

**TRPA
GOVERNING BOARD
PACKETS**

**FEBRUARY
1988**

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TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on February 24 and 25, 1988, commencing at 9:30 a.m. each day, at the TRPA office, 195 U.S. Highway 50, Round Hill, Zephyr Cove, Nevada, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The official agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that on February 24, 1988, at 8:30 a.m., in the same location, the Finance Committee of said agency will meet to discuss the following: 1) receipt of the January financial statement; and 2) request for proposal to evaluate the current Agency operation and long-term funding.

NOTICE IS FURTHER GIVEN that on February 24 and 25, 1988, at 8:30 a.m. both days in the same location, the Legal Committee will meet to confer with counsel on the following: 1) Pyramid Lake Tribe v. Hodel, Secretary of Interior, U.S. District Court, Eastern District of California, Case No. CIV-S-87-1281-LKK; 2) a draft ordinance for existing multi-residential and nonresidential building foundations without current TRPA approval; and 3) an ordinance defining legal action.

NOTICE IS FURTHER GIVEN that on February 24, 1988, during the lunch recess, the Rules Committee will meet to discuss the revision of the Agency's Rules of Procedure, the Administrative and Fiscal Procedures Manual, and compliance procedures.

Date: February 17, 1988

By:

W.A. Morgan
William A. Morgan
Executive Director

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

TRPA Office 195 U.S. Highway 50
Zephyr Cove, Round Hill, Nevada.

February 24, 1988 9:30 a.m.
February 25, 1988 9:30 a.m.

OFFICIAL AGENDA

I PLEDGE OF ALLEGIANCE

II ROLL CALL AND DETERMINATION OF QUORUM

III APPROVAL OF MINUTES

IV APPROVAL OF AGENDA

V CONSENT CALENDAR (see second to last page)

VI PROJECT REVIEW

- A. Camp Galilee, Dormitory for the Physically Handicapped, 1778 U.S. Highway 50, Douglas County APN 01-130-01 and -02

VII SHOW CAUSE HEARING

- A. Logan Shoals Marina, Herman Strecker/Heiser Construction, Unpermitted Dredging and Other Violations of the TRPA Code of Ordinances, Douglas County APN 01-130-06 (continued from January 1988)

VIII APPEALS

- A. Frederic Apcar, Appeal of Staff Determination of Permit Expiration, Douglas County APN 03-172-16 (continued from October 1987)
- B. Frank Bruce, Appeal of Staff Denial of Deck Addition With Land Coverage in Excess of Land Capability District, APN 05-052-06, Douglas County
- C. Herbert Pace, Appeal of Staff Denial of Relocation of Land Coverage in a Stream Environment Zone, Grass Lake Creek Subdivision, APN 36-512-04, El Dorado County

IX PUBLIC HEARING

- A. Amendments to Chapter 11 (Foundations), Code of Ordinances
- B. Amendments to Chapter 36 (Interim Single Family Review System), Code of Ordinances
- C. Amendments to Chapter 37 (Individual Parcel Evaluation System), Code of Ordinances

- D. Revised Regional Transportation Plan and the EIS for the Revised Regional Transportation Plan
- E. Preliminary Community Plan for Tahoe City - Thursday, February 25, 1988, 10:00 a.m.

X EIS CERTIFICATION

- A. Certification of the EIS for the Regional Transportation Plan

XI ORDINANCE ADOPTION

- A. Amending Chapter 11 (Foundations), Code of Ordinances
- B. Amending Chapter 36 (Interim Single Family Review System), Code of Ordinances
- C. Amending Chapter 37 (Individual Parcel Evaluation System), Code of Ordinances
- D. Adopting the Revised Regional Transportation Plan

XII PLANNING MATTERS

- A. Approval of the Preliminary Community Plan for Tahoe City
- B. Approval of TRPA/Lahontan Memorandum of Understanding Regarding Tahoe Keys Water Quality Mitigation Fee
- C. Status Report on Amending the 208 Water Quality Plan
- D. Status Report on Redevelopment Plan for the City of South Lake Tahoe

XIII LITIGATION

- A. Legal Committee Report and Board Action, If Necessary, on the Following:
 - 1. Settlement of State of California/Sierra Club v. TRPA, et al. (Dillingham Cove East), Eastern District of California, Case Nos. 85-0872 and 0873-EJG - Thursday, February 25, 1988, 9:30 a.m.
 - 2. Treatment of Existing Multi-Residential and Nonresidential Building Foundations Without Current TRPA Approval
 - 3. Pyramid Lake Tribe v. Hodel, Secretary of Interior, U.S. District Court, Eastern District of California, Case No. CIV-S-87-1281-LKK

XIV ADMINISTRATIVE MATTERS

- A. Election of TRPA Vice Chairman

XV REPORTS

- A. Finance Committee Report and Board Action on Recommendations
 - 1. Receipt of the January Financial Statement
 - 2. Status Report on Drafting of a Request for Proposal to Study TRPA's Budget, Operations and Long-Term Funding
- B. Rules Committee Report and Board Action on Recommendations
 - 1. Report and Recommendation on Adoption of Article IX (Compliance Procedures)
 - 2. Public Hearing on Article IX (Compliance Procedures)
 - 3. Approval of Resolution Adopting Article IX (Compliance Procedures)
- C. Executive Director
 - 1. Status Report on Projects Reviewed at Staff Level
 - 2. Emergency Permits Issued by Executive Director
 - 3. Other
- D. Agency Counsel
- E. Governing Board Members

