoning are subordinate to the powers of such regional planning agency.

Sec. 41. Chapter 269 of NRS is hereby amended by adding thereto a new section which shall read as follows:

In the region of this state for which there has been established by sections 2 to 35, inclusive, of this act a regional planning agency, the powers of an unincorporated town for the location and construction of all public works are subordinate to the powers of such regional planning agency.

Sec. 42. Chapter 309 of NRS is hereby amended by adding thereto a new section which shall read as follows:

In the region of this state for which there has been established by sections 2 to 35, inclusive, of this act a regional planning agency, the powers of any district organized or reorganized under this chapter with respect to the location and construction of all improvements are subordinate to the powers of such regional planning agency.

Sec. 43. Chapter 318 of NRS is hereby amended by adding thereto a new section which shall read as follows:

In the region of this state for which there has been established by sections 2 to 35, inclusive, of this act a regional planning agency, the powers of any district organized, reorganized or required to reorganize under this chapter with respect to the location and construction of all improvements are subordinate to the powers of such regional planning agency.

Sec. 44. 1. There are hereby appropriated from the general fund in the state treasury for the support of the Nevada Tahoe regional planning agency the sums of:

- (a) For the fiscal year ending June 30, 1973.....\$30,300.00
- (b) For the fiscal year ending June 30, 1974..... 3,742.40
- (c) For the fiscal year ending June 30, 1975..... 732.40

2. The agency shall not encumber any unexpended balance of an appropriation for any fiscal year after the end of that fiscal year or the date of expiration of this act, whichever is earlier. Any such unexpended balance shall revert to the general fund 60 days after the date from which no further encumbrances may be made.

Sec. 45. NRS 244.152, 266.262, 267.122, 268.098, 269.122, 278.024, 278.702, 278.704, 278.706, 278.708, 278.710, 278.712, 278.714, 278.-716, 278.718, 278.720, 278.722, 278.724, 278.726, 278.728,

278.730, 278.732, 278.734, 278.736, 278.738, 278.740, 278.742, 278.-  
744, 278.746, 278.748, 278.750, 278.752, 278.754, 278.756, 278.758,  
278.760, 278.762, 278.764, 278.766, 278.768, 278.770, 309.383 and  
318.102 are hereby repealed.

Sec. 46. Section 47 of chapter 52, Statutes of Nevada 1969, at  
page 44, is hereby repealed.

Sec. 47. Section 48 of chapter 52, Statutes of Nevada 1969, at  
page 44, is hereby repealed.

Sec. 48. This act shall become effective upon passage and approval.

The undersigned has read the accompanying ENVIRONMENTAL  
INFORMATION REPORT and agrees hereby to meet the conditions,  
provisions, and direction contained therein.

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Name of Applicant (owner and/or developer)

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Date

**GUIDELINE FOR PREPARING AN ENVIRONMENTAL INFORMATION REPORT  
AS REQUIRED FOR SUBMITTAL OF APPLICATIONS TO THE  
TAHOE REGIONAL PLANNING AGENCY**

**Tahoe Regional Planning Agency  
January 1973**



GUIDELINE FOR PREPARING AN ENVIRONMENTAL INFORMATION REPORT  
AS REQUIRED FOR SUBMITTAL OF APPLICATIONS TO THE  
TAHOE REGIONAL PLANNING AGENCY

SR

1. For all applications a bound INFORMATION REPORT shall be provided to include the following items:

- a. Title Sheet
- b. Table of Contents
- c. General development information report is to include name of the property owner, name of the developer, location of property, area of property, brief description of vegetative cover, local zoning, TRPA land use classification, total number of dwelling units and dwelling units per acre, and land capability to include:
  - 1. area of each soil type
  - 2. allowable coverage for each soil type
  - 3. proposed coverage for each soil type
- d. Local government action sheet including all conditions imposed through the hearing process.
- e. Letters from the serving entities relative to the availability and adequacy of water, sewer, electrical and fire services.

2. The following SUPPLEMENTAL REPORTS shall be provided if required in accordance with the attached matrix.

MANDATORY

a. Environmental Impact Statement

- 1. For private projects situate in California the Environmental Impact Statement required by local government.
- 2. For private projects situate in Nevada all will submit an Environmental Impact Statement as per the attached outline.
- 3. For public works projects in California and Nevada, all will submit an Environmental Impact Statement as per the outline.

BY WHAT AUTHORITY?  
NOT REQ. BY COMPACT  
OR STATE LAW.

MANDATORY

- b. Storm Drainage and Hydrology Report (Ordinance 7, Section 9.4)
- c. Fire Protection Report (Ordinance 7, Section 12.2)
- d. Shoreline Report (Ordinance 6, Section 4.22) if application is contiguous to the shoreline
- e. Grading and Slope Stabilization Report (Ordinance 5, Sections 4.22 and 5.20)
- f. Soil and Geological Report
- g. Vegetation Preservation and Protection Report

h. Land Capability Report required for Administrative Permits applied for under Section 8.25 (1) and (2) and in all cases where there is a variation to the ordinances.

3. TENTATIVE MAP (as per local government requirements) is to include all information requested on the following list of 19 items.

The provisions hereunder establish the minimum standards applicable within the Region. Any political subdivision may enforce equal or higher standards within its territory. Reference for further interpretation shall be made to the ordinances passed and adopted by the Governing Board of the Tahoe Regional Planning Agency.

**THE TENTATIVE MAP SHALL SHOW:**

- 1) Accurate contours at two (2) foot intervals for slopes up to 16% and five (5) foot intervals for slopes over 16% showing the topography of the ground to be graded and filled or cleared and the topography of the fifteen (15) feet adjacent to such area.
- 2) Area of restriction of vehicles to defined graded areas (reference Ordinance 5, Section 7.141).
- 3) One hundred year flood plain (reference Ordinance 5, Section 7.70).
- 4) Location of underground electrical and gas utilities and approximate width of all proposed and existing utilities and easements (reference Ordinance 7, Section 6.3 - 6.4).
- 5) Location of all water lines, sizing and location and width of easements (reference Ordinance 7, Section 7.2).
- 6) Location of fire hydrants existing and proposed (reference Ordinance 7, Section 7.2).
- 7) Road widths in compliance with Ordinance 7, Section 8.22 unless otherwise approved.
- 8) Location and width of all adjacent roads, easements, streets and ways (reference Ordinance 7, Section 8.3).
- 9) Grade of each road within the subdivision and approximate radii of all curves (reference Ordinance 7, Section 8.3).
- 10) Finish grade contours of proposed roads within the right-of-way areas.
- 11) All drainage factors existing and proposed into, within and below the proposed subdivision sufficient to resolve area wide runoff concerns (reference Ordinance 7, Sections 9.1 and 9.4).
- 12) Easements for storm drainage (reference Ordinance 7, Sections 9.1 and 9.4).
- 13) Approximate location of all proposed and existing sewer lines and the width location of necessary easements (reference Ordinance 7, Section 10.5).

- 14) \* By survey location of all existing trees and identify those proposed to be removed and other vegetation that is to be planted (reference Ordinance 7, Sections 11.21 - 11.22) .
- 15) \*\* Soils type locations, land coverage criteria, area within each soil type and calculations of all land coverage and open area necessary for complete evaluation of land within the proposed subdivision (reference TRPA soils types aeriels and Ordinance 7, Sections 14.2 and 14.4) .
- 16) If lot and block subdivision, land coverage available for each lot or parcel (reference Ordinance 7, Section 14.3) .
- 17) Calculation of density in relationship to land coverage allocations (reference Ordinance 4, Section 8.32) .
- 18) Regional location map, vicinity map, TRPA mapping title numbers and assessor's parcel numbers.
- 19) Erosion control measures both temporary and permanent shall be enumerated. Exact stabilization measures shall be included in the tentative map requirements citing the specific locations at which they are employed (reference Ordinance 5, Section 4.22) .

\*Land capabilities should be superimposed on the tentative map. A sepia or transparency showing existing tree cover should be provided. Also a sepia or transparency of the building and paving layout should be provided in the same scale as the tree cover map (these transparencies could be returned) .

\*\*A tabulation should be provided showing the square footage in each land capability class of:

total area	paths
buildings	swimming pools
decks	other
paving	total impervious surface

Colored maps may be provided for presentation purposes with the following color code:

buildings	-	brown or orange
paving	-	gray or black
landscaping or open space	-	green
streams or other bodies of water	-	blue

---

The reports required will depend on the type of application and in all cases four copies of the INFORMATION REPORT, the SUPPLEMENTAL REPORTS and the TENTATIVE MAP should be submitted to TRPA prior to scheduling with Development Review.

ENVIRONMENTAL IMPACT STATEMENTI PROJECT DESCRIPTION

- A. The precise location and boundaries of the proposed project must be shown on a detailed map included in the Environmental Information Report.

The map included, if not a USGS Topographical Map, must include at a minimum, the section, range and township coordinates.

The location of the project must also appear on a regional map, with significant environmental areas and landmarks indicated in relation to the project area(s).

- B. Any governmental agency public notice or permit number applicable with dates specifically dealing with the shorezone.

II ENVIRONMENTAL SETTING

The description of the environmental setting should be of the setting without (before) the project. Discussion should include the immediate areas of the project and the regional aspects of the environment which surrounds the project area. Legal, policy and institutional constraints relevant to the project area should be identified. The environment of the project area should be described in terms of its natural (physical and biological) and socioeconomic setting, with special emphasis on those rare and unique aspects, both good and bad, that might not be common to other similar regions. The discussion should provide sufficient information to permit an independent evaluation of the environmental factors which could be affected by the proposed project such as the plant and animal communities known to be associated with the project area. Specific reference to other related project activities, both public and private, in the region should also be included.

III ENVIRONMENTAL IMPACT STATEMENT

All phases of a project must be considered when evaluating the impact of the project on the environment; planning, acquisition, development and the operational effects during the life of the project.

A. The Environmental Impact of the Proposed Action

Describe the primary and secondary environmental impacts, both beneficial and adverse, anticipated from the project. The scope of the description shall include both short and long-term impacts. It shall include specifics of the area, the resources involved, physical changes, alterations to ecological systems and changes induced by the proposed project in population distribution, population concentration, the human use of the land (including commercial and residential development) and other aspects of the resource base such as water, scenic quality and public services.

Both quantitative and qualitative information should be included (e.g., acres of habitat, numbers of ducks nesting and the scenic value of a waterfowl habitat). Quantitative data should be included but not over emphasized to the expense of qualitative and subjective judgments, which are often more important.

*COME NOW!*  
 HOW DOES ONE MEASURE SUCH  
 JUDGMENTS - AGAINST STANDARDS?  
 IMPOSSIBLE TO MEET - IF SO DESIRED

B. Any Adverse Environmental Effects Which Cannot Be Avoided if the Proposal is Implemented

Describe the kinds and magnitude of significant impacts which cannot be reduced in severity or which can be reduced to an acceptable level but not eliminated. For those which cannot be reduced without considering an alternative project or project design (paragraph D below), their implications and the reasons why the project is being proposed, notwithstanding their effect, shall be described in detail. In particular, this analysis shall detail any aesthetically or culturally valuable surroundings, human health or standards of living, which would be sacrificed. Also, it shall describe the parties affected and any objection raised by them.

C. Mitigation Measures Proposed to Minimize the Impact

Describe where mitigation measures such as design or construction features have been included in the project to reduce significant environmental impacts to acceptable levels, and the basis for considering these levels acceptable.

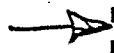
D. Alternatives to the Proposed Action

Consider two kinds of alternatives; first, the alternative kinds of projects or locations of the same project, which have been considered or are under consideration, as possible means of attaining the stated objectives of the project to include different densities and levels of land coverage. The specific alternative of full compliance with the Agency ordinances must always be evaluated. Second, describe the alternative design or mitigation measures which could be incorporated into the project to further minimize any significant environmental impact (that have not been discussed under Item C above), and the reason these have not been included. This examination should also include recommendations that consider "off-site" alternative features or designs as they could affect the environmental impact of the proposed project. Include in this discussion alternatives capable of substantially reducing or eliminating any adverse impacts, even if these alternatives substantially reduce the project objectives.

BY THIS APPROX  
NOTHING (AT ALL)  
CAN BE DONE!

