



Tahoe
Metropolitan
Planning
Organization

P.O. Box 5310
128 Market Street
Stateline, Nevada 89449
(775) 588-4547 ♦ Fax (775) 588-4527

December 16, 2009

Muhaned Aljabiry, Chief
Division of Transportation Management Program
Office of Federal Transportation Management Program
Department of Transportation, MS 82
P.O. Box 942874
Sacramento, CA 94274-0001

Attn: Jody Tian

Subject: Formal Amendment #12 to the Tahoe Metropolitan Planning Organization's 2008-2012 Federal Transportation Improvement Program

Dear Mr. Aljabiry:

Please find attached the Tahoe Metropolitan Planning Organization's (TMPO) 2008-2012 Federal Transportation Improvement Program (FTIP) Formal Amendment #12. Today, December 16, 2009 the TMPO Governing Board unanimously approved this amendment. ***We request your expeditious review and approval of this amendment so TMPO can respond accordingly to the guidelines to allocate the remaining monies of the American Recovery and Reinvestment Act.***

This amendment package contains the following attachments:

- ✓ Approved TMPO Board Resolution
- ✓ Financial Summary
- ✓ Summary of Project Amendments
- ✓ CTIPS Project Printout
- ✓ Thirty Day Public Notice
- ✓ TRPA/TMPO Board Notice/Agenda
- ✓ TMPO Governing Board Staff Summary

FINANCIAL CONSTRAINT:

The changes requested in this FTIP amendment do not exceed the total amount of funding that is available and is financially constrained. The Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU) requires that all federally-funded highway and transit projects must be developed from a fiscally constrained planning and programming process. Fiscal constraint requires that revenues in transportation planning and programming (Federal, State, local, and private) are identified and are reasonably expected to be available to implement the Regional Transportation Plan and Federal Transportation Improvement Program while, providing for the operation and maintenance of the existing highway and transit systems.

AIR QUALITY CONFORMITY / RTP CONSISTENCY:

This amendment is exempt from an air quality conformity analysis, and the 2008 FTIP's Conformity Determination approved of by the Federal Highway Administration on January 26, 2008 is still the adopted analysis. The proposed amendment is consistent with the TMPO's Regional Transportation

Plan (RTP) referred to as "Mobility 2030" that was adopted on August 27th, 2008. This amendment does not interfere with the timely implementation of Transportation Control Measures (TCM's) contained in the State Implementation Plan (SIP).

Transportation conformity is a process for ensuring that federal funds are not used on projects that might impact the attainment of the federal air quality standards set forth in the Federal Clean Air Act and its Amendments of 1990. The Transportation Conformity Rule appears in 40 CFR Parts 51 and 93 and is applicable to transportation plans developed pursuant to 23 CFR part 450 or 49 CFR part 613 by a Metropolitan Planning Organization (MPO). This Transportation Conformity Rule requires all jurisdictions in non-attainment areas or who are under federally approved maintenance plans to submit a conformity analysis if the planning or programming documents identify projects that have been defined as non-exempt. The Tahoe Metropolitan Planning Organization is responsible for conducting conformity determinations for both the California and Nevada portions of the Basin where conformity requirements apply.

PUBLIC PARTICIPATION:

As required by Federal regulations, a Formal Amendment is subject to public review. The TMPO's Public Participation Plan requires this public review process to be open for a 30 day period. The TMPO publicly noticed this amendment on November 10, 2009 on the TMPO and Tahoe Regional Planning Agency websites. At the December 11, 2009 Tahoe Transportation Commission (TTC) meeting an opportunity for public comment was made available. On December 16, 2009 the TMPO Governing Board opened this item up for public comment prior to Board approval. There were no comments made during the open public comment period.

Section 450 of 23 CFR of SAFETEA-LU requires MPO's to provide all interested parties with a reasonable opportunity to comment on the proposed transportation improvement program. The 2008 FTIP has been developed under TMPO policies for community input and interagency consultation procedures. Projects included in this FTIP are projects proposed for funding under Title 23 (highway) or under Title 49 (transit), or projects for which approval by the FHWA or the FTA is required, or non-federally funded projects with regional transportation impacts. The TMPO in coordination with local, regional, state and federal agencies selected all projects in this FTIP for funding with federal and/or other funds. The TTC is required to review this document and any Formal Amendments to this document and provide input into its development, and make recommendation of endorsement prior to submittal to the TMPO. The TTC is a publicly open meeting that occurs the second Friday of every month.

