TAHOE REGIONAL PLANNING AGENCY

Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
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June 24, 2026

Eric Metz
Tahoe Keys SMI, LLC
17330 Preston Road, Suite 100c
Dallas, TX 75252
Eric.metz@suntex.com

TAHOE KEYS MARINA REDEVELOPMENT PROJECT
2435 VENICE DRIVE, CITY OF SOUTH LAKE TAHOE, CALIFORNIA
ASSESSOR PARCEL NUMBERS 022-210-021, 022-210-032, 022-210-040, 022-210-041, 022-210-044
TRPA FILE NUMBER ERSP2025-0602

Dear Mr. Metz:

TRPA has approved the project as referenced above, subject to the attached conditions. Please see the attached permit with special conditions specific to the project and standard conditions listed in Attachment R. Pursuant to Rule 11.2 of the TRPA Rules of Procedure, this permit may be appealed within twenty-one (21) days of the date of this correspondence.

NEXT STEPS

1. **REVIEW, SIGN, AND RETURN:** A permittee acceptance signature is required on page one of the attached permit. The signature must correspond to the permittee as listed at the top of page one. Signatures of permitting consultants assisting with the project are not acceptable. Most often, the permittee is the property owner. By signing the conditional permit, the permittee agrees that they will abide by all conditions of the permit.

   If the permittee(s) accepts and agrees to comply with the permit conditions as stated, print and sign the "Permittee's Acceptance" block on the page one of the permit, and email the signed copy to the planner below within twenty-one (21) calendar days of issuance. Digital signatures are not currently accepted by TRPA.

   Should the permittee fail to return the signed permit within twenty-one (21) calendar days of issuance, the permit will be subject to nullification.

2. **PROVIDE DOCUMENTATION AND PAY FEES (*AS APPLICABLE*):** TRPA will acknowledge (or finalize) the conditional permit only after all pre-construction standard and special conditions of approval have been satisfied. Please review any "prior to acknowledgment" conditions in the attached permit and any attachments of standard conditions. Pre-construction conditions may include site preparation, revisions to plans, and/or mitigation or security fees required of the permittee.

   When ready, e-mail a written response explaining how the special conditions of approval are addressed, all required documents, and final plans for electronic stamping to the planner listed below. Once the planner has confirmed that all items have been received and all required changes

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have been made, they will contact you to confirm your method of fee and security payment, invoice the required fees, and notify you when fees are ready to be paid.
Fees may be paid online by credit card or e-check, or by mailing a check to TRPA. TRPA is unable to accept credit card payments for securities. Please see Attachment J: Security Procedures for acceptable forms of payment.

PAY ONLINE:

1. Log onto the Accela Citizen Access database.
2. Search for application by the TRPA File Number or parcel number.
3. Click 'Pay Fees Due'.

PAY BY MAIL or IN PERSON:

TRPA
Attn: (Assigned Planner as listed below)
P.O. Box 5310
128 Market Street
Stateline, NV 89449-5310

Please include the TRPA File Number.

4. **PERMIT ACKNOWLEDGEMENT:** This is the final phase of the TRPA permit approval process. TRPA is "acknowledging" that the permittee has accepted the conditions of the permit and satisfied all pre-construction requirements. The planner will review the provided documentation, sign the permit, and stamp the final plan set as provided by the permittee. The signed permit and plan set will be emailed to the permittee or listed representative and be made available online through the TRPA Parcel Tracker. It is the permittee's responsibility to apply for and receive approval from any and all other agencies as applicable to their project. (e.g. a local building permit)

5. **REQUEST A PRE-GRADE INSPECTION:** Prior to any site disturbance, grading, or construction, an applicant or their representative will need to request a TRPA pre-grade inspection online. This is an on-site meeting between the TRPA Compliance Inspector and permittee and/or contractor to review the installation of Temporary Best Management Practices (BMPs) required to be in place during construction, review permit conditions, and discuss general construction practices and schedule. All construction projects, except for work that is exempt or qualified exempt, require a pre-grade inspection. Project construction shall begin prior to the expiration date listed on page one of the permit. Carefully review the permit and attachments regarding information on permit expiration and construction schedules.

