TAHOE REGIONAL PLANNING AGENCY

TRPA
PO Box 5310
128 Market Street
Stateline, NV 89449

STAFF REPORT

Date: March 18, 2026

To: TRPA Governing Board

From: TRPA Staff

Subject: Incline Village General Improvement District Beach House and Guard Shack Tear Down/Rebuild Project; 967 Lakeshore Blvd., Incline Village, Washoe County, NV: APN 127-280-01; TRPA File #ERSP2025-1343

Summary and Staff Recommendation: The Incline Village General Improvement District (IVGID) is requesting approval of a project at Incline Beach, 967 Lakeshore Boulevard, Washoe County, Nevada. The project includes demolition of the existing beach house (concession/bathroom) and one of two guard shacks, construction of a new beach house (concession/bathroom), guard shack, bar structure, and covered bandstand, and reconfiguration of an existing parking lot. Staff recommends that the Governing Board make the required findings, including a finding of no significant effect, and approve the proposed project subject to the conditions in the draft permit.

Required Motions: To approve the proposed project, the Board must make the following motions based on the staff report:

1) A motion to approve the required findings, including a finding of no significant effect (Attachment A); and

2) A motion to approve the proposed project subject to the conditions contained in the draft permit (Attachment B).

For the motions to pass, an affirmative vote of five members of the Governing Board from Nevada and nine members of the Governing Board overall is required.

Governing Board Review: Per TRPA Code, Section 2.2.2.E*: Recreation*, the Governing Board must review and approve recreation projects involving more than 3,000 square feet of new building floor area, more than 3,500 square feet of land coverage, or allocation of Persons at One Time (PAOT). This project will result in more than 3,500 square feet of new land coverage.

Background: The subject site includes Incline Beach and Ski Beach, two guard shacks, parking lots, beach house (concession), a bar, two bathrooms (one is located at the back of the beach house), a playground, picnic areas, a bocce ball court, a volleyball court, paddleboard and kayak rentals, and a boat ramp. Incline Creek and Third Creek run through the parcel. The subject site is located within the Washoe County Tahoe Area Plan, Incline Village Tourist Special Area #1. Beach recreation is the primary use on the site and is an allowed use.

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Beach recreation is defined as:

> Recreational use of a beach, supported by developed facilities such as sanitation facilities, parking, and picnic sites, and nearshore facilities such as multiple-use piers and buoys. Nearshore and foreshore facilities are included in Chapter 81: *Permissible Uses and Structures in the Shorezone and Lakezone*. (TRPA Code, Chapter 21, Table 21.4-A)

TRPA Code, Section 21.3.1, identifies recreation concessions, restaurants, and bars as allowable permissible accessory uses to recreation uses.

According to IVGID, the existing beach house is in poor condition and does not meet Washoe County public health and safety standards. The bathroom at the back of the beach house is non-operational; temporary outhouse toilets are currently being used. A new beach house with a new kitchen and bathroom is being proposed to remedy the situation. A permanent bar structure is also proposed that will replace a temporary bar structure currently on the site. To support the site's long-standing recreational programming, specifically the summer concert series held one to two nights weekly for the past 15 years, the project includes a 240-square-foot covered bandstand. These improvements are designed to maintain established concession and recreational services and do not constitute a significant expansion of authorized beach use or a material increase in recreational programming.

Beach Access: Per a 1968 Deed ("the Beach Deed"), non-lakefront Incline Village residents and their guests, and guests of the Hyatt and Incline Lodge, have access to Incline Beach. Crystal Bay residents annexed into the IVGID service area at a later date do not have access to the beach. A copy of the Beach Deed is included with the public comments (Attachment E). The project does not modify or rely upon the provisions of the 1968 Beach Deed. The Beach Deed governs private access rights among property owners and is not regulated by TRPA. TRPA's review of this project is limited to land use and environmental compliance under the TRPA Compact and Code.

Surrounding Uses: The subject parcel is located adjacent to the Hyatt Regency Lake Tahoe Resort, IVGID-owned Village Green (Aspen Center, open space, trails, and sports fields), single-family dwellings, and Lake Tahoe.

Concession Application: A non-motorized concession application is currently under review by TRPA staff (ref. ERSP2025-0794).

Floor Area/Area: The floor area of the existing structures to be removed and the proposed area are provided below, as well as the area of the breezeway and stage.

