

STAFF REPORT

Date: August 10, 2023

To: TRPA Hearings Officer

From: TRPA Staff

Subject: Lake Forest #3 Property Owners' Association Buoy Field Expansion, 3660 N Lake Boulevard, Placer County, California, Assessor's Parcel Numbers (APNs) 092-120-032, TRPA File Number MOOR2021-1889

Proposed Action:

Hearings Officer action on the proposed project and related findings based on this staff report and the draft permit (Attachment D).

Staff Recommendation:

Staff recommends the Hearings Officer make the required findings and approve the project subject to the special conditions in the draft permit.

Project Description:

The applicant is proposing the addition of three new mooring buoys, expanding the existing homeowner's association (HOA) buoy field from 20 to 23 mooring buoys. The applicant is also proposing relocation of two existing mooring buoys to accommodate the field expansion. The proposed buoy field expansion complies with all development and location standards for buoy fields and is located within the shorezone of Placer County Tahoe Basin Area Plan – Cedar Flat Subdistrict, Tolerance District 2, where mooring buoys are allowed accessory structures.

Shoreline Review Committee:

TRPA facilitates monthly Shoreline Review Committee (SRC) meetings for agencies with permitting jurisdiction along the shoreline and within Lake Tahoe to coordinate the permitting of projects. The subject project was reviewed and discussed at SRC on December 15, 2022. California State Lands Commission (CSLC) indicated that the parcel has a boat hoist under lease with the State, which was not depicted on the site plan. No agency indicated that the buoy field expansion could not be authorized based on the review of the application as of the date of the meeting.

2018 Shoreline Plan:

The TRPA Governing Board adopted a new Shoreline Plan in October 2018, which went into effect in December 2018. New (additional) moorings are allowed as a part of that plan. A maximum of 2,116 mooring allocations can be distributed over the life of the plan, and every year TRPA may distribute up to 15% of the remaining private, marina, and public agency allocations. Staff has analyzed the potential environmental impacts of the proposed buoy field expansion and determined that it will not adversely affect the environment.

Staff Analysis:

- A. Scenic Quality: The proposed project is located within Scenic Shoreline Unit 18, Cedar Flat, which is not in attainment with the TRPA Scenic Threshold. The average 83 square feet of visible mass created by each mooring buoy and watercraft will be mitigated by annual payment of the buoy scenic mitigation fee in accordance with TRPA Code 84.3.3.C. The scenic mitigation fees are used to acquire and remove or screen existing visible mass visible from shoreline scenic travel units that are not in attainment of threshold standards, such as this one. The scenic impact of the existing buoy field is currently mitigated through annual payment of the scenic mitigation fees.
- B. Fish Habitat: The project is located entirely in marginal fish habitat and the placement of three new mooring buoys does not require any fish habitat mitigation.
- C. Buoy Field Eligibility: TRPA Code 84.3.3.E.1 requires that the total number of homeowner associations moorings shall not exceed the total number of residential units served by the association and that the total number of buoys allowed within a field shall not exceed the maximum buoy field area. The number of residential units served is 46. The maximum buoy field area, for purposes of determining capacity, is the length of the littoral property's lake frontage by 300 feet (7 rows) and is limited by a 50-foot grid spacing pattern. With a lake frontage of 256 feet, the buoy field has a maximum capacity of 42 mooring buoys.

The applicant received three mooring allocations from the 2020 lottery. Pursuant to TRPA Code 84.3.2 E.3.b, association buoy fields may expand by 20% of the existing number of moorings per year for the first five years of the shoreline plan's implementation, up to 50% of the number of residential units. Given that the field consists of 20 existing moorings, this field is eligible for the three new moorings proposed and the resulting 23 mooring buoys do not exceed 50% of the number of residential units, which is 46. After five years of implementation, the buoy field could be expanded up to the buoy field capacity, which is 42. Any future expansion to the field would require a project application and be subject to all requirements of TRPA Code including, but not limited to, development standards, mitigation requirements, and the number of allocations received in the mooring lottery.

- D. Development and Location Standards: TRPA Code 84.3.3.E.2 requires that mooring buoys be located at least 50 feet from all legally existing buoys, no greater than 600 feet lakeward of 6,220' Lake Tahoe Datum as measured horizontally, and that buoys be located at least 20 feet from adjacent littoral parcel boundary projection lines. The additional three buoys and the two relocated buoys in the buoy field comply with all development and location standards. The proposed project is located within the shorezone and in the Placer County Tahoe Basin Area Plan – Cedar Flat Subdistrict, Tolerance District 2, where mooring buoys are allowed accessory structures within the shorezone.

Issues and Concerns:

The California State Lands Commission informed TRPA staff of a boat hoist currently under lease with the State which was not depicted on the submitted site plan. Boat hoists/lifts are moorings which are included in calculating the total number of moorings allowed for a parcel. The boat hoist has not been authorized by TRPA and the applicant has proposed removing the boat hoist as a part of this project. The draft conditional permit includes a special condition requiring removal of the boat hoist and to indicate that on the site plan.

In addition, while the parcel has a BMP Certificate of Completion, the revised site plan submitted identifies a compacted dirt parking area, which was verified as existing coverage through a separate application. The draft permit includes a special condition requiring the applicant to submit a restoration/revegetation plan with parking barriers to prevent vehicle encroachment and erosion onsite. A project security is required in the draft permit to ensure the boat hoist's removal and restoration of the unpaved dirt area.

Environmental Review:

The applicant completed an Initial Environmental Checklist (IEC) to assess the potential environmental impacts of the project. No significant long-term environmental impacts were identified because the proposed project complies with the existing Code and incorporates required mitigation (fisheries and annual scenic mitigation fees). The IEC is provided as Attachment B.

Public Comment:

Property owners within 300 feet of the subject site were provided notice of the proposed project. As of the posting of this staff report, no comments were received.

Regional Plan Compliance:

The proposed project is consistent with the Goal and Policies of the Regional Plan, Shorezone Subelement, in that it complies with the design standards and includes mitigation to ensure no negative impacts to the environmental thresholds. The proposed project is an expansion of an existing buoy field, which is allowed by the Regional Plan along the shoreline of Lake Tahoe.

Required Actions:

Staff recommends that the Hearings Officer take the following actions, based on this staff summary and evidence in the record:

1. Approve the findings contained in this staff summary, and a finding of no significant environmental effect (Attachment A);
2. Approve the project, based on the staff summary, and record evidence, subject to the conditions contained in the attached Draft Permit (Attachment D).

Contact Information:

For questions regarding this agenda item, please contact Matt Miller, Senior Environmental Specialist, at 775-589-5234 or mmiller@trpa.gov.

Attachments:

- A. Required Findings
- B. IEC
- C. V(g) Findings
- D. Draft Permit
- E. Proposed Site Plan

Attachment A
Required Findings/Rationale

Required Findings/Rationale
Lake Forest #3 Property Owners' Association Buoy Field Expansion

Required Findings: The following is a list of the required findings as set forth in Chapter 4, 63, 80, 82, and 83 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.

Based on the information provided in this staff report, the project application, the Initial Environmental Checklist (IEC), and Article V(g) Findings Checklist, there is sufficient evidence demonstrating that the proposed project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Placer County Tahoe Basin Area Plan – Dollar Point Subdistrict, the Code, and other TRPA plans and programs.

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

TRPA staff has completed the “Article V(g) Findings” in accordance with Chapter 4, Subsection 4.3 of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. Also, the applicant has completed an IEC. No significant environmental impacts were identified, and staff has concluded that the proposed project will not have a significant effect on the environment. The completed V(g) Findings are included as Attachment C.

- (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 TPRA Compact, the project meets or exceeds such standards.

