

Scott Carey

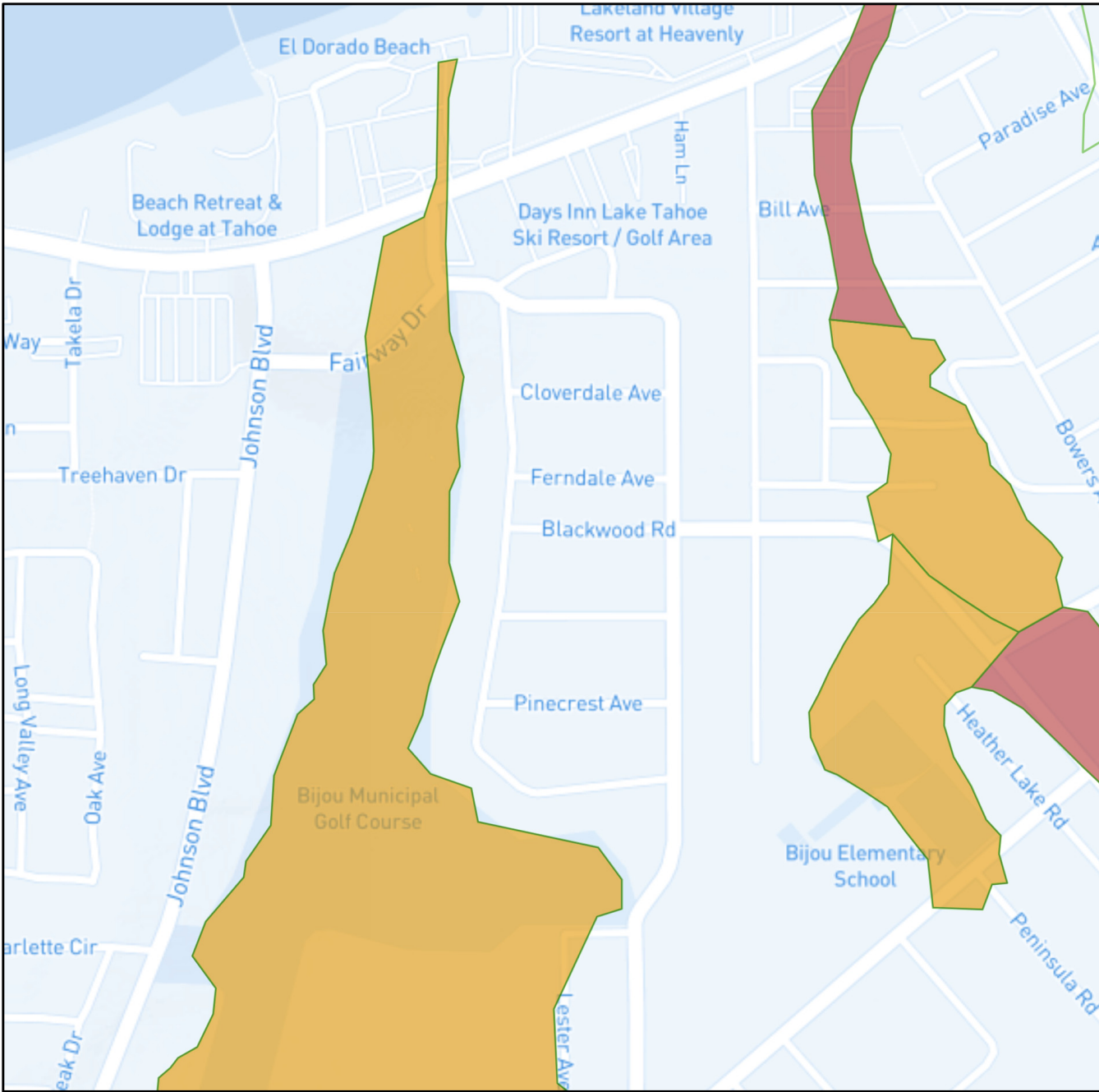
From: John Powell <john.w.powell@barmail.ch>
Sent: Wednesday, November 2, 2022 6:55 PM
To: Scott Carey
Subject: NTRPA G.B. Meeting 11-3-22 (Public Comment)
Attachments: Bijou Park Creek SEZ Rating.pdf; Bijou Park Creek Restoration Failed.pdf; Relevant TRPA Threshold Standards, Regional Plan, and Ordinances.pdf; Continued Lake Clarity Decline.pdf; Bijou Park Creek Pedestrian Parkway.pdf

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Hello Nevada Tahoe Regional Planning Agency Governing Board,

I am extremely disappointed in the City of South Lake Tahoe's handling of the Bijou Park Creek Restoration fiasco. Like many purported environmental improvements, it has been but a classic bait and switch; a pretext for a strip mall development giveaway with no substantive improvement. The "Creek" behind the purported Whole Foods improvement is a foul and hideous cesspool, that wafts wrenched odors over distant outdoor dining areas.