XVI PUBLIC INTEREST COMMENTS

XVII ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommended Action</u>
1. Richard Niello, Shoreline Protective Structure 2240 North Lake Boulevard, Placer County APN 94-140-30	Approval With Findings and Conditions
2. Kenneth Wood, New Pier, 739 Lakeview, City of South Lake Tahoe, El Dorado County APN 26-021-04	Approval With Findings and Conditions
3. Barton Memorial Hospital, Physical Therapy Building Addition, APN 23-081-03, El Dorado County	Approval With Findings
4. El Dorado County Animal Shelter Reconstruction APN 35-183-01 and -02	Approval With Findings

Successful Land Capability Challenges for:

5. Wallace Hagglund, Placer County APN 97-192-08	Approval With Findings and Conditions
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These consent calendar items are expected to be routine and noncontroversial. They will be acted upon by the Governing Board at one time without discussion. If any Governing Board member or noticed affected property owner requests that an item be removed from the consent calendar, it will be taken up separately under the appropriate agenda category.

Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

(1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken.

(2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency.

(3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Niello Shoreline Protective Structure

Application Type: Shorezone

Applicant: Richard Niello

Applicant Representative: Brisco Enterprises

Location: 2240 North Lake Boulevard, Placer County

Assessor's Parcel Number/Project Number: 94-140-30

Project Description: The project consists of the placement of a four foot high by 75 foot long sheetpile shoreline protective structure in the backshore of Lake Tahoe. The project also includes backfill and the relocation of some existing rocks to be placed behind the sheetpile wall. The toe of the wall is to be planted with native willows. In addition, a partial rock revetment (18" minimum diameter) shall be placed along the toe and end walls of the sheetpile wall. The project is necessary to prevent any further slope erosion and movement and to protect an existing sewer lateral which has become exposed. The estimated construction cost of the project is approximately \$30,000.

Site Description: The subject property is approximately 90,552 square feet in size and is partially located in the shorezone (Shorezone Tolerance District 4) of Lake Tahoe. Existing development includes a two-story residence with a basement and garage. From the residence, the property slopes very steeply (approximately 1:1) down to the lake's edge. The toe of the slope consists of a partial rock revetment, a gravel beach and some willows. The face of the slope is sparsely vegetated and eroded. Based on the soils report prepared by Harding, Lawson Associates and related monitoring, this slope is creeping and, if not stabilized, the existing residence could be endangered.

Review Per Code:

Chapter 4 - Project Review	Chapter 51 - Permissible Uses - Shorezone
Chapter 5 - Environmental Documenta- tion	Chapter 53 - Tolerance Districts/ Standards
Chapter 6 - Required Findings	Chapter 54 - Development Standards Lakeward of High Water
Chapter 13 - Plan Area Statements	Chapter 55 - Backshore Development Standards
Chapter 18 - Permissible Uses	Chapter 62 - Grading and Construction Schedules
Chapter 20 - Land Coverage	Chapter 64 - Grading Standards
Chapter 25 - Best Management Practices	Chapter 65 - Vegetation Protection
Chapter 30 - Design Standards	Chapter 79 - Fish Resources
Chapter 32 - Regional Plan and Thresholds	Chapter 81 - Water Quality Control
Chapter 38 - Tracking	
Chapter 50 - Project Review - Shorezone	

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CONSENT CALENDAR ITEM 1.

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Staff Analysis:

A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA. A sample IEC is attached to each Governing Board packet for reference.

B. Plan Area Statement:

The project is located within Plan Area Statement 005, Rocky Ridge. The Land Use Classification is Residential and the Management Strategy is Mitigation. Shoreline protective structures are considered accessory to the primary residential use and as such are treated as special uses. Agency staff has reviewed the subject Plan Area Statement and has identified the following items (underlined) as being applicable to the project. Following each item is a brief statement addressing consistency.

1. Planning Considerations:

The shoreline is showing evidence of bank erosion and large unstable areas.

The project is designed to stabilize the existing eroding slope and to prevent any further erosion.

2. Lake front parcel improvements are not adequate with respect to drainage, infiltration, and slope stabilization.

The project includes drainage, infiltration and slope stabilization. All required BMPs will be installed as a part of the project.

3. Scenic Shoreline Unit #16 is targeted for scenic restoration as required by the scenic threshold.

The Tahoe Basin Scenic Implementation Program identifies this Shoreline Unit (#16) as having an unacceptable rating. The specific area in which the subject project is located, however, is identified as having generally acceptable scenic quality. The project, as designed, incorporates the applicable recommendations contained in the Scenic Implementation Program. Specifically, all building materials and colors shall blend with the natural environment and the shoreline protective structure shall be adequately screened with landscaping and a partial rock revetment.

C. Land Capability District/Land Coverage:

1. Land Capability District(s):

The land capability of the project area is class 1b and 5. The total project area is approximately 90,552 square feet.