The project area was required to have obtained a BMP Certificate of Completion prior to applying for new mooring buoys to demonstrate compliance with TRPA’s water quality standards. A compacted dirt area was identified onsite and will be restored as part of this project. Although the threat of discharge is minimal, the contractor will have a spill containment plan onsite and equipment used will adhere to best management practices to prevent impacts to Lake Tahoe. The applicant is also required to obtain separate approval for the project from the U.S. Army Corps of Engineers, U.S. Coast Guard, Lahontan Regional Water Quality Control Board, California Department of Fish and Wildlife, California State Lands Commission, and Placer County to ensure the project will meet or exceed all federal, state, or local standards. As a result, upon completion of construction, the project should have no significant impact upon air or water quality standards.

2. Chapter 66 – Scenic Findings:

- (a) The project shall not cause a decrease in the numerical ratings assigned to roadway or shoreline units, including the scenic quality rating of the individual resources within each unit, as recorded in the 1982 Scenic Resources Inventory and shown in Tables 13-3, 13-5, 13-8, and 13-9 of the Study Report for the Establishment of Environmental Threshold Carrying Capacities, October 1982.

The proposed project will not cause a decrease in the numerical rating assigned to the roadway or shoreline travel unit or the scenic quality rating of individual resources within the unit.

- (b) 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 Capacities, October 1982.

The proposed project will not cause a decrease in the roadway or shoreline travel route ratings. The project area is not visible from a roadway travel route and the proposed project expands an existing buoy field, which will not contribute to a decrease in the numerical rating for the shoreline travel route. Section 66.3 is not applicable as this project is not located in the shoreland and as the visible mass will be mitigated by the annual scenic fee.

- (c) 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 scenic quality of the affected recreation area or bicycle trail found in the 1993 Lake Tahoe Basin Scenic Resource Evaluation.

The proposed project is not visible from a scenic resource and is consistent with the applicable recommendations for preserving scenic quality.

3. Chapter 80 – Shorezone Findings:

- (a) Significant Harm: The project will not adversely impact littoral processes, fish spawning habitat, backshore stability, or on-shore wildlife habitat, including waterfowl nesting areas.

There is no evidence in the project file that indicates the proposed project will adversely impact littoral processes, fish habitat, backshore stability, or on-shore wildlife habitat, including waterfowl nesting areas.

- (b) Accessory Facilities: There are sufficient accessory facilities to accommodate the project.

The proposed buoy field relocation and expansion will be accessory to the primary upland residential common area use (Lake Forest #3 Property Owner's Association) located at 3660 N Lake Boulevard in Placer County, California.

- (c) Compatibility: The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modifications of such existing uses or structures will be undertaken to assure compatibility.

There are multiple private single-family mooring buoys and piers adjacent to the project area. In addition, there is a large buoy field less than ¼ mile to the south. The closest private pier is approximately 75 feet from the edge of the buoy field. The parcels in this area of shoreline are relatively large and as a result existing shorezone structures are spaced well apart. The project area includes an existing pier and buoy field consisting of 20 mooring buoys. The proposed buoy field expansion is limited by the narrow shorezone resulting from deep water and new mooring buoys will be landward of 6,193' which is approximately 450 feet from the high-water line. Given these existing conditions the buoy field expansion will be compatible with the surrounding shorezone facilities.

- (d) Use: The use proposed in the foreshore or nearshore is water dependent.

The buoy field is located in the shorezone of Lake Tahoe and the mooring buoys are therefore water dependent accessory structures.

- (e) Hazardous Materials: Measures will be taken to prevent spills or discharges of hazardous materials.

The contractor will implement a Spill Prevention Plan while placing mooring buoys. The standard conditions of approval prohibit the discharge of petroleum products, construction waste and litter or earthen materials to the surface waters of Lake Tahoe. All surplus construction waste materials will be removed from the project and deposited only at TRPA approved points of disposal. No containers of fuel, paint, or other hazardous materials may be stored on the pier or shoreline.

- (f) Construction: Construction and access techniques will be used to minimize disturbance to the ground and vegetation.

The buoy field and the project area will be accessed by amphibious vehicle or barge to prevent disturbance of the shorezone/backshore. As a special condition of the permit, no construction activities, staging, ground disturbance or other activities within the backshore or on the upland portions of the project area are authorized. Disturbance of the lake bottom will be kept to the minimum necessary for placement buoy blocks. No removal or relocation of rock or other natural materials from Lake Tahoe is authorized by this permit.

- (g) Navigation and Safety: The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.

The buoy field development standards were established for the purpose of protecting navigation and safety. The proposed buoy field relocation does not extend lakeward farther than 600 feet from lake bottom elevation 6,220' with the furthest buoy to be situated landward at elevation 6,193. Each mooring buoy is at least 55 feet from adjacent mooring buoys in the field and the proposed and relocated mooring buoys are setback from the property boundary line projections at least 20 feet on each side. The nearest adjacent private pier is approximately 75 feet from the corner of the buoy field.

Comments on the project were solicited from the Shoreline Review Committee on December 15, 2022, which includes agencies with jurisdiction over the lake's navigable waters and no comments regarding navigation and safety were raised based on the project plans. Due to the breadth and complexity of environmental considerations that are a part of TRPA's review of shorezone projects, it is typical that other agencies with jurisdiction in Lake Tahoe will not receive or complete review of applications until TRPA is well into the review and approval process. This is to avoid costly and time-consuming amendments to applications made to other agencies. As such, it's expected that the Shoreline Review Committee will discuss this project again once other agencies have received applications to ensure project consistency across all agencies involved.

- (h) Other Agency Comments: TRPA has solicited comments from those public agencies having jurisdiction over the nearshore and foreshore and all such comments received were considered by TRPA, prior to action being taken on the project.

Comments on the project were solicited from the Shoreline Review Committee on December 15, 2022 and the California State Lands Commission (CSLC) identified an existing boat hoist not depicted on the proposed plans. In addition, the North Tahoe Public Utility District (NTPUD) operates a water intake line approximately 600 feet from the edge of the buoy field and did not have any concerns about the proposed expansion. The applicant is required to provide notice and/or receive approval for the project from the U.S. Army Corps of Engineers, U.S. Coast Guard, Lahontan Regional Water Quality Control Board, California State Lands Commission, and California Department of Fish and Wildlife.

4. Chapter 83 Shorezone Tolerance Districts and Development Standards:

- (a) Projects shall not be permitted in the backshore unless TRPA finds that such project is unlikely to require the cliff area to be mechanically stabilized or that the project will not accelerate cliff crumbling, beach loss or erosion.

The proposed project area is located in Shorezone Tolerance District 2, which exhibits volcanic and morainic debris shorezones with slopes 30 percent and over and alluvial soils at nine to 30 percent slopes. Potential for disturbance in the nearshore is high as is potential for erosion and cliff collapse in the backshore.

The buoy field relocation and expansion will not accelerate or initiate backshore erosion as access is already limited to an existing cement stone walkway to the existing pier and buoy field.

- (b) Vehicular access to the shoreline shall not be permitted except where TRPA finds that such access will not cause environmental harm.

Vehicle access to the shoreline is not proposed as part of the project.

Attachment B
IEC



**INITIAL ENVIRONMENTAL CHECKLIST
FOR DETERMINATION OF ENVIRONMENTAL IMPACT**

I. Assessor's Parcel Number (APN)/Project Location		092-120-032	
Project Name	Lake Forest #3 POA Three New Buoys	County/City	Placer

Brief Description of Project:

Addition of three new buoys to the existing POA buoy field. Please refer to project description for details.

The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments. Use the blank boxes to add any additional information. If more space is required for additional information, please attach separate sheets and reference the question number and letter.

II. ENVIRONMENTAL IMPACTS:

1. Land

Will the proposal result in:

a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

- Yes No
 No, With Mitigation Data Insufficient

b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

- Yes No
 No, With Mitigation Data Insufficient

c. Unstable soil conditions during or after completion of the proposal?

- Yes No
 No, With Mitigation Data Insufficient

d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

- Yes No
 No, With Mitigation Data Insufficient

e. The continuation of or increase in wind or water erosion of soils, either on or off the site?

- Yes No
 No, With Mitigation Data Insufficient

f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?

	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input checked="" type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

2. Air Quality

Will the proposal result in:

a. Substantial air pollutant emissions?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

b. Deterioration of ambient (existing) air quality?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

c. The creation of objectionable odors?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

e. Increased use of diesel fuel?