Bijou Park Creek SEZ Rating



3/14/2022



Bijou Park Creek Restoration and Improve

Legend

 Bijou Park Creek Restoration Parcels

Impervious Surface Change - 2010 to 2019

 New Coverage

 Removed Coverage

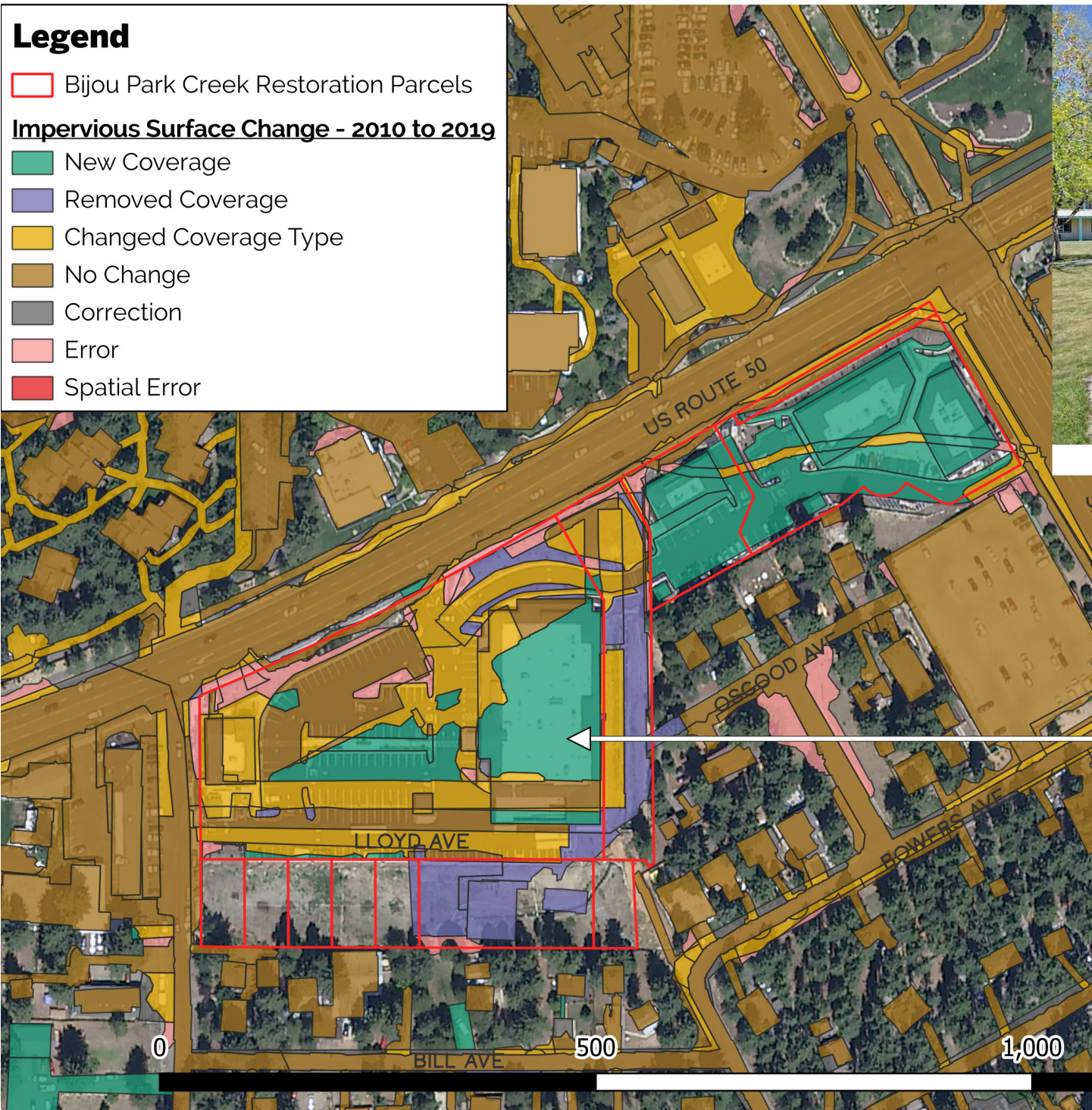
 Changed Coverage Type

 No Change

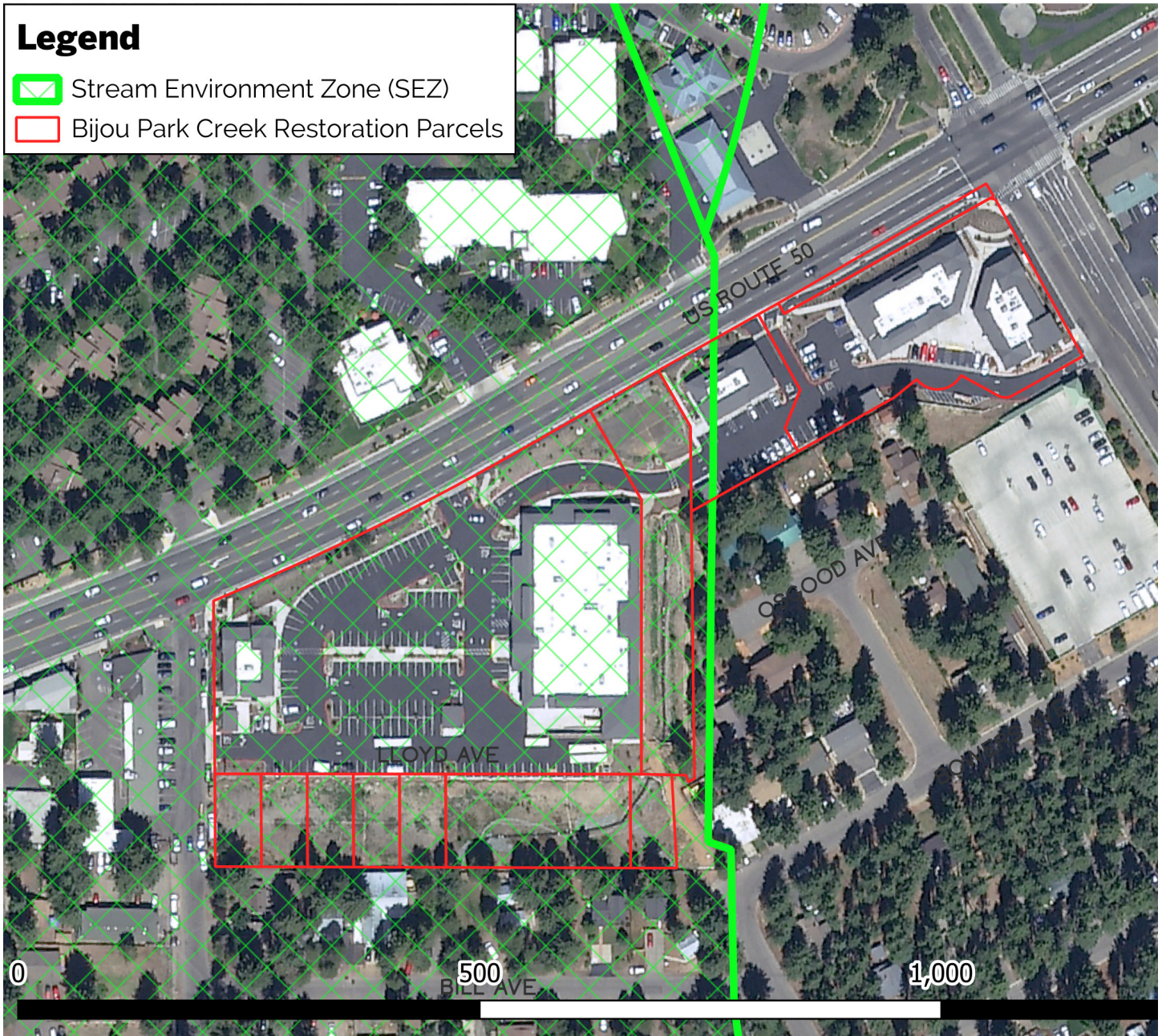
 Correction

 Error

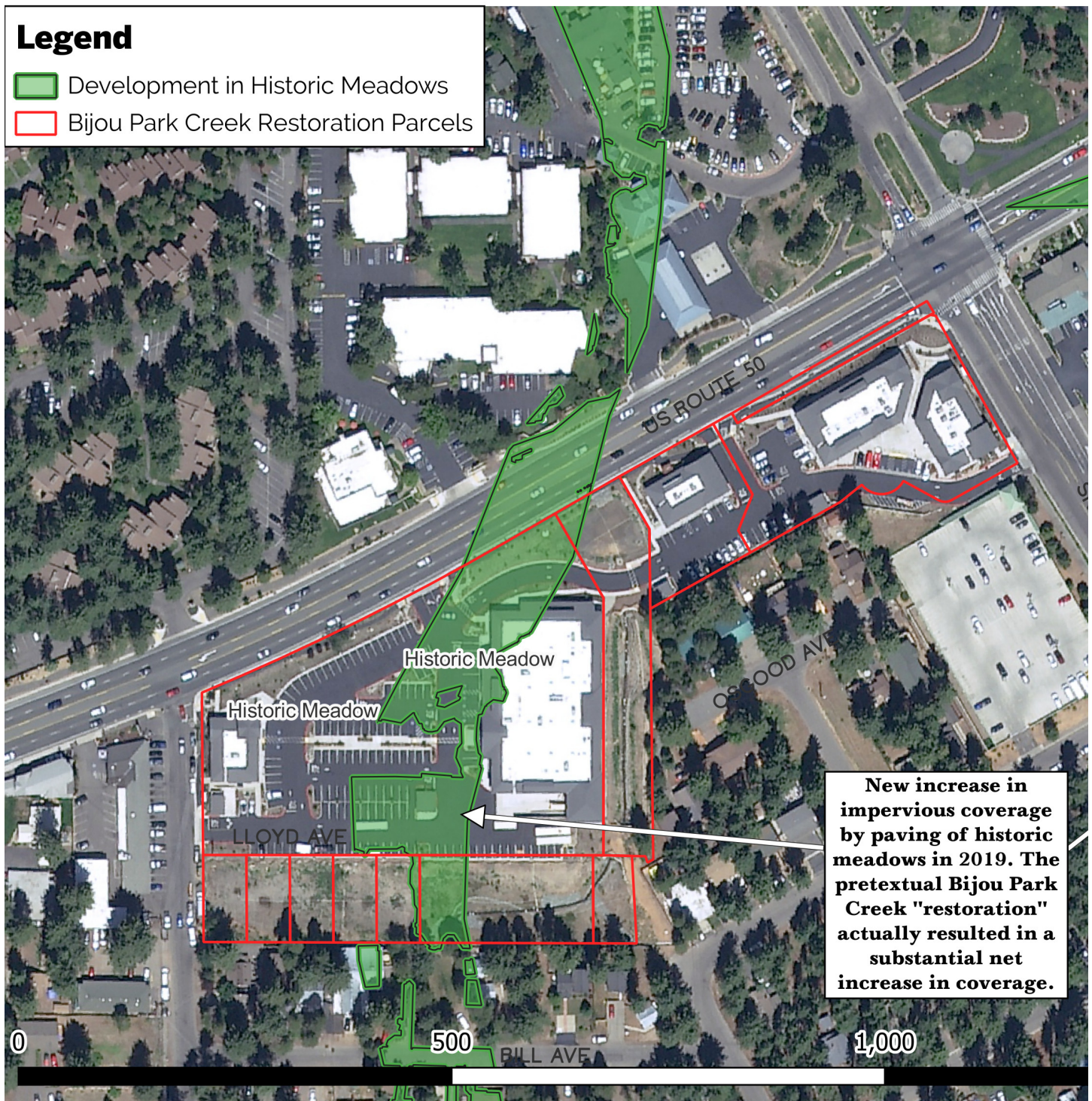
 Spatial Error



Whole Foods (Amazon Inc.) Development Occurred Inside Stream Environment Zone (SEZ) and Exceeded 1% Impervious Coverage Limit, Replaced “Nonconforming Uses,” and Permanently Impeded Lower Stream Channel Improvement in Violation of TRPA Threshold Standards, Regional Policy (e.g., SC2; LU-2.4B, LU-2.5B, S-1.1, S-1.2, S-1.5, S-1.7, SEZ-1.2)



Bijou Park Creek Restoration and Improve



The city made a huge myopic mistake in not purchasing the properties in the Bijou Park Creek stream zone—this was part of the assumed deal in our consenting to the Whole Foods development. The city should have been the bigger entity and stepped-up to the plate even if it had to make its own expenditures. In the scheme of things—

such as new vehicle purchases, police armored "tanks," office upgrades—this investment would actually have had real and sustainable returns to the community and the environment. By removing houses from sitting directly above and polluting the streambed, the meadows would be able to function in cleansing the runoff which is draining into our namesake blue lake. By restoring the land into a "wild and free" meandering creek & (dog) park, it would have improved the property values of the surrounding neighborhood; the city would not only have been able to recover from this investment, but would further get a return for years to come—if not indefinitely.

Thank you,

John Wesley Powell

"Years of drought and famine come and years of flood and famine come, and the climate is not changed with dance, libation or prayer"

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.

(d) The regional plan shall provide for attaining and maintaining Federal, State, or local air and water quality standards, whichever are strictest, in the respective portions of the region for which the standards are applicable.

The agency may, however, adopt air or water quality standards or control measures more stringent than the applicable State implementation plan or the applicable Federal, State, or local standards for the region, if it finds that such additional standards or control measures are necessary to achieve the purposes of this compact. Each element of the regional plan, where applicable shall, by ordinance, identify the means and time schedule by which air and water quality standards will be attained.

(e) Except for the Regional Transportation Plan of the California Tahoe Regional Planning Agency, the regional plan, ordinances, rules and regulations adopted by the California Tahoe Regional Planning Agency in effect on July 1, 1980, shall be the regional plan, ordinances, rules and regulations of the Tahoe Regional Planning Agency for that portion of the Tahoe region located in the State of California. Such plan, ordinance, rules or regulation may be amended or repealed by the governing body of the agency. The plans, ordinances, rules and regulations of the Tahoe Regional Planning Agency that do not conflict with, or are not addressed by, the California Tahoe Regional Planning Agency's plans, ordinances, rules and regulations referred to in this subdivision shall continue to be applicable unless amended or repealed by the governing body of the agency. No provision of the regional plan, ordinances, rules and regulations of the California Tahoe Regional Planning Agency referred to in this subdivision shall apply to that portion of the region within the State of Nevada, unless such provision is adopted for the Nevada portion of the region by the governing body of the agency.

(f) The regional plan, ordinances, rules and regulations of the Tahoe Regional Planning Agency apply to that portion of the region within the State of Nevada.

(g) The agency shall adopt ordinances prescribing specific written findings that the agency must make prior to approving any project in the region. These findings shall relate to environmental protection and shall insure that the project under review will not adversely affect implementation of the regional plan and will not cause the adopted environmental threshold carrying capacities of the region to be exceeded.

(h) The agency shall maintain the data, maps and other information developed in the course of formulating and administering the regional 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.

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(i) 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. 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 persons.

Attachment B. Impervious cover shall comply with the Land-Capability Classification of the Lake Tahoe Basin, California-Nevada, A Guide For Planning, Bailey, 1974.

- SC1) Allowable percent of impervious cover in Land Capability subclass 1a - 1%.
- SC2) Allowable percent of impervious cover in Land Capability subclass 1b - 1%.
- SC3) Allowable percent of impervious cover in Land Capability subclass 1c - 1%.
- SC4) Allowable percent of impervious cover in Land Capability class 2 - 1%.
- SC5) Allowable percent of impervious cover in Land Capability class 3 - 5%.
- SC6) Allowable percent of impervious cover in Land Capability class 4 - 20%.
- SC7) Allowable percent of impervious cover in Land Capability class 5 - 25%.
- SC8) Allowable percent of impervious cover in Land Capability class 6 - 30%.
- SC9) Allowable percent of impervious cover in Land Capability class 7 - 30%.

in a greater amount, a different location, or a greater rate of development than otherwise permitted by this plan.

- H. Division of land through air space condominiums in two resort recreation designated areas with the approval of a project associated with an approved transfer of development. In order to subdivide a project under this provision, the project itself shall be approved prior to the approval of the division and in no case shall the division result in a greater amount, a different location or a greater rate of development than otherwise permitted by this plan. Subdivisions shall be limited to air space condominium divisions with no lot and block subdivisions allowed, development shall be transferred from outside the area designated as resort recreation, and transfers shall result in the retirement of development.

