

STAFF REPORT

Date: March 23, 2023

To: TRPA Hearings Officer

From: TRPA Staff

Subject: Tahoe Meadows Association Buoy Field Expansion, Lakeward of Beach Road, City of South Lake Tahoe, El Dorado County, California, Assessor's Parcel Number (APN) 029-090-001, TRPA File No.: MOOR2021-1798

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 attached draft permit.

Project Description:

The applicant is proposing the addition of seven new mooring buoys, expanding the existing Tahoe Meadows Association buoy field from 39 to 46 mooring buoys lakeward of APN 029-090-001. The applicant also proposes to remove approximately eight unauthorized buoy anchor blocks from Lake Tahoe. The proposed buoy field expansion complies with all development and location standards for buoy fields. The proposed project is located within Plan Area Statement 090-Tahoe Meadows, where 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 February 16, 2023. The California State Lands Commission ("CSLC") had received an application at the time of the meeting. The U.S. Army Corps of Engineers, Lahontan Regional Water Quality Board, and the California Department of Fish and Wildlife had yet to receive notification of, or an application for, the project. No agency indicated that the buoy field expansion could not be authorized as proposed and no significant issues were raised by the agency representatives.

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 relocation and 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 31, Bijou, which is 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. The scenic impact of the existing buoy field is currently mitigated through annual payment of the required scenic mitigation fees.
- B. Fish Habitat: The project is located in marginal fish habitat and mitigation is not required for the seven new mooring buoys.
- 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. 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 3,400 feet and considering the required 20-foot setbacks from adjacent boundary line projects, the buoy field has a maximum capacity of 476 mooring buoys. However, since this association serves just 95 residential units, the maximum allowed moorings is 95 pursuant to TRPA Code 84.3.3 E.1.b.

The applicant received seven 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 39 existing moorings, this field is eligible for the seven new moorings proposed and the 46 mooring buoys do not exceed 50% of the number of residential units, which is 47.5. After five years of implementation, the buoy field could be expanded to match the number of residential units, which is 95. Any future expansion to the field is 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 seven buoys in the buoy field comply with all development and location standards. The proposed project is located within the Plan Area Statement (PAS) 090 Tahoe Meadows, where buoys are allowed accessory structures.

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 (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. Initial Environmental Checklist
- C. V(g) Findings
- D. Draft Permit
- E. Proposed Plans

Attachment A

Required Findings/Rationale

Required Findings/Rationale
Tahoe Meadows Association Buoy Field Expansion

Required Findings: The following is a list of the required findings as set forth in Chapter 4, 63, and 80 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, Plan Area Statement 090 Tahoe Meadows, 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.

Although the threat of discharge is minimal, the contractor will implement a spill prevention plan and equipment used will adhere to best management practices to prevent impacts to Lake Tahoe while placing mooring buoys. The mooring buoy blocks will be placed and removed by a crane from a boat or barge, which causes minimal lake bottom disturbance. The applicant is also required to notify and, if applicable, 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, and California State Lands Commission 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 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 in the 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 visible from El Dorado Beach and Regan Beach recreation areas and is consistent with the applicable recommendations for preserving scenic quality. As viewed from the recreation areas, the project area is flanked by two marinas on either side. In addition, the Timber Cove Marina pier and buoy field are between the recreation areas and this project area, partially obscuring this field. The addition of mooring buoys to this field will not significantly affect the scenic resource given the existing development. All buoys in the field will be mitigated through the annual scenic mitigation fee.

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 record that indicates the proposed project will adversely impact littoral processes, fish habitat (the habitat is marginal), 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 expansion will be accessory to the primary beach recreation and upland residential uses (collectively, Tahoe Meadows Association) located at Beach Road in the City of South Lake Tahoe, El Dorado 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.

The existing buoy field is situated between two marinas: Ski Run Marina and Lakeside Marina. Both marinas have existing established buoy fields with many mooring buoys and slips within harbors. Therefore, this project is 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 (foreshore and nearshore) of Lake Tahoe and the new mooring buoys are therefore water dependent accessory structures.