- Yes No
 No, With Mitigation Data Insufficient

3. Water Quality

Will the proposal result in:

a. Changes in currents, or the course or direction of water movements?

- Yes No
 No, With Mitigation Data Insufficient

b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?

- Yes No
 No, With Mitigation Data Insufficient

c. Alterations to the course or flow of 100-year flood waters?

- Yes No
 No, With Mitigation Data Insufficient

d. Change in the amount of surface water in any water body?

- Yes No
 No, With Mitigation Data Insufficient

e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

- Yes No
 No, With Mitigation Data Insufficient

f. Alteration of the direction or rate of flow of ground water?

- Yes No
 No, With Mitigation Data Insufficient

g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

- Yes No
 No, With Mitigation Data Insufficient

h. Substantial reduction in the amount of water otherwise available for public water supplies?

- Yes No
 No, With Mitigation Data Insufficient

i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

- Yes No
 No, With Mitigation Data Insufficient

j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

- Yes No
 No, With Mitigation Data Insufficient

k. Is the project located within 600 feet of a drinking water source?

- Yes No
 No, With Mitigation Data Insufficient

4. Vegetation

Will the proposal result in:

- a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- e. Reduction of the numbers of any unique, rare or endangered species of plants?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

h. A change in the natural functioning of an old growth ecosystem?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

5. Wildlife

Will the proposal result in:

a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

b. Reduction of the number of any unique, rare or endangered species of animals?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

- Yes No
 No, With Mitigation Data Insufficient

d. Deterioration of existing fish or wildlife habitat quantity or quality?

- Yes No
 No, With Mitigation Data Insufficient

6. Noise

Will the proposal result in:

a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan?

- Yes No
 No, With Mitigation Data Insufficient

b. Exposure of people to severe noise levels?

- Yes No
 No, With Mitigation Data Insufficient

c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

- Yes No
 No, With Mitigation Data Insufficient

d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?

- Yes No
 No, With Mitigation Data Insufficient

e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?

- Yes No
 No, With Mitigation Data Insufficient

f. Exposure of existing structures to levels of ground vibration that could result in structural damage?

- Yes No
 No, With Mitigation Data Insufficient

7. Light and Glare

Will the proposal:

a. Include new or modified sources of exterior lighting?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/> No
	No, With Mitigation	<input type="checkbox"/> Data Insufficient

b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/> No
	No, With Mitigation	<input type="checkbox"/> Data Insufficient

c. Cause light from exterior sources to be cast off -site or onto public lands?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/> No
	No, With Mitigation	<input type="checkbox"/> Data Insufficient

d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/> No
	No, With Mitigation	<input type="checkbox"/> Data Insufficient

8. Land Use

Will the proposal:

a. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/> No
	No, With Mitigation	<input type="checkbox"/> Data Insufficient

b: Expand or intensify an existing non-conforming use?

- Yes No
 No, With Mitigation Data Insufficient

9. Natural Resources

Will the proposal result in:

a. A substantial increase in the rate of use of any natural resources?

- Yes No
 No, With Mitigation Data Insufficient

b. Substantial depletion of any non-renewable natural resource?

- Yes No
 No, With Mitigation Data Insufficient

10. Risk of Upset

Will the proposal:

a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?

- Yes No
 No, With Mitigation Data Insufficient

b. Involve possible interference with an emergency evacuation plan?

- Yes No
 No, With Mitigation Data Insufficient

11. Population

Will the proposal:

- a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?

- Yes
- No
- No, With Mitigation
- Data Insufficient

- b. Include or result in the temporary or permanent displacement of residents?

- Yes
- No
- No, With Mitigation
- Data Insufficient

12. Housing

Will the proposal:

- a. Affect existing housing, or create a demand for additional housing?

To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:

- (1) Will the proposal decrease the amount of housing in the Tahoe Region?

- Yes
- No
- No, With Mitigation
- Data Insufficient

- (2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?

- Yes
- No
- No, With Mitigation
- Data Insufficient

Number of Existing Dwelling Units: 0

Number of Proposed Dwelling Units: 0

b. Will the proposal result in the loss of housing for lower-income and very-low-income households?

- Yes No
 No, With Mitigation Data Insufficient

13. Transportation/Circulation

Will the proposal result in:

a. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

- Yes No
 No, With Mitigation Data Insufficient

b. Changes to existing parking facilities, or demand for new parking?

- Yes No
 No, With Mitigation Data Insufficient

c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

- Yes No
 No, With Mitigation Data Insufficient

d. Alterations to present patterns of circulation or movement of people and/or goods?

- Yes No
 No, With Mitigation Data Insufficient

e. Alterations to waterborne, rail or air traffic?

- Yes No
 No, With Mitigation Data Insufficient

f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

- Yes No
 No, With Mitigation Data Insufficient

14. Public Services

Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?

a. Fire protection?

- Yes No
 No, With Mitigation Data Insufficient

b. Police protection?

- Yes No
 No, With Mitigation Data Insufficient

c. Schools?

- Yes No
 No, With Mitigation Data Insufficient

d. Parks or other recreational facilities?

- Yes No
 No, With Mitigation Data Insufficient

e. Maintenance of public facilities, including roads?

- Yes No
 No, With Mitigation Data Insufficient

f. Other governmental services?

[Empty response box for question f]

- Yes No
 No, With Mitigation Data Insufficient

15. Energy

Will the proposal result in:

a. Use of substantial amounts of fuel or energy?

[Empty response box for question 15a]

- Yes No
 No, With Mitigation Data Insufficient

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

[Empty response box for question 15b]

- Yes No
 No, With Mitigation Data Insufficient

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

a. Power or natural gas?

[Empty response box for question 16a]

- Yes No
 No, With Mitigation Data Insufficient

b. Communication systems?

[Empty response box for question 16b]

- Yes No
 No, With Mitigation Data Insufficient

c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?

[Empty response box for question 16c]

- Yes No
 No, With Mitigation Data Insufficient

d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?

- Yes No
 No, With Mitigation Data Insufficient

e. Storm water drainage?

- Yes No
 No, With Mitigation Data Insufficient

f. Solid waste and disposal?

- Yes No
 No, With Mitigation Data Insufficient

17. Human Health

Will the proposal result in:

a. Creation of any health hazard or potential health hazard (excluding mental health)?

- Yes No
 No, With Mitigation Data Insufficient

b. Exposure of people to potential health hazards?

- Yes No
 No, With Mitigation Data Insufficient

18. Scenic Resources/Community Design

Will the proposal:

- a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input checked="" type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- b. Be visible from any public recreation area or TRPA designated bicycle trail?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- d. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

19. Recreation

Does the proposal:

a. Create additional demand for recreation facilities?

[Empty text box for response to question a]

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Create additional recreation capacity?

[Empty text box for response to question b]

- Yes
- No
- No, With Mitigation
- Data Insufficient

c. Have the potential to create conflicts between recreation uses, either existing or proposed?

[Empty text box for response to question c]

- Yes
- No
- No, With Mitigation
- Data Insufficient

d. Result in a decrease or loss of public access to any lake, waterway, or public lands?

[Empty text box for response to question d]

- Yes
- No
- No, With Mitigation
- Data Insufficient

20. Archaeological/Historical

a. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?

[Empty text box for response to question a]

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

c. Is the property associated with any historically significant events and/or sites or persons?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

21. Findings of Significance.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

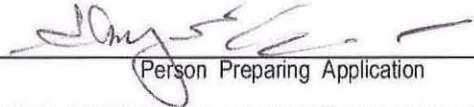
d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

DECLARATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature: (Original signature required.)

 At Placer Date: 11/28/21

Person Preparing Application County

Applicant Written Comments: (Attach additional sheets if necessary)

See attached written response.

**Response to IEC
Lake Forest #3 Property Owner's Association
Application for 3 New Buoys
3660 North Lake Blvd., Cedar Flat
Placer County APN 092-120-032**

1c. The new buoy blocks will be gently placed onto the lake bottom via barge/amphibian with a crane to minimize disturbance during installation.