E. The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity

Describe the cumulative and long-term effects of the proposed project which either significantly reduce or enhance the state of the environment from the perspective that each generation is trustee of the environment for future generations. In particular, the desirability of the project shall be weighed to guard against short-sighted foreclosure of future options or needs. Special attention shall be given to effects which narrow the range of beneficial uses of the environment or pose long-term risks to health or safety. In addition, the reasons why the proposed action is believed by the sponsor to be justified now, rather than reserving a long-term option for other alternatives shall be explained. } 6



WHOSE "OPTION"?

DEFINE

F. Any Irreversible Environmental Changes Which Would be Involved in the Proposed Action Should it be Implemented

Describe the extent to which the proposed project curtails or expands the density and range of beneficial uses of the environment. Uses of renewable and non-renewable resources during the initial and continued phases of the action shall be specified. In this regard, construction and facility uses are basically irreversible since a large commitment of resources makes removal of non-use thereafter unlikely. Such primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a non-accessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Any irretrievable and significant commitments of resources shall be evaluated to assure that such current consumption is justified.

G. The identity of all federal, state or local agencies and other organizations and private individuals consulted in preparing environmental impact statements, and the identity of persons, firm or agency preparing the report.

## STORM DRAINAGE AND HYDROLOGY REPORT

The applicant shall furnish a Supplemental Report prepared by a person or firm qualified by training and experience to have expert knowledge of the subject and shall include the following:

## A. Surface Hydrology

## 1. Flood Plains

A flood plain analysis must be made for all stream channels that occur on the site or if there is a possibility of flooding on site from adjacent stream channels. The analysis should be based on the following:

- a. 100 year storm frequency based on rain on a saturated soil mantle or snow pack taking the results which cause the greater flood flow;
- b. On streams with a meandering channel and relatively flat gradient any of the standard flood plain analyses may be used (i.e. U.S. Corps of Engineers Standard Project Flood);
- c. On mountain streams with relatively steep gradients only those analyses based on turbulent flow conditions may be used. "Bulking" if it occurs must be recognized and channel cross-sections increased to allow for it. Mud flows and other debris must also be considered in the analysis;
- d. History of prior flooding;
- e. Investigate effects of short duration high intensity rain storms on the proposed development and evaluate how the proposed storm drainage system will handle the predicted flows;
- f. All analyses must include the effects of total development permitted by the TRPA General Plan above the proposed development. → THIS IS VIRTUALLY IMPOSSIBLE - IN MOST CASES

## 2. Other Surface Hydrology

- a. Define the ability of the existing stream channels to accommodate the estimated increase in storm flow due to the proposed development. Define at what point the water flow and velocity is erosive. If the stream channel or banks will erode specify what measures are to be taken to minimize this impact. An estimate or measurement of minimum and maximum flows in stream channels must be made.
- b. Define and evaluate the effects on the development on fisheries in terms of:
  1. obstruction to fish passage
  2. sedimentation delivered to spawning areas
  3. infringement upon feeding areas
  4. possible increase in water temperature

- c. Delineate the proposed streamside environment zone on the site plan and list criteria and describe how the zone was determined.
- d. Delineate annual stream channels by a solid line and intermittent stream channels by a dashed line on the site plan. Also list and show proposed protective measures and modifications on the site plan.
- e. Describe and evaluate how natural flow patterns will be affected by the proposed development and specify how the manmade drainage systems will deliver water to the natural channel systems.

**B. Subsurface Hydrology**

- 1. The location and size of swamps, springs, and seeps shall be shown on the site plan and an investigation made to determine the reasons for the occurrence of these underground water sources. An analysis of the vegetative cover or other surface information may be used to show the presence of underground water.
- 2. Define and evaluate the effects of the proposed development on dewatering subsurface water sources if any have been identified.
- 3. Define and evaluate the effects of the proposed development on subsurface water sources for areas immediately downstream.
- 4. If infiltration systems are proposed for handling increased flows caused by the proposed development describe why they will work and what measures are to be taken to prevent failure.

**C. Report Documentation**

The report shall show:

- 1. Who performed the hydrologic analysis
- 2. Design assumptions
- 3. Sources of data
- 4. Description of methodology for field investigations
- 5. Calculations used to design proposed system

WHO REVIEW THIS &  
WHY? - A PROFESSIONAL  
ENGR'S STATEMENT SHOULD  
SUPPORT.



## FIRE PROTECTION REPORT

The applicant shall furnish a Supplemental Report prepared by a person or firm qualified by training and experience to have expert knowledge of the subject and shall include the following:

1. The width and approximate location of any easements required for access of fire protection equipment.
2. Agreements if any entered into by the applicant and a fire protection entity.
3. The approval of the subdivision design and fire protection measures by the fire protection entity.
4. A letter from the chief of the fire protection entity stating:
  - a. fire flow recommended by Insurance Service Organization
  - b. the existing fire flow capability or the fire flow capability proposed to serve the project
5. A statement indicating the efforts of the applicant to satisfy the standards stated in Section 12.1 of Ordinance 7. (See below)

#### 12.1 Fire Protection Standards

"All subdivisions shall be planned, designed, constructed, and maintained so as to minimize the risk of fire and to permit the effective suppression of fires, in order to protect persons, property, improvements and forested areas. Measures shall include:

- (1) the placement of structures in such a manner as to minimize the potentialities of flame spread and to permit for fire fighting equipment;
- (2) the provision of adequate fire fighting facilities on site where necessary;
- (3) an adequate water supply and water distribution system to fight fires on site;
- (4) provision for proper storage, location and maintenance of all combustible, explosive or any other materials or items of potential incendiary character;
- (5) the dedication of appropriate easements of access for fire protection equipment from roads within the subdivision to the boundaries of the subdivision in areas of possible fire hazard; and
- (6) the availability, through a fire protection district or otherwise, of fire protection services adequate to fight fires that may occur within the subdivision."

## SHORELINE REPORT

The applicant shall furnish a Supplemental Report prepared by a person or firm qualified by training and experience to have expert knowledge of the subject and shall include the following:

1. The Report shall describe the configuration of the shore-zone; the nature, magnitude, and periodicity of shore-zone forces, such as wind, waves and currents, as they affect the shore-zone; the origin, nature, and volume of materials composing the shoreline; the physical and biological characteristics and the rate of shore-zone change over time under both natural and proposed artificial conditions.
2. With respect to probable effects of the proposed construction, the applicant shall define a design wave (usually the mean height and period of the highest one-third of the waves of a given wave group, including a selected storm surge), the design water level of the lake, the foundation conditions, and the construction materials, and shall state how the proposed design and construction operations will minimize disruption of the natural system, and what its long range effect will be on the shore-zone of the lake.
3. With respect to assessing the quality of the proposed construction, the applicant shall describe alternatives to the proposed construction that were considered and why each was rejected, in terms of environmental quality and economic feasibility, including as one alternative the choice of no construction.
4. Information to establish that the proposed alteration, construction, or activity will not cause significant harm to:
  - a. The water quality of the lake, including but not limited to its clarity, temperature, color, taste, and odor.
  - b. The shoreline and underlying land.
  - c. Fish and aquatic habitats and fish spawning grounds.
  - d. The natural beauty of the area.
  - e. Navigation, safety, or health.
  - f. Or would substantially interfere with public use of the lake's waters or underlying lands.
  - g. And that other facilities are unavailable to the applicant.
5. Information to establish compliance with capability levels established in the Shoreline Plan.
6. The owner or operator of a marina or harbor may be required to furnish information concerning water quality, current patterns and intensities, shore alterations, and any other conditions which may be altered by the construction of the marina or harbor for a reasonable period after completion of the facility.

GRADING AND SLOPE STABILIZATION REPORT

The applicant shall furnish a Supplemental Report prepared by a person or firm qualified by training and experience to have expert knowledge of the subject and shall include the following:

1. Erosion control measures to prevent soil loss while grading is in progress with reference to specific location where employed.
2. Detailed plans of all drainage devices, walls, cribbing, dams, or other protective devices to be constructed in connection with, or as a part of, the proposed work, together with a map showing the drainage area and estimated runoff of the area served by any drains and proposed method of runoff disposal.
3. A schedule showing when each stage of the project will be completed, including estimated starting and completion dates with reference to other stages of project.
4. A soil stabilization report including existing and final ground cover, landscaping, and erosion control, and requirements for stable cut and fill slopes based upon detailed stability analysis.
  - a. existing and final ground cover
  - b. landscaping
  - c. permanent erosion control measures detailing location and specific treatment to be employed
  - d. cut and fill slope stabilization to include degree of slope and specific measures to be employed
5. Delineate measures to prevent erosion under building driplines.

The applicant shall furnish a Supplemental Report prepared by a person or firm qualified by training and experience to have expert knowledge of the subject.

If a proposed development is to occur in class land capability districts 1 and 2, a very detailed on-site investigation will be required because the natural hazards of erosion, sedimentation, geologic and others are so high that it represents a very high risk of damage. Land capability districts 3 and 4 would require a medium intensity of investigation since these lands are classified as a moderate hazard and thus a moderate risk. Land capability districts 5, 6, and 7 would require a minimum type report unless the project were extremely large or complex. In addition, requests for changes in land capability require intensive investigation similar to that required for land capability districts 1 and 2.

#### A. Geologic Investigations - General Information

1. Location and size of subject area, and its general setting with respect to major geographic and/or geologic features.
2. Who did the geologic mapping upon which the report is based, and when the mapping was done.
3. Topography and drainage in the subject area.
4. Abundance, distribution, and general nature of exposures of earth materials within the area.
5. Nature and source of available subsurface information - Capability 1 and 2.

#### B. Geologic Investigations - Mapping

1. Mapping should reflect careful attention to the lithology, structural elements, and three-dimensional distribution of the earth materials exposed or inferred within the area. In most hillside areas, these materials will include both bedrock and surficial deposits. A clear distinction should be made between observed and inferred features and/or relationships.
2. Since the nature and distribution of earth materials, faults, folds, slide masses, or other significant features cannot be described fully and effectively in words alone, a geologic map shall accompany the report.

By what  
AUTHORITY?

#### C. Geologic Investigations - Geologic Data Descriptions - Capability 1 or 2

1. Bedrock - igneous, sedimentary, metamorphic types.
2. Structural features - stratification, foliation, schistosity, folds, zones of contortion or crushing, joints, fractures, shear zones, faults, etc.

3. Surficial (unconsolidated) deposits - artificial (manmade) fill, topsoil, stream-laid alluvium, beach sands and gravels, residual debris, colluvium, lake and pond sediments, swamp accumulations, dune sands, marine and nonmarine terrace deposits, talus accumulations, creek and slope-wash materials, various kinds of slump and slide debris, etc.
4. Drainage - surface water and ground water. (Can be included in Storm Drainage and Hydrology Report.)
5. Features of *special significance* (if not already included in foregoing descriptions).

VEGETATION PRESERVATION AND PROTECTION REPORT

The applicant shall furnish a Supplemental Report prepared by a person or firm qualified by training and experience to have expert knowledge of the subject and shall include the following:

1. Survey of tree coverage (type weakness, maturity, potential hazard, infestation vigor, density and spacing).
2. Trees proposed to be removed, those to remain and the types and locations of trees and other vegetation that are to be planted including any tree improvement program.
3. Existing vegetation protection measures to be taken during construction and a construction schedule detailing when above measures are to be taken with reference to construction activities.
4. Vegetation maintenance program including vegetation care (watering, fertilization, open space management) with schedule and provisions for continual maintenance.
5. Bonding measures taken to assure proper open space management.
6. Provisions for vegetation protection in snow storage areas and the use of chemicals for snow control.

7  
0  
AUTHORITY

LAND CAPABILITY REPORT

The applicant shall furnish a Supplemental Report prepared by a person or firm qualified by training and experience to have expert knowledge of the subject. The Land Capability Report is required of any applicant applying for administrative permit for additional land alterations under Land Use Ordinance Section 8.25 (1) or 8.25 (2). If applying under Paragraph 1 the Land Capability Report shall purport to show that:

the land of the applicant seeking the permit exhibits the characteristics generally existent in a Land Capability District other than the one in which it has been located, that the limitations of such other District are therefore properly applicable to such land, and that the proposed excess land coverage will not cause substantial harmful environmental consequences on the land of the applicant or on other lands or waters;

If the applicant is requesting a permit under Paragraph 2 of Section 8.25 the report shall purport to show that:

the applicant's proposed development, as designed and located, will not cause the detrimental environmental consequences on the land of the applicant, or on other lands or waters, that were the basis of the classification of the applicant's land in the applicable Land Capability District in the first instance.