LU-2.3 BUILDINGS, WHETHER CONFORMING OR NONCONFORMING, WHICH ARE DAMAGED OR DESTROYED BY FIRE OR OTHER SIMILAR CALAMITY, MAY BE REPAIRED OR REBUILT WITH NO REQUIREMENT FOR REDUCTION IN COVERAGE OR HEIGHT BY WAY OF FEE OR OTHERWISE. THIS POLICY APPLIES ONLY IF THE BUILDING IS RECONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE ORIGINAL STRUCTURE AND, WITH NO INCREASE IN FLOOR AREA, LAND COVERAGE, HEIGHT, OR VOLUME. OTHER PROVISIONS GENERALLY APPLICABLE TO REHABILITATION OR RECONSTRUCTION OF BUILDINGS SHALL APPLY. THIS POLICY IS SUBJECT TO THE NATURAL HAZARDS SUBELEMENT. SPECIAL PROVISIONS SHALL APPLY TO BUILDINGS IN THE SHOREZONE, LAKEWARD OF THE HIGHWATER LINE.

LU-2.4 STRUCTURES, LEGALLY EXISTING AS OF THE EFFECTIVE DATE OF THIS PLAN, BUT WHICH, BY VIRTUE OF THEIR DESIGN OR LOCATION, ARE PROHIBITED, ARE CONSIDERED NONCONFORMING AND SUBJECT TO THE FOLLOWING POLICIES:

- A. Nonconforming structures may be maintained or repaired. Maintenance and repair shall be defined in implementing ordinances.
- B. Nonconforming structures may not be enlarged, replaced, or rebuilt without the approval of TRPA. Such approval shall occur through direct TRPA review, through the conformance review process for Area Plans, or through Memorandum of Understanding with applicable governments and shall be based on criteria set forth in implementing ordinances to ensure that:
 - i. the activity shall not increase the extent of nonconformity; and
 - ii. if the structure is subject to a specific program of removal or modification by TRPA, the activity shall not conflict with that program.

LU-2.5 USES, LEGALLY EXISTING AS OF THE EFFECTIVE DATE THIS PLAN, BUT WHICH ARE NOW PROHIBITED, ARE CONSIDERED NONCONFORMING AND SUBJECT TO THE FOLLOWING POLICIES:

- A. Nonconforming uses may continue as they exist except where specifically subject to a program of removal or modification.
- B. Nonconforming uses may not be modified, expanded, or intensified, nor resumed following a significant interruption without the approval of TRPA. Such approval shall occur through direct TRPA review, through the conformance review process for Area Plans, or through Memorandum of Understanding with applicable governments and shall be based on criteria set forth in ordinances to ensure that:

- i. the activity shall not increase the extent of nonconformity.
- ii. the activity shall not make it more difficult to attain and maintain environmental threshold carrying capacities.
- iii. the use is otherwise consistent with applicable Plan Area Statements and Community Plans.

C. Additional rules regarding excess land coverage are set forth in this Land Use Subelement, Policies LU-2.11 and 2.12.

LU-2.6 USES OF THE BODIES OF WATER WITHIN THE REGION SHALL BE LIMITED TO OUTDOOR WATER-DEPENDENT USES REQUIRED TO SATISFY THE GOALS AND POLICIES OF THIS PLAN.

This policy is intended to promote the use of waters of the Region for water-dependent outdoor recreation and to protect the scenic and natural qualities of such waters. Plan Area Statements or conforming Area Plans shall detail the specific policies.

LU-2.7 RESTORATION AND REHABILITATION SHALL BE A HIGH PRIORITY FOR IMPROVING ENVIRONMENTAL QUALITY AND COMMUNITY CHARACTER OF AREAS DESIGNATED FOR REDIRECTION BUT NOT INCLUDED IN A REDEVELOPMENT PLAN.

The Regional Plan calls for improvement of environmental quality and community character in redirection areas through restoration and rehabilitation. Implementation of rehabilitation and restoration strategies shall be by ordinance.

LU-2.8 THE PROVISIONS SET FORTH IN ARTICLE VI (d) THROUGH VI (i) OF THE BI-STATE COMPACT APPLY TO TRPA REGULATION OF STRUCTURES HOUSING GAMING.

LU-2.9 ALLOWABLE LAND COVERAGE IN THE TAHOE REGION SHALL BE SET FORTH IN ACCORDANCE WITH THE LAND CAPABILITY DISTRICT CLASSIFICATION METHODOLOGY AND DISTRICT BASED LAND COVERAGE LIMITATIONS SET FORTH IN "*THE LAND CAPABILITY CLASSIFICATION OF THE LAKE TAHOE BASIN, CALIFORNIA-NEVADA, A GUIDE FOR PLANNING, BAILEY, 1974.*"

This policy limits allowable impervious land coverage associated with new development. These policies set allowable land coverage by applying the recommended Bailey land coverage coefficients to specifically defined and related areas. In some instances, provisions are made to allow additional coverage by transfer. The transfer programs shall operate by a direct offset method. In addition, land capability is one of the basic factors in determining the suitability of lands for development and appropriateness of land uses.

LU-2.10 ALLOWED BASE LAND COVERAGE FOR ALL NEW PROJECTS AND ACTIVITIES SHALL BE CALCULATED BY APPLYING THE BAILEY COEFFICIENTS, AS SHOWN BELOW, TO THE APPLICABLE AREA WITHIN THE PARCEL BOUNDARY, OR AS OTHERWISE SET FORTH IN A, B, AND C OF THIS POLICY.

LAND CAPABILITY DISTRICT	MAXIMUM ALLOWED LAND COVERAGE
1a	1 percent
1b	1 percent
1c	1 percent

SOILS

In addition to serving as a growth medium for plants, soil provides numerous chemical, physical, and biological functions that are critical to sustaining healthy ecosystems and maintaining environmental quality, including water quality. Accordingly, the Bi-State Compact identifies the need to establish and adopt environmental standards for soil conservation. The Soils Subelement establishes Goals and Policies intended to maintain and enhance the soil resource environmental thresholds.

GOAL S-1

MINIMIZE SOIL EROSION AND THE LOSS OF SOIL PRODUCTIVITY.

Protection of the Region's soil is important for maintaining soil productivity and vegetative cover and preventing excessive sediment and nutrient transport to the streams and lakes. Soil protection is especially critical in the Region where the soils are characteristically shallow and highly susceptible to erosion. Strategies for soil conservation are consistent with thresholds established for soil, water, and vegetation.

POLICIES:

S-1.1 ALLOWABLE IMPERVIOUS LAND COVERAGE SHALL BE CONSISTENT WITH THE THRESHOLD FOR IMPERVIOUS LAND COVERAGE.

The Land Use Subelement establishes policies which limit impervious land coverage consistent with the impervious land coverage limits set forth in the *"Land-Capability Classification of the Lake Tahoe Basin, California-Nevada, a Guide for Planning," Bailey, 1974.*

S-1.2 NO NEW LAND COVERAGE OR OTHER PERMANENT DISTURBANCE SHALL BE PERMITTED IN LAND CAPABILITY DISTRICTS 1-3 EXCEPT FOR THOSE USES AS NOTED IN A, B, AND C BELOW:

- A. Single family dwellings may be permitted in land capability districts 1-3 when reviewed and approved pursuant to the individual parcel evaluation system (IPES).
- B. Public outdoor recreation facilities may be permitted in land capability districts 1-3 if:
 - i. The project is a necessary part of a public agency's long range plans for public outdoor recreation;
 - ii. The project is consistent with the recreation element of the Regional Plan;
 - iii. The project, by its very nature must be sited in land capability districts 1-3;
 - iv. There is no feasible alternative which avoids or reduces the extent of encroachment in land capability districts 1-3;
 - v. The impacts are fully mitigated;

- vi. Land capability districts 1-3 lands are restored in the amount of 1.5 times the area of land capability districts 1-3 which is disturbed or developed beyond that permitted by the Bailey coefficients; and
- vii. Alternatively, because of their public and environmental benefits, special provisions for non-motorized public trails may be allowed and defined by ordinances.

To the fullest extent possible, recreation facilities must be sited outside of Land Capability Districts 1-3. However, the six-part test established by the policy allows encroachment of these lands where such encroachment is essential for public outdoor recreation, and precautions are taken to ensure that such lands are protected to the fullest extent possible. The restoration requirements of this policy can be accomplished on-site or off-site, and shall be in lieu of any coverage transfer or coverage mitigation provisions elsewhere in this plan.

- C. Public service facilities are permissible uses in land capability districts 1-3 if:
 - i. The project is necessary for public health, safety or environmental protection;
 - ii. There is no reasonable alternative, which avoids or reduces the extent of encroachment in land capability districts 1-3;
 - iii. The impacts are fully mitigated;
 - iv. Land capability districts 1-3 lands are restored in the amount of 1.5 times the area of land capability districts 1-3 which is disturbed or developed beyond that permitted by the Bailey co-efficients; and
 - v. Alternatively, because of their public and environmental benefits, special provisions for non-motorized public trails may be allowed and defined by ordinances.

Development within Land Capability Districts 1-3 is not consistent with the goal to manage high hazard lands for their natural qualities and shall generally be prohibited except under extraordinary circumstances involving public works. Each circumstance shall be evaluated based on the above four-point test of this policy. The restoration requirements of this policy can be accomplished on-site or off-site, and shall be in lieu of any coverage transfer or coverage mitigation provisions elsewhere in this plan.

S-1.3 THE LAND CAPABILITY MAP MAY BE REVIEWED AND UPDATED.

TRPA shall provide for a procedure to allow land capability challenges for reclassification of incorrectly mapped areas.

S-1.4 TRPA SHALL DEVELOP SPECIFIC POLICIES TO LIMIT LAND DISTURBANCE AND REDUCE SOIL AND WATER QUALITY IMPACTS OF DISTURBED AREAS.

Like impervious surfaces, disturbed and compacted areas result in increased soil loss and surface runoff. The Regional Plan sets policies designed to reduce existing surface disturbance and avoid new disturbance. TRPA shall set guidelines defining "disturbance" and determine what types of disturbed and compacted areas should be counted as impervious surfaces for purposes of applying land coverage limits. Coverage limits shall not be applied so as to prevent application of best management practices to existing disturbed areas.

S-1.5 PRIORITIZE WATERSHEDS OR OTHER AREAS IMPAIRED BY EXCESS LAND

COVERAGE AND INCENTIVIZE THE REMOVAL AND TRANSFER OF COVERAGE FROM APPROPRIATE LOCATIONS WITHIN PRIORITY WATERSHEDS.

TRPA shall maintain specific programs to address the problem of excess coverage and may include limits on new coverage, coverage removal, and remedial erosion and runoff control projects.