2. Existing Coverage:

Building	3,902 square feet
Pavement	12,754 square feet
Other	<u>252 square feet</u>
Total	16,908 square feet (19%)

3. Proposed Coverage:

Buildings	3,902 square feet
Paving	12,754 square feet
Other	<u>252 square feet</u>
Total	16,908 square feet (19%)

4. Allowed Coverage:

Class 1b Area (61,575 sq.ft.)	616 square feet (1%)
Class 5 Area (28,977 sq. ft.)	<u>7,244 square feet (25%)</u>
Total	7,860 square feet (8%)

Coverage Mitigation:

Based on the above coverage figures the existing project area contains approximately 11 percent excess coverage. In order to mitigate the existing excess coverage pursuant to Section 20.5 of the TRPA Code of Ordinances the applicant shall be required to pay a mitigation fee of \$165 or reduce 33 square feet of existing coverage based on a project construction cost of \$30,000.

D. Required Findings:

The following is a list of the required findings as set forth in Chapter(s) 6, 18, 50, 54 and 55 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the required finding may be made.

1. 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.
 - a. Land Use: The project does not create a land use inconsistent with the land use policies of the Goals and Policies Plan, Plan Area Statements, or Code of Ordinances. Section 51.3 of the Code provides for shoreline protective structures and other erosion control projects and facilities as accessory structures in the shorezone. The subject Plan Area allows shoreline protective structures as special uses. The findings required to approve the special use are discussed in paragraphs 17, 18 and 19, below.
 - b. Transportation: The project will have no known adverse impacts on the Transportation Element of the Regional Plan.
 - c. Conservation: Stabilization of the existing eroding and moving slope is consistent with the Conservation Element of the Regional Plan and Chapter 25 (BMPs) of the Code of Ordinances. The proposed shoreline protective structures location, color, design and screening (planting) will not degrade the shoreline unit scenic thresholds and is consistent with the recommendations contained in the Lake Tahoe Basin Scenic Quality Implementation Program.
 - d. Recreation: The project will have no known adverse impacts on the Recreation Element of the Regional Plan.
 - e. Public Services and Facilities: The project will have no known adverse impacts on the Public Service and Facilities Element of the Regional Plan. The project has been designed to protect a currently exposed sewer lateral serving the existing residence.
 - f. Implementation: The project will require no new development allocations and will have no known adverse impacts on the Implementation Element of the Regional Plan.
2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for which this finding can be made is provided on the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA. A sample checklist is attached to each Governing Board hearing packet for reference.

3. 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(d) of the TRPA Compact, the project meets or exceeds such standards.

The basis for which this finding can be made is provided in the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA. A sample checklist is attached to each Governing Board hearing packet for reference.

4. The project will not adversely impact littoral processes, fish spawning, backshore stability, or on-shore wildlife habitat, including wildfowl nesting areas.

The proposed sheetpile wall is located above the mean high water line (6229.1) and parallel to the shoreline. The project is designed to permit the natural movement of material along the shoreline, in front of the wall. The project, as conditioned, will have no adverse impacts on fish spawning. The proposed wall is located above high water and all construction activities shall take place outside of the fish spawning season. The project is designed to improve backshore stability and to prevent further soil erosion and movement. This area is not within a TRPA-identified wildfowl nesting or wildlife habitat area.

5. There are sufficient accessory facilities to accommodate the project.

The project itself is considered an accessory structure in the subject Plan Area and in Chapter 51 of the Code of Ordinances. No additional accessory facilities are necessary.

6. The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel.

There are other similar shoreline protective structures in the area consisting of sheet pile walls, gabions and rock revetments as well as several piers. The project is compatible with these shorezone uses and structures.

7. The use proposed in the foreshore or nearshore is water-dependent.

The project is located in the backshore and not the foreshore or nearshore. This finding is therefore not applicable to the project.

8. Measures will be taken to prevent spills or discharges of hazardous materials.

All necessary safety precautions will be exercised to prevent any potential spill or discharge. Fuel capacity aboard the amphibious vessel to be used in the construction process is sufficient to complete the project, eliminating any need for re-fueling. A turbidity screen shall be maintained around the construction area throughout the construction process.

9. Construction and access techniques will be used to minimize disturbance to the ground and vegetation.

Access and materials transportation shall be via water using a Lark 5 amphibious vessel, equipped with a pile driver. This vessel is designed to minimize ground disturbance and is equipped with no-tread, low pressure, high flotation tires.

10. The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lakes navigable waters.

The project is located above the high water line and will therefore not have any adverse impacts on navigation or create a threat to public safety.

11. The project, program or facility is necessary for environmental protection.

In the past, solutions to the backshore stability and erosion problem have failed or proven to be only temporary measures, i.e., sloping rock revetment, etc. The project, as designed, will protect the existing exposed sewer lateral as well as offer a more permanent solution to the backshore instability and erosion problems.

12. There is no reasonable alternative, which avoids or reduces the extent of encroachment in the backshore.

In order to prevent further movement (creeping) of the existing backshore the bank must be retained at the toe of the slope. Other methods, including a sloping rock revetment have failed in the past. Based on the engineer's conclusions a sheet pile wall will provide a more permanent solution to the problem.