The Land Capability Report shall include but not necessarily be limited to maps and text containing detailed information relative to:

1. topography and slope
2. geologic conditions and hazards
3. soil properties, capabilities, and limitations
4. surface and ground water conditions
5. vegetation characteristics
6. proposed grading including stabilization of cut and fill slopes
7. landscaping and revegetation
8. storm water treatment and disposal
9. other means proposed to avoid environmental problems
10. a statement regarding the impact of the proposal on educational, fire, recreational and commercial services and facilities
11. availability of water, power and sewage treatment
12. other environmental factors

REPORTS & MAPS

APPLICATION TYPES	Subdivision	Comm. Dev. 3+ acres	Timber Harves	Motel & Apts. (5+ units)	Parking lot	Campground	Educational facility	Golf course	Marina	Pier, shore-line construct.	Mobile home park	Multi-person dwelling	Outdoor recreation & amusement facility	Highway, road structure	Quarry	Rec. vehicle park	Skiing facility	Stream crossin	Other admin. permits	Variances
Information Report	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Environmental Impact Statement	x	x	x	x		x	x	x	x		x			x	x	x	x			
Storm Drainage and Hydrology Report	x	x		x	x	x	x	x			x			x	x	x	x	x		
Fire Protection Report	x		x	x		x	x		x		x	x				x	x			
Shoreline Report	/	/		/	/	/	/	/	x	x	/	/	/	/		/			/	/
Grading and Slope Stabilization Report	x	x	x	x	x	x	x	x	/		x	x	/	x	x	x	x	x	/	/
Soil and Geological Report	x		/	x	x		/	x			x			x	x		x		/	/
Vegetation Preservation and Protection Report	x	x	x	x	x	x	x	x			x	x	x	x	x	x	x	x	/	/
Land Capability Report																			x	/
Tentative Map	x					x					x					x				
Plot Plan		x	x	x	x		x	x	x	x		x	x	x	x		x	x	x	x
Slope Analysis Map (slope breaks relative to soil types)	x		x	x	/	x	x	/			x	x	/	x	x	x	x		/	/

x = Supplemental Report required

/ = Supplemental Report possibly required



# Nevada Building Freeze at Tahoe Subject of Heated Controversy

Special to the Journal

SOUTH LAKE TAHOE—Hope for an end to the Lake Tahoe freeze on new development and the signal to proceed with building permits as of April 10 was revealed Wednesday at the regular meeting of the Tahoe Regional Planning Agency at the Ramada Sand Auditorium.

The plea for a change in the Tahoe Regional Master Plan, in its first critical test, was postponed for 60 days, until May 22. James Viso, developer of the Fleur du Lac property, who wants to build 60 condominium units on the 17-acre parcel now zoned for active recreation, readily consented to the postponement. The area, also known as the old Kaiser Estate, will be subject to a complete review by the TRPA staff and Advisory Planning Commission (APC). The APC voted 9-5 on March 8 to recommend approval of the Viso plea for low density residential zoning, allowing four dwelling units per acre.

### Meder Seated

The governing board seated John Meder of Carson City as new chairman, replacing J. Allen Bray of Berkeley, whose two-year term expired March 1. William Briner, Tahoe City,

was seated as vice chairman. The new chairman asked that all appointed offices of the agency be vacated, giving his administration the opportunity to make new appointments, or reappointments of the lay members on the APC. The lay positions are now filled by Mark Alling, Douglas County; Robert Daneri, Placer County; John Gianotti, Douglas County; Don Steinmeyer, Washoe County; and Steve Brandt, formerly of Tahoe City but now a Bay Area

shoreline, such as piers, docks, marinas and bouys, as well as any new subdivisions. In a complete departure from the existing county procedure of filing tentative subdivision maps on a sketchy basis, the new ordinance will require a complete informational report on any development pertaining to its environmental impact.

"It's going to take a lot more front end money to get a subdivision introduced," Richard

passed by the Nevada Tahoe Regional Planning Agency before it became bi-state, required all building permits to go before the TRPA. California did not do this, so though subdivision and condominium development has been subject to the freeze in both states, the building permit freeze has only hit Nevada.

### Motion Loses

A motion to kill the building freeze was shot down by the California members of the TRPA governing board.

"This is getting disgusting," Knisley raged. "We have people out of work in Nevada, while you Californians go merrily on with your construction."

Heikka settled the matter by pointing out that when the land use ordinance becomes effective April 10, he can proceed with the processing of building permits, ending that freeze.

The subdivision, condominium and shoreline freeze will continue until May 22, when the shoreline and subdivision ordinances go into effect. There is a possibility that one or both of these may be extended a month or so longer, but the governing board decided not to pass a resolution on this until its April 26 meeting.

## NEWS OF THE TAHOE BASIN

resident. Brandt represents the League to Save Lake Tahoe.

The governing board made a word-by-word second reading of the shoreline development, control and subdivision control ordinances and passed them. They become effective in 60 days, May 22.

### Control Work

The two ordinances sharply control any work along the

Heikka, TRPA executive officer, said.

There was a stormy debate on the building freeze as Nevada's Ray Knisley was disturbed over the fact that in California, building permits for apartments, multiple residences and commercial construction have not been subject to the freeze which has gripped Nevada. A Nevada ordinance,

Appointment of a Personnel Committee:

Mr. Meder appointed the following to the Personnel Committee of the Agency:

Mr. William S. Briner

Mr. Charles Meneley, Jr.

Mr. Meder stated the function of the Personnel Committee would be to work with the staff in establishing personnel policy standards with regard to the Agency's compliment of personnel.

Status of the Freeze:

There was considerable discussion held on the status of the freeze which was imposed by the Agency Governing Board in September 1971.

MOTION was made by Mr. Knisley that the freeze restrictions in Nevada be lifted on April 10, 1972 thereby bringing both states into conformity with regard to building construction. The motion failed on the following vote:

6 Ayes: Mr. Knisley, Mr. MacKenzie, Mr. Stewart, Mr. Bray, Mr. Hall, Mr. Meder

2 Nays: Mr. Briner, Mr. Hill

Abstain: None

Absent: Mr. Meneley, Mr. Nagy

Mr. Knisley stated that he felt the freeze order should be lifted with regard to construction in the State of Nevada, specifically indicating that some types of construction are now permitted in California but due to Nevada Ordinances which remain in effect, construction in the State of Nevada is completely prohibited. He emphasized that the State of Nevada has many people out of work who would otherwise be gainfully employed if the construction industry was permitted to begin operations, and he felt that the two states should be in conformity with regard to the freeze.

Mr. Hanna reported that upon the effective date of the Land Use Ordinance and the Grading Ordinance (April 10, 1972), the Nevada Ordinances would be superseded and no longer in effect, thereby making the two states equal.

At the conclusion of additional discussion on the freeze, the staff was instructed to prepare a status report for the next regular meeting of the Governing Board with regard to the freeze on pier construction in the Basin.

Mr. Briner said he believed the freeze should remain until such time as the Agency prepared and adopted a Lot Split Ordinance.

# Key Land Use Regulation Adopted by Tahoe Agency

By CHAPMAN WENTWORTH

Special to the Journal

CRYSTAL BAY — A land

use ordinance, drawn so as to

tie protective environmental

constraints into the general

land use plan for Lake Tahoe,

was adopted Thursday by the

Tahoe Regional Planning

Agency at the Cal-Neva Hotel.

Chairman Allen Bray, Cali-

ornia representative on the

agency, cast the sole vote

against the land use ordinance.

He expressed his concern that

the control on height limits was

not tough enough and that too

much development had been

"grandfathered-in." He said

this plan did not adequately  
carry out protection of the basin  
as mandated in the California  
and Nevada acts creating the  
TRPA.

**Absent Member**  
Agency governing board  
member Charles Meneley,  
Douglas County, was absent.  
All other members voted for  
adoption.

Richard Heikka, TRPA ex-  
ecutive officer, was pleased  
with the ordinance although he  
understood it did not please  
the "hard-line" conservation-  
ists.

"We have cut the population  
limit of the Tahoe Basin at  
least 100,000 people below what

would have been allowed under  
the TRPA staff plan so enthus-  
iastically greeted last May,"  
Heikka said. "We have drawn  
a limit around the urbaniza-  
tion there is going to be at  
Lake Tahoe."

"We have reached an histo-  
ric point in coming up with  
a working document that in-  
cludes all the environmental  
factors developed over the  
past 18 months. Lots of peo-  
ple have prejudged our plan,  
thinking we would throw out  
the environmental approach-  
es. We have married the en-  
vironmental constraint con-  
cept with our general land  
use plan. The Tahoe Regional  
Planning Agency is now in  
business as an agency set up  
to control overdevelopment at  
Lake Tahoe," Heikka said.

On the three controversial  
points hotly battled since the  
ordinance was first read last  
December, the conservationists  
won the most important  
struggle.

Almost everything that is to  
be built at Lake Tahoe in the  
future except for small com-  
mercial buildings, residential  
developments up to fourplexes  
and land development under  
three acres will be subject to  
mandatory agency review.

This means that TRPA not  
only sits over the local plan-  
ning commissions as provided  
by the compact but also rules  
the local agencies' building de-  
partments. No apartment  
houses, condominium projects,  
hotels or motels can be built  
without close agency scrutiny  
and approval.

**Extra Personnel**  
"This will double our admin-  
istrative load," Heikka said,  
admitting that at least two  
extra personnel would be re-  
quired to do the job.

The second controversial  
point was the proposed elimina-  
tion of any development pos-  
sibility in the 34,000 acre gen-  
eral forest zone. It was agreed  
before adoption of the plan that  
two years after it takes effect,  
property owners like the  
Ebrights, who own Cascade  
Lake near South Lake Tahoe,

could go before the agency and  
ask for reconsideration of their  
land use classification. This will  
give public agencies two years  
in which to acquire land conser-  
vationists want to take out of  
use without confiscating private  
property.

Finally, the conserva-  
tionists gave some ground on  
the "overrides" suggested by  
Heikka for the land con-  
straint map. It would allow  
motels of up to 40 bedroom  
units per acre, land coverage  
on tourist residential zoned  
properties up to 50 per cent  
and land coverage on com-  
mercially zoned properties up  
to 70 per cent. These "over-  
rides" exceed the maximum  
standard of 35 per cent under  
the adopted constraint map.

The building height limit set  
at 40 feet in the plan can be  
exceeded in certain sloped  
areas where the structure  
would lay against the hillside.

*Revised Feb. 11 - Tahoe Plan -*  
Nevada State Journal Friday, February 11, 1972

EXHIBIT "E18"

NORMAN B. LIVERMORE, JR.  
SECRETARY

RONALD REAGAN  
GOVERNOR OF  
CALIFORNIA

OFFICE OF THE SECRETARY  
RESOURCES BUILDING  
1416 NINTH STREET  
95814

JAN 31 1973



Department of Conservation  
Department of Fish and Game  
Department of Navigation and  
Ocean Development  
Department of Parks and Recreation  
Department of Water Resources

Air Resources Board  
Colorado River Board  
San Francisco Bay Conservation and  
Development Commission  
State Lands Commission  
State Reclamation Board  
State Water Resources Control Board  
Regional Water Quality Control Boards

## THE RESOURCES AGENCY OF CALIFORNIA

SACRAMENTO, CALIFORNIA

December 22, 1972

TO WHOM IT MAY CONCERN:

Subject: Guidelines for Environmental Impact Reports

Pursuant to authority granted in Public Resources Code Section 21083, the Secretary for Resources will adopt guidelines as regulations in Division 6 of Title 14 of the California Administrative Code, for the implementation of the California Environmental Quality Act, Public Resources Code Sections 21000 through 21174, dealing with environmental impact reports. Attached for your review is a preliminary draft which will be subject to modification before the guidelines are adopted.

This draft of the guidelines is being sent to all cities and counties, other public agencies which will be concerned with environmental reports, and private organizations and individuals who have expressed an interest in reviewing and commenting on the guidelines before they are adopted. The text will be revised before the guidelines are finally adopted. This draft is being sent to you at this time to show you the approaches that the Resources Agency is proposing to take with regard to environmental impact reports.