The current 2008 FTIP as well as any noticed amendments can be found on www.tahoempo.org.

If you have any questions or concerns regarding this amendment, please do not hesitate to contact Judy Weber at 775-589-5203.

Sincerely,



Joanne S. Marchetta
Executive Director
Tahoe Regional Planning Agency
Tahoe Metropolitan Planning Organization

Cc: Wade Hobbs, FHWA California Division
Michael Morris, FHWA California Division
Ted Matley, FTA Region 9
Karina O'Conner, EPA
Ben Bramer, CALTRANS District 3
John Hoole, CALTRANS District 3
Pam Brunmeier, CALTRANS District 3
Steve Kooyman, El Dorado County

Attachments:

- A. Approved TMPO Board Resolution
- B. Financial Summary
- C. Summary of Project Amendment
- D. CTIPS Project Printout
- E. Thirty Day Public Notice
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- G. TMPO Governing Board Staff Summary

TAHOE METROPOLITAN PLANNING ORGANIZATION
TMPO RESOLUTION NO. 2009 - 31

ADOPTION OF FORMAL AMENDMENT #12 TO THE 2008-2012 FEDERAL
TRANSPORTATION IMPROVEMENT PROGRAM FOR THE LAKE TAHOE REGION

WHEREAS, the Tahoe Metropolitan Planning Organization (TMPO) is the designated planning organization for the Lake Tahoe Basin as defined by the Transportation Equity Act for the 21st Century; and

WHEREAS, the 2008 TMPO Federal Transportation Improvement Program (FTIP) has been developed and maintained in accordance with the Safe, Accountable, Flexible and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU); and

WHEREAS, the Federal Clean Air Act amendments require that no department, agency, or instrumentality of the Federal Government shall engage in, support in any way or provide financial assistance for, license or permit, or approve an activity which does not conform to an implementation plan approved or promulgated under Section 110; and

WHEREAS, no metropolitan planning organization designated under Title 23 of the U.S. Code shall give its approval to any project, program or plan which does not conform to an implementation plan approved or promulgated under Section 110; and

WHEREAS, the assurance of conformity to an implementation plan is the affirmative responsibility of the TMPO; and

WHEREAS, the 2008 Regional Transportation Plan for the Lake Tahoe Basin describes a transportation system envisioned for the horizon years and was adopted as a financially constrained plan by the TMPO Board on August 27, 2008; and

WHEREAS, the 2008 FTIP is consistent with the transportation system and financial plan described in the 2008 Regional Transportation Plan; and

WHEREAS, the 2008 FTIP is financially constrained by year and includes a financial plan that demonstrates which projects can be implemented using committed funds; and

WHEREAS, the 2008 FTIP includes all regionally significant transportation projects to be funded from local, state or federal resources; and

WHEREAS, the 2008 FTIP has been developed under TMPO policies for community input and interagency consultation procedures; and

WHEREAS, during the life of the program, it is sometimes necessary to amend the program to reflect changes in project costs, scopes or schedules, or to add new projects; and

WHEREAS, the 2008 FTIP is now in need of amendment; and

WHEREAS, the 2008 FTIP Amendment #12 does not interfere with the timely implementation of any approved Transportation Control Measure; and

WHEREAS, the 2008 FTIP Amendment #12 was found to conform to the applicable State Implementation Plan; and

WHEREAS, the 2008 FTIP Amendment #12 conformity determination was based on the 2008 Regional Transportation Plan for the Lake Tahoe Basin; and

WHEREAS, the 2008 FTIP Amendment #12 is air quality exempt and no further conformity determination is required; and

WHEREAS, the 2008 FTIP Amendment #12 meets all applicable transportation planning requirements per 23 Code of Federal Regulations Part 450; and

WHEREAS, on December 11, 2009, the Tahoe Transportation Commission recommended the TMPO adopt the proposed 2008 FTIP Amendment #12.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Tahoe Metropolitan Planning Organization adopts this resolution approving the 2008 FTIP Amendment #12.