13. Structures in the backshore or environmental threshold values will be enhanced by the construction and maintenance of the protective structure.

The existing backshore structures are endangered from the creeping and eroding slope. The proposed shoreline protective structure has been designed to stabilize the existing slope from further movement and erosion.

14. The protection of structures in the backshore or the enhancement of environmental threshold values more than offset the adverse environmental effects of the construction and maintenance of the shoreline protective structure.

As stated above, the project is necessary to preserve the existing backshore structures and to prevent further erosion of the backshore. The existing slope will be mechanically stabilized and revegetated and the project area will be retrofitted to include all required Best Management Practices (BMPs). The proposed shoreline protective structure will be visually screened with vegetation and a partial rock revetment and will be earth-tone in color in order to improve visual quality.

15. A sloping permeable revetment is not feasible and the alternative structure will not cause significant erosion or modification of the foreshore.

A sloping rock revetment was previously installed on the project site pursuant to a TRPA permit issued in 1984. This previous structure, however, has failed to prevent the backshore slope from further movement. Engineering studies conducted over the past several years conclude that a sheetpile wall will offer a more permanent solution to the problem. In addition, due to the existence of a sewer main line and lateral service line located in the lake, a full sloping rock revetment in front of the proposed wall is not possible as the added weight of the rock over these lines could cause damage. The sheetpile wall, however, shall include a partial rock revetment on the lake side of the wall to provide added toe protection. Based on information provided by the applicant's engineer no significant erosion or modification of the foreshore should be created as a result of the project.

16. The protective structure has been designed so that backshore erosion on adjacent properties will not be accelerated as a result of the erection of the protective structure.

The proposed sheetpile wall has been designed to parallel the existing shoreline with a 90° angle wall at each end projecting back into the existing slope at the property lines of the subject property. Based on the information provided by the applicant's engineer, the shoreline protective structure, as designed, should be beneficial to the adjoining properties in that an accumulation of sand, soil, and/or gravel material should occur on both ends of the wall at the adjacent property lines rather than erosion.

17. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The subject Plan Area provides for shoreline protective structures as special accessory uses. There are other similar structures in the surrounding area and the structure has been designed to the minimum size necessary to stabilize the backshore.

18. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the Region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.

The project is designed to preserve the existing backshore structures and to prevent any further erosion. As stated above, the structures should provide a benefit, to the adjoining properties. All construction will be in accordance with BMPs and reasonable steps will be taken to protect the surrounding properties.

19. The project, to which the use pertains, will not change the character of the neighborhood, or detrimentally affect or alter the purpose of the applicable planning area statement.

The proposed project involves the replacement of an existing sloping rock revetment with a sheetpile wall and partial rock revetment. There are other similar structures in the area and shoreline protective structures are considered special accessory uses in the subject Plan Area Statement.

Required Actions and Findings: Agency staff recommends that, the Governing Board approve the project by making the following motions and findings:

- I. A motion, based upon the staff summary, for a finding of no significant environmental effect with direction to staff to prepare the necessary certification documents to be included with the permit and for the following findings:

1. 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 of Ordinances and other TRPA plans and programs.
2. The project will not cause the environmental threshold carrying capacities to be exceeded.
3. 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(d) of the TRPA Compact, the project meets or exceeds such standards.
4. The project will not adversely impact littoral processes, fish spawning, backshore stability, or on-shore wildlife habitat, including wildfowl nesting areas.
5. There are sufficient accessory facilities to accommodate the project.
6. The project is compatible with existing shorezone and lakezone use or structures on, or in the immediate vicinity of, the littoral parcel.
7. The use proposed in the foreshore or nearshore is water-dependent.
8. Measures will be taken to prevent spills or discharges of hazardous materials.
9. Construction and access techniques will be used to minimize disturbance to the ground and vegetation.
10. The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lakes navigable waters.
11. The project, program or facility is necessary for environmental protection.
12. There is no reasonable alternative, which avoids or reduces the extent of encroachment in the backshore.
13. Structures in the backshore or environmental threshold values will be enhanced by the construction and maintenance of the protective structure.
14. The protection of structures in the backshore or the enhancement of environmental threshold values more than offset the adverse environmental effects of the construction and maintenance of the shoreline protective structure.