The Secretary for Resources will conduct two hearings on the guidelines. One hearing will be conducted on January 25, 1973, beginning at 9:00 a.m., in the auditorium of the Resources Building, 1416 Ninth Street, Sacramento, California, and a second hearing will be conducted on January 26, 1973, beginning at 10:00 a.m., in the auditorium of the Old State Office Building at 217 West First Street, Los Angeles, California. Comments should be in writing, if possible. Written comments from the public forwarded by mail or in person also will be received in the Office of the Secretary for Resources, Room 1311, 1416 Ninth Street, Sacramento, California 95814 until 5:00 p.m. on January 26, 1973. To be most helpful, comments should address themselves to specific points in the guidelines and offer specific language for changes in the text. Comments should identify the subject being discussed by subject, page, paragraph, and line number. Due to time limitations, comments should be submitted as soon as possible to insure detailed consideration.

Sincerely,

*N. B. Livermore Jr.*  
Secretary for Resources

Attachment

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EXHIBIT 11E1

## ERRATA

1. The following changes will be made on page 12:

a. After paragraph c.(4), insert:

(5) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

b. Change paragraph d. to read:

d. An EIR must also be prepared whenever a proposed activity will impact on resource of critical concern, as identified by the Office of Planning and Research, and specified in the Environmental Goals and Policies of the State adopted by the Governor, due to the extreme likelihood of significant impact. The EIR must specify how the critical resources of the area will be protected.

2. The Appendices are not included with this draft. Copies are available for examination at the following addresses:

Office of the Secretary for Resources, Room 1311, 1416 Ninth Street, Sacramento, California 95814

Office of Planning and Research, Room 222, 1400 Tenth Street, Sacramento, California 95814

Office of Information Services, 120 South Spring Street, Room 104, Los Angeles, California 90012

California State Library, Library and Courts Bldg., Sacramento 95809

Fresno County Free Library, 2420 Mariposa Street, Fresno 93721

Los Angeles Public Library, Serials Division, 630 West Fifth Street, Los Angeles 90017

Oakland Public Library, 125 Fourteenth Street, Oakland 94612

San Diego Public Library, 820 E Street, San Diego 92101

San Diego State College Library, 5402 College Avenue, San Diego 92115

San Francisco Public Library, Civic Center, San Francisco 94102

Stanford University Libraries, Government Document Department, Stanford 94305

University of California Library, Documents Department, Berkeley 94720

University of California Library, Documents Department, Davis 95616

University of California Library, Government Publications Services, 405 Hilgard Avenue, Los Angeles 90024

DRAFT  
12-19-72

GUIDELINES FOR THE  
PREPARATION AND EVALUATION OF ENVIRONMENTAL  
IMPACT REPORTS UNDER THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT OF 1970

STATE OF CALIFORNIA  
OFFICE OF THE SECRETARY FOR RESOURCES  
1416 NINTH STREET, SUITE 1311  
SACRAMENTO 95814

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## PART A - GENERAL

These Guidelines have been developed by the Office of Planning and Research for adoption by the Secretary for Resources in accordance with Section 21083 of the Public Resources Code as enacted by Chapter 1154 of the Statutes of 1972 (AB 889).

### SECTION 1 - PURPOSE

The purpose of these Guidelines is to provide public agencies with the necessary information to prepare and evaluate Environmental Impact Reports (EIR's) on projects which would have a significant effect on the environment--as specified by the California Environmental Quality Act of 1970 (CEQA), Chapter 1433, Statutes of 1970, Public Resources Code Sections 21000-21174, amended by Chapter 1154, Statutes of 1972 (AB 889). The Interim Guidelines are binding on all public agencies.

### SECTION 2 - POLICY

As outlined in Sections 21000 and 21001 of the CEQA, every public agency and every citizen has an obligation to take all action necessary to protect, rehabilitate and enhance the environment of the State. It should be recognized that State policy on the environment is woven not only through specific environmental protection laws (e.g., involving air and water quality), but has more recently been stated in the CEQA and the Governor's Environmental Goals and Policy Report. Other aids, including the California Ocean Area Plan and the Urban Geology Master Plan, are also available. It should also be recognized that CEQA states "the long-term preservation of the environment shall be the leading criterion in public decisions".

An Environmental Impact Report is an informational document which, when fully prepared in accordance with the CEQA and these Guidelines, will inform public decision-makers of the environmental effects of projects they propose to carry out or approve. The function of preparing EIR's requires that public agencies evaluate a project to determine whether it might have a significant effect on the environment, examine methods of reducing adverse impacts, and consider alternatives to the project as proposed. These things must be done prior to approval or disapproval of the project. An EIR may not be used as an instrument to rationalize approval of a project, nor do indications of adverse impact, as enunciated in an EIR, require that a project be disapproved--public agencies retain full authority to balance environmental objectives with economic and social objectives.

In the course of an EIR, the sponsor shall:

- a. Assess in detail the potential impact of the project on the environment, in consultation with other appropriate Federal, State and Local agencies, and with comment from the general public.

- b. Identify any adverse environmental effects which cannot be avoided if the proposal is implemented.
- c. Note all measures proposed which would minimize any adverse environmental impacts.
- d. Describe in detail any feasible alternatives to the proposed project.
- e. Evaluate the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.
- f. List any irreversible environmental changes which would result from the proposed project.
- g. Describe the growth-inducing impact of the proposed project.

Whether the public agency prepares the EIR itself, or contracts with private experts to do the preparation, and/or amends a draft EIR prepared by an applicant, it is responsible entirely for the adequacy and objectivity of the final EIR.

A sponsor which must prepare an EIR for a project, to comply with Federal requirements adopted under the National Environmental Protection Act by the Council on Environmental Quality, need not prepare an entirely different or separate EIR to comply with CEQA. If a sponsor proposes to use a federal EIS to meet the requirements of CEQA, it is necessary for the EIS to also include a description of the project, a description of the environment as it exists before the project commences, an examination of all project elements designed to mitigate against adverse environmental impacts, and a description of the growth-inducing impact of the project.

Each project which public agencies undertake or approve falls into one of three categories. It may qualify under a Categorical Exemption established in these Guidelines, meaning that it is part of a class of projects which will not have a significant impact on the environment. It may not be part of such an established class, but still will not have a significant impact on the environment, allowing it to qualify for a Negative Declaration. Or it may have a significant impact on the environment, and it will require an Environmental Impact Report. If it is a project as defined in these Guidelines, it must fit one of these specifications.

These Guidelines have only a general application to the diversity of projects undertaken or approved by public agencies. They provide basic principles, objectives and criteria which individual agencies must adapt for internal use, interpreting these Guidelines in terms of their specific projects. Such internal procedures must be consistent with these Guidelines, and must be adopted within sixty days after these Guidelines are adopted.

Individual agencies must also coordinate the procedures outlined in these Guidelines with procedures they have been using up to February 3, 1973, in undertaking or approving projects-- in doing so, however, agencies are not free to compromise the basic principles, objectives, and criteria included here.

### SECTION 3 - DEFINITIONS

- a. Approval: Approval of a project to be carried out by a public agency occurs on the date when public expenditures are authorized for acquisition of property. If no property acquisition is to be involved, approval occurs on the first date public funds for the project are authorized. If no public agency funds are involved in the project, then approval occurs on the date when the public agency authorizes the project to proceed.
- b. Categorical Exemption: An exemption which may be established for a type or class of project, where no significant environmental effects are anticipated. A project which qualifies under an existing Categorical Exemption does not require an EIR.
- c. Emergency Exemption: An exemption claimed by a sponsor for a project urgently needed due to an emergency. An emergency as used in these Guidelines is a sudden and catastrophic public calamity caused by an unforeseen occurrence or combination of occurrences of statewide or local impact, such as fire, flood, earthquake or other natural disaster, riot or war (other than an official state of emergency proclaimed by the Governor--see footnote under definition of project). The sponsor is exempt from having to file an EIR in this situation.
- d. Environment: The physical conditions of an area including land, air, water, minerals, flora, fauna, ambient noise, objects of historic or aesthetic value.
- e. Environmental Impact Report (EIR): A written statement which identifies and analyzes in detail the possible environmental effects of a proposed project, as specified in Section 21100 of the CEQA. It must include a description of the project, and a description of the environment existing before commencement of the project. The term environmental impact report is interchangeable with the term environmental impact statement (EIS).
- f. Lead Agency: The public agency having principal responsibility for undertaking or approving a project that is governed by the CEQA and these Guidelines.
- g. Local Agency: Any public agency other than a state agency, board or commission. Includes cities, counties, charter cities and counties, special districts, and their political subdivisions. Also includes a redevelopment agency.

- h. Negative Declaration: An exemption which may be claimed by a sponsor for a project that is not categorically exempt, when no significant effect on the environment is anticipated.
1. Project: The whole of an action, resulting in physical impact on the environment, directly or ultimately, that is any of the following:
- (1) an activity directly undertaken by any public agency: for example, public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances.
  - (2) an activity undertaken by a (non-governmental entity or) person, supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of financial assistance.
  - (3) an activity undertaken by a non-governmental entity or person, involving a public agency lease, permit, license, certificate, or other entitlement for use, enactment and amendment of zoning ordinances.

All public and private activities pursuant to or to further a redevelopment plan constitute a single project.

Project does not include:

- (1) anything specifically exempted by State law;
- (2) action relating to proposals for State legislation or legislating;
- (3) continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, emergency repairs to public service facilities, general policy and procedure making (except as they are applied to specific instances covered above), feasibility or planning studies; and
- (4) activities over which the public agency exercises only ministerial authority.

A project is ministerial where the law prescribes and defines the duties to be performed with such precision and certainty as to leave nothing to the exercise of discretion or independent judgment by the public agency or official, but where the project to be performed involves the exercise of discretion or judgment it is not to be deemed merely ministerial.

- j. Public Agency: Includes any State agency, board or commission and any local agency, as defined in these Guidelines.
- k. Significant effect: A degree of impact upon the environment by a proposed project, as stipulated in Part B, Section 1 of these Guidelines, where a proposed project may degrade the quality of the environment, curtail the range of uses of the environment, reduce the diversity in the environment, achieve short-term to the detriment of long-term environmental goals, or have substantially adverse effects on human beings, either directly or indirectly. Consideration must be given to impacts of a project which are individually limited but cumulatively significant.
- . Sponsor: The State or Local governmental agency which proposes to undertake or approve a project, and is responsible for the preparation of an EIR or other environmental documents. See discussion of lead agency, Part A, Section 4 E.

#### SECTION 4 - HOW THE CEQA APPLIES TO A PROJECT

##### a. ONGOING PROJECT:

- (1) A project covered by paragraph A under the definition of project specified by these Guidelines, approved prior to the effective date of the CEQA (November 23, 1970) shall not require an Environmental Impact Report or a Negative Declaration--unless it is a project which will have a significant effect on the environment, and
  - (a) A substantial portion of public funds allocated for the project have not been spent; or
  - (b) It is still feasible to modify the project in such a way as to mitigate against potentially adverse environmental effects, or to choose feasible alternatives to the project (including the alternative of "no project" or halting the project); or
  - (c) The sponsor proposes a modification to the project plan, such that the project would have a significant effect on the environment.
- (2) Notwithstanding the above, projects which come under the jurisdiction of the National Environmental Policy Act (NEPA) and which, through regulations promulgated under NEPA, were held to be too far advanced at the time of NEPA's effective date to require an EIS in compliance with those guidelines, do not require an EIR under CEQA--unless they fall under (c) above.

- (3) A project covered by paragraph C and contracts in paragraph B under the definition of project specified by these Guidelines, approved prior to the effective date of Chapter 1154, Statutes of 1972 (December 5, 1972) does not require an EIR. However, any project legally challenged prior to this date for noncompliance with the CEQA shall be considered bound by paragraph 1 above (see Section 21170 of the CEQA).
  - (4) A project covered by paragraphs B and C under the definition of project specified by these Guidelines, approved prior to April 5, 1973 shall not necessarily require an EIR; the CEQA, however, permits a public agency, after December 5, 1972, to consider environmental factors in connection with the approval or disapproval of a project and to impose reasonable fees on the appropriate private person or entity for doing so.
- b. PROJECT PROPOSED BY FEDERAL AGENCIES: This applies only when the State officially comments on a proposed Federal project which will have a significant effect on the environment. The EIR submitted by the sponsor may or may not contain detailed information on all of the seven elements required by the CEQA: impact, unavoidable effects, mitigation measures, alternatives, short vs. long-term effects, irreversible changes, and growth inducing impact. The State official(s) responsible for reporting the State's comments on the EIR to the Federal Government shall include a detailed statement on any of these elements which the EIR fails to cover. Further, where the EIR is inadequate in its coverage of any of these points, the official comments of the State shall describe these inadequacies in detail. Included under this section are only strictly Federal projects funded and carried out by Federal agencies.
- c. STATE AND LOCAL AGENCY PROJECTS:
- (1) When a public agency plans to carry out a project which may have a significant effect on the environment, state agency shall prepare an EIR through its own efforts or through contract.
  - (2) Where a project which may have a significant effect on the environment is to be carried out by a non-governmental entity subject to approval, financial support, or some other involvement by a public agency, the public agency will prepare an EIR by its own efforts or by contract. However, the agency may require the non-governmental entity to supply data and information, both to determine whether the project will have a significant impact on the environment, and to assist in the preparation of an EIR by the agency. This information may take the form of a draft EIR, if the agency desires.