If you have questions, please contact me by phone at (775) 589-5247or by e-mail at jroll@trpa.gov.

Sincerely,

Julie Roll
Principal Planner

PROJECT DESCRIPTION: Tahoe Keys Marina Redevelopment Project

APN: 022-210-021, 022-210-032, 022-210-040, 022-210-041, 022-210-044

PERMITTEE: Tahoe Keys SMI, LLC FILE #: ERSP2025-0602

COUNTY/LOCATION: 2435 Venice Drive East, City of South Lake Tahoe

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on June 24, 2026, subject to the standard conditions of approval attached hereto (Attachments Q and S) and the special conditions found in this permit.

This permit shall expire on June 24, 2029 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. 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 DEMOLITION, 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 APPROPRIATE CITY PERMITS. TRPA'S ACKNOWLEDGEMENT MAY BE NECESSARY TO OBTAIN A CITY PERMIT. THE 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.

_____ _____

TRPA Executive Director/Designee Date

PERMITTEES' 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_____

(PERMIT CONTINUED ON NEXT PAGE)

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APN 022-210-021, 022-210-032, 022-210-040, 022-210-041, 022-210-044
FILE NO. ERSP2025-0602

Security Posted (1): Amount $TBD Posted

Security Administrative Fee (2): Amount $264

Water Quality Mitigation Fee (3): Amount $83,465.64

Mobility Mitigation Fee (4): Amount $5,177.50

Excess Coverage Mitigation Fee (5): Amount $TBD

Notes:
(1) See Special Condition 5.A
(2) Subject to change. See filing fee schedule for current administrative fee.
(3) See Special Condition 5.B
(4) See Special Condition 5.C
(5) See Special Condition 5.D

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 and is eligible for a county building permit:

_____ _____

TRPA Executive Director/Designee Date

SPECIAL CONDITIONS

1. This permit specifically authorizes redevelopment of the Tahoe Keys Marina, including improvements to both the upland and waterside facilities. The existing upland development will be demolished and replaced with new buildings, parking areas, and utilities. The project includes the following elements:

   Upland Improvements

   A. Primary Marina Complex: Construction of four mixed-use two-story buildings (labeled as Buildings A, B, C, D on site plans). Uses include retail space, offices, public restrooms, restaurants, and marina support space. Total floor area is approximately 75,350 square feet. The natural grade will be raised by 2.5 feet, requiring approximately 3,550 cubic yards of imported fill.

   B. Public Restroom and Trash Storage Building: Construction of a 1,350 square foot building including space for trash, recycling, food waste storage, as well as public restrooms to serve the adjacent Cove East Trail.

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C. Dockmaster Building: Construction of a two-story building with the following uses: harbor master office, ship store, restrooms, boat showroom, office space, general marina support, and three multi-family workforce housing units (using three existing verified multi-family residential units of use)

D. Water Tank and Boat Storage Facility: Construction of a 52,600-square-foot building containing three water tanks, indoor boat storage, and office space for local law enforcement, fire, and U.S. Coast Guard personnel. The building will include two aisles with three to four levels of storage capability and is designed to accommodate approximately 250 boats during the summer season, allowing for on-demand boat retrieval, and up to 430 boats during winter storage operations without in-and-out access. The water tanks will connect to the existing water infrastructure to improve fire flow and pressure serving the marina facility.

E. Boardwalk, Promenade, and Central Plaza: Construction of a publicly accessible boardwalk/promenade along the edge of the development, between the bulkhead and buildings. A central plaza will provide approximately 14,300 square feet of landscaped gathering space for community events.