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

As a condition of the permit, the applicant will submit a spill prevention plan to be implemented by the contractor when placing mooring buoys or removing unused mooring anchors and the work will occur by boat using a crane. 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 area 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 boat 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 and removal of 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 existing buoy field and the proposed expansion does not extend lakeward farther than 600 feet from lake bottom elevation 6,220'. Each additional mooring buoy is at least 100 feet from adjacent mooring buoys in the field and the existing buoys in the field are set back from the property boundary line projections at least 50 feet on each side. Although the existing buoy field is not in a grid formation, the buoys within the field also meet the development standards for buoys not associated with a buoy field.

The proposed new mooring buoys are a minimum 700 feet from either adjacent parcel boundary projection lines and even further from either of the adjacent marina's existing buoys, piers, and navigation channels.

Comments on the project were solicited from the Shoreline Review Committee on February 16, 2023, 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 February 16, 2023 and no significant issues were raised. 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.

Attachment B

Initial Environmental Checklist



Print Form

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

I. Assessor's Parcel Number (APN)/Project Location

Project Name County/City

Brief Description of Project:

Application for 7 additional moorings in the Tahoe Meadows HOA buoy field based on the following Mooring Allocation Numbers as a result of the Lottery Submission Number L2020-0070

TRPA-20-MOOR-059, -060, -061, -062, -063, -064, & -065

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?

- Yes No
 No, With Mitigation 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?

- Yes No
 No, With Mitigation Data Insufficient

2. Air Quality

Will the proposal result in:

a. Substantial air pollutant emissions?

- Yes No
 No, With Mitigation Data Insufficient

b. Deterioration of ambient (existing) air quality?

- Yes No
 No, With Mitigation Data Insufficient

c. The creation of objectionable odors?

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation 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-yearflood 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?

[Empty text box for response to question f]

- 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?

[Empty text box for response to question g]

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

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

[Empty text box for response to question h]

- 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?

[Empty text box for response to question i]

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

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

[Empty text box for response to question j]

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

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

residential lots adjacent to mooring field may have wells and not be on City water

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

Not within 1/4 mile of public intake - MM TRPA

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?

- Yes No
 No, With Mitigation 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?

- Yes No
 No, With Mitigation 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?

- Yes No
 No, With Mitigation 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)?

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation 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?

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation 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)?

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation 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?

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation 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?

- Yes No
 No, With Mitigation 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: _____

Number of Proposed Dwelling Units: _____

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?

new moorings will theoretically increase the number of boats on the lake

- Yes No
 No, With Mitigation Data Insufficient

Analyzed in Shoreline Plan EIS, not significant - MM TRPA

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?

- Yes No
 No, With Mitigation Data Insufficient

15. Energy

Will the proposal result in:

a. Use of substantial amounts of fuel or energy?

- 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?

- 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?

- Yes No
 No, With Mitigation Data Insufficient

b. Communication systems?

- Yes No
 No, With Mitigation Data Insufficient

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

- 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?

new mooring buoys will be floating on lake

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

Mooring buoys will be mitigated through payment of annual scenic mitigation fee - MM TRPA

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

new mooring buoys will be visible on the lake

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

Mooring buoys will be mitigated through payment of annual scenic mitigation fee - MM TRPA

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

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

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

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

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

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

19. Recreation

Does the proposal:

a. Create additional demand for recreation facilities?

- Yes No
 No, With Mitigation Data Insufficient

b. Create additional recreation capacity?

new buoys provide opportunity for more public use of the water via boating

- Yes No
 No, With Mitigation Data Insufficient

Does not create additional recreational capacity as serves residences - MM TRPA

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

- Yes No
 No, With Mitigation Data Insufficient

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

- 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?

- 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?

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation 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?

- Yes No
 No, With Mitigation 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.)

- Yes No
 No, With Mitigation 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?)

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation 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.)

Paul Ferguson At EL DORADO Date: 11/14/2021
Person Preparing Application County

Applicant Written Comments: (Attach additional sheets if necessary)

Print Form

FOR OFFICE USE ONLY

Date Received: 06/06/2022 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: _____

Senior Environmental Specialist
Title of Evaluator

ADDENDUM FOR TRANSFERS/CONVERSIONS OF USE

The following is to be used as a supplemental checklist for the Tahoe Regional Planning Agency Initial Environmental Checklist (IEC). It is to be used when reviewing any development right transfer pursuant to Chapter 34 of the Code of Ordinances or Conversion of Use pursuant to Chapter 33 of the Code of Ordinances. Any question answered in the affirmative will require written documentation showing that the impacts will be mitigated to a less than significant level. Otherwise, an environmental impact statement will be required.