Floor Area	
Existing	**Sq. Ft.**
Beach House*	1,265
Guard Shack	79
Total	*1,344*
Proposed	**Sq. Ft.**
Beach House**	3,714
Guard Shack	160
Bar	484
Stage ("bandstand")	240
Total	*4,598*

Increase in Size	*3,254*
Increase in size of kitchen + new bar	*1,481*

*557 sq. ft. kitchen and 707 sq. ft. bathroom
**1,554 sq. ft. kitchen, 1,368 sq. ft. bathroom, and 819 sq. ft. breezeway

People at One Time (PAOT): PAOTs are the number of people that a recreation use can accommodate at a given time (a measure of recreation capacity). The proposed structures replace or modernize facilities supporting existing beach recreation activities rather than expanding capacity. The project is not expanding capacity because the primary use ("beach recreation") and beach access are not being expanded with this project. Beach access remains limited to the same number of property owners, renters, and their guests within the same portion of the IVGID service area. Additional PAOTs are therefore not required for this project.

Vehicle Miles Traveled: Access to Incline Beach is limited to IVGID-eligible residents and their guests under the Beach Deed. Because the project does not expand beach access, expand eligibility for beach access, increase the size of the parking lot, or require PAOTs, the project will not increase visitation levels and therefore will not generate additional vehicle trips.

Bike Trail: An existing Class 1 recreation trail runs along Lakeshore Boulevard. A new bike rack is proposed as part of the project. The bike trail segment is not a designated scenic bikeway.

Scenic: In general, TRPA's scenic regulations aim to objectively protect and improve the exceptional scenic quality of the Lake Tahoe basin from various public vantage points such as roadways, the shoreline, public recreation areas, and bicycle trails. This project implicates review for scenic quality because of its lakefront location. TRPA's review considered scenic impacts to a Shoreline Unit Travel Route and Public Recreation Area.

A. Shoreline Unit Travel Route

The subject parcel is located within a Shoreline Unit Travel Route,[1] specifically, Shoreline Scenic Unit 23 (Crystal Bay).[2] TRPA's Scenic Quality regulations provide that no project may cause a decrease in Roadway or Shoreline Travel Route Scenic ratings. TRPA Code 66.1.4. For projects located in the "shoreland" (defined at TRPA Code Section 90.2), TRPA Code Section 66.3 is used to determine if a decrease in a numerical shoreline travel route rating will occur.

This project is located within the shoreland pursuant to Code Section 90.2, and thus Code Section 66.3 is used to assess the project's impact on shoreline travel route ratings. Section 66.3 generally requires the applicant to complete a scenic assessment, which TRPA reviews for mitigation requirements based on the level (1 to 6) of visibility of the activity or project. *See* Code 66.3.2-3.

[1]Shoreline Unit Travel Routes evaluate long-term cumulative scenic conditions looking toward the shore from the surface of Lake Tahoe. The entire shoreline consists of 33 units. Each unit maintains a composite score ranging from 3 to 15. Scores are updated every four years. To meet attainment with threshold standards, the current composite rating of any shoreline travel unit must be at least 7.5 and must also be at least equal to the rating originally assigned in 1982. Therefore, a unit is out of attainment if its score is *either* below 7.5 *or* below the 1982 rating.

[2]Shoreline Scenic Unit 23 (Crystal Bay) is out of attainment because its current composite rating (7.5) is below its original 1982 rating (11). Non-attainment is attributable to a decrease in scenic composite rating between 1991 and the early 2000s. The unit's composite rating increased following enactment of the 2002 Shorezone Ordinances and rebuild of structures. The composite rating has been at 7.5 since 2011.

TRPA reviewed the scenic assessment for this project under Level 5, which pertains to "all projects in the shoreland altering or increasing the lakefront façade area of an existing visible structure or proposing a new visible structure exclusive of new accessory structures." Code 66.3.3.E. Level 5 projects may meet mitigation requirements through two different "Option[s]." Code 66.3.3.E.1-2. The applicant selected "Option 2: Visual Magnitude System" whereby the project "shall attain the minimum contrast point score for the desired square footage of visual magnitude based on Appendix H, Visual Assessment Tool," of TRPA's Design Review Guidelines. Code 66.3.3.E.2.

