



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

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Errata

Agenda Item No. VI.A

State Route 28 Corridor Plan: Approval of the Chimney Beach Trailhead Parking Lot Improvement Project

The following changes have been made to the draft permit (Attachment B). The changes are underlined in the permit language and referenced below.

Permit Conditions 1, 10, 11, 12, 13, 14, and 15 were slightly modified to clarify language.

Condition 8 was deleted. This condition was redundant with permit condition 6.



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August 23, 2023

Michael Alexander
USFS Forest Service Lake Tahoe Basin Management Unit
35 College Drive
South Lake Tahoe, CA 96150

CHIMNEY BEACH TRAILHEAD PARKING LOT UPGRADE PROJECT, UNITED STATES FOREST SERVICE LAKE TAHOE BASIN MANAGEMENT UNIT LANDS, WASHOE COUNTY, TRPA FILE NUMBER EIPC2023-0006, ENVIRONMENTAL IMPROVEMENT PROGRAM # 03.02.01.0017

Dear Mr. Alexander:

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.**

Please schedule an appointment with me to finalize your project. Please feel free to contact me at (775) 589-5205 or at sfriedman@trpa.gov if you have any questions regarding this letter or your permit in general.

Sincerely,

A handwritten signature in cursive script that reads "Shannon Friedman".

Shannon Friedman
Principal Planner
Environmental Improvement Division

Enclosures



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DRAFT PERMIT

PROJECT DESCRIPTION: Chimney Beach Trailhead Parking Lot Upgrade Project

ASSESSOR PARCEL NUMBER(S): 130-360-18

TRPA FILE #: EIPC2023-0006

PERMITTEE(S): USDA Forest Service Lake Tahoe Basin Management Unit

COUNTY/LOCATION: Washoe County, Nevada

Having made the findings required by Agency ordinances and rules, TRPA approved the project on August 23, 2023, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit. This permit shall expire on August 23, 2026, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. 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, TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

Shannon Friedman

8-23-2023

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 understand that it is my sole responsibility to obtain 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 _____



3. Prior to the first pregrade inspection submit a construction schedule.
4. A Pregrade inspection is required prior to any grading activities.
5. The project creates 24,923 square feet of new land coverage on Land Capability District 2. LTBMU shall mitigate the new coverage by the means described in section VI of the TRPA/LTBMU MOU. LTBMU shall implement a watershed restoration project equal to 150% of new coverage created by this project. The restoration project shall be identified prior to the pre-grade inspection. LTBMU shall submit a schedule identifying when the restoration work will be complete.
6. LTBMU shall work with the SR-28 Corridor Management Team to enter into and amend the SR-28 Operations and Maintenance Interlocal Agreement. The agreement shall be amended to cover the roles and responsibilities as it relates to the operations and maintenance of the Chimney Beach Parking Lot, parking management along SR-28, enforcement of no parking zones, and trail management. The agreement shall be amended and signed prior to the new parking lot being open to the public.
7. The no parking zone on SR-28 shall be extended around the Chimney Beach parking lot prior to the new parking lot being open to the public. The no parking zone shall be consistent with the area identified in the project EA. LTBMU shall coordinate with partners responsible for enforcing no parking along the corridor.
8. Temporary BMPs shall be installed prior to any grading activities per the approved plans. The BMPs shall limit the construction disturbance zone, protect vegetation, control dust, and provide sediment and erosion control during construction.
9. All permanent BMPs shall be maintained throughout the life of the project to ensure they function as designed to treat stormwater runoff from the parking lot.
10. All materials not to be re-used by the LTBMU shall be used at locations approved by TRPA.



11. All trees not marked for removal within the defined project area shall be protected.
12. The rock used for the rock retaining wall shall match the existing rock on-site. Rock brought in from other sources shall match the rock source on-site.
13. This permit 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 permit or take other appropriate action.
14. LTBMU shall coordinate with TRPA on any modifications to the plans.
15. The permittee shall contact TRPA for a final inspection at the conclusion of the project to verify that all conditions of the permit have been met and the project was implemented per the TRPA permit.
16. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, 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, 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 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 this settlement, compromise or other disposition. Permittee shall also pay all costs, including



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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



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FINDING OF NO SIGNIFICANT EFFECT

PROJECT DESCRIPTION: Chimney Beach Trailhead Parking Lot Upgrade Project

ASSESSOR PARCEL NUMBER(S): 130-360-18

TRPA FILE #: EIPC2023-0006

PERMITTEE(S): USDA Forest Service Lake Tahoe Basin Management Unit COUNTY/LOCATION: Washoe County, Nevada

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.

August 23, 2023

TRPA Chairman or Executive Director

Date