The asterisk (*) notes threshold subjects.

a) Land*

Does the proposal result in any additional land coverage?

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

b) Air Quality*

Does the proposal result in any additional emission?

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

c) Water*

Does the proposal result in any additional discharge that is in violation of TRPA discharge standards?

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

d) Does the proposal result in an increase in the volume of discharge?

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

e) Noise*

Does the proposal result in an increase in Community Noise Equivalency Level (CNEL)?

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

f) Aesthetics

Does the proposal result in blockage of significant views to Lake Tahoe or an identified visual resource?

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

g) Recreation*

Does the proposal result in a reduction of public access to public recreation areas or public recreation opportunities?

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

h) Land Use

Does the converted or transferred use result in a use that is not consistent with the goals and policies of the Community Plan or Plan Area Statement?

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

i) Population

Does the proposal result in an increase in the existing or planned population of the Region?

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

j) Housing

Does the proposal result in the loss of affordable housing?

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

k) Transportation

Does the proposal result in the increase of 100 Daily Vehicle Trip Ends (DVTE)?

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

l) Does the proposal result in a project that does not meet the parking standards?

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

m) Utilities

Does the proposal result in additional water use?

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

n) Does the proposal result in the need for additional sewer treatment?

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

o) Historical

Does the proposal result in the modification or elimination of a historic structure or site?

- Yes
- No
- No, With Mitigation
- 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 _____ Date: _____
Person Preparing Application County

Applicant Written Comments: (Attach additional sheets if necessary)

Print Form

Attachment C

V(g) Findings

PROJECT REVIEW CONFORMANCE CHECKLIST & V (g) FINDINGS

(RESIDENTIAL)

Project Name: Tahoe Meadows HOA - Buoy field expansion

Project Type: Shorezone - Additional Mooring Buoys

APN / Project Number: 029-090-001 / MOOR2021-1798

Project Review Planner: Matt Miller Date of Review: 03/30/2023

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
- 1. 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
- 2. 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
- 1. 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
- 2. 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
- 1. 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
- 2. 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
- 1. 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
- 2. 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 checked="" type="checkbox"/>	Y <input 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



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.gov

Draft

March 30, 2023

Paul Ferguson
Tahoe Meadows Association
3571 Buena Vista
Shingle Springs, CA 95682
ferg.paul209@gmail.com

SENT VIA EMAIL

BUOY FIELD EXPANSION, TAHOE MEADOWS ASSOCIATION, LAKEWARD OF BEACH ROAD, CITY OF SOUTH LAKE TAHOE, EL DORADO COUNTY, CALIFORNIA, ASSESSOR'S PARCEL NUMBERS (APN) 029-090-001, TRPA FILE NUMBER MOOR2021-1798

Dear Mr. Ferguson:

Enclosed please find the Tahoe Regional Planning Agency (TRPA) permit and attachments for the project referenced above. If you accept and agree to comply with the Permit conditions as stated, please make a copy of the permit, sign the "Permittee's Acceptance" block on the first page the permit, and return the signed copy to TRPA within twenty-one (21) calendar days of issuance. Should the permittee fail to return the signed permit within twenty-one (21) calendar days of issuance, the permit will be subject to nullification. Please note that signing the permit does not of itself constitute acknowledgement of the permit, but rather acceptance of the conditions of the permit.

TRPA will acknowledge the original permit only after all standard and special conditions of approval have been satisfied. 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.

Pursuant to Rule 11.2 of the TRPA Rules of Procedure, this approval may be appealed within twenty-one (21) days of the date of this correspondence.

Thank you for your attention to this matter. If you have questions, please contact me by phone at (775) 589-5234 or by email at mmiller@trpa.gov.

Sincerely,

Matt Miller
Senior Environmental Specialist
Permitting & Compliance Department



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.gov

Draft
CONDITIONAL PERMIT

PROJECT DESCRIPTION: Expansion of existing buoy field, lakeward of and accessory to
APN: 029-090-001

PERMITTEE: 029-090-001

FILE NUMBER: MOOR2021-1798

COUNTY/LOCATION: El Dorado County / Lakeward of Beach Road

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on **March 30, 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 **March 30, 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.

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: 029-090-001
FILE NO. MOOR2021-1798**

Application Filing Fees Paid (1): Amount \$ 828 Type Paid Receipt No.
 Mooring Registration Fees Paid (2): Amount \$ Type Paid Receipt No.
 Mooring Registration Number: 10279

Notes:

(1) See Special Condition 3.A., below.