BE IT FURTHER RESOLVED, that TMPO staff is hereby directed and authorized to work with Caltrans, the Nevada Department of Transportation, the Federal Highway Administration, the Federal Transit Administration and the Environmental Protection Agency to make whatever technical changes or corrections are needed to the format and organization of the document to obtain its approval by these agencies.

PASSED AND ADOPTED by the Governing Board of the Tahoe Metropolitan Planning Organization at its regular meeting held on December 16, 2009, by the following vote:

Ayes: Mr. Burnham, Mr. Biaggi, Mr. Breternitz, Mr. Casey, Mr. Merrill, Mr. Miller, Mr. Sevison, Mr. Cashman, Mr. Cole, Ms. Santiago, Mr. Sher

Nays:

Abstain:

Absent: Ms. Bresnick, Ms. McDermid, Ms. Ruthe

A handwritten signature in black ink, appearing to read "Allen Biaggi". The signature is written in a cursive style with a large, stylized flourish at the end.

Allen Biaggi, Chair
TMPO Governing Board

TABLE 2: PROGRAMMED

State of California
2008/09-2011/12 Federal Transportation Improvement Program
Tahoe Metropolitan Planning Organization (TMPO)
AMENDMENT #: 12

FUNDING SOURCE		PROGRAMMED (Dollars X 1,000)								
		2008/09		2009/10		2010/11		2011/12		CURRENT TOTAL
		Previous	Current	Previous	Current	Previous	Current	Previous	Current	
LOCAL	Local Total	\$0	\$0	\$744	\$744	\$0	\$0	\$0	\$0	\$744
REGIONAL	Tolls	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	-- Bridge	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	-- Corridor	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Regional Transit Fares/Measures	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Regional Sales Tax	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Regional Bond Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Regional Gas Tax	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Vehicle Registration Fees (CARB Fees, SAFE)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Other (Please Specify)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Regional Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STATE	State Highway Operations and Protection Program (SHOPP)	\$57,811	\$57,811	\$41,850	\$41,850	\$206,120	\$206,120	\$103,740	\$103,740	\$409,521
	SHOPP (Including Augmentation)	\$57,811	\$57,811	\$41,850	\$41,850	\$206,120	\$206,120	\$103,740	\$103,740	\$409,521
	SHOPP Prior*	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	State Transportation Improvement Program (STIP)	\$700	\$700	\$9,138	\$9,138	\$128	\$128	\$0	\$0	\$9,966
	STIP (Including Augmentation)	\$700	\$700	\$9,138	\$9,138	\$128	\$128	\$0	\$0	\$9,966
	Transportation Enhancement	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	TE - RIP	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	TE - IIP	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	STIP Prior*	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Transportation Enhancement	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	TE - RIP	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	TE - IIP	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Proposition 1 B ¹	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	GARVEE Bonds	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Highway Maintenance (HM)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Traffic Congestion Relief Program (TCRP)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	State Transit Assistance (STA) (e.g., population/revenue based, Prop 42)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Nevada State Funds	\$572	\$572	\$150	\$150	\$1,100	\$1,100	\$0	\$0	\$1,822
	Nevada Tahoe Bonds	\$0	\$0	\$9,675	\$9,675	\$16,025	\$16,025	\$13,875	\$13,875	\$39,575
	Southern Nevada Public Lands Management	\$225	\$225	\$1,190	\$1,190	\$250	\$250	\$0	\$0	\$1,665
	Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	State Total	\$59,308	\$59,308	\$62,003	\$62,003	\$223,623	\$223,623	\$117,615	\$117,615	\$462,549
FEDERAL TRANSIT	Bus and Bus Related Grants (5309c)	\$0	\$0	\$665	\$665	\$0	\$0	\$0	\$0	\$665
	Clean Fuel Formula Program (5308)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Elderly & Persons with Disabilities Formula Program (5310)	\$0	\$0	\$467	\$467	\$0	\$0	\$0	\$0	\$467
	Fixed Guideway Modernization (5309a)	\$575	\$575	\$575	\$575	\$4,000	\$4,000	\$4,000	\$4,000	\$9,150
	Intercity Bus (5311f)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Job Access and Reverse Commute Program (5316)	\$115	\$115	\$115	\$115	\$0	\$0	\$0	\$0	\$230
	Metropolitan Planning (5303)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	New and Small Starts (Capital Investment Grants) (5309b)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	New Freedom (5317)	\$145	\$145	\$125	\$125	\$125	\$125	\$0	\$0	\$395
	Nonurbanized Area Formula Program (5311)	\$834	\$834	\$1,342	\$1,342	\$145	\$145	\$145	\$145	\$2,466
	Public Transportation on Indian Reservation (5311c)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Transit in the Parks (5320)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Urbanized Area Formula Program (5307)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	ARRA - FTA 5307	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	ARRA - FTA 5309	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	ARRA - FTA 5311	\$555	\$555	\$153	\$153	\$0	\$0	\$0	\$0	\$708
	ARRA - FTA 5311 NV	\$1,575	\$1,575	\$0	\$0	\$0	\$0	\$0	\$0	\$1,575
	Job Access and Reverse Commute Program (5316) NV	\$63	\$63	\$0	\$0	\$0	\$0	\$0	\$0	\$63
	New Freedom (5317) NV	\$60	\$60	\$120	\$120	\$0	\$0	\$0	\$0	\$180
Other (Please specify)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Federal Transit Total	\$3,922	\$3,922	\$3,562	\$3,562	\$4,270	\$4,270	\$4,145	\$4,145	\$15,899	