1f & 3a. The new buoy blocks will have minimal impacts to littoral processes as it the buoy chain and float will move with the current as to not have impacts to littoral drift.

3e. The new buoy blocks will be gently placed onto the lake bottom via barge/amphibian with a crane to minimize disturbance during installation.

18a-c. The new buoys will be visible from Lake Tahoe. The scenic impact will be minimal as there are already numerous buoys and piers in the vicinity. Scenic mitigation will be installed if required by TRPA.

Impact mitigated by annual scenic fee. - MM TRPA

19b. The impacts from the three new buoys will be minimal as the POA is a private facility. The property is accessible by foot or car and has ample parking and recreation capacity.

FOR OFFICE USE ONLY

Date Received: 11/30/2021 By: Intake

Determination:

On the basis of this evaluation:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

Yes No

- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures.

Yes No

- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with Chapter 3 of the TRPA Code of Ordinances and the Rules of Procedure.

Yes No

Signature of Evaluator Date: _____

Title of Evaluator

Attachment C
V(g) Findings

PROJECT REVIEW CONFORMANCE CHECKLIST & V (g) FINDINGS

(RESIDENTIAL)

Project Name: Lake Forest #3 POA - Buoy field expansion

Project Type: Shorezone - Additional Mooring Buoys

APN / Project Number: 092-120-032/ MOOR2021-1798

Project Review Planner: Matt Miller Date of Review: 08/2023

NOTE: if the answer to question b. on any of the following questions is no, please provide a written justification on a separate sheet for making the findings required in subsections 4.4.1 and 4.4.2 of the code. If the answer to question b. is yes or if no answer is required, this checklist shall serve as justifications for making said findings. Any positive impacts of the project on the thresholds that have not been addressed in these questions should also be noted.

CATEGORY: AIR QUALITY

THRESHOLD: CARBON MONOXIDE (CO)

INDICATOR: (CO) 8-hr. avg. Stateline CA station

- 1. a. Does the project generate new vehicle trips? Y N
- b. If yes, is the project consistent with Subsection 65.2.4.B.1? Y N
- 2. a. Does the project create new points of vehicular access? Y N
- b. If yes, is the project consistent with Subsection 34.3.2? Y N
- 3. a. Does the project include combustion appliances? Y N
- b. If yes, is the project consistent with Subsection 65.1.4? Y N
- 4. a. Does the project include a new stationary source of CO? Y N
- b. If yes, is the project consistent with Subsection 65.1.6? Y N

THRESHOLD: OZONE

INDICATOR: Ozone, 1-hr. avg. Lk. Tahoe Blvd station

- 1. a. Does the project increase regional VMT? Y N
- b. If yes, is the project consistent with Subsection 65.2.4? Y N
- 2. a. Does the project include new gas/oil space/water heaters? Y N
- b. If yes, is the project consistent with Subsection 65.1.4? Y N
- 3. a. Does the project include a new stationary source of NO²? Y N
- b. If yes, is the project consistent with Subsection 65.1.6? Y N

THRESHOLD: PARTICULATE MATTER

INDICATOR: Part. Matter, 24-hr. avg. Lk. Tahoe Blvd station

- 1. a. Does the project increase airborne dust emissions? Y N
- b. If yes, is the project consistent with Subsection 60.4.3? Y N
- 2. a. Does the project include a new stationary source of particulate matter? Y N
- b. If yes, is the project consistent with Subsection 65.1.6? Y N

3. a. Refer to question 1, Ozone, above.

THRESHOLD: VISIBILITY

INDICATOR: miles of visibility, veg and subregional path

1. a. Refer to questions 1-3, Particulate Matter, above.

THRESHOLD: TRAFFIC VOLUME
US 50 CORRIDOR, WINTER, 4pm-12am

INDICATOR: traffic volume, US 50 at Park Ave.
Jan.-Mar. avg., 4pm-12am

1. a. Refer to question 1, CO, above.

THRESHOLD: NO² EMISSIONS

INDICATOR: VMT

1. a. Refer to questions 1-2, VMT, below.

THRESHOLD: WOOD SMOKE

INDICATOR: number of wood heaters

1. a. Does the project include any new wood heaters? Y N
b. If yes, is the project consistent with Subsection 65.1.4.B? Y N

THRESHOLD: VMT

INDICATOR: changes in number of trips and avg. trip length

1. a. Does the project increase average trip length? Y N
b. If yes, is the project consistent with Subsection 65.2.4.B? Y N
2. a. refer to question 1, CO, above.

CATEGORY: WATER QUALITY

THRESHOLD: TURBIDITY

INDICATOR: turbidity of indicator stations

1. a. Does the project increase impervious coverage or create permanent soil disturbance? Y N
b. If yes, is the project consistent with Subsection 60.2.3? Y N
2. a. Does the project create temporary soil disturbance? Y N
b. If yes, is the project consistent with Subsection 60.4.3? Y N
3. a. Does the project require the use of fertilizer? Y N
b. If yes, is the project consistent with Subsection 60.1.8? Y N
4. a. Does the project include domestic wastewater discharge to the surface or groundwater? Y N
b. If yes, is the project consistent with Subsection 60.1.3.B? Y N
5. a. Does the project disturb or encroach on an existing SEZ? Y N
b. If yes, is the project consistent with Subsection 30.5? Y N

THRESHOLD: CLARITY, WINTER (IN LAKE)

INDICATOR: secch depth, Dec.-Mar. avg. TRG index station

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: PHYTOPLANKTON PRIMARY PRODUCTIVITY (IN LAKE)

INDICATOR: phyto, primary productivity, ann. Avg., TRG index station

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: DIN LOAD, SURFACE RUNOFF

INDICATOR: DIN x discharge, tributary network annual total 1

1. a. Refer to questions 1, 2, 3 and 5, turbidity, above.

THRESHOLD: DIN LOAD, GROUNDWATER

INDICATOR: DIN x discharge, grndwtr. Network, annual total

1. a. Refer to questions 2 & 3, turbidity, above.

THRESHOLD: DIN LOAD, ATMOSPHERIC

INDICATOR: NO3 + HNO, annual avg. Lake Tahoe Blvd station

1. a. Refer to question 4, turbidity, above.

THRESHOLD: NUTRIENT LOADS, GENERAL

INDICATOR: sol. P x discharge sol. Fe x

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: TOTAL N, P, Fe, (trib.) CA ONLY

INDICATOR: single reading, tributary network

1. a. Refer to questions 1, 2, 3, and 5, turbidity, above.

THRESHOLD: DIN; SOL, P, Fe, SS (trib.) NV ONLY

INDICATOR: single reading tributary network

1. a. Refer to questions 1, 2, 3 and 5, turbidity, above.

THRESHOLD: DIN, SOL, P, Fe, SS, GREASE/OIL DISCHARGED TO SURFACE WATER FROM RUNOFF

INDICATOR: single reading runoff sites

1. a. Does the project route impervious surface runoff directly into Lake Tahoe or a major tributary? Y N
- b. If yes, is the discharge structure consistent with BMP handbook? Y N
2. a. Does the project create large impervious areas (e.g. parking lots) which may serve as a source of airborne pollutants, grease or oil? Y N
- b. If yes, is the project consistent with Subsections 60.4.3, 60.4.6 and 60.4.9? Y N

THRESHOLD: TOTAL N, TOTAL P, TOTAL Fe TURBIDITY, GREASE/OIL DISCHARGE TO GRDWTR FROM RUNOFF

INDICATOR: single reading runoff site

1. a. Does the project include infiltration devices to infiltrate impervious surface runoff directly underground? Y N
- b. If yes, is the project consistent with Subsection 60.4.6? Y N

CATEGORY: SOIL CONSERVATION

THRESHOLD: IMPERVIOUS COVERAGE

INDICATOR: area or coverage

1. a. Does the project include new or relocated coverage? Y N
b. If yes, is the project consistent with Subsection 30.4, 30.5 and 30.6? Y N

THRESHOLD: NATURALLY-FUNCTIONING SEZ

INDICATOR: area of SEZ

1. a. Does the project disturb or encroach on a naturally-functioning SEZ? Y N
b. If yes, is the project consistent with Subsection 30.5? Y N

CATEGORY: VEGETATION

THRESHOLD: PLANT & STRUCTURAL DIVERSITY

INDICATOR: plant & structural diversity

1. a. Does the project create a change in diversity? Y N
b. If yes, does the project include vegetation management techniques to increase diversity (reveg., thinning)? Y N

THRESHOLD: MEADOW & RIPARIAN VEGETATION

INDICATOR: area of meadow & riparian veg.