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

- This permit specifically authorizes the placement of seven (7) new (additional) mooring buoys and associated anchor blocks. A total of forty-six (46) mooring buoys are now authorized as accessory structures to the Tahoe Meadows Association, APN 029-090-001, which serves 95 residential units. The project also includes the removal of approximately eight existing, unauthorized buoy anchors. There are no other moorings associated with, or authorized to, this project area. This project does not require fish habitat mitigation as the new mooring buoys are proposed in marginal fish habitat.

Mooring Buoy Locations				
<i>Status</i>	<i>Mooring ID</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Mooring Allocation</i>
New (additional)	12974	38.95424	-119.95840	TRPA-20-MOOR-059
New (additional)	12975	38.95445	-119.95817	TRPA-20-MOOR-060
New (additional)	12976	38.95466	-119.95793	TRPA-20-MOOR-061
New (additional)	12977	38.95629	-119.95579	TRPA-20-MOOR-062
New (additional)	12978	38.95653	-119.95560	TRPA-20-MOOR-063
New (additional)	12979	38.95676	-119.95540	TRPA-20-MOOR-064
New (additional)	12980	38.95699	-119.95521	TRPA-20-MOOR-065
Existing	9171	38.95462	-119.95713	N/A
Existing	9172	38.95559	-119.95546	N/A
Existing	9173	38.95631	-119.95381	N/A
Existing	9174	38.95292	-119.95773	N/A
Existing	9175	38.95669	-119.95452	N/A
Existing	9176	38.95580	-119.95456	N/A
Existing	9177	38.95301	-119.95906	N/A
Existing	9178	38.95629	-119.95533	N/A

Existing	9179	38.95530	-119.95783	N/A
Existing	9180	38.95825	-119.95451	N/A
Existing	9181	38.95377	-119.95695	N/A
Existing	9182	38.95486	-119.95866	N/A
Existing	9183	38.95360	-119.95817	N/A
Existing	9184	38.95404	-119.96019	N/A
Existing	9185	38.95281	-119.95986	N/A
Existing	9186	38.95358	-119.95862	N/A
Existing	9187	38.95404	-119.95932	N/A
Existing	9188	38.95788	-119.95618	N/A
Existing	9189	38.95313	-119.95755	N/A
Existing	9190	38.95396	-119.95826	N/A
Existing	9191	38.95697	-119.95606	N/A
Existing	9192	38.95278	-119.95791	N/A
Existing	9193	38.95380	-119.95808	N/A
Existing	9194	38.95312	-119.95965	N/A
Existing	9195	38.95463	-119.95553	N/A
Existing	9196	38.95330	-119.95729	N/A
Existing	9197	38.95804	-119.95299	N/A
Existing	9198	38.95449	-119.95863	N/A
Existing	9199	38.95690	-119.95415	N/A
Existing	9200	38.95395	-119.95181	N/A
Existing	9201	38.95535	-119.95473	N/A
Existing	9202	38.95437	-119.95915	N/A
Existing	9203	38.95825	-119.95266	N/A
Existing	9204	38.95777	-119.95454	N/A
Existing	9205	38.95744	-119.95697	N/A
Existing	9206	38.95768	-119.95316	N/A
Existing	9209	38.95708	-119.95381	N/A
Existing	10191	38.95667	-119.95373	N/A
Existing	10192	38.95653	-119.95425	N/A

2. The Standard Conditions of Approval listed in Attachment S shall apply to this permit. Notifying TRPA and a pre-grade inspection is not required prior to commencement of construction.
3. Prior to permit acknowledgement the following conditions of approval must be satisfied:
 - A. The annual mooring registration fees required under Article X of TRPA Rules of Procedure shall be paid. Please reference the provided invoice for payment options.
 - B. The permittee shall pay the application filing fees due for hearings officer review. With consideration of an original overpayment of \$552, the amount due is \$828.