TABLE 2: PROGRAMMED

State of California
2008/09-2011/12 Federal Transportation Improvement Program
Tahoe Metropolitan Planning Organization (TMPO)
AMENDMENT #: 12

FUNDING SOURCE		PROGRAMMED (Dollars X 1,000)								
		2008/09		2009/10		2010/11		2011/12		CURRENT TOTAL
		Previous	Current	Previous	Current	Previous	Current	Previous	Current	
FEDERAL HIGHWAY	Federal Highway Non-Discretionary									
	Congestion Mitigation and Air Quality (CMAQ)	\$550	\$550	\$148	\$148	\$0	\$0	\$0	\$0	\$698
	Surface Transportation Program (Regional)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Highway Bridge Program (HBP)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Highway Safety Improvement Program (HSIP)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Railway (Section 130)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Safe Routes to School (SRTS) (SAFETEA-LU)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Safe Routes to School (SR2S)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Transportation Improvements (TI)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Federal Lands Highway	\$2,600	\$2,600	\$700	\$700	\$500	\$500	\$0	\$0	\$3,800
	ARRA - SHOPP	\$16,709	\$16,709	\$0	\$0	\$0	\$0	\$0	\$0	\$16,709
	ARRA - STIP	\$502	\$1,060	\$0	\$0	\$0	\$0	\$0	\$0	\$1,060
	ARRA - Highway Maintenance (HM)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	ARRA - TE	\$0	\$0	\$0	\$66	\$0	\$0	\$0	\$0	\$66
	ARRA - RSTP	\$1,298	\$740	\$0	\$558	\$0	\$0	\$0	\$0	\$1,298
	ARRA - Federal Lands Highway	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Other (Please specify)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Subtotal	\$21,659	\$21,659	\$848	\$1,472	\$500	\$500	\$0	\$0	\$23,631
	Federal Highway Discretionary Programs									
	Bridge Discretionary Program	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Corridor Infrastructure Improvement Program (SAFETEA-LU Sec. 1302)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Coordinated Border Infrastructure (SAFETEA-LU Sec.1303)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Ferry Boat Discretionary	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	High Priority Projects (HPP)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	High Risk Rural Road (HRRR)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	National Scenic Byways Program	\$0	\$0	\$223	\$223	\$0	\$0	\$0	\$0	\$223
Projects of National/Regional Significance (SAFETEA-LU Sec. 1301)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Public Lands Highway Discretionary	\$675	\$675	\$1,000	\$1,000	\$0	\$0	\$0	\$0	\$1,675	
Recreational Trails	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Transportation and Community and System Preservation Program	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Forest Highway Funds	\$0	\$0	\$0	\$0	\$8,500	\$8,500	\$12,300	\$12,300	\$20,800	
Section 115 Demo Funds	\$0	\$0	\$2,000	\$2,000	\$0	\$0	\$0	\$0	\$2,000	
Subtotal	\$675	\$675	\$3,223	\$3,223	\$8,500	\$8,500	\$12,300	\$12,300	\$24,698	
Federal Highway Total	\$22,334	\$22,334	\$4,071	\$4,695	\$9,000	\$9,000	\$12,300	\$12,300	\$48,329	
FEDERAL TOTAL²	\$26,256	\$26,256	\$7,633	\$8,257	\$13,270	\$13,270	\$16,445	\$16,445	\$64,228	
INNOVATIVE FINANCE³	TIFIA (Transportation Infrastructure Finance and Innovation Act)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	State Infrastructure Bank	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Section 129 Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Rail Rehab & Improvement Financing	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Private Activity Bonds	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Private Concession Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Private Donations	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Program Income (from a federal project)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Other (Please specify)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Innovative Financing Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROGRAMMED TOTAL	\$85,564	\$85,564	\$70,380	\$71,004	\$236,893	\$236,893	\$134,060	\$134,060	\$527,521	

