

Monthly report on the June meeting of the TRPA Governing Board submitted by Shelly Aldean

The meeting on June 26, 2013 was relatively uneventful. The Board approved some corrections and clarifications to the 2013 Code of Ordinances which included, among other things, a clarification that the partial coverage exemptions afforded new decks should also be extended to existing decks provided the existing decks were legally established as of January 1, 2013 and meet all of the established criteria (e.g. have gaps that allow for water penetration to armoring beneath in compliance with the BMP Handbook). The Board also approved code amendments related to the distribution of residential allocations in 2013 and 2014. The most substantive change was to allow local jurisdictions to retain their unused allocations for use in successive years rather than having them forfeited to the allocation pool. In 2013, 86 allocations will be distributed to local jurisdictions based on the existing performance review system, 11 of the remaining allocations will be available for sensitive lot retirement and the balance of the 130 allocations eligible for use on an annual basis under the new regional plan, will now also be available to local jurisdictions on a percentage basis. In 2014, all available allocations will be assignable to the local jurisdictions based on the existing performance review system and market demand. The Governing Board has assigned a high priority to ultimately revising the existing criteria used to distribute residential allocations but the interim provisions as outlined above will enable TRPA staff to revise the system as resources permit.

Over the objections of the Tahoe Lakefront Owners Association, the 2013/2014 budget was approved with direction to use carry over buoy fees to build a new Shorezone program. It was determined that using the fees for this purpose was appropriate since buoy owners have not been required to pay their normal annual assessments since the updated Shorezone Ordinance was challenged in court and since they will be the ultimate beneficiaries of a resolution to the stalemate among the principals in the Shorezone litigation.

During the lunch break, members of the Environmental Improvement Program met to discuss the current status of efforts to reauthorize the Lake Tahoe Restoration Act credited with funding nearly 300 environmental projects and restoration activities to preserve and protect the Lake from further environmental deterioration. In addition, there was a lengthy discussion among committee members concerning the legislative proposal in California to establish and fund a Tahoe Science Trust to analyze data collected by the TRPA to determine the efficacy of the new Regional Plan in helping the Agency achieve threshold attainment. Although this objective is consistent with the Agency's commitment to base its policies on sound science, there were concerns expressed about the manner in which this was being done (without the full participation of Nevada), about the availability of state resources to fund the trust, and how the Trust would be structured to avoid a duplication of effort and to take full advantage of TRPA's considerable expertise in the field of monitoring. To avoid the Trust becoming

politicized, I suggested that it be formed as an independent nonprofit with which the states could contract for services. Its independent status would also allow it to contract with other entities in need of the same analytical services. Principals from both states will be meeting sometime next week to continue the dialogue.

Following the adjournment of the Governing Board meeting, a meeting of the Regional Plan Implementation Committee was convened to consider the Douglas County South Shore Area Plan – the first such plan to be reviewed by a subset of the Governing Board. Concerns were expressed by the environmental community as to whether or not the environmental impacts anticipated by the implementation of this area plan were, in fact, analyzed under the Regional Plan's EIS and therefore require no further analysis. In consideration of this concern, action on the Douglas County plan was deferred until July 18th when the Committee will meet again to review a more in-depth analysis by staff as to how the Regional Plan's environmental documents deal with the anticipated impacts of this area specific plan.

As usual, if you have any questions regarding this report, please don't hesitate to call.

Shelly