Here, the applicant submitted a completed Appendix H form to TRPA. Based on the form, TRPA determined that project will have a composite contrast point score of 21, which is the minimum score for the desired square footage of visual magnitude. The composite score accounts for the project's use of non-reflective earthtone colors and materials, its use of existing mature trees for visual screening measures, and its one-story design which will keep the structure below the forest canopy. The total visible area of this project (1,840 sq. ft.) is well below the allowable visible area on the subject site (6,902 sq. ft.) based on the composite score of 21. Therefore, the project meets the mitigation requirements for a Level 5 project by satisfying the requirements of TRPA Code Section 66.3.3.E, Option 2.

Thus, based on assessment of the project and its proposed visual mitigation measures under TRPA Code Section 66.3, TRPA staff has concluded that the project will not cause a decrease in the Shoreline Travel Route Scenic ratings for Shoreline Scenic Unit 23 (Crystal Bay), pursuant to Code Section 66.1.4, and complies with TRPA's scenic quality regulations.

B. Public Recreation Area

The project is also located within Incline Beach, a designated Scenic Recreation Area pursuant to the 1993 Lake Tahoe Basin Scenic Resource Evaluation. TRPA Code Section 66.1.5 prohibits a project from causing "a decrease in any numerical subcomponent threshold rating or total threshold rating assigned to a scenic resource identified in the 1993 Lake Tahoe Basin Scenic Resource Evaluation." TRPA must find the project consistent with applicable recommendations for preserving scenic quality of the affected recreation area prior to approving any project that may potentially affect the scenic resource. Code 66.1.5.

Here, the project is consistent with applicable recommendations for preserving the scenic quality of the Incline Beach Recreation Area identified in the 1993 Lake Tahoe Basin Scenic Resource Evaluation. Existing trees will be preserved and utilized to provide screening between the proposed structures and Lake Tahoe. The structures will remain below the forest canopy and will utilize earthtone colors and nonreflective building materials.

TRPA staff also reviewed the project in accordance with the Washoe County Tahoe Area Plan, Appendix B: Tahoe Area Plan Design Standards and Guidelines and found the project in compliance. The goal of the Design Standards and Guidelines is for functional design solutions that are compatible with the natural environment and contribute to the character and quality of the built environment.

Height: The existing structures being demolished and proposed new structures are all one-story. The new beach house building will be 17 feet and 3 1/4 inches in height, the new bar will be 13 feet and ½ inch in height, and the guard shack will be 12 feet and 2 ¼ inches in height. All structures are below the maximum height limits in TRPA Code, Table 37.4.1-1: *Maximum Heights for Buildings*.

Water Quality: The subject site has an existing Best Management Practices (BMP) Certificate (Certificate # 12761, issued on 5/14/2020). New water quality BMPs to infiltrate runoff from the 20-year, 1-hour storm event will be installed with the project.

Excavation: On April 11, 2025, TRPA approved a Soils Hydrologic Application for the project. The approval allows for the sewer lift station and a 1,000-gallon grease interceptor to intercept the seasonal high water table. All other structures will maintain a minimum 1-foot separation from the seasonal high water table. The Soils Hydrologic Approval Letter (ref. LCAP2025-0152) is available at: https://parcels.laketahoeinfo.org/AccelaCAPRecord/Detail/LCAP2025-0152

Land Capability and Coverage: The survey submitted with this application shows a total parcel size of 602,870 square feet. The total base allowable land coverage is 109,215 square feet. The proposed land coverage with this project (and existing development) is 107,860 square feet. There are no coverage changes proposed in Land Capability District (LCD) Class 1b (stream environment zone), LCD Class 1b (backshore), or LCD Class 4. All new land coverage will be in LCD Class 6, which is considered high capability land suitable for development. The new coverage will be mitigated through the payment of a water quality mitigation fee.

North Lake Tahoe Fire Protection District: The Fire Protection District reviewed and approved the project's defensible space and access plan.

Archaeological Resources: TRPA has determined that the parcel is in close proximity to a TRPA Designated Historic Resource (#64 – Sierra Nevada Wood and Lumber Company Narrow Gauge Railroad) and a site that may maintain cultural significance for the Washoe Tribe. Due to the location of the construction in proximity to a TRPA Designated Historic Resource, there is a possibility that artifacts or other archaeological and/or below-grade resources may be discovered. The applicant has sent a consultation email to the Washoe Tribe and the draft permit includes a condition requiring that upon discovery of any artifact during earth-moving activities or construction of the project, the applicant pause any activity disturbing the site and consult with TRPA and the Washoe Tribe (ref. HIST2025-1001).