- C. The permittee shall submit a spill prevention plan to be implemented by the marine contractor.
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).
- A. Permittee shall provide confirmation of the number of mooring blocks/anchors removed and photographs of said anchors after removal from Lake Tahoe.
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. Best Management Practices (BMPs) shall be installed on the association owned parcels used for access to the buoy field prior to submission to future mooring lotteries.
7. Buoy anchoring devices shall not be relocated without prior TRPA approval. One anchoring device per mooring buoy is authorized.
8. 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.
9. Only one watercraft shall be moored to each mooring buoy and associated anchor.
10. The permittee shall inspect and maintain floats, chains, and anchoring devices to prevent loss or damage to watercraft and structures.
11. 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.
12. No lights on buoys are authorized by this permit.
13. 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.
14. 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.

15. **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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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

DRAFT

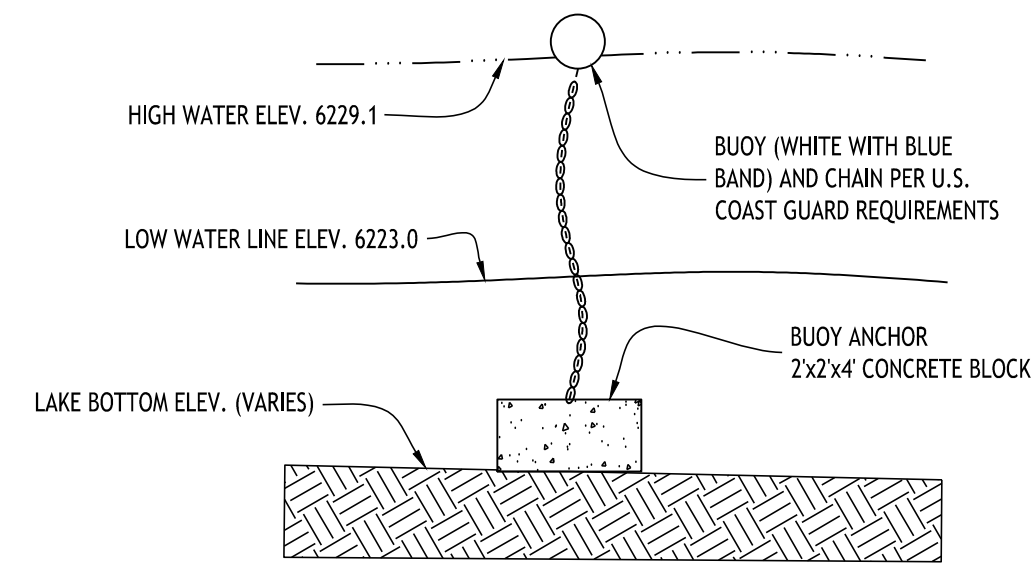
Attachment E
Proposed Plans



VICINITY MAP
NOT TO SCALE

LEGEND

- PROPERTY LINE
- PROJECTED PROPERTY LINE
- SETBACK LINE
- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- FENCE
- SWIM AREA DEMARCATION
- HIGH WATER LINE (6229.1)
- LOW WATER LINE (6223)
- HIGH WATER LINE OFFSET LINE
- TRPA FISH HABITAT "FEED-COVER" AREAS
- BUOY - EXISTING (39)
- ▲ BUOY - NEW (7)
- UNUSED MOORING REMAINS TO BE REMOVED
- SWIM AREA FLOAT
- ROCK
- PIER/DOCK
- PIER/DOCK
- RETAINING WALL