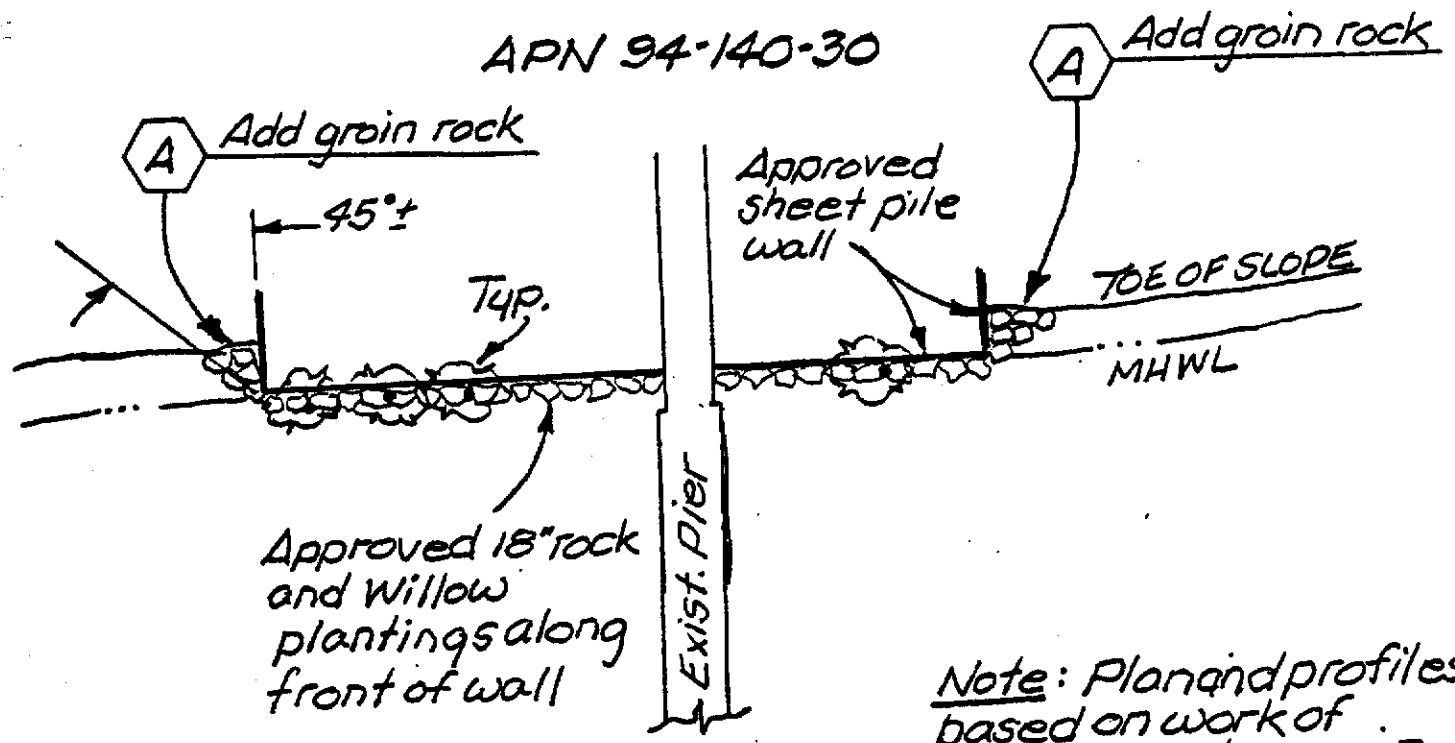
15. A sloping permeable revetment is not feasible and the alternative structure will not cause significant erosion or modification of the foreshore.
 16. The protective structure has been designed so that backshore erosion on adjacent properties will not be accelerated as a result of the erection of the protective structure.
 17. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.
 18. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the Region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.
 19. The project, to which the use pertains, will not change the character of the neighborhood, or detrimentally affect or alter the purpose of the applicable planning area statement.
- II. A motion to approve the project, based upon the staff summary, subject to the following conditions:
1. The Standard Conditions of Approval listed in Attachment S.
 2. The following special conditions:
 - a. The applicant shall either pay an excess coverage mitigation fee of \$165 or reduce 33 square feet of existing land coverage (within the same hydrologic area) based on an estimated construction cost of \$30,000 prior to commencement of construction. Upon completion of final construction plans, the applicant shall provide a final construction cost estimate and if different from the above estimate the required mitigation fee or coverage reduction shall be adjusted accordingly.
 - b. The applicant shall submit plans and cost estimates for the installation of all required water quality improvements (BMPs) for the entire project area prior to commencement of construction. All required BMPs shall be installed prior to project completion.

- c. The applicant shall submit a project completion schedule to TRPA prior to commencement of construction. Said schedule shall also include a completion date for all required BMP installations for the project area.
- d. Any normal construction activities creating noise in excess of 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.
- e. No rocks, gravel or soil located below the high water line shall be relocated. Any fill material to be placed behind the sheetpile wall shall be clean imported material, with any excess being transported to a TRPA approved site or to a location outside of the Basin.
- f. The sheetpile wall shall be earth-tone in color, i.e., brown, reddish-brown, etc. and the toe of the wall shall be planted with upright riparian vegetation, i.e., willows, 15 gallon size on five feet centers. In addition, the final plans shall include a partial sloping rock (18" minimum diameter) revetment at the base of the wall on the lakeward side and a rock groin at the end walls. The rock revetment and groin shall be designed to provide the maximum toe protection possible without encroaching on the existing sewer main.
- g. The applicant shall obtain all necessary easements to perform the required groin wall work on each of the adjoining properties prior to commencement of construction.
- h. Existing vegetation on the eroding slope shall be preserved to the maximum extent possible.
- i. Equipment access and placement of all sheetpile, rock, and backfill shall be from the lake side and not over land.
- j. The applicant shall submit final construction plans for the project, designed and stamped by a registered engineer, prior to commencement of construction.
- k. All construction shall be supervised by a registered engineer.
- l. A filter fabric turbidity screen shall be installed and maintained in the lake throughout the construction process in order to contain any disturbed or suspended sediments as a result of construction activities. A pre-construction inspection shall be required prior to commencement of work to insure this screen is properly installed.