Noise: The subject site is within the Incline Village Tourist Special Area #1 of the Washoe County Tahoe Area Plan. The maximum community noise equivalent level (CNEL) in this area is 55 dBA (A-weighted decibel). CNEL is a measure of noise that is the logarithmic average of single noise event values as measured by a noise monitor. The proposed bandstand will support existing seasonal music events that currently occur at the site. TRPA does not anticipate the CNEL standards being exceeded from music on the beach. To prevent impacts to adjoining property owners, the draft permit includes a condition prohibiting outdoor music between 10:00 p.m. and 8:00 a.m.

Environmental Review: The applicant prepared an Initial Environmental Checklist (IEC) to analyze potential environmental impacts caused by the project and TRPA staff completed an Application Review Checklist, which includes the V(g) Findings required by the Compact, and is part of the administrative record. Based on the IEC, V(g) Findings, and mitigation measures incorporated in the draft permit, staff is recommending that a Finding of No Significant Effect be made for the proposed project. The IEC is provided as Attachments D and the Application Review Checklist is available at: https://parcels.laketahoeinfo.org/AccelaCAPRecord/Detail/ERSP2025-1343

Regional Plan Compliance: The proposed project, as conditioned in the draft permit, is consistent with the TRPA Goals and Policies, Washoe County Tahoe Area Plan, TRPA Design Review Guidelines, and TRPA Code of Ordinances, including all required findings.

Public Noticing: TRPA notified property owners within 300 feet of the project area that the Governing Board will review and consider approval of this project.

Public Comment: TRPA has received letters expressing concerns with the proposed project. The main issues raised are the prohibition of access to the beach for the owners and guests of properties annexed into the IVGID service area after 1968, the design of the buildings, and cost of the project. Issues related to private beach access arise from the 1968 Beach Deed and are outside TRPA's jurisdiction. Project design was reviewed for compliance with TRPA scenic and design standards, as discussed above. All letters submitted prior to this staff report being finalized are provided as Attachment E.

Project Application: All materials associated with this application are available at: https://parcels.laketahoeinfo.org/AccelaCAPRecord/Detail/ERSP2025-1343

Contact Information: For questions regarding this agenda item, please contact Brandy McMahon, AICP, Principal Planner, at (775) 589-5274 or bmcmahon@trpa.gov. To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachments:

A. Required Findings/Rationale
B. Draft Permit
C. Draft Plans
D. Initial Environmental Checklist
E. Public Comment

Attachment A
Required Findings/Rationale

Attachment A
Required Findings/Rationale

Required Findings: The following is a list of the required findings as set forth in Chapters 4, 50, 61, and 66 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 4 – Required Findings:

   (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.

   The proposed project is consistent with the Regional Plan, including applicable Goals and Policies, the Washoe County Tahoe Area Plan, and the TRPA Code of Ordinances. The project involves the replacement and modernization of existing recreation support facilities at Incline Beach and does not expand beach access or recreation capacity. Based on the staff report, project application materials, Initial Environmental Checklist (IEC), and Application Review Checklist, there is sufficient evidence in the record to demonstrate that the project will not adversely affect implementation of the Regional Plan.

   (b) The project will not cause the environmental threshold carrying capacities to be exceeded.

   TRPA staff completed the "Application Review Checklist" in accordance with Chapter 4.3 of the TRPA Code of Ordinances. The applicant also completed an Initial Environmental Checklist to evaluate potential environmental impacts. The analysis concluded that the project will not result in significant environmental impacts and will not cause the environmental threshold carrying capacities to be exceeded. Mitigation measures and conditions of approval included in the draft permit ensure compliance with applicable environmental standards.

   (c) Wherever federal, state or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TRPA Compact, the project meets or exceeds such standards.

   The project incorporates both temporary and permanent Best Management Practices to control erosion and stormwater runoff and includes payment of the required water quality mitigation fee. The project must also comply with all Washoe County and State of Nevada requirements. With these measures in place, the project will not adversely affect applicable air or water quality standards.