F. Public launching and storage of non-motorized watercraft is provided as part of the proposed project. Storage racks are provided in multiple locations within the project area and are available for public use on a first-come first served basis.

G. Parking and Circulation: Construction of new parking lots, adjacent to the proposed buildings, with three points of connection to Venice Drive. No less than 251 parking spaces will be provided, with final tabulation subject to compliance with the City of South Lake Tahoe's design review permit conditions, including valet and paid options. No change to the alignment of Venice Drive east of Tahoe Keys Boulevard is proposed, but the road will be restriped to include a bike lane.

H. Stormwater Best Management Practices (BMPs): The entire marina project area will be retrofitted with BMPs, including subsurface storage and infiltration facilities, permeable pavers, and infiltration basins. When the project passes final inspection, a BMP certificate of completion will be issued for all upland parcels in the project area. The marina previously received a Clean Marina Certificate, valid from April 25, 2024, to April 25, 2029.

I. Aquatic Invasive Species (AIS) Controls: An AIS Management Plan has been approved for the marina (file MAIS2025-0007). The proposed project incorporates additional AIS control features. A staging area is provided in front of the boat launch to accommodate inspections, post-launch vessel draining, and plant removal. A drain and connected infiltration basin will be located at the boat ramp so that runoff doesn't return to the lake or run onto Venice Drive. The marina has acquired and will utilize a CD3 machine to clean vessels before or after use on the lake.

J. Landscaping- A full landscape plan is included in the plan set. All bare dirt areas will be stabilized and revegetated as part of the project.

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Waterside Improvements

K. Bulkhead Replacement: Approximately 1,600 linear feet of bulkhead will be replaced. This includes installation of new 34-foot-long sheet piles directly in front of the existing sheet piles, which will be secured to existing metal walers and reinforced with concrete caps. Existing brace pipes will be removed in many locations.

L. Boat Ramp Relocation: The existing boat launch will be removed and replaced with a bulkhead wall, and a new boat launch will be constructed on the south side of the project area, near the dockmaster building. Space is provided adjacent to the ramp for the lift well and gantry crane. The ramp will comply with the development standards in Code of Ordinances Section 84.5.3.

M. Boat Fueling Facilities Relocation: The existing fuel pumps are to be relocated to the southern end of the project area near the new boat ramp. An above-ground fuel tank is also proposed in the vicinity.

N. Additional Boat Slips: Upon receipt of the 10 additional mooring allocations (see condition 8), this permit will formally authorize the 66 additional boat slips, per the 2024 Settlement Agreement between Tahoe Keys SMI, LLC and TRPA, bringing the total slips authorized to 305. There are no other moorings authorized in the project area.

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

3. Upland parcels 022-210-040, 022-240-032, and 022-210-041 are verified as land capability Class 6 and have 287,252 square feet of verified existing coverage. The project will use 285,904 square feet of coverage, and 1,348 square feet of Class 6 coverage will be banked on-site as a result of the project. These parcels will be deed-restricted as a formal project area as part of this project.

4. The following development rights are associated with this project:

Commercial Floor Area: Commercial Floor Area is allocated to primary commercial uses that are not accessory to the marina. Per file VBOU2024-1159, 48,809 square feet of Commercial Floor Area is verified in this project area. The project uses 31,507 square feet, and the remaining 18,302 square feet (Class 6) will be banked on-site for future use. The Commercial Floor Area calculations are as follows:

Location	Use	Square Feet
Building B	Office Space	8,763
Building C	Restaurant	9,551
Building D	Restaurant	13,193
Total Project		31,507
Banked		18,302

Residential Units of Use: Three existing multi-family residential units of use are verified as legally existing within the project area. All three units will be reconstructed as part of the redevelopment

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and used for workforce housing. The units will be located on the second floor of the Dockmaster Building and will include two two-bedroom units and one three-bedroom unit.

People At One Time: The proposed project includes the addition of 66 boat slips and 100 summer-use dry boat storage spaces, which requires the allocation of 166 Summer Day-Use PAOTs from the marina reserved summer day-use pool.