S-1.6 MAINTAIN SEASONAL LIMITATIONS ON GROUND DISTURBING ACTIVITIES DURING THE WET SEASON (OCTOBER 15 TO MAY 1) AND IDENTIFY LIMITED EXCEPTIONS FOR ACTIVITIES THAT ARE NECESSARY TO PRESERVE PUBLIC HEALTH AND SAFETY OR FOR EROSION CONTROL.

Impacts related to soil disturbance are highly exaggerated when the soil is wet. For precautionary reasons, all project sites must be adequately winterized by October 15 as a condition for continued work on the site. Exceptions to the grading prohibitions will be permitted in emergency situations where the grading is necessary for reasons of public safety or for erosion control.

S-1.7 ALL EXISTING NATURAL FUNCTIONING STREAM ENVIRONMENT ZONES SHALL BE RETAINED AS SUCH AND DISTURBED STREAM ENVIRONMENT ZONES SHALL BE RESTORED WHENEVER POSSIBLE AND MAYBE TREATED TO REDUCE THE RISK OF CATASTROPHIC WILDFIRE.

Stream Environment Zones (SEZs) shall be managed to perpetuate their various functional roles, especially pertaining to water cleansing and nutrient trapment. This requires enforcement of a non-degradation philosophy. This policy is common to the Water Quality, Vegetation, Stream Environment Zone, and Wildlife Subelements and shall be implemented through the Land Use Element and Environmental Improvement Program (EIP).

STREAM ENVIRONMENT ZONE

Stream Environment Zones (SEZs) and related hydrologic zones consist of the natural marsh and meadowlands, watercourses and drainageways, and floodplains which provide surface water conveyance from upland areas into Lake Tahoe and its tributaries. Stream Environment Zones are determined by the presence of riparian vegetation, alluvial soil, minimum buffer strips, water influence areas, and floodplains. The plant associations of Stream Environment Zones constitute only a small portion of the Region's total land area, but are perhaps the single most valuable plant communities in terms of their role in providing for wildlife habitat, purification of water, and scenic enjoyment. Protection and restoration of Stream Environment Zones are essential for improving and maintaining the environmental amenities of the Lake Tahoe Region and for achieving environmental thresholds for water quality, vegetation preservation, and soil conservation.

GOAL SEZ-1

PROVIDE FOR THE LONG-TERM PRESERVATION AND RESTORATION OF STREAM ENVIRONMENT ZONES.

The preservation of SEZs is a means for achieving numerous environmental thresholds. Policies that promote their maintenance, protection, and restoration are listed below.

POLICIES:

SEZ-1.1 RESTORE ALL DISTURBED STREAM ENVIRONMENT ZONE LANDS IN UNDEVELOPED, UNSUBDIVIDED LANDS, AND RESTORE 25 PERCENT OF THE SEZ LANDS THAT HAVE BEEN DISTURBED, DEVELOPED, OR SUBDIVIDED.

Many acres of SEZ lands were modified or disturbed before adoption of the Regional Plan. Considerable progress has been made to restore disturbed SEZ lands. TRPA shall continue to monitor the status of SEZ lands and identify restoration priorities and activities through actions and programs including the Environmental Improvement Program.

SEZ-1.2 SEZ LANDS SHALL BE PROTECTED AND MANAGED FOR THEIR NATURAL VALUES.

SEZ lands are scarce, as is associated riparian vegetation when compared to other plant communities. Because SEZs provide many beneficial functions (especially pertaining to water quality) only forest management practices, stream improvement programs, habitat restoration projects and those special provisions provided for in Policy SEZ-1.5 below are permissible uses.

SEZ-1.3 GROUNDWATER DEVELOPMENT IN SEZ LANDS SHALL BE DISCOURAGED WHEN SUCH DEVELOPMENT COULD POSSIBLY IMPACT ASSOCIATED PLANT COMMUNITIES OR INSTREAM FLOWS.

Withdrawal of water from SEZ lands may lower surface and ground waters and, by so doing, alter plant composition of the riparian vegetation and reduce instream flows. Groundwater proposals in SEZs and riparian plant communities will be evaluated against those concerns.

SEZ-1.4 GOLF COURSES IN STREAM ENVIRONMENT ZONES SHALL BE ENCOURAGED TO RETROFIT COURSE DESIGN AND IMPLEMENT FERTILIZER MANAGEMENT PLANS TO PREVENT RELEASE OF NUTRIENTS TO ADJOINING GROUND AND SURFACE WATERS.

A combination of strategies to include fertilizer application standards and course redesign may be necessary to control off-site nutrient release from golf course fairways and greens.

SEZ-1.5 NO NEW LAND COVERAGE OR OTHER PERMANENT LAND DISTURBANCE SHALL BE PERMITTED IN STREAM ENVIRONMENT ZONES EXCEPT FOR THOSE USES AS NOTED IN A, B, C, D, E AND F BELOW:

- A. Public outdoor recreation facilities not specified in subsection F below are permissible uses in Stream Environment Zones if:
 - i. The project is a necessary part of a public agency's long range plans for public outdoor recreation;
 - ii. The project is consistent with the recreation element of the Regional Plan;
 - iii. The project, by its very nature, must be sited in a Stream Environment Zone;
 - iv. There is no feasible alternative which would reduce the extent of encroachment in Stream Environment Zones;
 - v. The impacts are fully mitigated;
 - vi. Stream Environment Zone lands are restored in the amount of 1.5 times the area of Stream Environment Zone which is disturbed or developed by the project.

To the fullest extent possible, recreation facilities must be sited outside of Stream Environment Zones. Some recreation facilities, such as river access points or stream crossings for hiking trails, by their very nature require some encroachment of Stream Environment Zones. However, the six-part test established by this policy allows encroachment into SEZs where such encroachment is essential for public outdoor recreation and precautions are taken to ensure that Stream Environment Zones are protected to the fullest extent possible. The restoration requirements of this policy can be accomplished on-site or off-site, and shall be in lieu of any coverage transfer or coverage mitigation provisions elsewhere in this plan.

CHAPTER 4: REQUIRED FINDINGS

4.1. PURPOSE

The Tahoe Regional Planning Compact requires TRPA to make findings before taking certain actions. In addition, the Regional Plan package, including the Code and plan area statements, sets forth other findings that must be made. This chapter sets forth procedures describing how TRPA shall make the findings required.

4.2. APPLICABILITY

Prior to approving any project or taking any other action specified in this Code, TRPA shall make the findings required by the provisions of the Regional Plan package, including the Goals and Policies, the Code, and specifically this chapter and any other requirement of law. All such findings shall be made in accordance with this chapter.

4.3. PROCEDURE FOR FINDINGS

Findings shall be made as provided below.

4.3.1. Written Findings

All required findings shall be in writing and shall be supported by substantial evidence in the record of review. The findings required by Section 4.4 shall be in writing prior to the approval of the proposed matter.

4.3.2. Statement

Required findings shall be accompanied by a brief statement of the facts and rationales upon which they are based.

4.4. THRESHOLD-RELATED FINDINGS

The following specific findings shall be made, pursuant to Articles V(c), V(g) and VI(b) of the Compact, in addition to any other findings required by law.

4.4.1. Findings Necessary to Approve Any Project

To approve any project TRPA shall find, in accordance with Sections 4.2 and 4.3, that:

- A. The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs;
- B. The project will not cause the environmental threshold carrying capacities to be exceeded; and
- C. Wherever federal, state, or local air and water quality standards apply for the region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

CHAPTER 4: REQUIRED FINDINGS

4.5 Findings Necessary to Amend the Regional Plan, Including the Goals and Policies and Plan Area Statements and Maps

4.4.2 Making Specific Findings

As part of the findings required by subparagraph 4.4.1, TRPA shall:

- A.** Identify the nature, extent, and timing or rate of effects of the project, using applicable measurement standards consistent with the available information, on all applicable:
 - 1.** Compliance measures (Section 16.6);
 - 2.** Indicators (Section 16.4);
 - 3.** Additional factors (subsection 16.4.5); and
 - 4.** Supplemental compliance measures (subsection 16.3.8).
- B.** Quantify any contribution of the project to any of the cumulative accounts for the items listed in subsection 16.8.2 and record that contribution in the current cumulative account;
- C.** Confirm that any resource capacity utilized by the project is within the amount of the remaining capacity available, as that remaining capacity has been identified in any environmental documentation applicable to the project, including the environmental impact statement for the Regional Plan package;
- D.** Confirm that the project will not prevent attainment of any adopted target date (subsection 16.5.1) or interim target (subsection 16.5.2);
- E.** For project-specific mitigation measures relied upon to confirm the matters in subparagraphs 4.4.1.B and C, TRPA shall identify an adequate means, including setting a baseline status, by which the mitigation measure's effectiveness shall be evaluated; and
- F.** Except for recreation projects in the EIP for which an environmental assessment or an environmental impact statement is prepared, and that will use additional water supply, additional sewage capacity, or will create additional vehicle miles of travel greater than forecast in the environmental assessment for the most recent Evaluation Report, TRPA shall confirm that sufficient capacity remains in each of the respective capacities that are utilized by the project to permit development of recreation projects contained in the EIP.

4.5. FINDINGS NECESSARY TO AMEND THE REGIONAL PLAN, INCLUDING THE GOALS AND POLICIES AND PLAN AREA STATEMENTS AND MAPS

To approve any amendment to the Regional Plan, TRPA shall find, in addition to the findings required pursuant to subparagraphs 4.4.1.A and 4.4.1.B, subsection 4.4.2, and Sections 4.2 and 4.3, that the Regional Plan, as amended, achieves and maintains the thresholds.

- b. Pursuant to a maintenance program, including schedule of maintenance, proposed by the owner and approved by TRPA; and
- c. Collection of a security, if deemed necessary by TRPA, to guarantee mitigation.

D. Effect of Approval

If the amendment is approved, the land coverage limitations of the land capability district, whose characteristics are exhibited by the pertinent land, shall apply to the land.

E. Conditions Upon Amendment

Approval of an amendment of the Regional Plan pursuant to this subsection may be granted subject to reasonable conditions in addition to those otherwise referred to in this subsection.

F. Procedure After Amendment

Once TRPA has completed its action on an amendment to the Regional Plan pursuant to this subsection, the agency shall follow the procedure set forth in subparagraph 30.3.3.F as though it applied to an amendment to the Regional Plan pursuant to this subsection including, but not limited to, the report prepared for and action on the amendment.

30.4. LAND COVERAGE LIMITATIONS

No person shall create land coverage in excess of the limitations set forth in this chapter. The means to determine base land coverage, the manner to transfer land coverage, and prohibitions of certain land coverage are set forth in this section.