1. a. Refer to question 5, turbidity, above.

THRESHOLD: DECIDUOUS RIPARIAN VEGETATION

INDICATOR: area of riparian vegetation

1. a. Refer to question 5, turbidity, above.

THRESHOLD: SHRUB ASSOCIATION

INDICATOR: area of shrub association

1. a. Does the project create an increase in the areal extent of the shrub association? Y N
b. If yes, has the additional area been calculated, and a determination been made that the total area is less than or equal to 25%? Y N

THRESHOLD: YELLOW PINE ASSOCIATION (not mature)

INDICATOR: area of yellow pine assoc.

1. a. Does the project create a change in the areal extent of the immature yellow pine association? Y N
b. If yes, has the additional area been calculated, and a determination made that the total area in the Region is between 15 and 25%? Y N

THRESHOLD: RED FIR ASSOCIATION

INDICATOR: area of red fir assoc.

1. a. Does the project create a change in the areal extent of the immature red fir association? Y N
b. If yes, has the additional area been calculated, and a determination made that the total area in the Region is between 15 and 25%? Y N

THRESHOLD: FOREST OPENINGS

INDICATOR: size and location of forest openings

1. a. Does the project create new forest openings? Y N
b. If yes, is the new opening less than 8 acres? Y N

2. a. Does the project create new forest openings adjacent to other openings? Y N
- b. If yes, are the resultant adjacent openings not of the same relative age class or successional stage? Y N

THRESHOLD: UNCOMMON PLANT COMMUNITITES

INDICATOR: habitat sites

1. a. Will the project impact the habitats for the deepwater sphagnum bog, Osgood Swamp, or the Freel Peak Cushing Plant Community? Y N
- b. If yes, have modifications been included in the project to protect these plant communities? Y N

THRESHOLD: SENSITIVE VEGETATION

INDICATOR: number of habitat sites

1. a. Will the project impact the habitats of the Carex paucifructus, the Lewis pyomaea longipetala, the Draba asterophora v., or the Rorippa subumbellata? Y N
- b. If yes, have modifications been included in the project to protect these plant communities? Y N

CATEGORY: WILDLIFE

THRESHOLD: SPECIAL INTEREST SPECIES

INDICATOR: number of habitat sites

1. a. Will the project result in the loss, modification or increased disturbance of habitat site for goshawk, osprey, bald eagle, (winter and nesting), golden eagle, peregrine falcon, waterfowl, or deer, as mapped on official TRPA maps? Y N
- b. If yes, have modifications been included in the project to protect these habitat sites? Y N

CATEGORY: FISHERIES

THRESHOLD: EXCELLENT STREAM HABITAT

INDICATOR: sites of excellent stream habitat

1. a. Does the project include stream channelization, stream dredging, removal of rock or gravel from a stream, culverts, bridges, or water diversions affecting a stream identified as fish habitat? Y N
- b. If yes, have modifications been included in the project to offset impacts on stream habitat and contribute to the upgrading of stream habitat? Y N
2. a. Will the project result in siltation, urban runoff, snow disposal, or litter that may affect water quality in a stream identified as fish habitat? Y N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y N

THRESHOLD: GOOD STREAM HABITAT

INDICATOR: miles of good stream habitat

1. a. Refer to questions 1 and 2, above.

THRESHOLD: MARGIANL STREAM HABITAT

INDICATOR: miles of marginal stream habitat

1. a. Refer to questions 1 and 2, above.

THRESHOLD: INSTREAM FLOWS

INDICATOR: increase flows

- 1. a. Does the project include new water diversions? Y N
- b. If yes, is there evidence in the record to indicate that flows will remain within adopted TRPA standards or, in the absence of adopted standards, that flows will not be diminished? Y N

- 2. a. Does the project include new coverage or disturbance that could contribute to uncontrolled runoff reaching a stream identified as fish habitat? Y N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y N

- 3. a. Refer to question 5, turbidity, above.

THRESHOLD: LAKE HABITAT

INDICATOR: area of excellent habitat

- 1. a. Does the project include development in the shorezone, removal of rock or gravel from the lake, or removal of vegetation in the shorezone? Y N
- b. If yes, is the project consistent with Chapters 80-86? Y N

- 2. a. Does the project increase the potential for siltation, runoff, or erosion entering Lake Tahoe? Y N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y N

CATEGORY: NOISE

THRESHOLD: COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)

INDICATOR: dBA, CNEL

- 1. a. Does the project involve the creation of a new or relocated land use? Y N
- b. If yes, is the project consistent with the applicable plan area statement? Y N

- 2. a. Is the project located within a transportation corridor as mapped on TRPA maps? Y N
- b. If yes, does the project include components to reduce the transmission of noise from the corridor, in accordance with the TRPA Design Review Guidelines? Y N

CATEGORY: SCENIC RESOURCES

THRESHOLD: ROADWAY AND SHORELINE RATINGS

INDICATOR: ratings

- 1. a. Is the project located within, or visible from, a roadway or shoreline unit targeted for scenic upgrading? Y N
- b. If yes, is the project consistent with the TRPA Scenic Quality Implementation Program (SQIP)? Y N

- 2. a. Is the project located within, or visible from, a roadway or shoreline unit not targeted for scenic upgrading? Y N
- b. If yes, is there evidence in the record that the project will not cause a significant decrease in scenic quality, and is the project consistent with the TRPA Design Review Guidelines? Y N

CATEGORY: RECREATION

THRESHOLD: PRESERVE AND ENHANCE THE HIGH QUALITY RECREATION EXPERIENCE

INDICATOR: dispersed rec. capacity

- 1. a. Is the project located in a conservation or recreation plan area? Y N
- b. If yes, is the project consistent with the applicable plan area statement? Y N

CATEGORY: CODE/RULES OF PROCEDURE REQUIREMENTS

- 1. Does the project require Governing Board Review (Chapter 2)? Y N
- 5. Does the project require notice to adjacent property owners (Art. XII Rules of Procedure)? Y N

6. Is the project consistent with the following:

Chapter 2	(Project Review)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 6	(Tracking-Data Sheets/Log Book)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 21	(Permissible Uses)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 22	(Temporary Uses)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 30	(Coverage)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 31	(Density)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 32	(Basic Service)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 33.3	(Grading)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 33.4	(Special Reports)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 33.5	(Construction Schedule)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 33.6	(Vegetation Protection)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 34	(Driveways)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 34	(Parking)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 35	(Natural Hazards-Floodplain)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 36	(Design Standards)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 37	(Height)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 38	(Signs)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 50	(Allocations)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 51	(Transfers)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 52	(Bonus Units-MFD only)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 53	(IPES)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 60	(BMP's)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 60.1	(Water Quality)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 60.2	(Water Quality Mitigation)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 61.1	(Tree Removal)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 61.3.6	(Sensitive Plants/Fire Hazard)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 61.4	(Revegetation)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 62	(Wildlife)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 63	(Fish)	N/A	<input type="checkbox"/>	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Chapter 65.1	(Air Quality)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 65.2	(Traffic/Air Quality Mitigation)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>
Chapter 67	(Historic Resource)	N/A	<input checked="" type="checkbox"/>	Y <input type="checkbox"/>	N <input type="checkbox"/>

Attachment D
Draft Permit

Draft
CONDITIONAL PERMIT

PROJECT DESCRIPTION: Expansion of existing buoy field, lakeward of and accessory to
APN: 092-120-032

PERMITTEE: Lake Forest #3 Property Owners' Association **FILE NUMBER:** MOOR2021-1889

COUNTY/LOCATION: Placer County / Lakeward of Beach Road

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on **August 17, 2023**, subject to the standard conditions of approval attached hereto (Attachment S) and the special conditions found in this permit.