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

   A. 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 required Best Management Practices plan and related cost estimate. In no case shall the security be less than $10,000. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

   B. Per the terms of the 2024 Settlement Agreement between TRPA and Suntex, TRPA recognizes a maximum of 153,059 square feet of existing land coverage on APN 022-021-040, provided that a water quality mitigation fee of $1.86 per square foot is paid for every square foot of coverage over 108,185 square feet. Therefore, a water quality mitigation fee of $83,465.64 shall be paid to TRPA. This fee is based on the creation of 44,874 square feet of land coverage at a rate of $1.86/square foot.

   C. The permittee shall submit a $5,177.50 mobility mitigation fee. This fee is based on the project's 218 average daily vehicle miles traveled, charged at $23.75 per average vehicle mile traveled. All projects involving new or modified development allocations must pay a mobility mitigation fee based on the project's unmitigated Vehicle Miles Traveled (VMT). This money is passed on to the local jurisdiction in which the fee was collected to be used for projects that reduce VMT.

   D. The project area has 189,586 square feet of excess land coverage. The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area 5 (Upper Truckee) 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 .05% (as identified in Table A of Subsection 30.6.1.C, 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 $8.50 for projects within Hydrologic Transfer Area 5 (Upper Truckee). Please provide a construction cost estimate by your licensed contractor, architect or engineer. In no case shall the mitigation fee be less than $200.00.

   E. The plans shall be revised as follows:

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i. Update the coverage reference plan (sheet L0.4) to change the Basin Plaza from synthetic turf to real grass or landscaping (i.e. not creating land coverage).
ii. Provide a table of existing, proposed, and banked Commercial Floor Area.
iii. Include a final foundation plan
iv. Label the location of public access for non-motorized boaters
v. Identify the locations of all publicly accessible bike racks
vi. Provide a dedicated area for public use of the CD3 machine for non-motorized watercraft to become clean, drain, and dry shall be identified on the plans, and its functional operation shall be maintained by the permittee.
vii. Identify a dedicated area for boaters leaving the water to pull drain plugs and remove attached vegetation. This area shall not allow drained water to reach any water body. Drains that lead to an infiltration area are recommended.
viii. Dedicated areas to be used for educational events shall be identified on the plans. This area shall be available for government, non-profit, and educational entities to provide information on aquatic invasive species, water quality, and boating safety.
ix. Include a grading plan showing the amount of material to be excavated for construction of the boat ramp.
x. Indicate the location for the temporary dewatering and storage of excavated material.

F. Outdoor lighting for commercial uses shall not exceed 2,500 lumens per light and the total lighting shall not exceed 100,000 lumens per acre. Commercial uses shall reduce outdoor lighting to 50 percent or less of operational lighting levels after business hours. Motion-detection lighting or similar technology, activated on-site, may increase lighting levels to 100 percent temporarily. Provide a lighting plan that includes the following:
   i. Plans indicating the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, and construction details;
   ii. Description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices. The description may include, but is not limited to, catalog cuts by manufacturers, and drawings; and
   iii. A table showing the total number of proposed exterior lights by fixture type, degrees Kelvin, Lumens per fixture, and lamp type.

G. The permittee shall prepare a Stormwater Pollution Prevention Plan (SWPPP) that, at a minimum, identifies potential pollutant sources and includes specific measures to prevent the discharge of sediment, fuels, chemicals, concrete washout, or other pollutants to surface water, groundwater, storm drain systems, or adjacent properties. The SWPPP shall specifically include a dewatering plan and measures to prevent/minimize sediment and contaminant releases into groundwater or surface water during excavations, and methods to clean up releases if they do occur All approved measures shall be implemented and maintained for the duration of construction.