NOTES:

¹ **Regional:** Some MPOs may not have regional fund sources. In these cases, data is shown as "zero" or not applicable.

² **Federal Total:** Is the sum of federal highway and federal transit programs.

³ **Innovative Finance:** Toll revenues are included under local and regional while GARVEE bond revenues are included under state.

⁴ **Proposition 1B:** Subtotal is a sum of funding for various programs funded under proposition 1B except for STIP Augmentation and SHOPP Augmentation.

***Note:** STIP/SHOPP funding coming from prior STIP/SHOPP programs.

Summary of Project Amendment

Pioneer Overlay Project (New Project)

1. Add ARRA RSTP funds of \$558,000 to FY 09/10
2. Add ARRA TE funds of \$66,000 to FY 09/10

**Tahoe Regional Planning Agency - Federal Transportation Improvement Program
(Dollars in Whole)
Local Highway System**

Attachment D

DIST: 03	COUNTY: El Dorado County	TITLE (DESCRIPTION): Pioneer Overlay (Recessed stripping, C1 2 bike lane recessed re-stripping, drain inlet upgrades)	MPO Aprv: / /
ROUTE:	PM:		State Aprv: / /
PPNO:	KP:		Federal Aprv: / /
EA:	MPO ID: EDCO3		
CTIPS ID: 220-0000-0101			
IMPLEMENTING AGENCY: El Dorado County		PRJ MGR: TOM CELIO	EPA TABLE II or III EXEMPT CATEGORY:
		PHONE: (530) 621-4905	

PROJECT VERSION HISTORY *(Printed Version is Shaded)* *(Dollars in whole)*

Version	Status	Official Date	Updated By	Change Reason	Amend No.	Prog Con	Prog RW	PE				
1	Active	11/24/2009	JWEBER	Amendment - New Project	12	624,000						
				<u>PRIOR</u>	<u>08/09</u>	<u>09/10</u>	<u>10/11</u>	<u>11/12</u>	<u>12/13</u>	<u>13/14</u>	<u>BEYOND</u>	<u>TOTAL</u>
• Other Fed -												
• Fund Source 1 of 2				PE								
• Fund Type: ARRA - Regional Surface Transportation Program				RW								
				CON		558,000						558,000
• Funding Agency:				TOTAL		558,000						558,000
• Other Fed -				<u>PRIOR</u>	<u>08/09</u>	<u>09/10</u>	<u>10/11</u>	<u>11/12</u>	<u>12/13</u>	<u>13/14</u>	<u>BEYOND</u>	<u>TOTAL</u>
• Fund Source 2 of 2				PE								
• Fund Type: ARRA - Transportation Enhancement				RW								
				CON		66,000						66,000
• Funding Agency:				TOTAL		66,000						66,000
Project Total				<u>PRIOR</u>	<u>08/09</u>	<u>09/10</u>	<u>10/11</u>	<u>11/12</u>	<u>12/13</u>	<u>13/14</u>	<u>BEYOND</u>	<u>TOTAL</u>
				PE								
				RW								
				CON		624,000						624,000
				TOTAL		624,000						624,000

Comments:
 New Project for remaining ARRA funds
 add \$558,000 in ARRA RSTP funds FY09/10
 add \$66,000 in ARRA TE funds FY09/10
 ***** Version 1 - 11/24/2009 *****



NOTICE OF 30 DAY PUBLIC COMMENT PERIOD

Tahoe Metropolitan Planning Organization's (TMPO) 2008 Federal Transportation Improvement Program (FTIP) Formal Amendment #12

This announcement is being initiated as required by TMPO's Public Participation Plan (PPP) to provide public notification of changes that have been requested to be made to the 2008 FTIP. This announcement was publicly released November 10, 2009. Written public comments will be accepted through December 10, 2009.