- (3) Where the project is to be undertaken by a local agency, as defined in these Guidelines, but requires State approval or financial assistance, the State agency shall require the local agency to prepare the EIR or Negative Declaration, to be submitted with the request for approval of the proposed project. This must also be done where Federal funds are involved, but only if a State agency has discretionary authority over the use of those funds. If the local project has been mandated on the local agency by a State agency, the EIS prepared by the local agency may be limited to consideration of those factors which do not conflict with the order.
- (4) The EIR may be prepared as a separate document, or as part of a project report. If prepared as a part of the project report, it must still contain the elements required of an EIR, including the seven elements specified in the CEQA: impact, unavoidable effects, mitigation measures, alternatives, short vs. long-term effects, irreversible changes, and growth-inducing impact.
- (5) All of the above is subject to modification according to the regulations governing the lead agency principle, as elaborated under E of this Section when more than one EIR might otherwise be required to be prepared in connection with the same underlying activity.

d. Lead Agency

(1) Designation of lead agency

Section 21065 of the CEQA and Part A, Section 3, i of these guidelines define a project as an activity (1) either undertaken by a public agency, or (2) supported by some form of public assistance, or (3) conducted pursuant to a permit or license issued by a public agency. At times, however, more than one public agency may be involved in one on-going activity, and that activity itself may, at different stages of its development, come within two or more of the above definitions of a project. For example, a project which is constructed by one public agency may be financed by public grants or loans, and permits from other public agencies may be necessary before the project may be put into operation.

Section 21165 of the CEQA provides that where a project is to be carried out or approved by more than one public agency, only one EIR or negative declaration shall be made, and it will be prepared by the Lead

Agency. For the purposes of these guidelines, one EIR or negative declaration shall be made by the Lead Agency for an ongoing activity even where the activity involves, at different stages, more than one definition of a project. The Lead Agency shall be determined by the following:

- (a) The Lead Agency shall be the public agency which proposes to carry out the project.
- (b) If the project is to be carried out by a non-governmental agency, the Lead Agency shall be the public agency most directly involved with the on-going activity.
- (c) Where more than one public agency is so involved, the agency which is to act first on the project in question shall be the Lead Agency (following the principle that the environmental impact should be assessed as early as possible in governmental planning).
- (d) In the event that the designation of a Lead Agency is in dispute, any public agency may submit the question to the Office of Planning and Research which shall designate the Lead Agency based on consideration of the above priorities, along with consideration of the capacity of such agency to adequately fulfill the requirements of the CEQA.

(2) Obligations of a Lead Agency

- (a) In these Guidelines, wherever reference is made to the "sponsor" of a project, this shall be the Lead Agency. The Lead Agency shall meet all obligations which the project sponsor is responsible for meeting, including the determination of whether the project will or will not have a significant effect on the environment.
- (b) The Lead Agency shall prepare the EIR or Negative Declaration after consultation with all other public agencies which have some authority over the project in question. The EIR or Negative Declaration shall reflect the comments of all public agencies involved. No further EIR need be prepared, unless:
  - 1. Substantial changes are proposed in the project which will require major revisions of the EIR, due to the involvement of environmental impacts not adequately considered in the original EIR;



2. There are substantial changes with respect to the circumstances under which the project is to be undertaken, particularly a change in the proposed location of the project, which will require major revisions in the EIR due to the involvement of environmental impacts not adequately covered in the original EIR.

(c) A Lead Agency shall include in its notice of intent a statement to the effect that it is a Lead Agency.

e. MULTIPLE PROJECTS: In determining significant effect, a project which may or may not be of environmental significance could be a component or a forerunner of a much larger project. Where individual projects sponsored by one or more agencies are to be undertaken at approximately the same time, and where the total effort comprises a single large project with significant environmental impact, the lead agency must prepare a single EIR for the larger project. Where an individual project is a precedent for action on a larger project, or represents a decision that commits the agency to a larger project, with significant environmental impact, an EIR must be done based on the expected scope of the larger project.

#### SECTION 5 - GENERAL RESPONSIBILITIES

- a. Office of Planning and Research (OPR): OPR is responsible for the preparation and development of objectives, criteria and procedures to implement the CEQA, prior to adoption by the Secretary for the Resources Agency. OPR also, as part of guideline development, considers proposals for Categorical Exemption and makes appropriate recommendations to the Secretary for the Resources Agency. OPR also assists in resolving disputes over Lead Agency designation.
- b. The Secretary of the Resources Agency: The guidelines shall be officially adopted by the Secretary of the Resources Agency, including a finding that each Categorical Exemption will not have a significant effect on the environment. Once adopted in this manner, these Guidelines will be binding on all public agencies. He also has the responsibility for consolidating all state comments on federally sponsored projects. When appropriate, the Secretary of the Resources Agency will issue supplements to these Guidelines, containing amendments and/or additions.
- c. Public Agencies: All public agencies have responsibility for administering the CEQA, according to these Guidelines. They must develop their own procedures consistent with these.

## SECTION 6 - BUDGET REQUESTS

The CEQA requires all state agencies to request in their budgets the funds necessary to protect the environment in relation to problems caused by their activities. The use of the term activities here includes, but is not limited to, all projects as defined in these Guidelines. These budget requests, taken in conjunction with requests based on other compelling state needs, will give the Governor and the Legislature an opportunity to measure the environmental costs and benefits, as well as the other costs and benefits of state activities. Requests should consider, among other elements:

- a. The expense, including necessary manpower positions, of preparing EIRs and other environmental documents. This shall include the cost of obtaining consulting services from other state agencies as required by Section 21104 of the CEQA--EXCEPT that the agency being consulted with must provide without charge any services which it normally supplies for free. The intent is to ensure that the cost of protecting the environment, beyond what is normally provided as a matter of course by State agencies, is paid by the project in question. Local agencies applying for funding from State agencies must include the expense of preparing an EIR in their requests, if an EIR will be required.
- b. The expense of providing information to sponsors as specified in the exception clause in (a).

All public agencies preparing EIRs for projects to be carried out by some entity other than the public agency itself may charge and collect a reasonable fee from such person or entity, in order to recover the estimated costs incurred in preparing the EIR.

PART B - GUIDELINES FOR ENVIRONMENTAL IMPACT REPORT PROCEDURES

SECTION 1 - EVALUATING ENVIRONMENTAL SIGNIFICANCE

- a. It is necessary for the sponsor of a project to determine if the project will have a significant effect upon the environment. Only those projects which may have a significant effect on the environment require the preparation of an EIR.
- b. The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved. An iron-clad definition of significant effect is not possible because the significance of an activity may vary with the setting. An activity which may not be significant in an urban area may be significant in a rural area. Examples of significant impact include the following consequences and potential consequences:
  - (1) Disrupts, alters or destroys an historic or archaeological site, or its immediate surroundings;
  - (2) Has a substantial impact on natural, ecological, recreational or scenic resources;
  - (3) Displaces substantial numbers of people;
  - (4) Is inconsistent with environmental plans and goals that have been adopted by the community where the project is to be located;
  - (5) Causes increased congestion (traffic, recreational, other);
  - (6) Has a substantial aesthetic or visual effect;
  - (7) Breaches any national, state or local standards relating to the environment; has a detrimental impact on air and water quality or on ambient noise levels for adjoining areas; involves the possibility of contaminating a public water supply system or affecting ground water, flooding, erosion or sedimentation; is subject to major geologic hazards;
  - (8) Involves extensive use of pesticides or rodenticides;
  - (9) Affects a rare or endangered species of animal or plant, or habitat of such a species;
  - (10) Causes substantial interference with the movement of any resident or migratory fish or wildlife species;

- 11 Induces substantial growth or concentration of population; and
  - 12 Causes a seriously adverse public reaction based on environmental issues.
- c. If any of the following conditions are found to exist as a result of a project, the project will be found to have a significant effect on the environment:
- (1) Impacts which have the potential to degrade the quality of the environment, curtail the range of uses of the environment, or reduce the diversity in the environment.
  - (2) Impacts which 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 (construction of a new waste water treatment plant may cause temporary siltation in a stream) while long-term impacts are effects which will endure well into the future (the new treatment plant may facilitate population growth in that area); and
  - (3) Impacts with substantial primary or secondary consequences. Primary consequences are immediately related to the project (the construction of a new treatment plant may facilitate population growth in a particular area), while secondary consequences are related more to primary consequences than to the project itself (an impact upon the resource base, including land use, water and energy use of the area in question may result from the population growth).
  - (4) Impacts for a project 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. If the effect of the total of those impacts on the environment is significant, an EIR must be prepared. This provision does not apply to two or more separate projects where the impact of each is insignificant.
- d. An EIR must also be prepared whenever a proposed activity is to be located in an area of critical concern, as identified by the Office of Planning and Research, and specified in the Environmental Goals and Policies of the State adopted by the Governor, due to the extreme likelihood of significant impact. The EIR must specify how the critical resources of the area will be protected.

- e. The following have been found not to have a significant impact upon the environment, and are declared to be Categorical Exemptions:

Class 1. Repair, maintenance or minor alteration of existing structures, facilities or machinery, such as:

- (a) Interior alterations, involving, for example plumbing and electrical conveyances that do not lead to increased use or capacity;
- (b) to public utility construction and facilities;
- (c) to existing private and public streets, sidewalks, gutters, and similar public service facilities;
- (d) reconstruction or restoration of a damaged structure, unless it is determined that the damage resulted from an environmental (particularly geologic) hazard, such as an earthquake or landslide;
- (e) additions to existing buildings provided there is no requirement for a zoning amendment or variance, or it will not result in an increase of more than 25 percent of the building size;
- (f) addition of safety or health protection devices for use during construction or in conjunction with existing structures;

which will not alter the physical character of the area, or involve fresh impacts on the environment.

Class 2. Construction of individual (where not in conjunction with a residential development of two or more such structures) detached, single and double family residential structures and attendant facilities, such as:

- (a) involving building permits for single-family and duplex structures by individual builders;
- (b) water main, sewage, electrical, gas and other utility extensions to serve such construction, as long as the extension is of no greater length than the dimension of the property itself;
- (c) construction of reasonable accessories attached to such structures including garages, carports, patios, swimming pools, fences;

in already urbanized areas, where there is existing zoning for such uses, and where there would be no impact on resources of critical environmental concern.

Class 3. Certain alterations in the condition of land, such as:

- (a) involving grading permits for less than 300 cubic yards of earthwork, unless the grading is located in a scenic area, a drainage channel, a streambed, or a geologically hazardous area;
- (b) involving permits for gardening and landscaping on small tracts of land (e.g., right-of-way strips);
- (c) filling of earth into previously excavated land;
- (d) clearance of land by demolition and removal of buildings and related structures, except where they are of historical or archaeological significance;

in already urbanized areas, where there would be no impact on resources of critical environmental concern.

Class 4. Certain alterations in land use regulation or limitations, such as:

- (a) lot line adjustments;
- (b) zoning reclassifications from existing residential, commercial or industrial zones to new zones to provide more beneficial environmental impact from the land use;
- (c) issuance of encroachment permits;

in already urbanized areas, where there is no impact on a resource of critical environmental concern.

## SECTION 2 - PREPARING ENVIRONMENTAL IMPACT REPORTS AND EXEMPTIONS

- a. If a sponsor is proposing to undertake or approve an activity which is a project as defined by these Guidelines, then he must first determine whether it qualifies or not under an existing Categorical Exemption (see above). As some of these exemptions are expressed in relatively general terms, this determination may involve some interpretation. Procedures developed by public agencies consistent with these Guidelines must interpret these exemptions in light of their own specific activities. If the project does qualify, no further action need be taken.