- m. No construction work or activity shall take place between April 1 and October 1 in order to prevent any impacts on fish spawning.
- n. All other required local, state and federal approvals including the California Department of Fish and Game, Army Corps of Engineers, and Lahontan Water Quality Control Board shall be obtained prior to commencement of construction.
- o. A security of \$1,500 shall be posted to insure compliance with the conditions of approval.
- p. The amount of the security required under Condition A.3 of the Standard Conditions of Approval (Attachment S) shall be determined upon the applicants submittal of the required BMP cost estimate.

ADDENDUM TO NIELLO BANK STABILIZATION

APN 94-140-30

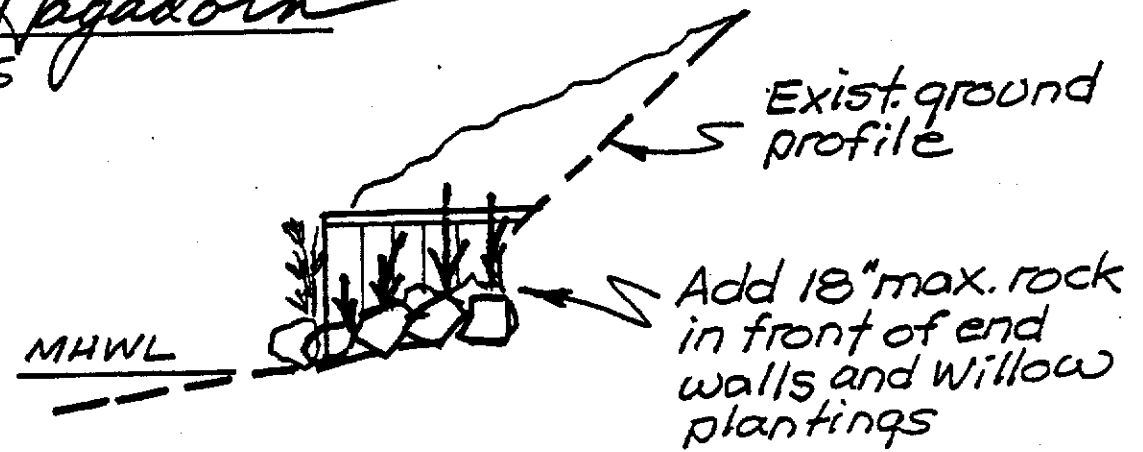


Approved 18" rock and Willow plantings along front of wall

Note: Plan and profiles based on work of others as shown in TRPA approved emergency permit dated 9-3-87

PLAN

Prepared
By Art Pagador
RCE 14436
2-4-88



DETAIL A ADD END WALL GROIN ROCK

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Kenneth Wood, New Single Use Residential Pier

Application Type: Shorezone, New Pier

Applicant: Kenneth Wood

Location: 739 Lakeview Avenue, City of South Lake Tahoe, California

Assessor's Parcel Number/Project Number: 26-021-04

Project Description: The applicant proposes to construct a new single use residential pier and low level boat lift for this parcel in the Al Tahoe area of South Lake Tahoe. TRPA design standards would allow a pier 100 feet in length (to the TRPA pierhead line), 10 feet wide, and with a deck elevation of 6,232 feet, Lake Tahoe Datum.

Site Description: This section of the foreshore has a sandy lake bottom and is relatively shallow to the TRPA pierhead line (approximately 11 foot maximum depth). There is one house under construction on this property pursuant to a 1981 CTRPA-TRPA permit. An existing 13 foot high bluff above the beach area has been identified as an erosion problem.

Review Per Code:

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| Chapter 4 - Project Review and Exempt Activities | Chapter 53 - Shorezone Tolerance Districts and Development Standards |
| Chapter 5 - Environmental Documentation | Chapter 54 - Development Standards Lakeward of High Water |
| Chapter 6 - Findings Required | Chapter 55 - Development Standards in the Backshore |
| Chapter 13 - Plan Area Statements | Chapter 56 - Mitigation Fee Requirements |
| Chapter 18 - Permissible Uses | Chapter 61 - Special Information Reports and Plans |
| Chapter 20 - Land Coverage Standards | Chapter 62 - Grading and Construction Standards |
| Chapter 21 - Density | Chapter 64 - Grading Standards |
| Chapter 22 - Height Standards | Chapter 65 - Vegetation Protection |
| Chapter 24 - Driveway and Parking Standards | Chapter 75 - Sensitive and Uncommon Plant Protection |
| Chapter 25 - Best Management Practices Standards | Chapter 77 - Revegetation |
| Chapter 27 - Basic Service Requirements | Chapter 79 - Fish Resources |
| Chapter 29 - Historic Resource Protection | Chapter 81 - Water Quality Control |
| Chapter 30 - Design Standards | |
| Chapter 38 - Tracking Accounting and Banking | |
| Chapter 50 - Projects in Shorezone and Lakezone | |
| Chapter 51 - Permissible Uses in Shorezone | |

Staff Analysis:

A. Environmental Documentation: TRPA staff has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA. A sample IEC is attached to each Governing Board packet for reference.