Comments should be sent to:

Tahoe Metropolitan Planning Organization
Attn: Judy Weber, Transportation Planner
P.O. Box 5310
Stateline, NV 89449

Or via email: jweber@trpa.org

Tahoe Regional Planning Agency has a remaining balance in American Recovery and Reinvestment (ARRA) funds of \$624,000 for highway improvements. Working with the local agency and Caltrans, it was determined that the Pioneer Overlay Project is the most suitable project for the ARRA funds.

The remaining balance of the American Recovery and Reinvestment Act funds of \$624,000 are being allocated to:

Pioneer Overlay Project (New Project)

1. Add ARRA RSTP funds of \$558,000 to FY 09/10
2. Add ARRA TE funds of \$66,000 to FY 09/10

Copies of this amendment can be obtained at TMPO offices, 128 Market Street, Ste. 'F' Stateline, Nevada 89449 or from Judy Weber at (775) 589-5203.

TAHOE REGIONAL PLANNING AGENCY (TRPA)
AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on **Wednesday, December 16, 2009**, commencing at **9:30 a.m. at the Chateau, Incline Village, NV**, and **Thursday, December 17, 2009 at 9:00 a.m. at the TRPA Offices**, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that on **Wednesday, December 16, 2009**, commencing at **8:30 a.m.**, at **The Chateau**, the TRPA Legal Committee will meet. The agenda will be as follows: **1) Public Interest Comments; 2) Closed Session with Counsel to Discuss Existing and Potential Litigation; 3) Potential Direction Regarding Agenda Item No. 2; 4) Member Comments;** (Committee: Chair – Aldean, Vice Chair – Bresnick, Biaggi, Santiago, Miller, Sher)

NOTICE IS FURTHER GIVEN that on **Wednesday, December 16, 2009**, commencing at **8:30 a.m.**, at **The Chateau**, the TRPA Operations Committee will meet. The agenda will be as follows: **1) Public Interest Comments; 2) Frequency of Financial Statement Reporting; 3) Acceptance of October Monthly Financial Statement; Page 1 4) Acceptance of November Monthly Financial Statement; Page 39 5) Release of \$125,000 of Water Quality Mitigation Funds Interest to Washoe County for the Purchase of Street Sweepers; Page 105 6) Adoption of the 2008 Federal Transportation Improvement Program Formal Amendment #12; Page 109 7) Monthly Filing Fee and Mooring Revenue Report; 8) Amendment to Article 5.22 of the TRPA Rules of Procedure to Extend the Time Period that Permittees may Request a Refund of Mitigation Fees; Page 177 9) Member Comments** (Committee: Chair – Merrill, Vice Chair – Ruthe, Cashman, Breternitz, McDermid)

NOTICE IS FURTHER GIVEN that on Thursday, December 17, 2009 commencing at 12:00 p.m. to 1:30 p.m. at the TRPA Offices, the TRPA staff will host a Holiday luncheon for the Governing Board and Advisory Planning Commission Members.

December 9, 2009



Joanne S. Marchetta, Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Stateline, Nevada, and Tahoe Valley California Post Office. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office and the North Lake Tahoe Chamber of Commerce.

TAHOE REGIONAL PLANNING AGENCY	
GOVERNING BOARD	
Chateau	December 16, 2009 9:30 a.m.
Incline Village, NV	
TRPA	December 17, 2009 9:00 a.m.
Stateline, NV	

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

All public comments should be as brief and concise as possible so that all who wish to speak may do so; testimony should not be repeated. The Chair of the Board shall have the discretion to set appropriate time allotments (3 minutes for individuals and 5 minutes for group representatives). No extra time for speakers will be permitted by the ceding of time to others. Written comments of any length are always welcome. So that names may be accurately recorded in the minutes, persons who wish to comment are requested to sign in by Agenda Item on the sheets available at each meeting.

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

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

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to attend the meeting. Please contact Judy Nikkel at (775) 589-5243 if you would like to attend the meeting and are in need of assistance.