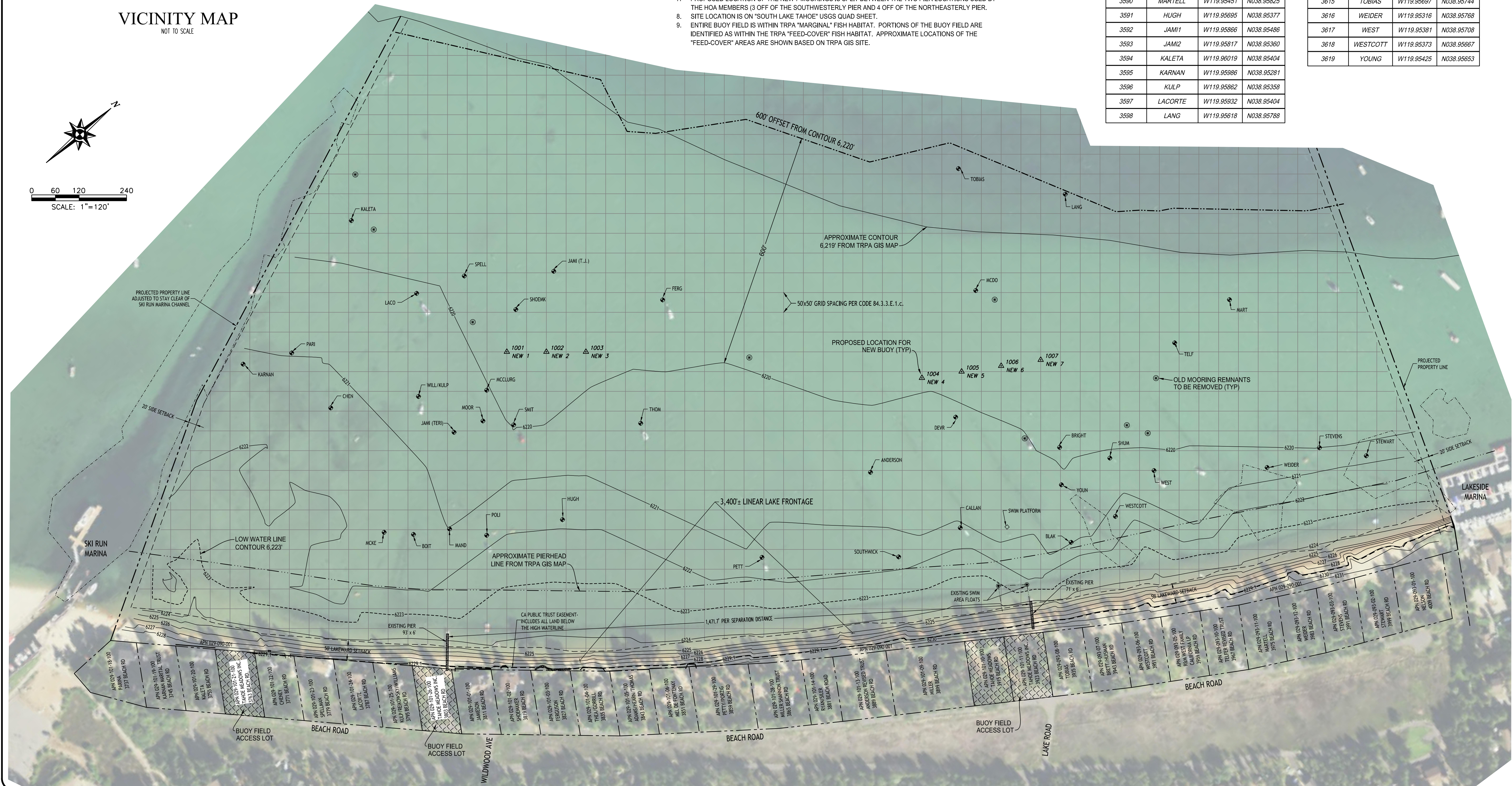
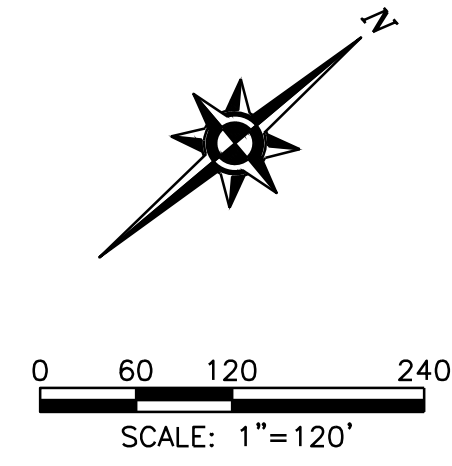


NOTES:

1. THIS SITE PLAN IS AN UPDATE OF THE SITE PLAN PREPARED FOR THE ORIGINAL MOORING FIELD (CONTAINING 39 MOORING BUOYS) REGISTRATION WITH CALIFORNIA STATE LANDS COMMISSION BY K.B.FOSTER, DATED 10/14/2009.
2. TRPA PERMIT FOR 39 EXISTING MOORING BUOYS FILE NO.: BUOY2021-0617
3. 2020 MOORING ALLOCATIONS PER LOTTERY SUBMISSION NUMBER L2020-0070
4. SIZE OF LITTORAL PARCEL PER ASSESSOR'S INFORMATION IS 19,602 SQ. FT.
5. MAXIMUM BUOY FIELD CAPACITY PER TRPA CODE 84.3.3.E.1.c. = 476 BUOYS
6. AERIAL IMAGERY SHOWN IS FROM GOOGLE EARTH
7. PROPOSED LOCATION OF THE NEW 7 MOORINGS IS SPLIT BETWEEN THE TWO PIER LOCATIONS USED BY THE HOA MEMBERS (3 OFF OF THE SOUTHWESTERLY PIER AND 4 OFF OF THE NORTHEASTERLY PIER.
8. SITE LOCATION IS ON "SOUTH LAKE TAHOE" USGS QUAD SHEET.
9. ENTIRE BUOY FIELD IS WITHIN TRPA "MARGINAL" FISH HABITAT. PORTIONS OF THE BUOY FIELD ARE IDENTIFIED AS WITHIN THE TRPA "FEED-COVER" FISH HABITAT. APPROXIMATE LOCATIONS OF THE "FEED-COVER" AREAS ARE SHOWN BASED ON TRPA GIS SITE.

Mooring Location Table			
Buoy Tag #	Name	Longitude	Latitude
1001	NEW 1	W119.95840	N038.95424
1002	NEW 2	W119.95817	N038.95445
1003	NEW 3	W119.95793	N038.95466
1004	NEW 4	W119.95579	N038.95629
1005	NEW 5	W119.95560	N038.95653
1006	NEW 6	W119.95540	N038.95676
1007	NEW 7	W119.95521	N038.95699
3581	ADAMS/TH/HN	W119.95713	N038.95462
3582	ANDER	W119.95546	N038.95559
3583	BLAK	W119.95381	N038.95631
3584	BOITANO	W119.95773	N038.95292
3585	BRIGHT	W119.95452	N038.95669
3586	CALLAN	W119.95456	N038.95580
3587	CHENEY	W119.95906	N038.95307
3588	DEVRIES	W119.95533	N038.95629
3589	FERG	W119.95793	N038.95530
3590	MARTELL	W119.95451	N038.95825
3591	HUGH	W119.95695	N038.95377
3592	JAMI1	W119.95866	N038.95486
3593	JAMIZ	W119.95817	N038.95360
3594	KALETA	W119.96019	N038.95404
3595	KARNAN	W119.95986	N038.95281
3596	KULP	W119.95962	N038.95358
3597	LACORTE	W119.95932	N038.95404
3598	LANG	W119.95619	N038.95788

Mooring Location Table			
Buoy Tag #	Name	Longitude	Latitude
3599	MAND	W119.95755	N038.95313
3600	MCCLURG	W119.95826	N038.95396
3601	McDON	W119.95606	N038.95697
3602	MCKEE	W119.95791	N038.95278
3603	MOORE	W119.95808	N038.95380
3604	PARINA	W119.95965	N038.95312
3605	PETTY	W119.95553	N038.95463
3606	POLIVKA	W119.95729	N038.95330
3607	STEVENS	W119.95299	N038.95804
3608	SHOEMK	W119.95863	N038.95449
3609	SHUMATE	W119.95415	N038.96690
3610	SMITH	W119.95787	N038.95395
3611	SWICK	W119.95473	N038.95535
3612	SPLMN	W119.95915	N038.95437
3613	STEWART	W119.95266	N038.95825
3614	TELFER	W119.95454	N038.95777
3615	TOBIAS	W119.95697	N038.95744
3616	WEIDER	W119.95316	N038.95768
3617	WEST	W119.95381	N038.95708
3618	WESTCOTT	W119.95373	N038.95667
3619	YOUNG	W119.95425	N038.95653



REVISIONS	BY
2022-03-14	PFF
2022-06-03	PFF
2023-03-12	PFF

PROPOSED SITE PLAN FOR 7 ADDITIONAL MOORINGS
 TAHOE MEADOWS, INC. - BEACH STRIP APN: 029-090-001
 PART OF SECTIONS 27, 28 & 33, T. 13 N., R. 18 E., M.D.M.
 CITY OF SOUTH LAKE TAHOE - COUNTY OF EL DORADO - STATE OF CALIFORNIA

DATE	11/14/2021
SCALE	1" = 120'
DRAWN	PFF
APPROVED BY	
TRPA FILE	2021-0617
SHEET	

C:\Users\pferguson\Documents\FERG\TAHOE\BUOYS\WB_FOSTER\TRPA_BUOY_SITE_PLAN_2023-03-07.dwg
 J-13-2023 10:54:02 pferguson