B. Plan Area Statement:

The project is located within Plan Area Statement 099, Special Area #1, Al Tahoe. The Land Use Classification is Residential and the Management Strategy is Redirection. Agency staff has reviewed the subject Plan Area Statement and has identified the following items (underlined) as being applicable to the project. Following each item is a brief statement addressing consistency.

1. Planning Statement:

The area should remain residential with upgrading in those areas identified as substandard.

This proposal does not change the residential character of this neighborhood. This property has not been identified as having substandard housing.

2. Planning Considerations:

The shoreline is eroding and public access is poor.

Erosion problems associated with this property will be corrected as a part of the project. This project does not affect public access to Lake Tahoe.

C. Land Capability District/Land Coverage:

1. Land Capability Districts: 7 and backshore.

The land capability of the project area is class 7 and backshore. The total project area is approximately 9,325 square feet above high water (Lake Tahoe Datum).

2. Existing Coverage:

Buildings	2,127 square feet
Pavement	420 square feet
Other	<u>294 square feet</u>
Total	2,841 square feet

3. Proposed Coverage:

Buildings	2,127 square feet
Paving	420 square feet
Other	<u>294 square feet</u>
Total	2,841 square feet

4. Allowed Coverage: To be determined upon submittal of final site plan delineating boundary of backshore area.

D. Proposed Pier Height: Deck: Elevation 6,232' Lake Tahoe Datum, or 2.9 feet above high water. Pilings: Elevation 6,236' or 4 feet above deck height. These heights are consistent with Section 54.4.B(2) of the TRPA Code.

E. Other Relevant Issues:

1. Fish Habitat:

This property is located near the boundary of a "feeding and/or escape cover habitat" area on TRPA's adopted Prime Fish Habitat map. However, TRPA's staff biologist has verified (pursuant to Section 79.2 of the TRPA Code) that this section of shorezone is not a prime fish habitat area.

2. Pier Location and Size:

Pursuant to Section 54.4.A(5) of the TRPA Code, new piers ... "shall be placed only within an area that is enclosed by lines that are parallel to and a minimum of 20 feet inward of parcel lines when extended lakeward at right angles from the high water line." The applicant has proposed a two foot, eight inch cat walk along the lakeward end of the ten foot wide pier. This property is only 50 feet wide at the water line, and using the formula in Section 54.4.A(5), the maximum width of this pier cannot exceed ten feet, therefore prohibiting the catwalk as currently proposed. However, a catwalk could still be allowed provided it were constructed within the ten foot wide allowable area. This would necessitate narrowing the pier width in the area of the catwalk to seven feet, ten inches (see special condition no. 2.g).

3. Sensitive Plant Habitat:

This site has been identified on TRPA's "Special Interest Species/Sensitive Plant" map as a habitat area for Rorippa Subumbellata. However, TRPA's staff biologist was unable to identify any Rorippa on this site. Any Rorippa habitat that may exist should not be adversely impacted provided no raking or grooming of the beach area occurs during or after construction, and no fill material is introduced (see special condition no. 2.f).

4. Erosion Control/Slope Stabilization:

There is a 13 foot high bluff behind the beach area on this property that is eroding into Lake Tahoe. The applicant shall mechanically stabilize this slope as a condition of approval (see special condition no. 2.k). Other standard erosion control and infiltration facilities have been constructed on this property in conjunction with a 1981 TRPA-CTRPA approval for a new single family dwelling. This dwelling is still under construction.

5. Density:

The 1981 TRPA-CTRPA approval for a new single family dwelling on this property also allowed for a "workshop" above the detached garage. This "workshop" is currently being used as a residence for the owner while the house is under construction. This unit shall be returned to non-permanent living space upon completion of the house (see special condition no. 2.1).

6. Land Coverage:

This property is currently non-conforming to TRPA's land coverage allowances when Section 55.3 of the TRPA Code is applied to this project (allowable land coverage in the backshore). The backshore on this property extends one and a half times the height of the bluff back from high water for a distance of 19.5 + 10 feet. Section 55.3 only allows a base land coverage of one percent within this backshore area. However, a portion of the total allowable base land coverage for this property may be used to allow construction in this area for access to the pier provided the following standards are implemented (pursuant to Section 55.4.A):

- (1) Application of BMPs.
- (2) Restoration in accordance with Subsection 20.4.C of land in the backshore or a stream environment zone in the amount of 1.5 times the area of land in the backshore covered or disturbed for the project beyond that required in Section 55.3.

Stabilization of the bluff area (special condition no. 11) will satisfy these findings.

The applicant shall submit for review and approval an "as built" site plan with accurate land coverage calculations. This site plan shall address the land coverage allowed in the backshore area as well as the class 7 portion of the lot. Excess land coverage shall be mitigated pursuant to Section 20.5.A(3) of the TRPA Code (see special condition no. 2.n).