H. Water quality controls shall be consistent with the TRPA Handbook of Best Management Practices, the Lahontan Regional Water Quality Control Board, and City of South Lake Tahoe requirements for erosion control. Water quality controls shall ensure that runoff quality meets or surpasses TRPA water quality objectives.

I. The permittee shall submit a water quality monitoring plan for review and approval. The plan shall describe water quality monitoring for three phases of construction related to in-lake work (bulkhead replacement, boat ramp relocation) 1) pre-construction monitoring to establish baseline conditions, 2) during demolition and reconstruction activities, and 3) post-construction, prior to removal of turbidity curtains. Discharge shall not exceed the limits allowed by Lahontan Regional Water Quality Control Board or those listed in TRPA Code Section 60.1.3. If the test results indicate suspended material in excess of what is outlined in the monitoring plan, all construction-related activities shall cease immediately and the TRPA Compliance inspector shall be notified within two hours.

J. The permittee shall provide the TRPA with the latest recorded grant deeds for all upland parcels within the project area (022-210-040, 022-240-032, and 022-210-041). Once these grant deeds have been received, TRPA will prepare a project area deed restriction that will permanently treat land coverage for these parcels as though the parcels had been consolidated. The total allowable land coverage for the parcels combined is 153,059 square feet.

K. Construction methodology plan for both the upland and waterside portions of the project. The plan shall include construction sequencing, use of staging areas, dust control procedures, construction noise control techniques, construction BMP details, access plan for both upland and in-water work, and any other relevant construction-related details.

L. The permittee shall provide a Spill Prevention Plan for the use of any hazardous materials or equipment (i.e., fuel, epoxy glue, other volatile substances, welding and torch equipment, etc.), for construction activities occurring adjacent to and within the lake. The Plan shall require absorbent sheets/pads to be available at all times. A contact list of all emergency response agencies shall be available at the project site at all times during construction.

M. The permittee shall submit a project construction completion schedule prior to commencement of construction, including an approximate timeline for all phases of construction.

N. The permittee shall submit a final stormwater Best Management Practices plan, including the following:
    i. Final location, design, and layout of roof drainage systems and conveyance facilities.
    ii. Maintenance ports on all subsurface systems
    iii. Final snow storage locations
    iv. Final calculations demonstrating that the proposed infiltration facilities are sized accordingly for the slope and soil type of the property and will capture and infiltrate a 20 year/1-hour storm event.

O. A BMP Inspection and Maintenance Plan shall be submitted detailing necessary maintenance activity and schedules for all BMPs installed on the property. All BMPs shall be maintained subject to the Inspection and Maintenance Plan approved as part of this permit. All maintenance activities shall be recorded in a corresponding maintenance log. This log shall be maintained for the life of the property and made available for inspection by TRPA staff. If this log is not complete, TRPA will assume that maintenance has not been performed and reserves the right to revoke the BMP Certificate of Completion.

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P. The permittee shall submit a fertilizer management plan in accordance with the standards required in Section 60.1.8 of the TRPA Code of Ordinances for TRPA review and approval.

Q. Prior to commencement of operations, the permittee shall submit for TRPA review and approval an Employer-Based Trip Reduction Program, pursuant to TRPA Code of Ordinances Section 65.5.2, to reduce automobile trips associated with Tahoe Keys Marina commuting employees (including employees for primary/accessory uses operating out of the marina). The plan shall include specific details on the proposed trip reduction policies (educational materials encouraging alternative commute modes, secure bicycle parking for at least 5% of the number of employees, preferential carpool parking, vanpool subsidies, etc.), designation of an Employee Transportation Coordinator who will organize, implement, and report on the Employer-Based Trip Reduction Program, and specific annual reporting protocols. (see also special condition 11.A)

R. A preconstruction survey for special status plants and wildlife, including raptor and migratory birds, Tahoe yellow cress, Sierra Nevada yellow-legged frog, Lahontan Cutthroat Trout, and other species identified in the initial biological survey area, shall be conducted by a qualified biologist no more than three days prior to the onset of construction activities. If any special status species (or sign of presence) are identified, the applicant shall consult with TRPA, USFWS, and/or CDFW, as appropriate, depending on species status, to determine and implement appropriate measures to achieve no net loss of occupied habitat or individuals.