2. Chapter 50 – Required Findings:

   Code Section 50.8.1: Approval of additional recreation facilities shall only be permitted for projects for which the sponsoring entity demonstrates and TRPA finds that:

   A. There is a need for the project;
   B. The project complies with the Goals and Policies, the applicable plan area statements, and Code;

C. The project is consistent with the following TRPA maximum allowances for outdoor recreation:
1. 6,114 people at one time ("PAOT") in overnight facilities;
2. 6,761 PAOT in summer day-use facilities;
3. 12,400 PAOT in winter day-use facilities; and
4. Plus the allocations set forth in the plan area statements, or the pools of reserved PAOT capacity;
D. The project meets the findings adopted pursuant to Article V(g) of the Compact as set forth in Chapter 4: Required Findings, as they are applicable to the project's recreational service capacity; and
E. If the project requires PAOT allocations, it is consistent with the TRPA Environmental Improvement Program.

IVGID has demonstrated a need to replace the existing beach house and related facilities, which are in poor condition and do not meet current public health and safety standards. Code 50.8.1.A. The project is consistent with the Regional Plan Goals and Policies, the Washoe County Tahoe Area Plan, and the TRPA Code of Ordinances because it replaces and modernizes existing recreation support facilities and does not expand beach access or recreation capacity.. Code 50.8.1.B. Because the project does not increase recreation capacity or beach access, no additional People at One Time (PAOT) allocations are required. The project therefore remains within the TRPA maximum PAOT allowances for outdoor recreation capacity. Code 50.8.1.C. The project also meets the applicable findings adopted pursuant to Article V(g) of the TRPA Compact as set forth in Chapter 4 of the TRPA Code. Code 50.8.1.D.

3. Chapter 61 - Tree Removal

Tree removal for development in conjunction with a TRPA permit shall be in accordance with the provisions of Chapter 61: *Vegetation and Forest Health* and Section 33.6: *Vegetation Protection During Construction*. Within non-stream environment zone (SEZ) urban areas, individual trees larger than 30 inches dbh that are healthy and structurally sound shall be retained as desirable specimen trees having aesthetic and wildlife value, unless no reasonable alternative exists to retain the tree, including reduction of parking areas or modification of the original design.

The project requires the removal of nine Jeffery Pines and one Aspen Tree. Five of the trees proposed for removal are greater than 30 inches diameter at breast height (dbh). The trees to be removed are within the proposed building footprints or within the area of the reconfigured access and parking lot. The proposed project is within the location of existing facilities to minimize site disturbance and limit the need for additional tree removal. Other mature trees on the site will remain and will contribute to scenic screening and site character. Vegetation protection fencing will be installed during construction to protect trees that are not approved for removal.

4. Chapter 66 – Required Findings:

Code Section 66.1.4: The project shall not cause a decrease in the 1982 roadway or shoreline travel route ratings as shown in Tables 13-6 and 13-7, respectively, of the *Study Report for the Establishment of Environmental Threshold Carrying Capacties*, October 1982. The criteria for rating travel routes as identified in the referenced study report and as further explained in the report entitled *A Scenic Analysis of Principle Travel Routes in the Lake Tahoe Region*, 1970, shall be used to determine if a project will cause a decrease in the numerical rating. For projects in the shoreland, Section 66.3 shall be used to determine if it will contribute to a decrease in the numerical rating for a shoreline travel route rating.

The subject parcel is within Shoreline Scenic Unit 23 (Crystal Bay), which is not in scenic attainment.

Because the project is within the shoreland, scenic impacts to Shoreline Scenic Unit 23 were evaluated under Section 66.3. The visual assessment for the proposed project was evaluated in accordance with the Visual Magnitude System under Level 5, Option 2, as set forth in Section 66.3.3 of the TRPA Code. Pursuant to Appendix H, Visual Assessment Tool, of TRPA's Design Review Guidelines, the subject site has a composite contrast rating score of 21. This is the minimum score for the desired square footage of visual magnitude. The composite score accounts for the project's use of non-reflective earthtone colors and materials, its use of existing mature trees for visual screening measures, and its one-story design which will keep the structure below the forest canopy. The total visible area allowed on the subject site is 6,902 square feet, while the visible area associated with the proposed project is 1,840 square feet, which is well below the allowable limit.

Code 66.1.5: The project shall not cause a decrease in any numerical subcomponent threshold rating or total threshold rating assigned to a scenic resource identified in the 1993 Lake Tahoe Basin Scenic Resource Evaluation. Prior to approving a project that may potentially affect an identified scenic resource, TRPA shall find that the project is consistent with applicable recommendations for preserving the scenic quality of the affected recreation area or bicycle trail found in the 1993 Lake Tahoe Basin Scenic Resource Evaluation.