- b. If the project does not qualify under an existing Categorical Exemption, it may still be part of a class of projects which will not significantly affect the environment.
- (1) Any public agency may, at any time, request that a new Categorical Exemption be added, or an existing one deleted. This request must be made in writing to the Office of Planning and Research. If a new one is to be added, it will be referred to, pending adoption, as a Proposed Categorical Exemption, and shall include detailed information about the type of project involved. The Proposed Categorical Exemption must also give detailed information supporting the contention that the type of project in question does not significantly affect the environment. Where the projects may potentially be carried out in substantially differing environments, specific mention should be made as to the type of environment in which the exemption may be applied, or not applied (for example, an exemption could not be applicable in an area of critical environmental concern).
  - (2) If the request is for deletion of an existing Categorical Exemption, detailed information must be included to support the contention that the type of project does significantly affect the environment. (The request may, instead of proposing full deletion, only propose limitation on the applicability of the Categorical Exemption to certain environments, or out of certain environments).
  - (3) The Office of Planning and Research will consider the request, and deliver the request as soon as possible, with a recommendation supporting or opposing the request, to the Secretary for Resources, who shall make the final determination on accepting or rejecting the proposal. To formally adopt the request will require an amendment to these Guidelines--amendments must be made in accord with the Administrative Procedure Act, including provision for notice and public comment.
- c. If the project is not part of a class of projects that qualify for a Categorical Exemption, the sponsor should conduct an initial study to determine if the project would have a significant impact on the environment. If the project is to be carried out by a nongovernmental person or entity, the sponsor may require such person or entity to submit such data and information as will enable the sponsor to make this determination. If it is determined that the project would not have a significant impact, the sponsor shall prepare a negative declaration instead of an environmental impact report.

- (1) A Negative Declaration is a statement by the sponsor that the project in question will not have a significant effect on the environment. A Negative Declaration must include a description of the project as proposed, a description of the environment existing before commencement of the project, and detailed information supporting the contention that the project will not have a significant effect on the environment.
  - (2) The Negative Declaration followed by notice of the action taken regarding the project (approval or disapproval) must be filed with the Secretary for Resources, if the sponsor is a State agency, board or commission. A State agency board or commission must also file these documents with the local planning agency of any city, county or city and county which will be affected significantly by the project. If the sponsor is a local agency, as defined in these Guidelines, these documents shall be filed with the county clerk of the county, or counties, in which the project will be located. The Negative Declaration should be so filed at least 30 days before the project is approved.
- d. If the sponsor finds, after an initial study, that the project will have a significant effect on the environment, the sponsor must prepare or cause to be prepared by contract, an Environmental Impact Report.
- (1) If the project is to be carried out by a nongovernmental person or entity, the sponsor may require such person or entity to submit to it data and information necessary to enable the public agency to prepare the EIR. This information may be transmitted in the form of a draft EIR, but the sponsor must examine this draft and the information contained within it to assure itself of its accuracy and objectivity--or amend the draft accordingly.
  - (2) The content of an EIR is described in Part C of these Guidelines. Each element of an EIR required by these Guidelines must be covered, but these elements do not have to be separated into distinct sections. Prior to completing the EIR, the sponsor must consult with, and obtain the comments of, any public agency which has jurisdiction by law with respect to the project. Comments received must be reflected in the Final EIR. The sponsor may consult with any person who has special expertise with respect to any environmental impact involved.



- (3) As soon as the EIR is completed, but at least 30 days before the project is approved, an official notice stating that the EIR has been completed must be filed with the Secretary of the Resources Agency. The notice is a special form that includes a brief description of the project, its proposed location, and an address where EIRs are available. This notice shall be referred to as a Notice of Intent. A copy of this form is included in the Appendix.
  - (4) Following approval or disapproval of the project, the sponsor must file a notice indicating what action was taken on the project. If the sponsor is a State agency, board or commission, the notice must be filed with the Secretary of the Resources Agency, and with the planning agencies of any city, county, or city and county which will be significantly affected by the project, as soon as possible. If the sponsor is a local agency, notice must be filed with the county clerk of the county or counties in which the project is to be located. Further, all EIRs must be filed with the regional clearinghouse for the region or regions in which the project is to be located. A list of these is included in the Appendix.
  - (5) The responsible State agency shall include the EIR as a part of the regular project report used in the existing review and budgetary process.
- e. If the project is being proposed to meet an emergency as defined in these Guidelines, the sponsor is not required to prepare an EIR.

## PART C - CONTENT OF ENVIRONMENTAL IMPACT REPORT

### SECTION 1 - DESCRIPTION OF PROJECT

- a. The precise location and boundaries of the proposed project must be shown on a detailed map included in the EIR. Reference must be made by name to which USGS Topographical Map would cover the same location if a USGS map is not used. The location of the project must also appear on a regional map, with significant environmental areas and landmarks indicated in relation to the project area(s).
- b. A statement of the objectives sought by the proposed project must be included. This can be as detailed as desired by the sponsor.
- c. A general description of the project's physical (technical and environmental) characteristics, considering the principal engineering proposals, must be included. The description should not supply extensive detail beyond that needed for evaluation and review of environmental impact.
- d. Any applicable Army Corps of Engineer or other governmental agency public notice or permit number should be referenced with dates.

### SECTION 2 - ENVIRONMENTAL DESCRIPTION

An EIR must include a description of the environment as it exists before commencement of the project, from both a local and a regional perspective. Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region. Specific reference to related projects, both public and private, in the region should also be included, for purposes of examining the possible cumulative impact of such projects.

### SECTION 3 - ENVIRONMENTAL IMPACT

All phases of a project must be considered when evaluating its impact on the environment: acquisition, development and operation. The matrix included and described in the Appendix may assist in formulating this section.

- a. THE ENVIRONMENTAL IMPACT OF THE PROPOSED ACTION:  
Describe the direct and indirect impacts of the project on the environment, giving due consideration to both the short-term and long-term effects.

It shall include specifics of the area, the resources involved, physical changes, alterations to ecological

systems and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development) and other aspects of the resource base such as water, scenic quality and public services.

Both quantitative and qualitative information should be included (e.g., acres of habitat, numbers of ducks resting and the scenic value of a waterfowl habitat), but quantitative data should not be overemphasized at the expense of qualitative judgments. Qualitative judgments should be based on factual information.

- b. ANY ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSAL IS IMPLEMENTED: Describe any adverse impacts, including those which can be reduced to an "acceptable" level but not eliminated. Where there are impacts that cannot be alleviated without imposing an alternative design (paragraph d below), their implications and the reasons why the project is being proposed, notwithstanding their effect, shall be described in detail. Do not neglect impacts on any aesthetically valuable surroundings, or on human health.
- c. MITIGATION MEASURES PROPOSED TO MINIMIZE THE IMPACT: Describe any mitigation measures written into the project plan to reduce significant environmentally adverse impacts to "acceptable" levels, and the basis for considering these levels acceptable. Where a particular mitigation measure has been chosen from among several alternatives, the other alternatives must be discussed and reasons should be given for the choice made.
- d. ALTERNATIVES TO THE PROPOSED ACTION: Describe any known alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project, and why they were rejected in favor of the ultimate choice. The specific alternative of "no project" must also always be evaluated, along with the impact. Second, describe any mitigation measures which could be feasibly incorporated into the project plans to alleviate any significant environmentally adverse impact (and which were not discussed under paragraph c above) and the reason these have not been included. Attention should be paid to alternatives capable of substantially reducing or eliminating any environmentally adverse impacts, even if these alternatives substantially impede the attainment of the project objectives.
- e. THE RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF MAN'S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY: Describe the cumulative and long-term effects of the proposed project which adversely affect the state of the environment, from the perspective that

each generation is trustee of the environment for future generations. Special attention shall be given to impacts which narrow the range of beneficial uses of the environment or pose long-term risks to health or safety. In addition, the reasons why the proposed project is believed by the sponsor to be justified now, rather than reserving an option for further alternatives, shall be explained.

- f. ANY IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE INVOLVED IN THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED: Uses of renewable and nonrenewable resources during the initial and continued phases of the project are basically irreversible since a large commitment of resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as a highway improvement which provides access to a nonaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Any irretrievable commitments of resources shall be evaluated to assure that such current consumption is justified.
- g. THE GROWTH-INDUCING IMPACT OF THE PROPOSED ACTION: Discuss the ways in which the proposed project could foster population growth, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in residential areas). Increases in the population may further tax existing resources, so consideration must be given to this impact. With or without anticipated population growth as a result of the project, it should be recognized that some projects may encourage and facilitate other projects that could significantly affect the environment, either individually or cumulatively. This aspect must be discussed as well. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.
- h. The identity of all federal, state or local agencies, other organizations and private individuals consulted in preparing the EIR, and the identity of the persons, firm or agency preparing the EIR, by contract or other authorization must be given.

With respect to water quality aspects of the proposed project which have been previously certified by the appropriate state or interstate organization as being in substantial compliance with applicable water quality standards, reference to the certification should be made.

#### SECTION 4 - FINAL ENVIRONMENTAL IMPACT STATEMENT

Along with the above elements, the Final EIR must summarize the comments and suggestions made by those who reviewed a draft of the EIR, and must describe the disposition of issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular the major issues raised when the sponsor's position is at variance with recommendations and objections must be addressed in detail (e.g., reasons why specific comments and suggestions could not be accepted, and factors of overriding importance prohibiting the incorporation of suggestions).

## PART D - PARTICIPATION

### SECTION 1 - PUBLIC HEARINGS

- a. A public hearing on the environmental impact of a proposed project shall be held when the sponsor determines it would facilitate the resolution of controversy over environmental issues or when the sponsor needs information about public opinion on a proposed project. This hearing may be held in conjunction with hearings on other aspects of the project, especially as part of normal planning activities. Issues raised in a hearing should be addressed in the Final EIR.
- b. A draft EIR may be used as the outline for discussion at a public hearing, if it is available. The hearing should be held at a location where the greatest public response is expected; e.g., close to the project site, or where the majority of the affected population lives.
- c. Public notice for a hearing should be published at least once, in a local newspaper, or newspapers, or other appropriate media, no later than 15 days before the hearing. The notice should briefly describe the project, highlight the major environmental impacts expected, and indicate where the EIR can be obtained if it is available.

### SECTION 2 - REQUESTS FOR ENVIRONMENTAL DOCUMENTS

The sponsor of a project, after preparing an EIR or other environmental document described in these Guidelines, is responsible for making such documents available to the public for inspection. Members of the general public requesting copies of the EIR may be charged for the actual cost of that copy.

### SECTION 3 - REVIEW OF ENVIRONMENTAL IMPACT REPORTS

Public agencies must develop procedures to ensure that project sponsors obtain and receive adequate comments on their EIRs from public agencies which have jurisdiction by law with respect to the project. Such procedures should include provisions for consultation with persons who have special expertise in environmental matters. It is suggested that public agencies utilize existing State, and regional or local clear-inghouses to distribute reports and other environmental documents to appropriate agencies.

Cities and counties must compile listings of other agencies, particularly local agencies, which have legal jurisdiction with respect to various projects and project locations. A matrix included with these Guidelines (Appendix B) identifies State agencies which have legal jurisdiction over, or special expertise in, various impacts. This could be the basis for a part of such listings.

Reviewers should focus on the sufficiency of the EIR in discussing possible impacts of the project upon the environment, in light of the intent of the act to provide decision-makers, with useful information about such impacts. Upon completing a review of an EIR, it is suggested that reviewing agencies supply the project sponsor with the name of a contact person who is available for later consultation, should this prove necessary.

TAHOE REGIONAL PLANNING AGENCY  
 ADVISORY PLANNING COMMISSION  
 TECHNICAL ADVISORY COMMITTEE

Vagabond Motor Hotel, formerly Tahoe Sands  
 Convention Center, South Lake Tahoe

February 7, 1973  
 10:00 a.m.

REGULAR MEETING MINUTES

I CALL TO ORDER AND DETERMINATION OF QUORUM

Mr. Heikka called the meeting to order.

ROLL CALL: APC Members present: Mr. McMahan, Mr. Robinson, Mr. Nies  
 Mr. Rankin, Mr. Evans, Mr. Anker, Mr. Siebert, Mr. Williams for  
 Mr. Gregory, Mr. Dubois, Mr. Hooper, Mr. Wynn, Mr. Koch  
 APC Members absent: Mr. Allen, Mr. Linder, Mr. Clock, and  
 Mr. Kuckhoff

TAC Members present: Mr. Imsdahl (arrived at 10:30), Mr. Cort,  
 Mr. Karoly for Mr. Browning  
 TAC Members absent: Mr. Warnken, Mr. Hendrickson

II APPROVAL OF AGENDA

Mr. Adams stated under Public Works Projects, the two items from the City of South Lake Tahoe have been removed from the agenda.