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. PLEDGE OF ALLEGIANCE
- III. PUBLIC INTEREST COMMENTS – All comments may be limited by the Chair. Any member of the public wishing to address the Governing Board on any item not listed on the agenda may do so at this time. However, public comment on Project Review, Public Hearing, and Appeal items will be taken at the time those agenda items are heard.

The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

VI. TRPA CONSENT CALENDAR (see Consent Calendar agenda below, for specific items)

Adjourn as the TRPA Board and convene as the TMPO Board

VII. TAHOE METROPOLITAN PLANNING ORGANIZATION

- A. TMPO Consent Calendar (see Consent Calendar agenda below for specific items) **Page 109**

Adjourn as the TMPO Board and reconvene as the TRPA Board

VIII. PUBLIC HEARINGS

- A. Amendment of Chapter 54, Shorezone Project Findings and Development Standards, to Adopt a Buoy Placement Limit Line to Replace the Current 350 Foot Buoy Limit Specified in Shorezone Code Subsection 54.5.B (***time certain Wednesday, 9:45 a.m.***) **Page 115**

- B. Amendment to Article 5.22 of the TRPA Rules of Procedure to Extend the Time Period that Permittees may Request a Refund of Mitigation Fees **Page 177**

- C. Deferral of Additional Private Use Pier Applications until 2011 **Page 185**

- D. Public Comment on the Draft Environmental Impact Statement (EIS) for the Boulder Bay Resort Project, 2 Highway 28, Washoe County, Nevada, Assessor's Parcel Numbers (APNs) 123-052-02, -03, -04; 123-053-02, -04, 123-054-01;123-071-04, -034, -035, -036, -037, TRPA File No. CEPP 2008-0123 and ENVR 2008-0003 (***time certain Wednesday, 1:00 p.m.***) **Page 189**

IX. PLANNING MATTERS

- A. Regional Plan Update Adaptive Management Program Briefing (***time certain Wednesday 11:00 a.m.***)

X. PROJECTS

- A. The Aspens at South Lake Tahoe Affordable/Moderate Multiple-Family Dwellings, 3521 and 3541 Pioneer Trail, City of South Lake Tahoe, California, APNs 027-323-10 and 027-323-16, TRPA File No. ERSP2009-0479 (***time certain Thursday, 9:00 a.m.***) **Page 225**

XI. ADMINISTRATIVE MATTERS

- A. Closed Session to Discuss Pending Litigation

XII. COMPLIANCE MATTERS

- A. Compliance Investigation, Tahoe Vista Partners, LLP (TVP),
Adjustment of Legally Existing Coverage, 6873 North Lake Tahoe
Blvd., Placer County, CA, Assessors Parcel Number (APN)
117-071-29 and Tahoe Meadows HOA Property, South Lake Tahoe, CA

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XIII. REPORTS

- A. Executive Director Status Report
- 1. Agency Work Program Priorities for December
 - a. Regional Plan Update
 - b. Forest Fuels Management Update
 - c. Aquatic Invasive Species
 - d. EIP Implementation
 - e. Shorezone Implementation
 - f. CEP Update
- 2. Status Report on Strategic Plan Update

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- B. General Counsel Status Report

XIV. GOVERNING BOARD MEMBER REPORTS

XV. COMMITTEE REPORTS

- A. Legal Committee
- B. Operations Committee
- C. Public Outreach & Environmental Education Committee
- D. Catastrophic Wildfire Committee
- E. Local Government Committee

XVI. ADJOURNMENT

TRPA CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>	
1. Acceptance of October Monthly Financial Statement	Acceptance	<u>Page 1</u>
2. Acceptance of November Monthly Financial Statement	Acceptance	<u>Page 39</u>

- | | | |
|---|----------|------------------------|
| 3. Tahoe Keys Marina Modification/Expansion of Boat Barn C,
2435 Venice Drive, City of South Lake Tahoe, CA,
Assessor's Parcel Number (APN) 022-210-32,
TRPA File Number ERSP2009-0714 | Approval | <u>Page 79</u> |
| 4. Release of \$125,000 of Water Quality Mitigation Funds
Interest to Washoe County for the Purchase of Street
Sweepers | Approval | <u>Page 105</u> |

TMPO CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>	<u>Page</u>
1. Adoption of the 2008 Federal Transportation Improvement Program Formal Amendment #12	Adoption	<u>Page 109</u>

The consent calendar items are expected to be routine and non-controversial. **They will be acted upon by the Board at one time without discussion or staff presentation.** The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category.

Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

(1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken. (2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency. (3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III (g) Public Law 96-551 Tahoe Regional Planning Agency Governing Board Members: Chair, Allen Biaggi, Director of Nevada Dept. of Conservation & Natural Resources; Vice-Chair, Norma Santiago, El Dorado County Supervisor; Mara Bresnick, California Assembly Speaker's Appointee; Shelly Aldean, Carson City Supervisor; John Breternitz, Washoe County Commissioner; Jennifer Montgomery, Placer County Supervisor; Nancy McDermid, Douglas County Commissioner; Steven Merrill, California Governor's Appointee; Casey Beyer, California Governor's Appointee; Ross Miller, Nevada Secretary of State; Donna Ruthe, Nevada Governor's Appointee; Timothy

Cashman, Nevada At-Large Member; Byron Sher, California Senate Rules Committee Appointee; Hal Cole, City of South Lake Tahoe Council; Josh Reid, Presidential Appointee.



MEMORANDUM

Date: December 09, 2009

To: Tahoe Metropolitan Planning Organization (TMPO) Governing Board

From: TMPO Staff

Subject: Adoption of the 2008 Federal Transportation Improvement Program Formal Amendment #12

Requested Action: Governing Board adoption of the attached resolution (Attachment A) approving the 2008 Federal Transportation Improvement Program (FTIP) Formal Amendment #12

Staff Recommendation: Staff recommends the Governing Board adopt the attached resolution (Attachment A).

TTC Recommendation: At the December 11, 2009 Tahoe Transportation Commission (TTC) meeting, it is anticipated the TTC board will endorse the 2008 FTIP Formal Amendment #12 and recommend TMPO Governing Board adoption. If recommendation is not endorsed, this item will be resubmitted at a later date for review and approval.

Required Motion: In order to adopt the proposed resolution, the Board must make the following motion, based on this staff summary and the evidence in the record:

- 1) A motion to approve the attached Resolution (Attachment A)

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

Background: The TMPO FTIP is a financially constrained list of surface transportation projects that are reasonably expected to be funded between 2008 and 2012. Any transportation project funded with federal monies, or is considered regionally significant, must be included in the FTIP as required by the federal transportation bill referred to as the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

There are two acceptable methods for amending the FTIP; 1) For minor project changes, the MPO Executive Director has the authority to approve an "Administrative Modification" for submittal and approval by the Federal Highway Administration; and 2) For major project changes, the TMPO must publicly notice any change for thirty days as specified by the TMPO's

Public Participation Plan and then by TMPO Board Resolution, submit a "Formal Amendment" to the Federal Highway Administration for approval.

Discussion: A 30 day public comment period was publicly released on November 10, 2009 for Formal Amendment #12 as required in the TMPO Public Participation Plan (attachment B). Written comments will be accepted until December 10, 2009. No comments have been received as of December 3, 2009. Any comments received prior to the closing date of December 10 will be brought to the meeting.

There is urgency in moving quickly to process this amendment and obligate the remaining portion of the Federal Stimulus funds. The stringent American Recovery and Reinvestment Act (ARRA) deadlines and the lengthy process of a formal amendment make a short lead time. In order not to jeopardize losing funds from the Tahoe Basin these remaining funds must be obligated to a project by approximately December 15, 2009 and construction of the project must begin in the summer of 2010. The Pioneer Overlay Project is construction ready for summer 2010 and meets all the requirements for ARRA funding.

Pioneer Overlay Project (New Project)

1. Add ARRA RSTP funds of \$558,000 to FY 09/10
2. Add ARRA TE funds of \$66,000 to FY 09/10

Issues/Concerns: There are no known issues or concerns with the document.

Regional Plan Compliance: The proposed resolution complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances.

Contact Information: If you have any questions or comments regarding this item, please contact Judy Weber at (775) 589-5203 or jweber@trpa.org.

Attachment(s):

- A. Resolution
- B. Notice of 30 Day Public Comment Period