30.4.1. Base Allowable Land Coverage

A. Base Allowable Land Coverage Coefficients

The base allowable land coverage shall be determined by using the coefficients set forth in *Land Capability Classifications of the Lake Tahoe Basin*, Bailey, R. G. 1974. These coefficients are:

TABLE 30.4.1-1: BASE ALLOWABLE LAND COVERAGE COEFFICIENTS

Lands Located in Land Capability District*	Base Allowable Land Coverage
1a, 1b, 1c	1%
2	1%
3	5%
4	20%
5	25%
6, 7	30%

* Lands located in Geomorphic Group I are classified Land Capability District 1 and are permitted one percent coverage.

B. General Rule and Exceptions

The coefficients shall be applied to the project area in accordance with subparagraph C, except as provided below.

1. Parcels in TRPA-Approved Subdivisions in Conformance with the Bailey Coefficients

In TRPA-approved subdivisions where TRPA applied the coefficients on a subdivision-wide basis and allowable coverage was assigned to individual parcels, the assigned coverage shall be the base allowable land coverage for those parcels. The list of TRPA-approved subdivisions in conformance with Bailey coefficients is provided in Attachment D to the Goals and Policies.

2. Parcels in Existing Planned Unit Developments (PUDs) Not in Conformance with the Bailey Coefficients

To determine the base allowable land coverage for parcels within an existing PUD, the coefficients shall be applied to the entire PUD. This total allowable coverage, minus the existing common area facilities coverage, shall be divided among the individual parcels in proportion to their respective sizes, whether developed or not. Public rights-of-way shall not be included in the calculation. Accordingly, the method of calculation is as follows: first, the area of public rights of-way is not to be counted; second, base allowable land coverage for the remaining area in the PUD is calculated; third, the amount of existing coverage in common areas is subtracted; fourth, the remaining coverage is divided among the individual parcels, in proportion to size. In no case shall parcels of individual ownership be assigned an allowable base coverage of less than zero.

H. Land Bank

Land coverage transfers and land coverage retirement programs may use a land bank pursuant to Chapter 6: *Tracking, Accounting, and Banking*.

30.4.4. Relocation of TRPA-Verified Existing Land Coverage

TRPA-verified existing land coverage may be relocated on the same parcel or project area if TRPA finds that:

- A.** The relocation is to an equal or superior portion of the parcel or project area, as determined by reference to the following factors:
 - 1.** Whether the area of relocation already has been disturbed;
 - 2.** The slope of and natural vegetation on the area of relocation;
 - 3.** The fragility of the soil on the area of relocation;
 - 4.** Whether the area of relocation appropriately fits the scheme of use of the property;
 - 5.** The relocation does not further encroach into a stream environment zone, backshore, or the setbacks established in the Code for the protection of stream environment zones or backshore;
 - 6.** The project otherwise complies with the land coverage mitigation program set forth in Section 30.6.
- B.** The area from which the land coverage was removed for relocation is restored in accordance with subsection 30.5.3.
- C.** The relocation shall not be to Land Capability Districts 1a, 1b, 1c, 2, or 3, from any higher numbered land capability district.
- D.** If the relocation is from one portion of a stream environment zone to another portion, there is a net environmental benefit to the stream environment zone. "Net environmental benefit to a stream environment zone" is defined as an improvement in the functioning of the stream environment zone and includes, but is not limited to:
 - 1.** Relocation of coverage from a less disturbed area to a more disturbed area or to an area further away from the stream channel or water body, as applicable;
 - 2.** Retirement of land coverage in the affected stream environment zone in the amount of 1.5:1 of the amount of land coverage being relocated within a stream environment zone; or
 - 3.** For projects involving the relocation of more than 1,000 square feet of land coverage within a stream environment zone, a finding, based on a report prepared by a qualified professional, that the relocation will improve the functioning of the stream environment zone and will not negatively affect the

quality of existing habitats, considering factors such as, but not limited to, soil function, hydrologic function, vegetation, and wildlife habitat.

30.4.5. Conversion of Turf Grass Coverage to Synthetic Turf Coverage for Public Athletic Fields

Turf grass public athletic fields may be converted to synthetic turf fields as provided below.

A. Eligibility

TRPA shall find that the turf grass field meets all of the following criteria:

1. The turf grass field shall be composed of non-native turf grasses and receive regular fertilization and periodic irrigation.
2. At least 50 percent of the condition of the turf grass field shall be substantially compacted by repeated pedestrian traffic so as to reduce saturated hydraulic conductivity by 50 percent or more when compared to natural conditions for the same soil type.

B. Construction Standards

The synthetic turf field shall be constructed and maintained to meet all of the following standards:

1. The synthetic turf design shall include a subsurface drainage system that discharges to a water quality treatment area. The subsurface drainage system shall comply with groundwater interception regulations pursuant to subsection 33.3.6 and shall not adversely affect water levels within a stream environment zone;
2. The synthetic turf shall be limited to team playing fields and player staging areas only;
3. Synthetic turf components and fields shall not contain or utilize materials for construction or maintenance that could leach into the ground water, present a health hazard to people, or adversely affect flora or fauna; and
4. The synthetic turf shall not receive runoff or overflow from adjacent lands, except under extraordinary circumstances, such as 20 year or greater storm events.

C. In-Lieu of Excess Coverage Mitigation and Water Quality Mitigation

In order to approve synthetic turf for public athletic turf fields, the coverage shall be mitigated either by:

1. Restoration of an equal area of highly compacted turf grass to native vegetation so as to achieve a saturated hydraulic conductivity of greater than 50 percent of natural conditions for the same soil type; or

CHAPTER 30: LAND COVERAGE

30.5 Prohibition of Additional Land Coverage In Land Capability Districts 1a, 1c, 2, 3, and 1b (Stream Environment Zones)

30.5.1 Exceptions to Prohibition in Land Capability Districts 1a, 1c, 2, and 3

e. **Existing Trails Do Not Qualify**

Trails constructed prior to January 1, 2013 do not qualify for this coverage exemption.

E. **Limit on Aggregate of Coverage Exemptions and Credits on Parcels or Project Areas**

The total amount of coverage exemptions and credits on parcels or project areas applies only to non-permanent structures, pervious decks, and pervious coverage and shall not exceed in aggregate ten percent of the total amount of non-sensitive land on a parcel.

F. **Restriction on Parcels with Illegal or Excess Coverage**

Prior to approval of any coverage credit or exemption for pervious coverage, pervious decks or non-permanent structures, TRPA shall verify that existing coverage on the parcel was legally established or will be removed in conjunction with permitted improvements; and any legally existing excess coverage has been fully mitigated in accordance subsection 30.6.1.

30.5. PROHIBITION OF ADDITIONAL LAND COVERAGE IN LAND CAPABILITY DISTRICTS 1a, 1c, 2, 3, AND 1b (STREAM ENVIRONMENT ZONES)

No additional land coverage or other permanent land disturbance shall be permitted in Land Capability Districts 1a, 1c, 2, 3, and Land Capability District 1b (Stream Environment Zone), except as follows:

30.5.1. Exceptions to Prohibition in Land Capability Districts 1a, 1c, 2, and 3

The following exceptions apply to the prohibition of land coverage and disturbance in Land Capability Districts 1a, 1c, 2, and 3:

A. **Individual Parcel Evaluation System (IPES)**

Land coverage and disturbance for single-family houses may be permitted in Land Capability Districts 1a, 1c, 2 and 3 when reviewed and approved pursuant to IPES in accordance with Chapter 53: *Individual Parcel Evaluation System*.

B. **Public Outdoor Recreation Facilities**

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

1. The project is a necessary part of a public agency's long-range plans for public outdoor recreation;
2. The project is consistent with the Recreation Element of the Regional Plan;
3. The project by its very nature must be sited in Land Capability Districts 1a, 1c, 2, or 3, such as a ski run or hiking trail;

CHAPTER 30: LAND COVERAGE

30.5 Prohibition of Additional Land Coverage In Land Capability Districts 1a, 1c, 2, 3, and 1b (Stream Environment Zones)

30.5.2 Exceptions to Prohibition in Land Capability District 1b (Stream Environment Zone)

4. There is no feasible alternative that avoids or reduces the extent of encroachment in Land Capability Districts 1a, 1c, 2, or 3; and
5. The impacts of the coverage and disturbance are fully mitigated through means including, but not limited to, the following:
 - a. Application of best management practices; and
 - b. Restoration, in accordance with subsection 30.5.3, of land in Land Capability Districts 1a, 1c, 2, 3, and 1b (Stream Environment Zone) in the amount of 1.5 times the area of land in such districts covered or disturbed for the project beyond that permitted by the coefficients in Table 30.4.1-1.

C. Public Service Facilities

Land coverage and disturbance for public service facilities may be permitted in Land Capability Districts 1a, 1c, 2, and 3 if TRPA finds that:

1. The project is necessary for public health, safety, or environmental protection;
2. There is no reasonable alternative, including relocation, that avoids or reduces the extent of encroachment in Land Capability Districts 1a, 1c, 2, or 3; and
3. The impacts of the coverage and disturbance are fully mitigated in the manner prescribed by subparagraph 30.5.1.B.5.

D. Water Quality Control Facilities

Land coverage and disturbance may be permitted in Land Capability Districts 1a, 1c, 2, and 3 for erosion control projects, habitat restoration projects, wetland rehabilitation projects, stream environment zone restoration projects, and similar projects, programs, and facilities if TRPA finds that:

1. The project, program, or facility is necessary for environmental protection;
2. There is no reasonable alternative, including relocation, that avoids or reduces the extent of encroachment in Land Capability Districts 1a, 1c, 2, or 3; and
3. Impacts are fully mitigated and, if applicable, transferred land coverage requirements pursuant to subparagraph 30.4.3.B.5 are met.

30.5.2. Exceptions to Prohibition in Land Capability District 1b (Stream Environment Zone)

The following exceptions shall apply to the prohibition of land coverage and disturbance in Land Capability District 1b (Stream Environment Zone):

CHAPTER 30: LAND COVERAGE

30.5 Prohibition of Additional Land Coverage In Land Capability Districts 1a, 1c, 2, 3, and 1b (Stream Environment Zones) 30.5.2 Exceptions to Prohibition in Land Capability District 1b (Stream Environment Zone)

A. Stream Crossings

Land coverage and disturbance for projects to provide access across stream environment zones to otherwise buildable sites, if such projects otherwise comply with applicable development standards in Chapter 32: *Basic Services*, may be permitted in Land Capability District 1b (Stream Environment Zone) if TRPA finds that:

1. There is no reasonable alternative, including relocation, that avoids or reduces the extent of encroachment in the stream environment zone, or that encroachment shall be necessary to reach the building site recommended by IPES; and
2. The impacts of the land coverage and disturbance are fully mitigated in the manner set forth in subparagraph 30.5.1.B.5, with the exception that the restoration requirement in such subsection shall apply exclusively to stream environment zone lands and shall include coverage and disturbance within the permitted Bailey coefficients.