S. Provide a final revised set of site plans (including BMP plans and foundation plans) for stamping.

6. The Tahoe Keys Marina contains 305 operational boat slips (239 slips recognized through the Master Plan and 66 additional slips). Pursuant to the 2024 Settlement Agreement between TRPA and Suntex, the permittee was required to submit a complete permit application for the 66 additional slips no later than October 1, 2027. The current redevelopment application satisfies that requirement and includes the request for formal TRPA approval of the 66 additional slips.

7. This permit authorizes 56 additional boat slips utilizing the mooring allocations received in 2025, allocation numbers TRPA-25-MOOR-016 through TRPA-25-MOOR-071, for a total of 295 boat slips permitted.

8. The permittee shall apply for the remaining 10 mooring allocations in the 2026 TRPA mooring lottery. If the full 10 allocations are not secured in the 2026 lottery, the permittee shall apply for the remaining balance in the 2027 mooring lottery and not later than October 1, 2027.Upon receipt of the remaining 10 mooring allocations, all 305 operational boat slips will be fully authorized.

9. Pursuant to the 2024 Settlement Agreement between TRPA and Suntex, the permittee may continue to utilize all 305 operational slips while diligently pursuing Special Condition 6 satisfaction above.

10. Only one watercraft shall be moored at each of the 305 boat slips pursuant to TRPA Code 84.3.2.B.

11. All motorized concession watercraft must be moored in authorized boat slips. Concessionaires shall not use the boat storage building or boat ramp for daily launching and retrieval.

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12. Pursuant to the 2024 Settlement Agreement between TRPA and Suntex, the permittee shall submit a separate permit application addressing water-oriented concessions, commercial boating, and tour boat operations no later than October 1, 2027, using the applicable TRPA marina application and associated concessions submittal checklist. Annual motorized boat rental concession fees will be assessed through the concessions permit based on the number and type of motorized watercraft. The permit shall also identify the number and location of slips dedicated to public service watercraft (first responders, AIS control/monitoring, and research, etc.).

13. The following Aquatic Invasive Species (AIS) control strategies shall be implemented during construction:

    A. To prevent the introduction of new AIS into the marina, all equipment that will touch the water must be inspected for AIS and decontaminated by Tahoe Watercraft Inspection staff before the start of construction. Re-inspection and decontamination at the end of the project are also required to prevent the spread of AIS from Tahoe Keys Marina to other locations.

    B. Collect (by hand or skim) floating plant fragments resulting from in-lake work and properly dispose of them in a secure dumpster or haul to a disposal location (e.g. South Tahoe Refuse).

    C. Any drainage inlets near where AIS plant materials or fouled equipment are temporarily stored or staged shall be modified to prevent the flow of contaminated water back into the Marina or onto Venice Drive. A mesh size of 250 microns (no. 60 mesh) is sufficient to prevent the spread of AIS. After completion of the project, the mesh or other modifications shall be secured and disposed of to limit plant fragment spread to waterbodies or the roadway.

    D. Any vehicle used to haul AIS materials for disposal must be secured to ensure no AIS can fall out of the trailer during transport.

    E. Any dredge spoils produced by the project shall have a double layer of containment while being temporarily stored in the upland project area. Once the spoils have dried, they shall be transported and disposed of at an approved location outside of the Tahoe Basin. No dredged material may be stockpiled outside of a designated dewatering area. The dredged material may be immediately transported off-site (without dewatering) if sealed trucks are used.
    Any barge or other vessel used during construction must have an inspection seal prior to launching. No vessels may be drained where the water can flow back into the lagoon or onto Venice Drive.

