

**MINUTES
TRI-COUNTY TECHNICAL ADVISORY COMMITTEE**

June 13, 2008

MEMBERS PRESENT: Brian Peters Alpine County
 Peter Maurer El Dorado County
 Nathan Lishman Amador County

OTHERS PRESENT: Zach Wood Alpine County
 Nate Whaley KMR
 Michael Richter KMR
 Reid Bennett KMA Homeowner

The June 13, 2008 meeting was called to order by Chair Brian Peters at 10:08 a.m.

A. Correspondence:

None

B. Minutes:

Draft minutes for May 9, 2008 were submitted. Zach Wood noted that he needed to add the names of the other attendees. Nathan Lishman moved to approve the minutes with the addition of the names. Brian Peters seconded the motion which was approved 2-0 with Peter Maurer abstaining.

C. Public Matters:

There were no public comments. Peter Maurer noted that El Dorado County is now posting the agendas and will post the minutes dating back to February 2008 on its web site: <http://www.co.el-dorado.ca.us/Planning/tri-tac.html>.

D.1. Review and comment to the Amador County Planning Commission on a zoning interpretation for the former Kay's Resort site at Silver Lake.

Nathan Lishman provided background on the request. EID took over the resort when they purchased Project 184 from PG&E. It has been shut down due to health and safety concerns. Amador County is trying to have the structure saved since there are concerns regarding the mobile vendor relating to the scenic highway. Mr. Lishman stated that as long as EID is working toward resolution of the issues, Amador County staff is willing to recommend extending the use. There is a lot of public interest in the removal project, with concern about maintaining the public restroom.

Peter Maurer asked if the building is considered historic. Mr. Lishman replied that what was the café was originally built in the 1860s, but except for some support timbers, it has been replaced with newer material. They are trying to retain the store building.

Michael Richter asked what the County's role was in the project. Mr. Lishman replied that the County is requiring EID to remove the fence as it currently is a violation of the scenic highway requirements. They want to make sure that the health and safety concerns are addressed, as well as historic preservation issues. Reid Bennett stated that retaining the restrooms could be a public health issue.

Mr. Maurer stated that there was no permit activity or issues on the El Dorado County side of the highway. Nate Whaley stated that he would want to make sure whatever actions are taken do not preclude future recreational use of the site. Mr. Maurer moved to recommend to Amador County approval of the extension; seconded by Mr. Lishman. The motion carried 3-0.

D.2. Review of Mitigation Measure Compliance Documentation submitted by KMR for the 2007/2008 season, including but not limited to; parking, fishing brochure verification, and snowmaking.

Michael Richter of KMR provided an overview of the submittal documents.

- Mitigation Measure 4.2(v) & 4.4(e) - Street sweeping – Invoices provided.
- Mitigation Measure 4.9(b) - Snow making – Equipment is the same as last year. Nature dictates the extent of operations.
- Mitigation Measure 4.3.1(h) - Fishing brochures – Updated for 2008.
- Mitigation Measure 4.7(d) - Parking analysis – The documents included information from the field notes and data collected during the season. The map submitted shows the revised parking layout. Capacity is 3097 spaces under the current configuration. 2916 vehicles was last season's peak day.

Nathan Lishman reminded the Committee that one acceptable mitigation measure is to turn vehicles away. Nate Whaley noted that this occurred occasionally, but only due to traffic backups or accidents. Nate Whaley noted that carpooling has helped. There were 8600 skiers on the peak day.

Reid Bennett asked if the numbers and reports are vetted in any way. He expressed a concern about the actual number of vehicles compared to standard parking space requirements. Mr. Whaley responded that KMR bases the parking practice, i.e. how tight they pack the vehicles in, by the expected demand for that specific day. Mr. Bennett asked if the USFS had any parking requirements. Mr. Richter stated that he was not aware of any. The Forest Service permit is more concerned about mountain activities and SAOT.

Mr. Lishman stated that he field verified the avalanche and fishing signs were posted. Mr. Whaley indicated that KMR has also done an analysis correlating parking to buildout conditions, showing the net result of different projects. That was not submitted but is available if needed. Peter Maurer responded that he did not feel it was needed until future years, or as projects are submitted that

would affect the parking. Mr. Bennett wanted to remind KMR and the Committee about the need for restricting day use parking on KMA streets.

No action was required or taken.

D.3. Discussion and possible recommendation regarding the proposed Kirkwood Air Quality Ordinance, regulating installation of new solid fuel burning devices and creating an incentive program for replacing old non-compliant devices.

Zach Wood reviewed the most recent draft of the ordinance which was presented to the Committee at the meeting. The ordinance is part restriction, part incentive based, providing rebates for removal of non-compliant devices. The rebate program is intended to work through the respective County Planning Departments. The Particulate Matter Reduction Plan is still being developed.

Brian Peters stated that the ordinance is being developed under the California Government Code section relating to impact fees, and there is a special process that must be gone through, with findings, notice, etc. The Counties will need to ensure that the ordinance is consistent with statements in the EIR. There was discussion regarding how each county adopts fees, whether by ordinance or resolution.

Nathan Lishman asked if KMR was still willing to provide some “seed money” to start up the rebate program. Nate Whaley stated that there had been no further discussion on that point. He then expressed a concern about the definition of “development project”, and the timing of when the fee would be paid. He believes it makes more sense for it to be at the building permit rather than a map, since it would be unknown if solid fuel devices would be installed until the building permit phase. Mr. Peters agreed and stated that the language still needs some refinement. Mr. Whaley asked if one County might administer the program. Peter Maurer suggested that perhaps the PUD could do it. The item was continued to the July meeting.

D.4. Discussion of defensible space required pursuant to California Public Resources Code 4291

Brian Peters explained the concerns regarding the apparent conflict between the fire safety requirements of PRC 4291 and the Kirkwood tree ordinance. Peter Maurer expressed a concern that tree removal can occur under the guise of fire safety but it really is only to improve a view. This is especially the case with existing structures, since the review process is in place for new construction. Tri-TAC needs to provide a level of flexibility, while maintaining the intent of both provisions. Mr. Peters stated that the ordinance will probably need to be amended to allow a certain level of limbing and tree removal to occur consistent with PRC 4291. However, an interim resolution is to consider creation of defensible space as part of the building permit process. The rest of the committee concurred and no action was taken.

The meeting was adjourned at 11:38 a.m.

The next meeting is scheduled for **Monday, July 14, 2008.**