TAHOE REGIONAL PLANNING AGENCY

128 Market Street
Stateline, Nevada
www.trpa.org

P.O. Box 5310
Stateline, Nevada 89449

(775) 588-4547
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May 30, 2006

Jay Kniep
P.O. Box 624501
South Lake Tahoe, CA 96154

SHOREZONE TEMPORARY USE/STRUCTURE PERMIT, LAKESDIE PARK ASSOCIATION, 4041 LAKESHORE BOULEVARD, EL DORADO COUNTY, CALIFORNIA, ASSESSOR'S PARCEL NUMBER (APN) 029-030-02, TRPA FILE NUMBER 20041334

Dear Mr. Kniep:

Enclosed please find a Tahoe Regional Planning Agency (TRPA) permit and attachments for the project referenced above. **TRPA will acknowledge the permit only after all standard and special conditions of approval have been satisfied.** Failure to satisfy these conditions of approval will cause unnecessary time delays. TRPA acknowledgement is required prior to application to other reviewing agencies and commencement of construction.

Please schedule an appointment with me to finalize your project. **Due to time demands, TRPA cannot accept drop-in or unannounced arrivals to finalize plans.** I am usually available for telephone calls and appointments on Mondays, Wednesdays, and Thursdays.

Please note that combined security and mitigation fee payments can be accepted. Acceptable ways to post a security are listed in the enclosed handout entitled "Attachment J."

Thank you very much for your patience in this matter. Please feel free to call me if you have any questions regarding this letter or your permit in general.

Sincerely,

Brenda Hunt

Brenda Hunt
Associate Planner II - Land Use
Planning and Evaluation Branch

Enclosures
c: Lakeside Park Association
4077 Pine Road
South Lake Tahoe, CA 96150

Gretchen Gibson, TRPA
Tobi Tyler, Lahontan
Mary Hayes, California State Lands
Kerry Wicker, California Fish & Game

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TEMPORARY PERMIT

PROJECT DESCRIPTION: Shorezone Temporary Use/Structure Permit APN 029-030-02

PERMITTEE(S): Lakeside Park Association FILE # 20041334

COUNTY/LOCATION: El Dorado/4041 Lakeshore Boulevard

Having made the findings required by Agency ordinances and rules, TRPA approved the project on May 30, 2006, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on November 30, 2006 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter, and unless written notification is received by TRPA for a one summer boating season extension per TRPA Code Chapter 7. 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 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) A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

_____ 05-30-06

TRPA Executive Director/Designee Date

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

Signature of Permittee(s)_____ Date_____

/bh

PERMIT CONTINUED ON NEXT PAGE

APN 029-030-02
FILE NO. 20041334

The original Security Posted ($10,000) for TRPA File # 20040132 shall apply to this permit.

Additional Security Posted (1): Amount $ 25,000 Posted_____ Type_____Receipt No._____

Security Administrative Fee (2): Amount $ _____ Paid _____ Receipt No. _____

Notes:
(1) See Special Condition 3. C, below.
(2) $144 if a cash security is posted, or $74 if a non-cash security is posted.

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 the temporary reconfiguration of the slips in the Lakeside Marina only. The current configuration includes 92 slips and the proposed reconfiguration includes 63 slips. The balance of this capacity (29 slips) shall be temporarily authorized to be relocated to buoys located lakeward of the existing marina break walls per TRPA Code Section 7.2. This permit also temporarily authorizes the proposed four foot floating dock inside the northern breakwall for the loading and unloading of passengers. The permit does not authorize the eight foot wide dock on top of the breakwall, the relocation of the fuel dock, or dredging. The temporary permit is valid for one summer boating season; however, TRPA may approve an additional summer boating season extension, if appropriate (to begin at the start of the 2007 boating season). Land coverage, sufficiency of upland facilities, legality of structures including the marina and the breakwater, number of slips and capacity has not been verified or authorized as part of this permit. In addition, special use findings and multiple-use findings for the marina have not been made per this temporary permit. The permittees will be prohibited from commencing construction activities during times when weekly weather reports predict weather which is not conducive to construction activities in the shorezone and which will reduce the effectiveness of the temporary Best Management Practices. The potential loss in PAOTS (People At One Time) will be addressed in the application required as Special Condition 3.B below. This permit supersedes TRPA File # 20040132.

2. The standard conditions approval listed in Attachment S shall apply to this permit.

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

   A. The site plan shall be revised to include:

      (1) The removal of all notes referring to any construction activities other than the dock reconfigurations as authorized in Item 1.

(2) The installation of a turbidity curtain across the mouth of the harbor prior to construction to prevent earthen materials to be resuspended as a result of piling removal and installation from being transported to adjacent lake waters. This screen may be removed upon project completion only upon satisfactory inspection by TRPA to insure that all suspended materials have settled. If work is completed in phases, turbidity curtains will be required to be installed to completely enclose the area of work during construction and until suspended materials have settled. In addition, an inspection from the TRPA Environmental Compliance division will be required prior to the commencement of each construction phase. The TRPA Environmental Compliance inspector may require modifications of the installation or location of the turbidity curtains at the time of each pregrade inspection.

(3) The designation of a staging area for all construction materials and debris. Staging areas are not permitted within the backshore.

(4) The proposed temporary buoy field map shall be modified as follows:

(a) The placement of the mooring buoys shall be on 50 foot centers and shall not be located further lakeward than 350 feet from the highwater line of Lake Tahoe (6229.1 LTD).

(b) The mooring buoys shall be placed within the 20 feet setback lines. The setback lines are established by measuring 20 feet inward from each property line along the highwater line. From this point, a setback line is projected lakeward and perpendicular to the tangent of the shoreline.

(c) Mooring buoys shall display a TRPA Buoy Identification Tag at all times.

(d) A detail specifying that the mooring buoys shall comply with the construction specifications set forth in the California Waterway Marking System or as otherwise recommended by the U. S. Army Corps of Engineers or the U. S. Coast Guard.

B. The submittal of a security in accordance with Section 8.8B of the TRPA Code of Ordinances in the amount of $25,000.00 to ensure the submittal of a project application to make the improvements on the subject property permanent or to resolve any outstanding violations (if applicable). This application shall be submitted by October 31, 2007. Please see Attachment J, Security Procedures for appropriate methods to post a security and for the calculation of the Security Administrative fee.

4. The use of wood preservatives on wood in contact with the water is prohibited and extreme care shall be taken to insure that wood preservatives are not introduced into Lake Tahoe. Spray painting and the use of tributyltin is prohibited.

5. Disturbance of the lake bed materials shall be kept to the minimum necessary for project construction.

6. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. All surplus construction waste materials shall be removed form the project and deposited only at approved points of disposal.

7. No containers of fuel, paint or other hazardous materials may be stored on the docks.

8. 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.

9. Any normal construction activities creating noise in excess to the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M.

10. The permittee shall submit a projected construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction, as well as BMP installation for the entire project area.

11. This permit is not a conceptual approval of any future project.

12. Primary construction access to the shorezone structures and placement of the buoys shall be completed by barge. Disturbance of the lake bed materials shall be kept to the minimum necessary for project construction.

13. No lighting has been approved as part of this permit.

END OF PERMIT

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MITIGATED FINDING OF NO SIGNIFICANT EFFECT

PROJECT DESCRIPTION: Shorezone Temporary Use/Structure Permit APN 029-030-02

PERMITTEE(S): Lakeside Park Association FILE # 20041334

COUNTY/LOCATION: El Dorado/4041 Lakeshore Boulevard

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.

TRPA Chairman or Executive Director/Designee

05.30.06
Date

AGENDA ITEM NO. 8.A.