B. Public Outdoor Recreation

Land coverage and disturbance for public outdoor recreation facilities may be permitted in Land Capability District 1b (Stream Environment Zone) if TRPA finds that:

1. The project is a necessary part of a public agency's long-range plans for public outdoor recreation;
2. The project is consistent with the Recreation Element of the Regional Plan;
3. The project by its very nature must be sited in a stream environment zone, such as bridges, stream crossings, ski run crossings, fishing trails, and boat launching facilities;
4. There is no feasible alternative that would avoid or reduce the extent of encroachment in the stream environment zone; and
5. The impacts of the land coverage and disturbance are fully mitigated in the manner set forth in subparagraph 30.5.1.B.5, with the exception that the restoration requirement in such subsection shall apply exclusively to stream environment zone lands and shall include coverage and disturbance within the permitted Bailey coefficients.

C. Public Service

Land coverage and disturbance for public service facilities may be permitted in Land Capability District 1b (Stream Environment Zone) if TRPA finds that:

1. The project is necessary for public health, safety, or environmental protection;
2. There is no reasonable alternative, including a bridge span or relocation, that avoids or reduces the extent of encroachment in the stream environment zone; and

CHAPTER 30: LAND COVERAGE

30.5 Prohibition of Additional Land Coverage In Land Capability Districts 1a, 1c, 2, 3, and 1b (Stream Environment Zones)

30.5.3 Restoration Credit Requirements

3. The impacts of the land coverage and disturbance are fully mitigated in the manner set forth in subparagraph 30.5.1.B.5, with the exception that the restoration requirement in such subsection shall apply exclusively to stream environment zone lands and shall include coverage and disturbance within the permitted Bailey coefficients.

D. Water Quality Control Facilities

Land coverage and disturbance may be permitted in Land Capability District 1b (Stream Environment Zone) for erosion control projects, habitat restoration projects, wetland rehabilitation projects, stream environment zone restoration projects, and similar projects, programs, and facilities if TRPA finds that:

1. The project, program, or facility is necessary for environmental protection;
2. There is no reasonable alternative, including relocation, that avoids or reduces the extent of encroachment in the stream environment zone; and
3. Impacts are fully mitigated and, if applicable, transferred land coverage requirements pursuant to subparagraph 30.4.3.B.5 are met.

E. Vegetation

Indigenous vegetation shall not be removed or damaged in Land Capability District 1b (Stream Environment Zone) unless otherwise authorized under TRPA permit pursuant to subsections 30.5.2, 30.4.4, 61.1.6, 61.3.3, Sections 85.7, 61.2, 64.3, or Chapter 64: *Livestock Grazing*. Species used for revegetation or landscaping shall be species appropriate for the stream environment zone type (e.g., meadow, marsh).

30.5.3. Restoration Credit Requirements

The following requirements apply to restoration:

- A. The restoration requirements of subparagraphs 30.4.3.B.5 and 30.5.1.B.5, may be accomplished onsite and/or offsite by the applicant or another agency approved by TRPA. Such restoration requirements shall be in lieu of any land coverage transfer requirement or water quality mitigation fee pursuant to Chapter 60: *Water Quality*.
- B. Only land that has been disturbed or consists of hard or soft land coverage shall be eligible for restoration credit. Restoration shall result in the area functioning in a natural state and shall include provisions for permanent protection from further disturbance. Lands disturbed by the project and then restored shall not be eligible for credit. Provisions for permanent protection from further disturbance shall include, but are not limited to, recordation by the owner of deed restrictions or other covenants running with the land on a form approved by TRPA, against parcels in private ownership, permanently assuring that the restoration requirements of subparagraphs 30.4.3.B.5 or 30.5.1.B.5 are satisfied, as applicable. On public lands, TRPA shall obtain appropriate assurance from the public agency that the requirements of subparagraph 30.4.3.B.5 or 30.5.1.B.5, as applicable, are met.

(iv) The public entity funding the program has received a funded commitment from another public entity as described in a or b above;
or

(v) Any combination of (i) through (iv) above.

- c. As a condition of approval, the permittee for the project shall post a security with TRPA, in accordance with Section 5.9, in an amount equal to the excess coverage mitigation fee otherwise required under Section 30.6. If a program to mitigate excess land coverage within the community plan has not been adopted by TRPA and an irrevocable commitment made by the time of final inspection of the project by TRPA, or three years after commencement of construction, whichever is sooner, the security shall be forfeited to TRPA. Securities forfeited to TRPA under this subparagraph shall be forwarded to a land bank to provide land coverage reduction.

C. Determination of Excess Land Coverage Mitigation

The required excess land coverage reduction mitigation shall be calculated as follows:

1. Coverage Reduction Mitigation

For purposes of calculating the square footage reduction of excess coverage to be credited the parcel pursuant to Chapter 6: *Tracking, Accounting, and Banking*; the land coverage reduction square footage shall be calculated by determining the reduction percentage from Table 30.6.1-2 below, based on the amount of TRPA-verified existing excess land coverage on the parcel or project area. The reduction percentage from Table 30.6.1-2 shall be multiplied by the estimated coverage mitigation construction cost of the project and then divided by the mitigation factor of eight.

Land Coverage Reduction (Sq. Ft.) = Fee Percentage x Land Coverage Mitigation Construction Cost (\$) / Mitigation Factor of 8.

2. Excess Land Coverage Mitigation Fee

The excess coverage mitigation fee shall be calculated by determining the amount of required land coverage reduction (sq. ft.), in accordance with subparagraph 1 above. The land coverage reduction square footage shall then be multiplied by the appropriate Mitigation Fee Coverage Cost Factor to determine the Excess Land Coverage Mitigation Fee. The Mitigation Fee Land Coverage Cost Factor(s) shall be established by TRPA staff using an Annual Percentage Growth Rate (APGR) calculation (or best available alternate methodology) based on the best available residential sales information for the Tahoe Region. The APGR shall be calculated regularly, at least every 4 years. The fee shall be updated utilizing the most recently calculated APGR. Fee adjustments are limited to increases, even in instances when the APGR calculation may result in a negative percentage growth, to preserve the intent of the Excess Land Coverage Mitigation Fee program, and maintain consistency with the land bank's cost to acquire and restore land coverage

under this program. The current excess land coverage fee shall be included within the schedule provided in the Rules of Procedure in subsection 10.8.5.

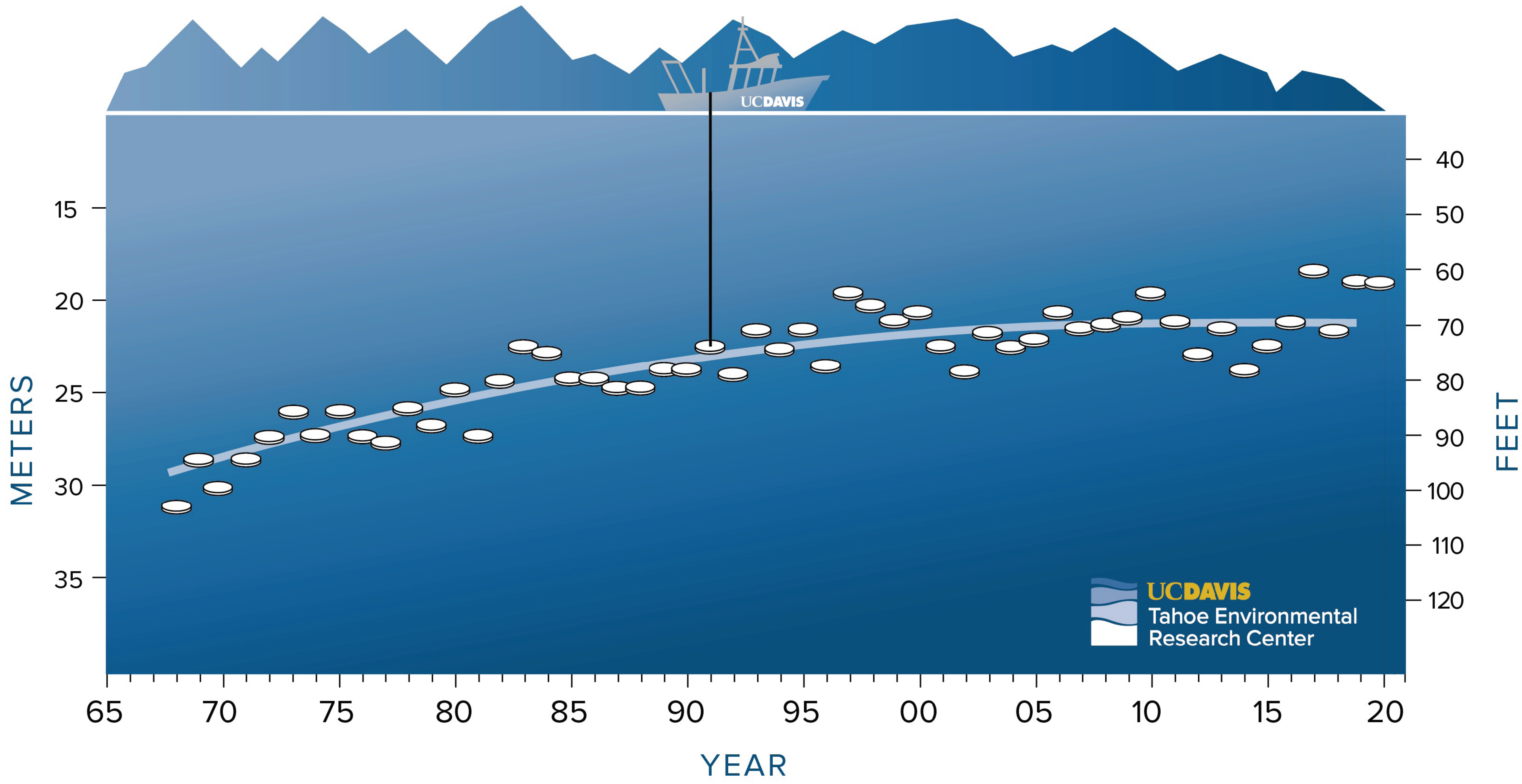
The excess land coverage fee shall be as follows:

$\text{Mitigation Fee (\$)} = \text{Land Coverage Reduction Sq. Ft.} \times \text{Mitigation Fee Sq. Ft. Land Coverage Cost Factor.}$

3. Land Coverage Mitigation Construction Cost

“Land coverage mitigation construction cost” is defined as a cost estimate prepared by a registered engineer, licensed architect, or other qualified professional acceptable to TRPA, of the cost to construct the structural elements of a structure. This includes, without limitation: pier pilings, bracing and supports, bearing walls, rafters, foundations, and base materials under asphalt or concrete. Land coverage mitigation construction cost shall not include non-structural elements such as painting, shingles and other non-bearing roofing materials, siding (except siding necessary to brace or provide shear strength), doors overlays upon existing paved surfaces, HVAC systems, sewer systems, water systems, electrical systems, furniture, and similar decorations and fixtures.