This permit shall expire on **August 17, 2026** without further notice and the project shall be completed by the expiration date. 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.

NO CONSTRUCTION, INSTALLATION, OR REMOVAL SHALL COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE, OR AUTHORIZED REPRESENTATIVE, 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; AND
- (3) THE PERMITTEE OBTAINS A STATE LANDS LEASE OR PERMIT, IF NECESSARY. THE STATE LANDS LEASE OR PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS.
- (4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

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 co-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 _____ Date _____

PERMIT CONTINUED ON NEXT PAGE

APN: 092-120-032
FILE NO. MOOR2021-1889

Application Filing Fees Paid (1):	Amount \$ <u>882</u> Paid _____	Receipt No. _____
Security Posted (2)	Amount \$ <u>2,500</u> Paid _____	Receipt No. _____
Security Administration Fee (3)	Amount \$ _____ Paid _____	Receipt No. _____

Mooring Registration Number: 10526

Notes:

- (1) See Special Condition 3.A., below.
- (2) See Special Condition 3.B., below.
- (3) 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 placement of three (3) new (additional) mooring buoys and anchor blocks along with the relocation of two (2) existing mooring buoys and anchors. A total of twenty-three (23) mooring buoys are now authorized as accessory structures to the Lake Forest #3 Property Owner's Association, APN 092-120-032, which serves 46 residential units. There are no other moorings associated with, or authorized to, this project area. The project also includes the removal of one (1) unauthorized boat hoist and the restoration of a compacted dirt parking area. This permit does not require fish habitat mitigation as the new mooring buoys are proposed in marginal fish habitat. The approved revised site plan will denote the approved mooring buoy coordinates. Completion of this project will not result in reissuance of the BMP certificate.

Mooring Allocations for new (additional) buoys:

TRPA-20-MOOR-070, TRPA-20-MOOR-071, TRPA-20-MOOR-072

2. The Standard Conditions of Approval listed in Attachments S & Q shall apply to this permit.
3. Prior to permit acknowledgement the following conditions of approval must be satisfied:
 - A. The permittee shall submit additional application filing fees of \$882 for Hearings Officer review of the relocation of two mooring buoys.
 - B. The security required under Standard Condition I.B of Attachment S shall be \$2,500.00. The security shall not be released until all conditions of the permit are met including,

but not limited to, restoration of disturbed areas on site and removal of the unauthorized boat hoist. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and the required security administration fee.

- C. The site plan shall be revised to include the following:
- (1) Denote the correct scale on the plan sheet.
 - (2) Identify the location of the unauthorized boat hoist and include a note that it will be permanently removed.
 - (3) Modify the location and coordinates for proposed buoy #2 so that it is within the shorezone, which is, landward of lake bottom elevation 6,193'.
 - (4) Correct buoy coordinates to correspond with the location depicted on site plan. The coordinates for proposed buoy #1 and #2 along with buoy #7 do not correspond with the locations depicted on the site plan.
 - (5) Denote that existing buoys #7 and #15 are to be relocated to the locations depicted.
 - (6) Update the coverage table to indicate that the compacted dirt parking area will be restored in accordance with the approved restoration/revegetation plan.
- D. Provide labeled coordinates for all buoys corresponding to the site plan in an Excel spreadsheet for entry into TRPA's Mooring Registration System.
- E. The permittee shall submit a restoration/revegetation plan for the area denoted as compacted dirt parking in accordance with the standards required in Sections 36.7 and 60.1.8 of the TRPA Code of Ordinances. The plan shall include parking barriers to prevent vehicle encroachment along with decompaction and revegetation of the disturbed area. The restoration/revegetation plan shall be submitted for TRPA review and approval prior to acknowledgement.
4. The permittee and contractor/installer shall certify mooring buoys and anchoring devices were installed and maintained in accordance with the approved plans by submitting Attachment B: Buoy Final Certification Form to TRPA **within two (2) weeks** of placement of mooring buoy(s). Failure to submit the form are grounds for enforcement action, including revocation of the permit and removal of the mooring buoy(s).
 5. Mooring registration and scenic mitigation fees shall be paid annually for each permitted mooring pursuant to Article 10 of TRPA Rules of Procedure. These fees are non-refundable, and the due date is subject to change.
 6. Buoy anchoring devices shall not be relocated without prior TRPA approval. One anchoring device per mooring buoy is authorized.

7. The permittee shall affix the mooring registration tags to the mooring buoys authorized with this permit at the time of placement. The permittee shall maintain the tags and if lost or stolen, notify TRPA immediately for a replacement. The permittee authorizes TRPA to verify the presence of a TRPA buoy identification tag as required by subsection 82.7.4 of the TRPA Code of Ordinances.
8. Only one watercraft shall be moored to each mooring buoy and associated anchor.
9. The permittee shall inspect and maintain floats, chains, and anchoring devices to prevent loss or damage to watercraft and structures.
10. Buoys shall comply with the construction specifications in the approved plans and those set forth in the California Waterway Marking System or as otherwise recommended by the U.S. Army Corps of Engineers or Coast Guard.
11. No lights on buoys are authorized by this permit.
12. Disturbance of the lake bottom shall be kept to the minimum necessary for placement of buoy blocks. No removal or relocation of rock or other natural materials from Lake Tahoe is authorized by this permit.
13. The spill prevention plan shall be implemented during construction and all applicable agencies including TRPA shall be notified immediately if any discharge or release of hazardous material occurs.
14. **Locate all underground and underwater utilities.** If your project might disturb underwater utilities, call the regional Underground Service Alert (USA North: 1-800-227-2600) prior to placement or construction. California and Nevada state law both require the permittee to call USA DIGS at least 48 hours prior to commencement of construction.
15. This permit does not authorize any construction activities, staging, ground disturbance or other activities within the backshore or on the upland portions of the project area.
16. The permittee shall be responsible for contacting other regulatory agencies with potential jurisdiction over the approved buoy project to determine the permitting requirements of those agencies. Agencies with permitting jurisdiction in California include but are not limited to: U.S. Army Corps of Engineers, U.S. Coast Guard, CA State Lands Commission, Lahontan Regional Water Quality Control Board, and CA Dept. of Fish and Game.
17. 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 representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
18. Violation of any of the conditions of this permit, including annual registration requirements, shall be grounds for enforcement action including revocation of the permit. The process for the determination of the enforcement action, including notice and hearings, shall be pursuant to Article IX of TRPA's Rules of Procedure. If the permit is revoked, the permittee hereby agrees to