The site is not visible from a designated Scenic Bikeway Segment, although it is visible from the Class 1 bike trail that runs along Lakeshore Boulevard. The project is located within Incline Beach, which is a designated Scenic Recreation Area. The project is consistent with applicable recommendations for preserving the scenic quality of the Incline Beach Recreation Area identified in the 1993 Lake Tahoe Basin Scenic Resource Evaluation. Existing trees will be preserved and utilized to provide screening between the proposed structures and Lake Tahoe. The structures will remain below the forest canopy and will utilize earthtone colors and nonreflective building materials.

Attachment B
Draft Permit

Attachment B
Draft Permit

PROJECT DESCRIPTION:	IVGID Beach House & Guard Shack Tear Down/Rebuild	APN(S):	127-280-01
PERMITTEE(S):	IVGID	FILE #:	ERSP2025-1343
COUNTY/ADDRESS:	Washoe County/967 Lakeshore Blvd.		

APPROVAL: Having made the findings required by the Agency's ordinances and rules, the TRPA Governing Board approved the project on _____, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

EXPIRATION: This permit shall expire on _____, without further notice unless the construction has commenced prior to this date and is diligently pursued thereafter, as defined by the TRPA Code of Ordinances. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action, which delayed or rendered impossible the diligent pursuit of the permit. A TRPA-approved construction schedule will be enacted at the passing of a pre-grade inspection and will supersede this permit expiration date. Review additional information regarding permit expiration and extensions in the TRPA Code of Ordinance section 2.2.4 and Attachment Q.

NO DEMOLITION, TREE REMOVAL, CONSTRUCTION, OR GRADING SHALL COMMENCE UNTIL:

(1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
(2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED, AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
(3) THE PERMITTEE OBTAINS A COUNTY/CITY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY/CITY BUILDING PERMIT. THE COUNTY/CITY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
(4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

_____ Click or tap to enter a date.

TRPA Executive Director/Designee Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s)_____ Date_____

(wet signature required)

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TRPA File # ERSP2025-1343
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Mitigation Fees & Securities

Water Quality Mitigation (1): Amount: $39,352.02 Paid: _____ Receipt #: _____

Off-Site Coverage Mitigation (2): Amount: $800 Paid: _____ Receipt #: _____

Excess Coverage Mitigation (3): Amount:_____ Paid: _____ Receipt #: _____

Project Security (4): Amount:_____ Paid: _____ Receipt #: _____

Security Administration (5): Amount:_____ Paid: _____ Receipt #: _____

Mitigation Fees & Securities Notes:

(1) See Special Condition 3.a, below.
(2) See Special Condition 3.b, below.
(3) To be Determined. See Special Condition 3.c, below.
(4) To be Determined. See Special Condition 3.d, below.
(5) Consult the TRPA filing fee schedule for the current security administration fee.

Required plans determined to be in conformance with approval: Date:_____

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date:

_____ _____
TRPA Executive Director/Designee Date

SPECIAL CONDITIONS

1. This permit specifically authorizes the teardown of an existing beach house and guard shack and the construction of a new guard shack, beach house, bar, and bandstand at Incline Beach, 967 Lakeshore Blvd., Washoe County, Nevada. There will also be modifications to the existing ingress/egress pattern and parking lot. The beach house will function as a concession stand with a full kitchen and restroom. With this project, the subject site will have 5,256 square feet of LCD Class 1b (SEZ) land coverage, 2,436 square feet of LCD Class 1b (backshore) land coverage, 1,623 square feet of LCD Class 4 land coverage, and 98,545 square feet of LCD Class 6 land coverage. Total onsite coverage will be 107,860 square feet. No land coverage changes are taking place with Land Capability Districts (LCD) Class 1b (SEZ), Class 1b (backshore), or Class 4 with this project. No people at one time (PAOTs) are required for this project because beach access is not being expanded and recreation capacity is not being increased. Temporary and permanent Best Management Practices (BMPs) will be installed with this project.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.