III DISPOSITION OF MINUTES - January 3, 1973

MOTION made by Mr. McMahan to approve APC minutes of January 3, 1973. Motion carried on unanimous vote.

IV PUBLIC HEARING

A. ROLAND J. MATHEWSON, Waleswood Lodge  
 Amendment of General Plan Map from Low  
 Density Residential to Tourist Commercial  
 Placer County

Mr. Hanna stated, for the record, that there has been publication on this and it is a public hearing.

Mr. Adams: "The property is located just south of Tahoe City. The subject property is currently identified on the General Plan as Low Density Residential. The request is that it be placed in a Commercial use in conformance with his current business.

"The staff recommendation is for denial based on the following: 1. A Commercial zone in this area would not be compatible with the surrounding area which is predominantly Residential. 2. The applicant has the right of use for commercial purposes in a non-conforming status on the improved portions of the subject property and has a right to develop the unimproved portions of the property consistent with the adopted ordinances under Low Density Residential privileges."

Mr. Barnett - Attorney for the Applicant: Mr. Barnett stated his reasons why this application deserves favorable action.

EXHIBIT 2A 6



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It was asked what Placer County's contention was on this request for rezoning.

Mr. McMahan stated he didn't believe Placer County has provided any comment. He said that this would be an isolated piece if the plan were amended.

Mr. Robinette urged that no amendments to the General Plan be considered until after the proposed Open Space, Recreation & Conservation Plan has been adopted.

Mr. Smith stated that the General Plan is a guideline document and requires constant adjustment. He urged not to close the door on such considerations.

Mr. Heikka then closed the public hearing.

Mr. Adams stated there was a petition from Mr. Mathewson submitted with a letter. This petition had about 25 signatures.

MOTION Made by Mr. Nies to deny Roland Mathewson request for amendment to the General Plan. Motion carried on the following vote:

Ayes: Mr. McMahan, Mr. Robinson, Mr. Nies, Mr. Rankin, Mr. Evans, Mr. Anker, Mr. Siebert, Mr. Williams, Mr. Dubois, Mr. Hooper, Mr. Wynn, Mr. Koch, Mr. Cort, Mr. Karoly

Nays: None

Abstain: None

Absent: Mr. Allen, Mr. Linder, Mr. Clock, Mr. Kuckhoff, Mr. Warnken, Mr. Hendrickson, Mr. Imsdahl (until 10:30 a.m.)

B. PROPOSED OPEN SPACE, RECREATION & CONSERVATION ELEMENTS OF THE REGIONAL PLAN

Mr. Heikka: "This is a continued item from your last meeting. We have again placed all of the map documentation that accompanied the report dealing with the Open Space, Recreation, Conservation Elements that was developed by the staff and the consultant team. In reviewing the letters and testimony, it is staffs' belief, in the final analysis, that it is going to be necessary to break these elements out, in order to be able to speak specifically to some of the questions that have been raised on the testimony to date regarding the question of how we would interpret or adopt a plan that would group these areas. Therefore, the staff has done some work since the last meeting, merely to build off the excellent documentation that has been put together to date. It would be our proposal today to review, for your benefit, some of the thinking. I would like to ask the APC members, your comments as to this direction and its adequacy of meeting the intent of the Compact. Staff will not request today that you take final action on any particular aspect of this, because with the newness of the information, we believe this matter is going to have to come under additional public review. We will be developing a series of reports dealing with the specific elements of open space, recreation and conservation separately. We don't have these prepared now for transmittal, but will very shortly have this information put out in report form dealing with some specific proposals."

Mr. Heikka then outlined briefly some of the directions and concepts that have been developed by staff. He showed three maps. These maps included land suitability, a map having to do with watersheds and showing the critical watershed management areas. This also shows the wetland wildlife habitat. He also showed a map that begins to depict the opportunities for good conservation practices regarding use of the Basin's land holdings. Identified in the gray color are all of the shrub and brush and broadleaf vegetation types as to their criticalness as to wildlife habitat. With this map - in the pinkish color is identified lands that have a high capability for recreation use and timber management.

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Mr. Heikka's presentation is taped and on file in the Agency office for anyone who may be interested.

Mr. Heikka asked for comments from the audience on the Proposed Open Space, Recreation and Conservation Elements of the Regional Plan.

Mr. Robinette then read a letter from the Sierra Club. The letter is addressed to Mr. John Meder, Chairman of the Tahoe Regional Planning Agency. The letter reads as follows:

"We are pleased to learn from the staff presentation at the Governing Body meeting of the TRPA on 24 January 1973 that the proposed Lake Tahoe open space element will be divided into a separate Conservation Plan element and a separate Recreation Plan element. We feel this more nearly reflects the terms of the Compact.

"We further feel that long-range planning for the Basin must speak to the issues involved in non-conforming uses and activities. We are, therefore, presenting for consideration by the agency Plan 2000 which we currently have under study as a possible solution to some of these problems. We are concerned about arriving at a proper ultimate goal for the Lake Tahoe Basin which will preserve the fragile environment, meet the public interests and fulfill the broadest concept of the highest and best use.

Sincerely,

Lloyd Krause, Chairman  
Lake Tahoe Task Force"

The "Plan 2000 for the Lake Tahoe Basin" was included with the letter. This reads as follows:

"PLAN 2000  
for the Lake Tahoe Basin

1. The land-use element of the regional plan shall indicate a total population use consistent with preservation of the fragile ecology of the Lake Tahoe Basin.
2. The conservation plan element of the regional plan shall identify and indicate areas for:
  - a. Preservation of the shoreline zone including scenic vista areas.
  - b. Preservation of natural resources including stream environmental zones, flood plains, meadows, fish and wildlife habitats, alpine vegetation and unique ecological associations, water areas including the management of forest lands and watershed protection areas.
  - c. Provision for public safety including earthquake faults, seismic risk, heavy snow, high altitude, unstable soil, poorly drained and fire risk areas.
3. The recreational plan element of the regional plan shall identify and indicate areas for:
  - a. Public access to Lake Tahoe for bathing, boating, fishing and scenic contemplation and enjoyment.
  - b. Public access to the wilderness and forested lands of the Lake Tahoe Basin for hiking, riding, fishing, camping and scenic contemplation and enjoyment.

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"AREAS SO IDENTIFIED AND INDICATED ON THE LAND USE, CONSERVATION AND RECREATION PLAN ELEMENTS SHALL BE HELD INVIOLEATE. ANY USE, STRUCTURE OR OTHER INFRINGEMENT NOT CONSISTENT WITH THE ULTIMATE OBJECTIVES SHALL BE NON-CONFORMING AND SHALL BE DISCONTINUED AND/OR REMOVED PRIOR TO 1 JANUARY, 2000.

Highest and Best Use of the Tahoe Basin. Lake Tahoe and its forested basin is not replaceable. It is fragile, perishable and rare. It is a unique and scarce natural resource now endangered by misuse and overuse. The highest and best use of the Lake Tahoe Basin is for the sublime recreational experience of unique quality that comes from the Lake itself - a large, deep expanse of unusually clear, pure water in an alpine setting surrounded by evergreen forests and rugged mountains, snowcapped much of the year.

Primary Objective. The primary objective shall be to preserve the natural environmental balance of the Basin and to permit highest and best utilization consistent with such preservation. The first concern shall be to identify the total population use which will not degrade the color and clarity of the water of Lake Tahoe, the quality of the air, the forested lands and the scenic areas of the Basin. As of today, it appears that the total permanent and second home population of approximately 280,000 people, currently contemplated in the regional plan, is too high to avoid degradation of the quality of the water, the air, the forested lands and the scenic values.\*

Public Use and Enjoyment. Approximately two-thirds of the Tahoe Basin surface land area, as well as the Lake itself, is now publicly owned. Public use and enjoyment, consistent with long-term preservation, shall have first priority in the Tahoe Basin. Any additional, private residential and secondary home use shall be confined to population totals and densities tolerable by the fragile ecology of the Basin. Present vacant-land zoning classifications of rural estates, low density, medium density and high density areas shall be reduced from 1, 4, 8 and 15 units per acre to 1, 2, 4, and 8 units per acre, respectively. This in itself will reduce the permitted population from the suggested 280,000 people to about 175,000 people. These figures may be further reduced by application of the land capability map and ordinance. An alternative could be an equivalent reduction in the total land area zoned for these purposes.

Preserve Lake Clarity. The Conservation plan element of the regional plan is of equal importance with the land capability map and ordinance already adopted by the Tahoe Regional Planning Agency. It shall recognize the perishable nature of the Basin and the necessity of maintaining the color and clarity of the water of Lake Tahoe at all costs.

Activity Harmonious With Preservation. The Recreational plan element shall recognize the natural alpine setting and the recreational experience that comes from the Lake itself. All activities shall be harmonious with the unusual scenic values and compatible with the sublime recreational experience unique to the Basin.

Amortize Non-Conforming Uses. Areas for preservation identified and indicated on the land use, conservation and recreation plan elements shall be held inviolate. Any use, structure or other infringement not consistent with the ultimate objectives shall be non-conforming and shall be discontinued and/or removed prior to 1 January, 2000. There is

\*Testimony before the California Assembly Natural Resources Committee Hearings at South Lake Tahoe on 18-19 December, 1972, by Dr. Charles R. Goldman, limnologist from the Institute of Ecology, Davis; and representatives from the California Air Resources Board, California Water Resources Board and Lahontan Water Quality Control Board.

Study of Professor P.H. McGahey, University of California at Berkeley, reported in "Eutrophication of the Surface Waters of Lake Tahoe," Environmental Protection Agency report number 16010 DSW, Page 9 (1971).

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much precedent for this approach even in the present Tahoe Regional Planning Agency ordinances, such as the shoreline ordinance which requires conformance of pier structures within five years. Massachusetts law permits and the courts have upheld zoning for aesthetic and scenic reasons.\*\*

Forest Service Leases. Present U.S. Forest Service leases, not compatible with these objectives--such as ski resorts and homesites--shall be phased out and the land restored to use more compatible with highest and best uses, aesthetic values and soil erosion control.\*\*\*

Environmental Tax Credit. A policy by the United States Congress or the States, or both, establishing a 4% per annum depreciation allowance for an "environmental credit" would permit full recovery of all capital improvements prior to 1 January, 2000.

Land Acquisition. An active program of strategic land exchanges, purchases and acquisitions by all levels of government -- Federal, State, County and City -- assisted by private funds would permit the completion of PLAN 2000.

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\*\*Yale Law Review 1971

\*\*\*Many of these leases expire well before 1 January, 2000."

Lorene Greuner: "I am a concerned citizen, long-time resident, and have been reasonably active in civic affairs at South Tahoe, and in someways, with the whole basin for a good number of years. Being a person who likes to write and think, I took it upon myself to write a quite lengthy reaction to the report. I spent a great deal of time on it, and I am not going to review it now. My comment on it was that if this proposed Open Space Plan and the Land Capabilities Maps that have been adopted by you, are followed, that it should go a long way toward preserving the unique and irreplaceable value and resources that are the special essence of Lake Tahoe."

Mrs. Greuner's written comments, to which she refers, are on file in the Agency office.

Mr. Heikka stated Mrs. Greuner's written comments are part of the public record.

Mr. John Reilly then responded to the Sierra Club Task Force letter and Plan 2000. This is taped and on file in the Agency office.

Mr. Heikka suggested that we continue the public hearing on the Proposed Open Space, Recreation and Conservation Elements of the Regional Plan for two months, but with the idea that there would be a study session.

MOTION made by Mr. Nies to continue the public hearing on the Open Space, Recreation and Conservation Elements for 8 weeks. Motion carried on unanimous vote.

Mr. Heikka recessed the meeting for lunch.

The meeting was called back to order at 1:00 p.m.

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V PUBLIC WORKS PROJECTS

A. WASHOE COUNTY SEWER IMPROVEMENT DISTRICT #1  
Water System Improvements  
Washoe County

Mr. Hansen: "They have requested approval of proposed water system improvements consisting of the following: 1. An 890,000 gallon reservoir. 2. A shoreline intake facility and pump house (10' x 14'). 3. 600' of 12" diameter transmission line. 4. A control house at the top of the slope (28' x 28'). 5. Replacement of 100' of an existing 8" transmission main from the north end of Stateline Road to the reservoir area.