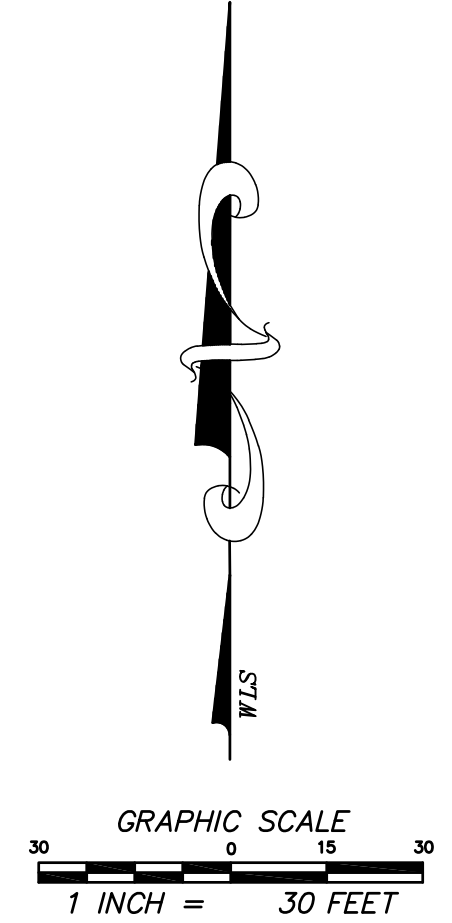
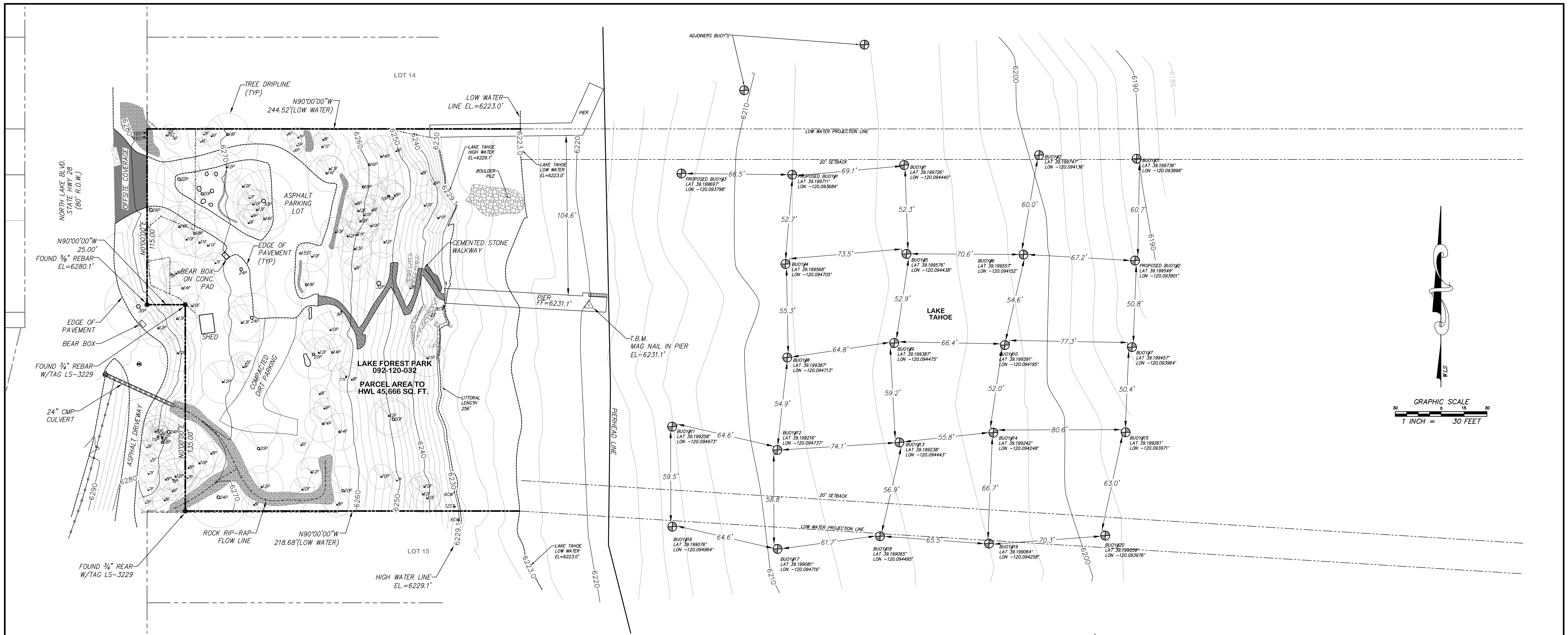
remove the buoy(s) within 30 days, and alternatively, if the buoy(s) is not removed within 30 days, authorizes TRPA to remove the buoy(s) at the permittee's expense.

19. 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.

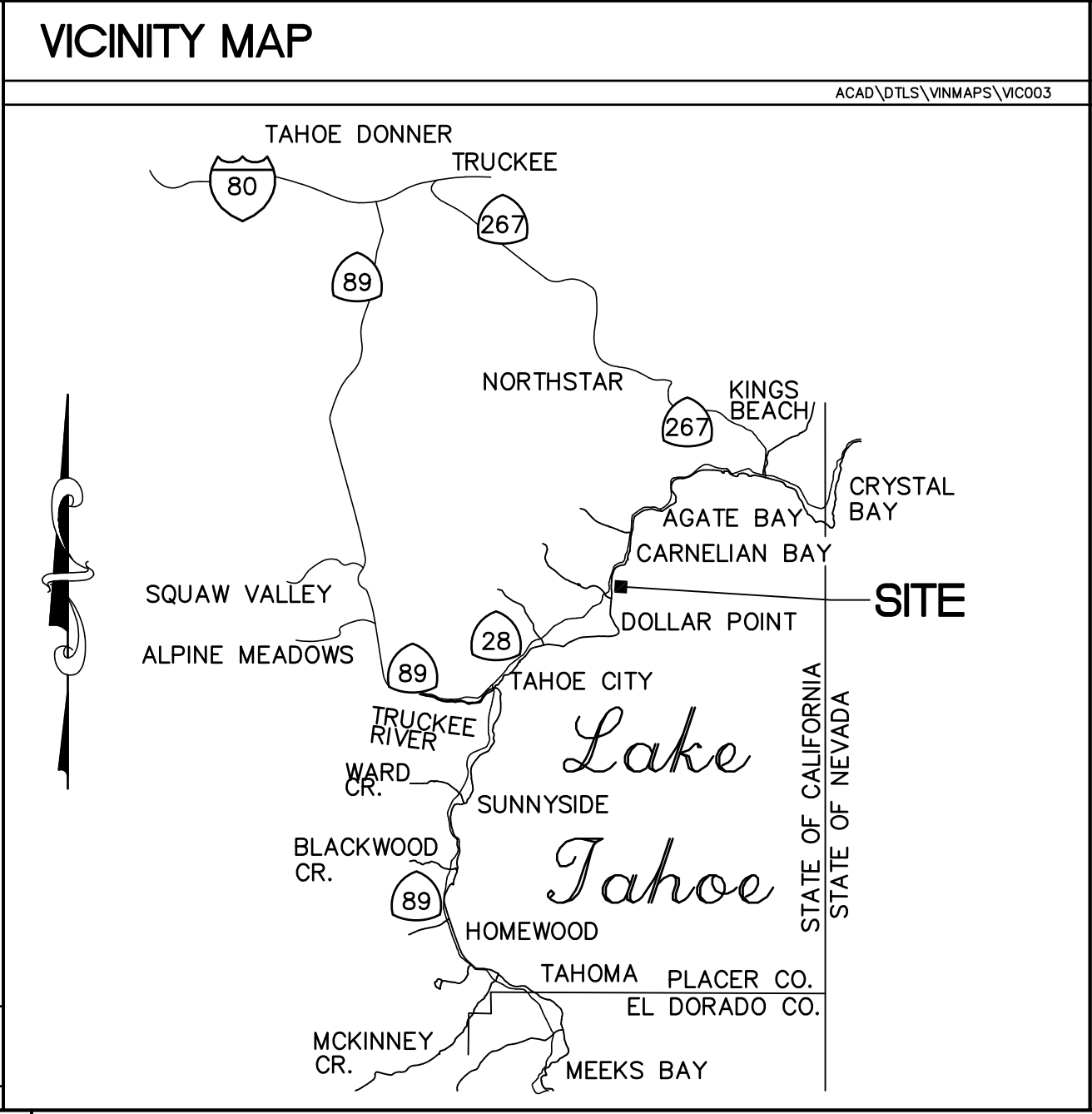
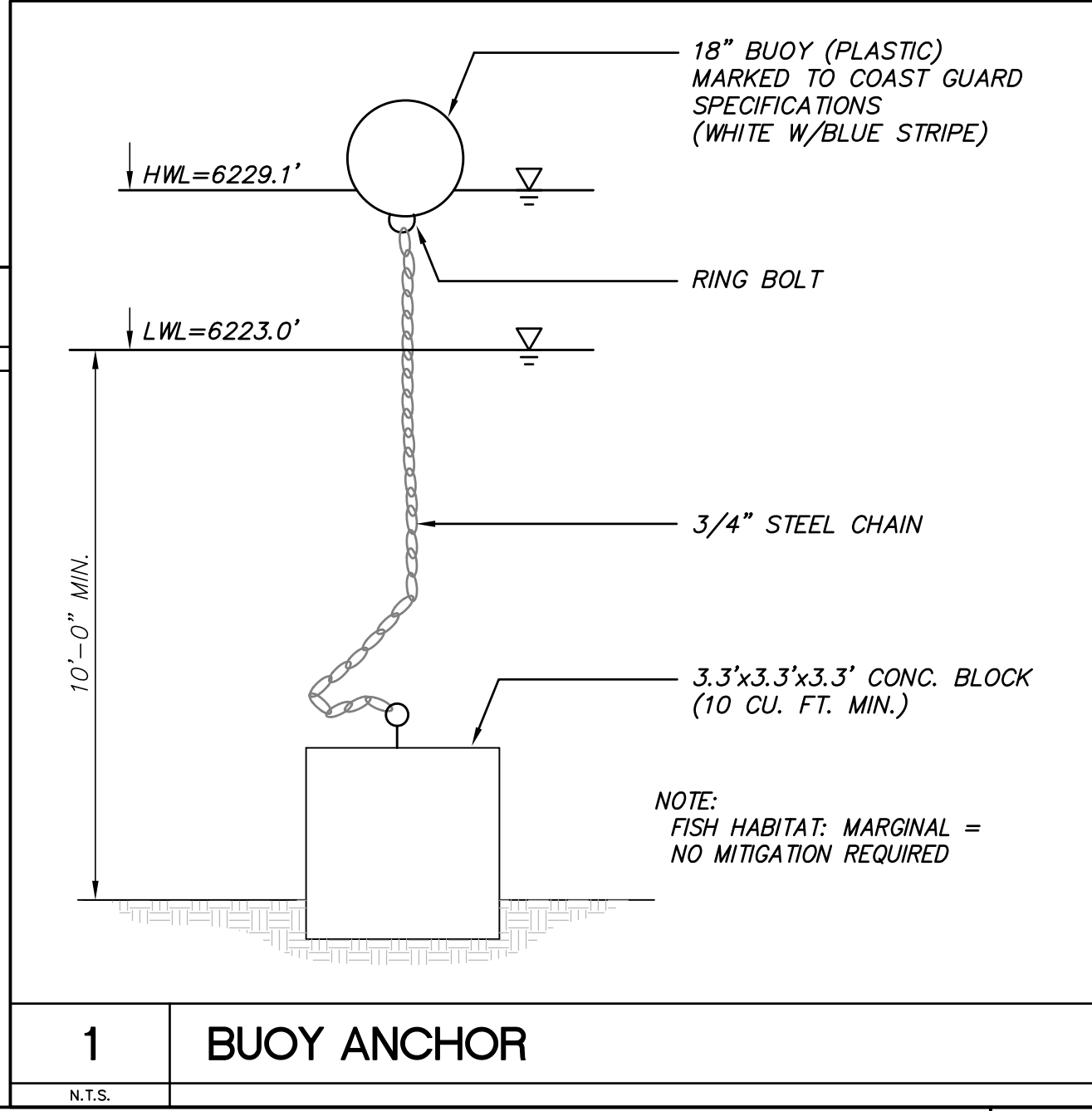
Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions 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. 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.