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3. Prior to permit acknowledgement, the following conditions of approval must be satisfied:

   a. A water quality mitigation fee of $39,352.02 shall be paid to TRPA. This fee is based on the creation of 21,157 square feet of land coverage at a rate of $1.86/square feet. *Note: The most recently approved coverage on a stamped set of plans is 86,703 square feet per TRPA File # 1998012STD.*

   b. The permittee shall submit an off-site coverage mitigation fee of $800 for the creation of 40 square feet of land coverage in the public right-of-way.

   c. The affected property has 5,209 square feet of LCD Class 1b excess land coverage (5,297 square feet of LCD Class 1b excess coverage - 88 square feet of previously mitigated excess coverage). The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area – Incline or in a different hydrologically related area provided the restoration occurs on more sensitive land than the project area or by submitting an excess coverage mitigation fee.

      To calculate the amount of excess coverage to be removed, use the following formula:

      Estimated project construction cost multiplied by the fee percentage of 1.75% (as identified in Table 30.6.1, Chapter 30 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

      An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:

      Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of $20.00 for projects within Hydrologic Transfer Area 1-Incline. Please provide a construction cost estimate for the structural elements of the structure by your licensed contractor, architect or engineer. The structural elements include, without limitation: pier pilings, bracing and supports, bearing walls, rafters, foundations, and base materials under asphalt or concrete.

   d. The security required under Standard Condition I.B. of Attachment Q shall be equal to 110% of the estimated BMP cost and shall be determined upon the permittee's submittal of the required BMP plan and related cost estimate. Please see Attachment J, Security Procedures, for the appropriate methods of posting the security and for the calculation of the required security administration fee.

   e. A BMP Inspection and Maintenance Plan shall be submitted detailing the maintenance requirements and schedules for all BMPs installed on the property. The log shall be filled out twice annually, in the spring and fall. This plan shall be retained on-site and made available to TRPA per request. A sample plan may be viewed at tahoebmp.org.

   f. The boundaries of the 100-year floodplain shall be reflected on the plans. No work is authorized in the floodplain with this project.

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g. The permittee shall provide exterior lighting details that comply with TRPA Code.

h. The permittee shall submit an electronic version of the final plan set for electronic stamping.

4. Maximum excavation depths shall not exceed the depths approved in the Soil Hydrologic Approval (ref. LCAP2025-0152), available at: https://parcels.laketahoeinfo.org/AccelaCAPRecord/Detail/LCAP2025-0152

5. The visual assessment for the proposed project was evaluated under and complies with Level 5, Option 2, of the Visual Magnitude System (Section 66.3.3) of the TRPA Code. The subject site has a composite contrast rating score of 21. The total square feet of visible area allowed on the subject site is 6,902 square feet. The approved visible area with this project is 1,840 square feet.

6. Outdoor music is prohbited between 10:00 p.m. and 8:00 a.m.

7. The trees on this parcel shall be considered as scenic mitigation and shall not be removed or trimmed for the purposes of view enhancement. Any such removal or trimming shall constitute a violation of project approval.

8. Prior to project security release, photos shall be provided to TRPA demonstrating that all areas disturbed from the project have been restored.

9. Temporary and permanent BMPs may be field fit by the Environmental Compliance Inspector where appropriate.

10. No work is authorized in a floodplain, stream environment zone (SEZ), SEZ setback, or the backshore with this project.

11. All mechanical equipment shall be screened from Lake Tahoe.

12. TRPA has determined that the parcel is in close proximity to a TRPA Designated Historic Resource (#64 – Sierra Nevada Wood and Lumber Company Narrow Gauge Railroad) and a site that may maintain cultural significance for the Washoe Tribe. Due to the location of the construction in proximity to a TRPA Designated Historic Resource, there is a possibility that artifacts or other archaeological and/or below-grade resources may be discovered. Upon discovery of any artifact during earth-moving activities or construction of the project, the applicant shall pause any activity disturbing the site and consult with TRPA and the Washoe Tribe (ref. HIST2025-1001).

13. TRPA reserves the right to amend any portion of this permit or construction operation while in progress if it is determined that the project construction is causing significant adverse effects.

14. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or

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representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

15. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board (including individual members), its Planning Commission (including individual members), its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, administrative appeal, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

    Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions arising directly or indirectly from issuance or implementation of this permit. TRPA will have the sole and exclusive control (including the right to be represented by attorneys of TRPA's choosing) over the defense of any claims against TRPA and over their settlement, compromise, or other disposition. The permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same. The permittee and its agent(s) agree that the indemnification obligations assumed under the permit shall survive expiration of the permit or completion of the project.

END OF PERMIT

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Attachment C
Draft Plans

Attachment D

Initial Environmental Checklist

Attachment E
Public Comment