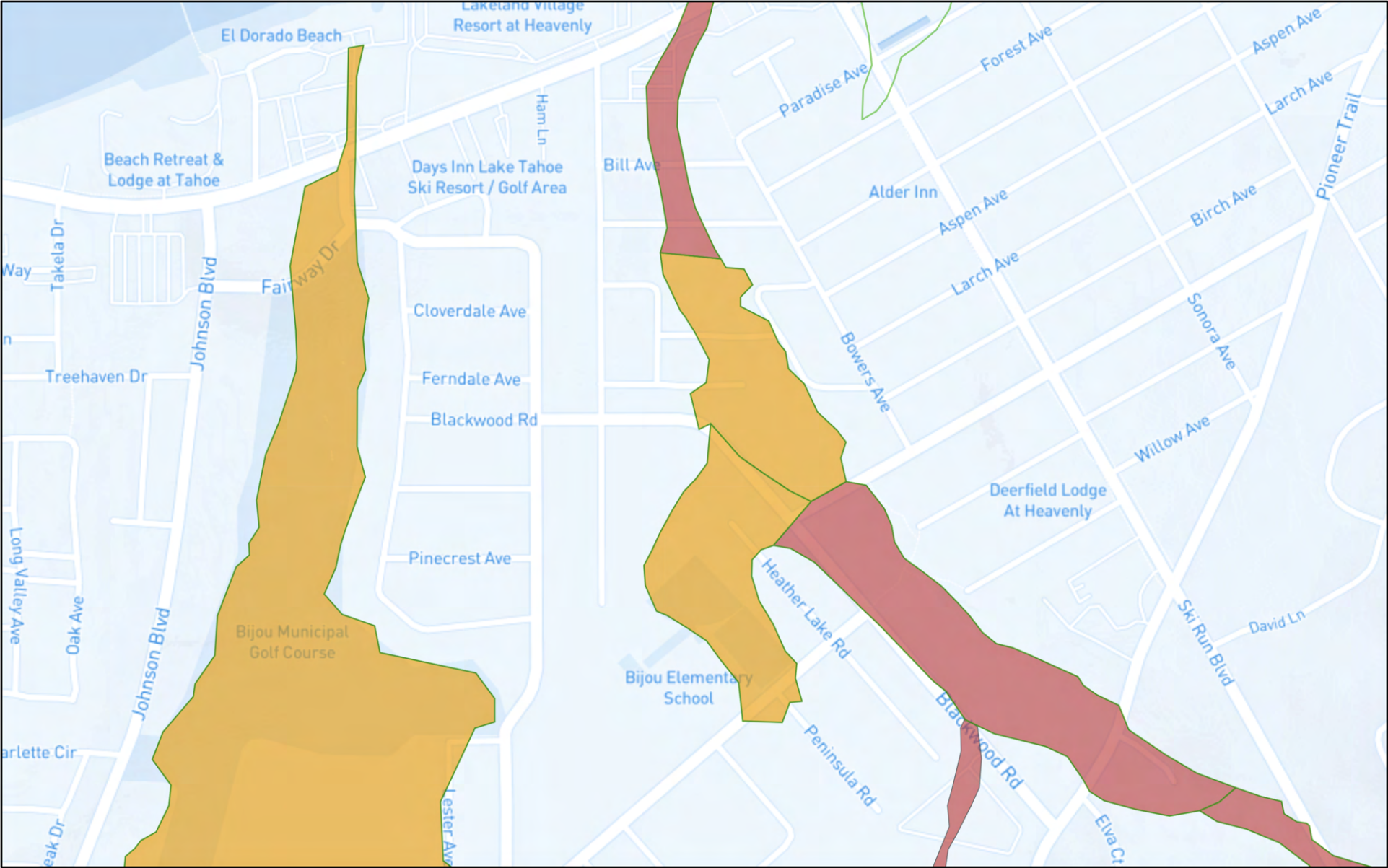
ANNUAL AVERAGE SECCHI DEPTH



Year	Annual (meters)	Winter (meters)	Summer (meters)	Annual (feet)	Winter (feet)	Summer (feet)
2020	19.2	19.5	18.0	63.0	64.0	59.1
2019	19.1	24.7	16.1	62.7	81.0	52.8
2018	21.6	22.4	18.8	70.9	73.5	61.7
2017	18.4	24.0	16.3	60.4	78.7	53.5
2016	21.1	25.4	17.2	69.2	83.3	56.4
2015	22.3	21.8	22.3	73.2	71.5	73.2
2014	23.7	24.1	23.4	77.8	79.1	76.8
2013	21.4	23.7	19.4	70.2	77.8	63.6
2012	22.9	26.9	19.7	75.1	88.3	64.6
2011	21.0	25.9	15.7	68.9	85.0	51.5
2010	19.6	22.2	15.8	64.3	72.8	51.8
2009	20.8	24.8	18.0	68.2	81.4	59.1
2008	21.2	26.0	15.4	69.6	85.3	50.5
2007	21.4	25.1	19.9	70.2	82.3	65.3
2006	20.6	23.4	17.5	67.6	76.8	57.4
2005	22.0	24.5	20.4	72.2	80.4	66.9
2004	22.4	25.4	22.3	73.5	83.3	73.2
2003	21.6	21.6	21.1	70.9	70.9	69.2
2002	23.8	23.9	24.7	78.1	78.4	81.0
2001	22.4	23.7	22.2	73.5	77.8	72.8
2000	20.5	21.5	19.5	67.3	70.5	64.0
1999	21.0	24.7	19.2	68.9	81.0	63.0
1998	20.1	23.2	18.2	65.9	76.1	59.7
1997	19.5	20.0	19.1	64.0	65.6	62.7
1996	23.4	26.9	21.1	76.8	88.3	69.2
1995	21.5	22.9	17.7	70.5	75.1	58.1
1994	22.6	21.8	23.7	74.1	71.5	77.8
1993	21.5	25.8	19.9	70.5	84.6	65.3
1992	23.9	22.1	25.2	78.4	72.5	82.7
1991	22.4	21.6	22.2	73.5	70.9	72.8
1990	23.6	25.8	23.0	77.4	84.6	75.5
1989	23.6	26.7	23.0	77.4	87.6	75.5
1988	24.7	23.6	28.0	81.0	77.4	91.9
1987	24.6	23.2	26.1	80.7	76.1	85.6
1986	24.1	26.9	22.6	79.1	88.3	74.1
1985	24.2	27.3	22.1	79.4	89.6	72.5
1984	22.8	22.0	22.7	74.8	72.2	74.5
1983	22.4	29.0	17.4	73.5	95.1	57.1
1982	24.3	27.6	19.7	79.7	90.6	64.6
1981	27.4	24.9	29.8	89.9	81.7	97.8

1980	24.8	27.7	22.8	81.4	90.9	74.8
1979	26.7	29.0	24.9	87.6	95.1	81.7
1978	25.9	26.7	25.0	85.0	87.6	82.0
1977	27.8	27.8	28.3	91.2	91.2	92.8
1976	27.4	27.6	25.8	89.9	90.6	84.6
1975	26.1	28.8	23.7	85.6	94.5	77.8
1974	27.2	29.7	25.3	89.2	97.4	83.0
1973	26.1	29.5	22.9	85.6	96.8	75.1
1972	27.4	26.1	27.8	89.9	85.6	91.2
1971	28.7	33.5	26.3	94.2	109.9	86.3
1970	30.2	30.3	28.5	99.1	99.4	93.5
1969	28.6	36.3	22.8	93.8	119.1	74.8
1968	31.2	33.4	28.7	102.4	109.6	94.2