END OF PERMIT

Attachment E
Proposed Site Plan



EXISTING COVERAGE			
LAND CLASSIFICATIONS		LOT AREA IS TO HIGH WATER	
CLASS PER TRPA	LOT AREA	45,666 SF	X XX% = SQ.FT.
TOTALS:	092-120-032	XX SF	ALLOWED SQ.FT.
LAND COVERAGE PER CLASSIFICATION			
CLASS PER TRPA			
ASPHALT PARKING LOT		5,666 SF	
SHED		110 SF	
COMPACTED DIRT PARKING		1,796 SF	
CONCRETE PAD		13 SF	
CEMENTED STONE WALKWAY		624 SF	
PIER		16 SF	
TOTAL		8,225	SQ.FT.
TOTAL EXISTING COVERAGE		8,225	SQ.FT.
ALLOWED		XXXXX	SQ.FT.
OVERCOVERAGE/REMAINDER		XXXXXX	SQ.FT.
OFFSITE LAND COVERAGE			
OFFSITE ASPHALT DRIVEWAY		985 SF	



- NOTES**
- THE BOUNDARY SHOWN HEREON IS FROM A FIELD SURVEY COMPILED FROM LAKE FOREST ON LAKE TAHOE UNIT NO.5 SUBDIVISION. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE & CURRENT TITLE SEARCH MAY DISCLOSE.
 - NO INVESTIGATION CONCERNING ENVIRONMENTAL & SUBSURFACE CONDITIONS, OR THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
 - NO INVESTIGATION CONCERNING THE LOCATION OF OR EXISTENCE OF UTILITY SERVICE LINES TO THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
 - ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION.
 - DATE OF FIELD WORK OCTOBER 15, 2021 & 10/26/2023.
 - THE TOPOGRAPHY SHOWN HEREON MEETS THE STANDARDS OF THE AMERICAN CONGRESS OF SURVEYING & MAPPING WITH 90% OF THE CONTOURS TO BE WITHIN PLUS OR MINUS ONE HALF OF A CONTOUR INTERVAL.
 - VERTICAL DATUM IS FROM LAKE TAHOE.
 - T.B.M.=(MAGNAIL IN PIER), ELEV=6231.1'
- THE MAPPED FISH HABITAT = MARGINAL, NO MITIGATION IS REQUIRED.
- BUOY FILED 256 X 300 = 76,800 SQ. FT.

LEGEND			
500	10' CONTOUR	○#P	TREE TRUNK, DIAM., PINE
	2' CONTOUR	○#F	TREE TRUNK, DIAM., FIR
---	PROPERTY LINE	○#A	TREE TRUNK, DIAM., ASPEN
---	RETAINING WALL	○#C	TREE TRUNK, DIAM., CEDAR
---	FLOWLINE	○#SN	TREE TRUNK, DIAM., SNAG
---	OVERHEAD UTILITIES	○#ST	TREE TRUNK, DIAM., STUMP
SS	SANITARY SEWER MANHOLE	○#ORN	TREE TRUNK, DIAM., ORNAMENTAL
W	WATER VALVE	⊕ELEV	SPOT ELEVATION
□	SANITARY SEWER CLEANOUT	P.U.E.	PUBLIC UTILITY EASEMENT
○	MONUMENT	M.P.E.	MULTI-PURPOSE EASEMENT
△	CONTROL/TRaverse POINT		
⊕	TEMPORARY BENCH MARK		

PROJECT INFORMATION	
OWNER:	LAKE FOREST No. 3, HOA
PROJECT ADDRESS:	3660 NORTH LAKE BLVD. CARNELIAN BAY, CA
APN:	092-120-032
RECORD INFORMATION:	LAKE FOREST PARK, LAKE FOREST ON LAKE TAHOE UNIT NO.5 SUB. BOOK D OF MAPS AT PAGE 43, O.R.P.C

CHECKED BY	REVISION	DATE	DESCRIPTION	BY

DATABASE BY:	MW
DB CHECKED BY:	MW
DESIGN BY:	MW
DRAFTED BY:	ebalv
DRAWING NAME:	341800-bathy.dwg
DIRECTORY:	JOBS
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LAKE FOREST UNIT No. 3 HOA, PROPERTY
3660 NORTH LAKE BLVD.
BATHYMETRIC & BUOY SURVEY
PLACER COUNTY CALIFORNIA

DATA DATE 10/15/21 & 10/26/23
PLOT DATE 06/15/2023
SCALE
HORIZONTAL 1"=20'
VERTICAL 2' CONTOURS

WLS
WEBB LAND SURVEYING, INC.

LAND SURVEYING SERVICES
PLANNING
3190 Fabian Way, Unit C
Tahoe City, CA 96145
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SHEET NUMBER
1 of 1
FILE NUMBER 3418.00