"A 12" diameter steel transmission line connecting with the pumping facility will run up 40-50% backshore slope which is in a soil classification of RtF, a land classification of 1A. The relative erosion potential of the backshore area is high. No access road is proposed for the construction of this line. The construction will be performed and materials will be transported by the use of a rail-mounted skip which will serve as a permanent access and maintenance vehicle to the pump house. This skip will be housed in a control building located at the top of the slope. The transmission line on the backshore slope will be placed above ground so as not to require the excavation of a trench for installation.

"The intake facility and pump house will be constructed from a barge. No excavation is proposed however there will be relocation of loose rock in the area. The proposed reservoir will be constructed on Umf, Umpa series soil, land classification 1A. The proposed site is the site of an existing ground level open reservoir behind the North Tahoe Fire Protection District Crystal Bay Station. There will be a minor amount of screening from existing conifers in the area and the tank will be painted in shadow patterns in an attempt to make it less obtrusive.

"The control house at the top of the slope will house chlorination and control equipment as well as a standby generator. Construction is proposed to begin in the spring of 1973 and complete construction during the winter of 1973.

"Approval has been obtained from Nevada Bureau of Environmental Health. Approval has been obtained from the Washoe County Planning Commission. It is recommended that this project be approved subject to: 1. The approval of the Corps of Engineers. 2. The approval by TRPA staff of the final plans and specifications."

Mr. Hansen then read a letter from North Tahoe Public Utility District. The letter is on file. The letter basically stated that Washoe County Sewer Improvement District #1 and North Tahoe Public Utility District has had a good working relationship for 20 years and it didn't appear that there would be a problem of reaching an understanding. This letter was written by Tom Lewellyn because of the two districts being contiguous and because the North Tahoe District had been supplying water to Washoe #1.

A letter was read from the State of California Department of Public Health. The letter basically stated that the Agency consider the great public health benefits to be derived from this domestic water project.

MOTION made by Mr. McMahan that the APC recommend approval to the Agency on Washoe County Sewer Improvement District #1 water system improvements based on staff recommendations and subject to the two proposed conditions. Motion carried on unanimous vote.

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B. SOUTH TAHOE PUBLIC UTILITY DISTRICT  
Fallen Leaf Lake Sewer System  
El Dorado County

Mr. Hansen: The applicant is CH2M Hill on behalf of South Tahoe Public Utility District and has requested approval of their plan to construct five pumping stations and 34,800' of gravity and pressure sewers of 6-10" diameter. Applicant also requests a variance to permit construction work in Fallen Leaf Road during the period October 15 to May 1 weather permitting, because no construction is allowed by El Dorado County encroachment permit between the dates of May 27 and September 15 in order that the road will be available for the summer use traffic. Construction is proposed to start in the spring of 1973 and be completed within the calendar year. The property owners in the Fallen Leaf Lake area have requested a variance from the sewage export requirement of the Porter-Cologne Act. This variance was denied by the Lahontan Regional Water Quality Control Board.

"The project has been approved by the U.S. Forest Service as it affects their property, and the El Dorado County Planning Commission.

"It is recommended this request be approved subject to the following conditions: 1. The contractor will be required to obtain a grading permit for the disposal of any excavated material. 2. All work under the variance must cease at any time that the County Public Works Department or the Agency staff find that the intent of the Grading Ordinance is not being complied with and the potential for erosion and siltation present on the job is unwarranted. 3. Between October 15 and May 1 of each year the length of open trench at the end of each working day shall not exceed 50'."

The applicant then gave testimony.

Mr. Lundy, property owner at Fallen Leaf Lake stated that they are not fighting the fact that there will be a sewer system put in there. He stated, though, that they would like a less expensive way of doing it. He asked that the Agency be tolerant in putting the pressure on the property owners to spend that money.

Mr. Lundy said that he felt that the Agency approve the project at such a time that all avenues have been exhausted for funding other than the private property owners.

Mr. Hansen: "Mr. Lundy and the property owners there will not have a problem unless the Agency, at a separate time as a separate action, should take some action to declare them a nuisance, or whatever, for not having been sewered. I think it would be better to just approve the project. And the property owners will be well aware if the Agency takes any action to close up homes, or whatever, under the sewage export criteria."

MOTION made by Mr. Hooper to approve South Tahoe Public Utility District, Fallen Leaf Lake Sewer System as per recommendation of staff. Motion carried on unanimous vote.

VI REPORTS

A. SPECIAL REPORTS

Water and Sewer Element

Mr. Roy Hibdon of Walters Engineering gave a brief presentation of the contents of the Water and Sewer report. The written report of the Water and Sewer Element is on file in the Agency office.

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Mr. Hollick stated the Water and Sewer Element is an important element of the Public Facilities program and under the program it is a required element. Therefore, he thought this should go to a public hearing.

MOTION made by Mr. McMahan to set a public hearing at the APC meeting in March for the Water and Sewer Element. Motion carried on unanimous vote.

### Housing Element - Review

Mr. Hollick: "There is some question at this point in time as to how we adopt... this document and how we use it. There is no requirement under the Compact for a Housing Element. However, generally, in the State of California, a Housing Element is required. We proposed to discuss this with the Governing Body at their meeting on February 28 to see if we can get some direction. We are not, therefore, asking you at this point in time to set a public hearing, but to get your general reaction to what has been developed so far."

Mr. Clive Jones of Economics Research Associates gave a summary on the Housing Element. This is taped and on file in the Agency office. The written report is also on file.

Mr. Jones also reviewed the Capital Programming Study. This is also taped and the written report is on file in the Agency office.

### B. ORDINANCE STATUS

Mr. Adams stated the Ordinance Subcommittee has been working on the Tree Cutting Ordinance, now known as the Tree Preservation Ordinance, to get it to the APC. He stated the Ordinance Subcommittee has spent at least four meetings, primarily discussing the Tree Preservation Ordinance. He said they have it boiled down now to the sections relating to attachments to trees. Mr. Adams felt in all other cases, the amendments that have come through, at this point, have drafted and are made a part of the original draft and is ready to go with the one exception of attachments to trees.

Mr. Adams stated there are some slides with regard to various attachments to trees, some alternatives with regard to poles as opposed to trees, various methods of attachments to trees and there are some problems regarding undergrounding as opposed to overheads on service lines to houses.

Mike Cokely from Pacific Telephone and is representing Continental Telephone, Sierra Power Company and Cable TV. Mr. Cokely showed some slides to explain what pole attachments are. His presentation of the slides is taped and on file in the Agency office.

Mr. Cokely also explained that Pacific Telephone is spending some million and a half dollars on undergrounding projects in South Lake Tahoe, from the airport to stateline. He said they have undergrounded a portion of this.

Mr. Cokely stated all they are trying to say is that they are spending a lot of money to do away with poles and polluting the scenic beauty of Lake Tahoe and all over both states, California and Nevada. He said the reason they need to attach to trees is just to keep Lake Tahoe in its present state.

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Mr. Cokely said that the more legislation from the cities or the counties or the TRPA that they will adhere to and follow will be the less stuff in the air. But he said as far as the little guy who has a cabin or lot that is 160 by 100 and he's back there 90 feet in that lot and is filled with trees, by trying to get the service back to that lot to service that cabin, you are going to have to either attach to a tree or a couple of trees to service them, or you are going to have to set poles or you are going to have to trim the limbs for the service lines. He said that you would then be better off to attach to trees, because when you fix to the tree, it is a permanent fixture and it won't be rubbing. But if you hit a pole and go by that same tree, you are going to have to remove a few limbs to get back there and you will have those poles. He said that no one can honestly say they are killing the trees by those attachments.

Mr. Cokely also pointed out that any new subdivisions that services would go underground.

Mr. Adams stated that all developments are being processed by the Agency and that all utilities are underground.

Considerable conversation followed regarding attachments to trees and undergrounding. This is all taped and on file in the Agency office.

Mr. Hansen, the Agency engineer then showed slides of attachments to trees. They also showed antennas attached to trees.

Mr. Cokely said that Mr. Hansen is saying exactly what we were saying, but all they wanted to do is attach the service drops to the trees and not all the other things.

Discussion then followed on service drops being attached to trees.

MOTION made by Mr. Nies to adopt the Tree Preservation Ordinance as per amendments by the Ordinance Subcommittee with the exception of service utility drops. Motion carried on unanimous vote.

Mr. Adams: "This next ordinance has been on the board for quite some time and is the Timber Harvesting Ordinance. To the best of my recollection, the biggest problem we had on the Timber Harvesting Ordinance was the application procedure of a permit to commercially cut timber in the Tahoe Basin. At present, the Ordinance is drafted in such a way that the permit-issuing authority is respective State Forestry Service. It has no connotation to a B use or Agency review - only by the Forest Service. This became quite a problem with regard to the amount of permits that would be applied for to the Agency, and its been said that perhaps between 3 and 5 a year at the most, based on past experience. At this point in time, I'm not too sure what our feeling is on it. I think that we adequately covered this area when our former ordinances were adopted. In the type of forms that we prepared on the Agency level, to the permit-issuing authority - for instance, in this ordinance it would leave that authority with the Forest Service or the Forest District in both states, that some method for Agency review or Agency notification of an issuance of a permit commercially, we would be aware of what is going on."

Mr. Heikka stated he believed that the Governing Board members want to see commercial timber cutting permits. He felt that due to the amount of permits being applied for, that they should have Agency review.

MOTION made by Mr. McMahan to adopt the Timber Harvesting Ordinance. Motion carried on unanimous vote.



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Mr. Adams then reviewed some of the other ordinances that are underway, such as the Sign Ordinance, and Land Use Ordinance revisions.

Mr. Adams then explained the Environmental Information Report. This would be procedures for applicants to take when filing their application with the Agency.

Mr. Anker complimented staff on putting together the Environmental Information Report.

VII EXECUTIVE OFFICER

Mr. Heikka then gave a summary of the Shoreline Plan. He showed a map which shows the amount of piers in the Basin.

Mr. Hollick then showed the Shoreline Capability map that was prepared by Tony Orme. He explained that there are 8 Classifications. He also stated that there is a map showing fish spawning and fish habitat areas. There is also a map showing vegetation along the shoreline. This goes along with the wildlife aspects on the shoreline. He stated they have gone a step further into the visual analysis, primarily from the major roads around the lake. There is also a map giving the most weight to the capability system, as prepared by Dr. Orme, giving a little less weight to the biological factors and less weight on the visual. There are also illustrations showing characteristics of the 8 capability classifications. He said they are in the process of trying to pull in some recommendations. He thought one of the questions that needs to be answered, initially, is how to use this Shoreline Plan. He said one of the first considerations is possibly an amendment to the General Plan which would recognize approximately a 750 foot strip around the lake and 350 feet into the water and 350 feet back onto the land. By amending the General Plan in showing this buffer strip, this is the thing most people look at first and tells them in addition to the land capability system that there are other factors that have to be taken into consideration. It would basically be an influence zone.

Mr. Heikka then summarized the Transportation Study at Stateline.

Mr. Hollick briefly reviewed the Overall Program Design stating that hopefully this would be adopted at the next Governing Body meeting. This Overall Program Design sets up what the Agency will be doing in the next three years.

Mr. Heikka urged the members of the Advisory Planning Commission to look over the reports that are underway, with the idea that there can be action taken on these.

VIII LEGAL OFFICER

Mr. Hanna then explained the Viso case and some of the other claims and suits against the Agency.

IX APC/TAC MEMBERS

Mr. Heikka suggested that there be a two day meeting. One day for a study session.

- X REFERRALS - None      XI RESOLUTIONS - None      XII CORRESPONDENCE - None  
XIII OTHER BUSINESS - None      XIV ADJOURNMENT - The meeting adjourned at 4: 30 p.m.

Respectfully submitted,

Jacqueline E. Veiga  
Administrative Assistant



AMERICAN ASSOCIATION OF UNIVERSITY WOMEN

To the Senate Committee on Ecology, Nevada State Legislature  
Public Hearing, March 19, 1973:

Those of us concerned with preserving the environment of the Lake Tahoe basin, urge adoption of the resolution to delay further casino expansion pending study for guidelines in planning. We agree the Nevada agency should be reinstated and request such action be taken.

American Association of  
University Women  
South Lake Tahoe Branch  
Approved by membership,  
March 15, 1973

EXHIBIT "H" 254