14. The following long-term Aquatic Invasive Species (AIS) control strategies shall be implemented:

    A. The permittee shall operate and maintain AIS containment and fragment collection equipment (including but not limited to a bubble curtain) located at the boating channel in good working order. The bubble curtain shall be equipped with a monitoring system that automatically notifies designated permittee representatives and TRPA staff in the event of a malfunction or interruption in operation. Repair or corrective action shall commence within 24 hours of notification, and the equipment shall be returned to operation as soon as feasible.

    B. The permittee shall implement and maintain an invasive plant fragment skimming program within the boating channel or contract for such services to be performed by a qualified entity.

Fragment skimming shall occur concurrently with aquatic invasive plant harvesting activities and shall be increased during periods of peak boating activity, including holidays and other high-use periods, to minimize the transport of invasive plant fragments.

C. The permittee shall participate in and support ongoing coordination efforts addressing long-term aquatic invasive plant management within the Tahoe Keys lagoon system. At a minimum, the permittee shall designate a representative, attend coordination meetings upon request, and document participation in collaborative invasive species management planning and implementation efforts.

D. The permittee shall continue to submit an annual AIS Management Plan.

15. The applicant shall comply with the following construction-related conditions of approval:

A. All standard conditions of approval in Attachment Q and Attachment S.

B. Any discovery of a TRPA-sensitive species or species of interest shall be reported to the TRPA Compliance Inspector, and all construction shall cease immediately. Any discovery of nests, dens, or plant communities shall be protected in accordance with TRPA guidelines.

C. If buried cultural resources are discovered during the course of construction activities, construction operations shall immediately stop in the vicinity of the artifacts and the California State Historic Preservation Office and TRPA, shall be notified. At the discretion of the California State Historic Preservation Office, construction may proceed provided reasonable efforts are made to minimize harm to the resource until a determination of significance is made. Cultural resources could consist of, but not be limited to, artifacts of stone, bone, wood, shell, or other materials, or features, including hearths, structural remains, or dumps. If human burials are encountered, all work in the area will stop immediately and the County Coroner shall be notified. If the remains are determined to be Native American in origin, the State Native American Heritage Commission and the appropriate Native American organization, pursuant to the requirements of the Native American Graves Protection and Repatriation Act of 1990 Section 3(d), shall be notified. Following notification, and upon certification that the notification has been received, the undertaking may resume after 30 days.

D. Loose piles of soil, silt, clay, sand, debris, or other earthen material shall be covered to prevent the discharge of these materials.

E. Any soil tracked off site during construction shall be immediately cleaned up with a mechanical street sweeper.

16. Annual reporting on the approved Employer-Based Trip Reduction Program, required per special condition 5.Q., shall be submitted no later than April 1 of each year.

17. Once redeveloped, all on-site parking will be paid parking, with parking enforcement, as a continuing operational policy.

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18. Accessory uses that are not allocated Commercial Floor Area must comply with Code Section 50.6.1.A.2, and may not be advertised separately from the primary marina use, except for one 20 square foot projecting or building sign.

19. No signage is approved under this permit. Any future application for signage shall include educational signage at appropriate public access locations describing Aquatic Invasive Species (AIS) prevention measures to reduce the introduction and spread of AIS, consistent with City of South Lake Tahoe and TRPA sign standards.

20. Photos shall be provided to the TRPA Compliance Inspector taken during the construction of any subsurface BMP's or of any trenching and backfilling with gravel.

21. All BMPs shall be maintained subject to the Inspection and Maintenance Plan approved as part of this permit. All maintenance activities shall be recorded in a corresponding maintenance log. This log shall be maintained for the life of the property and made available for inspection by TRPA staff. If this log is not complete, TRPA will assume that maintenance has not been performed and reserves the right to revoke the BMP Certificate of Completion.

22. It is the Permittee's responsibility to receive all necessary authorization and/or permission from the appropriate agencies for the proposed project.

23. 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.

24. 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.

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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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