Bijou Park Creek SEZ Rating



3/14/2022

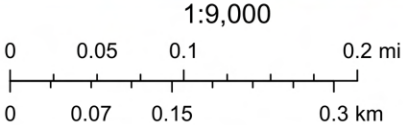
SEZ Assessment Unit

Assessment Unit Ratings

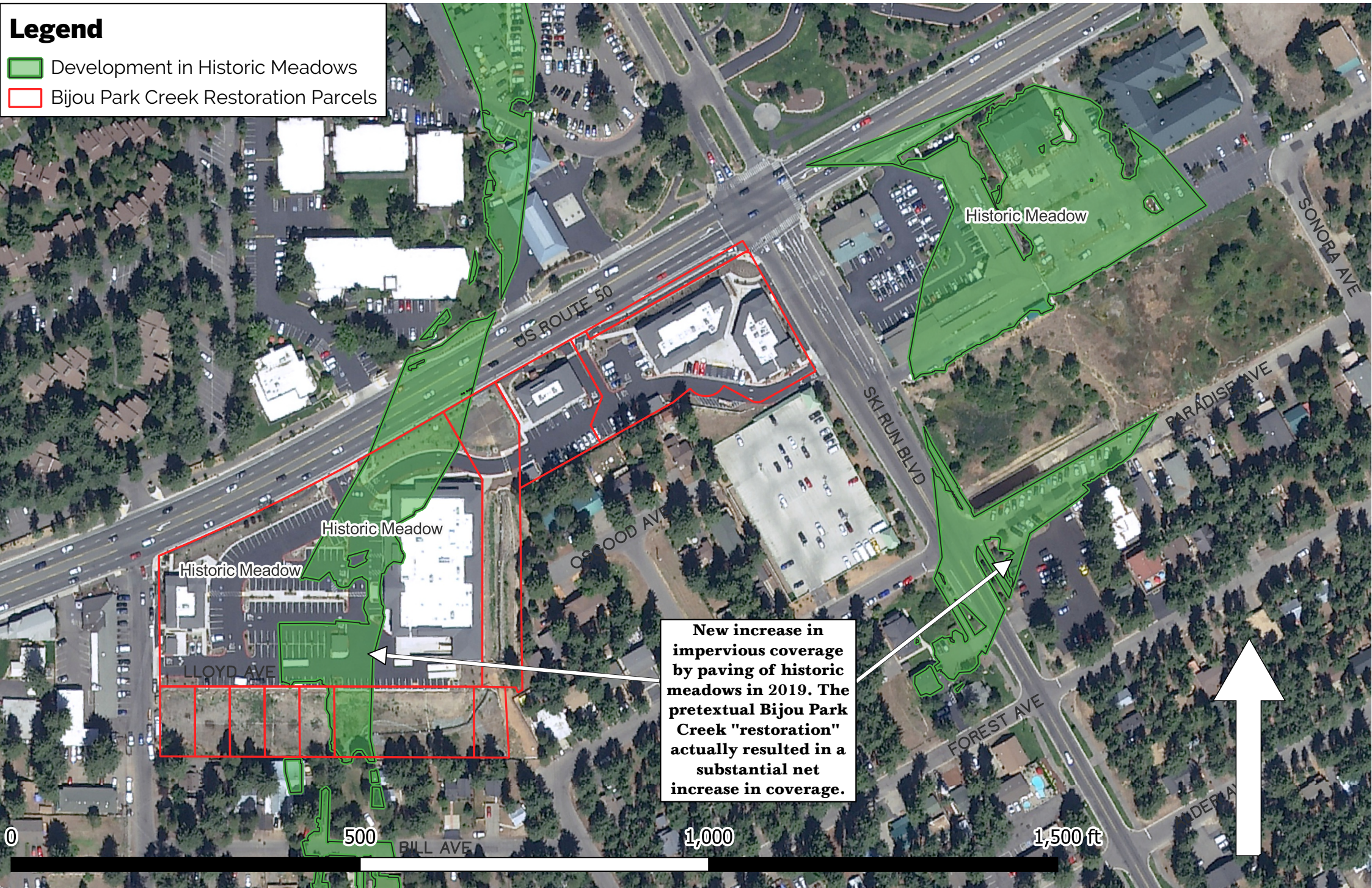
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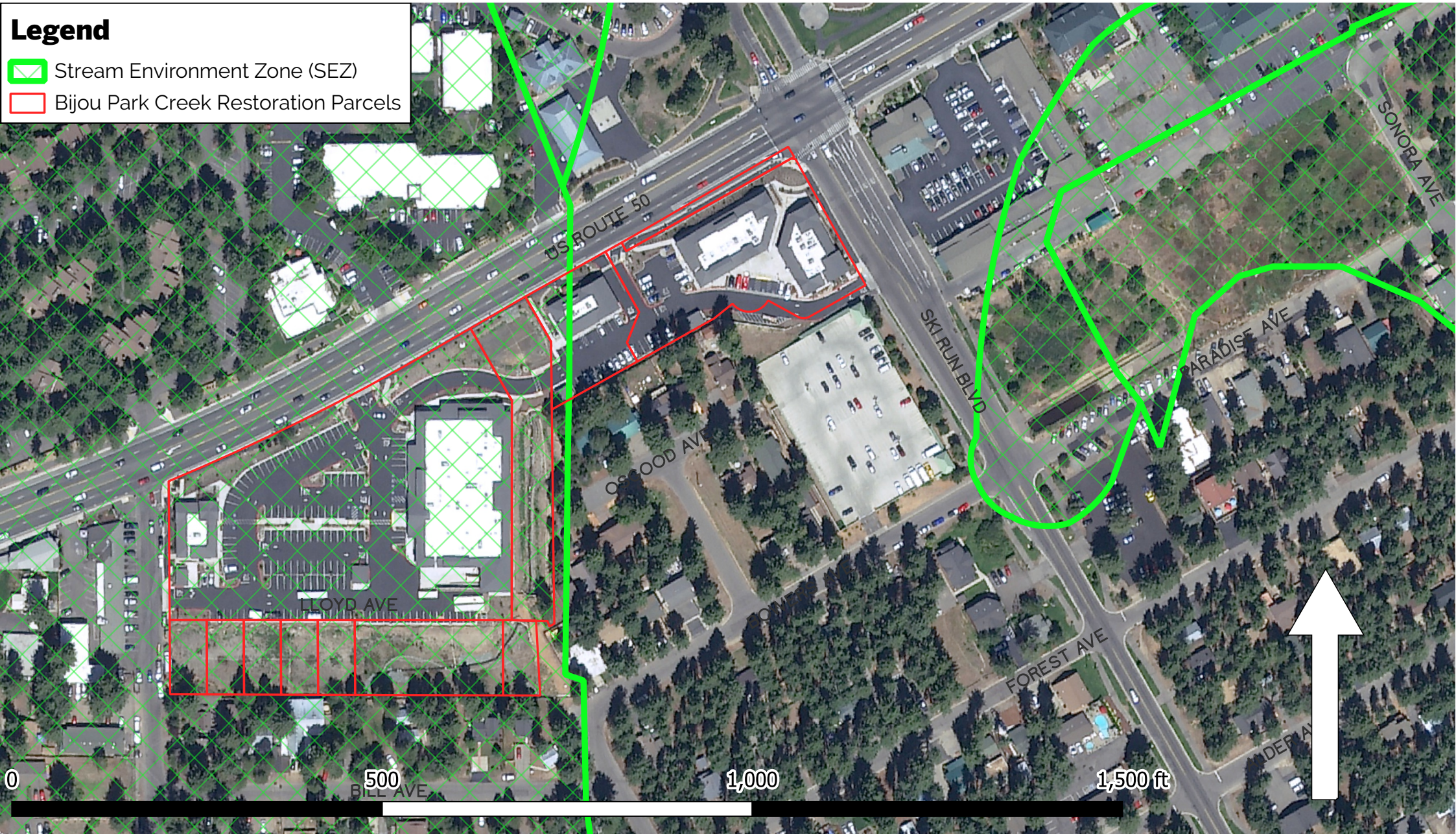
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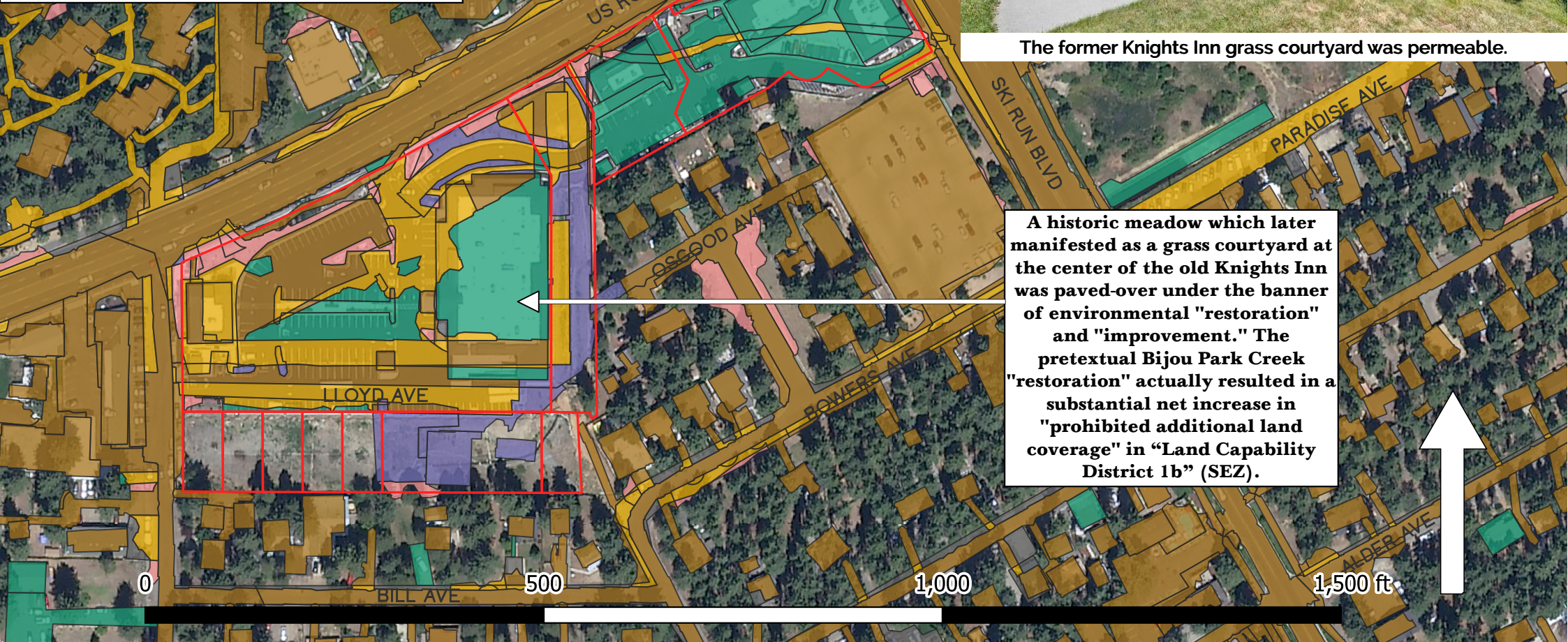
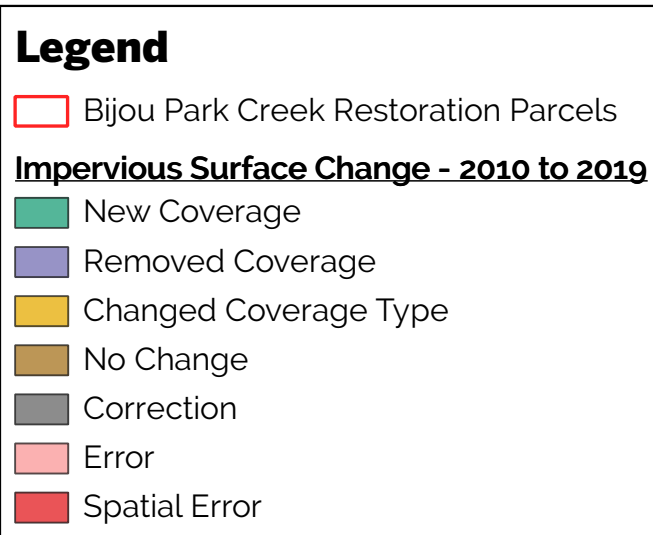
Bijou Park Creek Restoration and Improvement Project Failed



Whole Foods (Amazon Inc.) Development Occurred Inside Stream Environment Zone (SEZ), Exceeded 1% Impervious Coverage Limit, Replaced “Nonconforming Structures,” Modified “Nonconforming Uses,” and Permanently Impeded Lower Bijou Park Creek Restoration Improvement in Violation of TRPA Threshold Standards, Regional Plan, and Code of Ordinances (e.g., SC2; LU-2.4B, LU-2.5B, S-1.1, S-1.2, S-1.5, S-1.7, SEZ-1.2, & SEZ-1.5; Ord. 4.4, 30.4, & 30.5).



Bijou Park Creek Restoration and Improvement Project Failed



The former Knights Inn grass courtyard was permeable.

"Bijou Park Creek Open Space Preserve" — Ski Run Park Concept — An Active Lifestyle, Interpretive Dog Park, & Cultural Hub.