7. Shorezone Tolerance District

This property is located within Shorezone Tolerance District 4. The following standards for Section 53.8.B of the TRPA Code apply to this project:

- (1) Permitted development or continued use may be conditioned upon installation and maintenance of vegetation to stabilized backshore areas and protect existing cliffs from accelerated erosion.
- (2) Projects shall not be permitted in the backshore unless TRPA finds that such project is unlikely to require the cliff area to be mechanically stabilized or that the project will not accelerate cliff crumbling, beach loss or erosion.
- (3) Access to the shoreline shall be restricted to stabilized access ways which minimize the impact to the backshore.

Application of BMPs as required in special conditions 6 and 11 of the permit satisfy these conditions.

8. Scenic:

This site is located within Scenic Shorezone Unit No. 32 (an attainment unit). Staff has completed a scenic analysis for this pier and has determined that, provided all the design requirements of the TRPA Code are met, this pier will not decrease the scenic quality rating. This pier is to be located within a section of shoreline that is already heavily developed with piers.

F. Required Findings:

The following is a list of the required findings as set forth in Chapters 6 and 50 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the required finding may be made.

1. 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.
 - a. Land Use: This project will not affect allowable land use on this site. Single use residential piers are allowed accessory structures in the Plan Area for this property.
 - b. Transportation: This new pier will not adversely impact transportation in the Lake Tahoe Basin. Piers constructed within the limits of the TRPA approved pierhead line have been determined not to pose a threat to lake navigation.
 - c. Conservation: Correction of the erosion problem associated with the bluff on the site is consistent with the Conservation Element of the Goals and Policies and with Chapter 25 (Best Management Practices) of the Code of Ordinances. The pier location, color and design will not degrade the shoreline scenic threshold.
 - d. Recreation: This project will not adversely impact public recreation on Lake Tahoe. This is a private property and public access is prohibited.
 - e. Public Services and Facilities: This project does not affect public services or facilities in the Lake Tahoe Basin.
 - f. Implementation: This project does not affect the Implementation Element of the Goals and Policies.
2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for which this finding can be made is provided on the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA. A sample checklist is attached to each Governing Board hearing packet for reference.

3. 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(d) of the TRPA Compact, the project meets or exceeds such standards.

The basis for which this finding can be made is provided in the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA. A sample checklist is attached to each Governing Board hearing packet for reference.

4. This project will not adversely impact: (1) littoral processes, (2) fish spawning, (3) backshore stability, and (4) on-shore wildlife habitat, including wildfowl nesting areas.

This pier will be more than 90 percent open to the water and should not impact littoral processes. This section of shoreline has not been identified as fish spawning or on-shore wildlife habitat. Backshore stability will improve with installation of BMPs.

5. There are sufficient accessory facilities to accommodate the project.

The project is an accessory structure to an allowed use.

6. 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.

This project is a compatible accessory use to an allowed use and is compatible with other accessory uses (piers) in the vicinity.

7. The use proposed in the foreshore or nearshore is water-dependent.

This pier is located in the foreshore of Lake Tahoe and is water dependent.

8. Measures will be taken to prevent spills or discharges of hazardous materials.

This approval prohibits the use of wood preservatives on wood in contact with the water.

9. Construction and access techniques will be used to minimize disturbance to ground and vegetation.

The applicant shall be required to not store construction materials on the beach or on the unstable beach bluff. Access across the unstable beach bluff is restricted to an existing stairway.

10. 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 pier will not extend beyond TRPA's pierhead line and will not impact navigation on Lake Tahoe, or create a threat to public safety. This project must also be reviewed by the City of South Lake Tahoe, the California State Lands Commission, Lahontan Regional Water Quality Control Board, and the U. S. Army Corps of Engineers. These agencies typically make their own public safety findings in addition to TRPA's.

11. 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.

Staff has incorporated several water quality conditions recommended by Lahontan Regional Water Quality Control Board into the TRPA permit. This project must receive approval from the California State Lands Commission and the U. S. Army Corps of Engineers prior to TRPA acknowledgement of the permit. The City of South Lake Tahoe has indicated that the applicant must also receive City approval for this project.

Required Actions and Findings: Agency staff recommends that, the Governing Board approve the project by making the following motions and findings:

- I. A motion, based upon the staff summary, for a finding of no significant environmental effect with direction to staff to prepare the necessary certification documents to be included with the permit and for the following findings:
1. 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 of Ordinances and other TRPA plans and programs.
 2. The project will not cause the environmental threshold carrying capacities to be exceeded.
 3. 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(d) of the TRPA Compact, the project meets or exceeds such standards.
 4. This project will not adversely impact: (1) littoral processes, (2) fish spawning, (3) backshore stability, and (4) on-shore wildlife habitat, including wildfowl nesting areas.

5. There are sufficient accessory facilities to accommodate the project.
 6. 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.
 7. The use proposed in the foreshore or nearshore is water-dependent.
 8. Measures will be taken to prevent spills or discharges of hazardous materials.
 9. Construction and access techniques will be used to minimize disturbance to ground and vegetation.
 10. 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.
 11. 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.
- II. A motion to approve the project, based upon the staff summary, subject to the following conditions:
1. The Standard Conditions of Approval listed in Attachment S.
 2. The following special conditions:
 - a. The use of wood preservatives on wood in contact with the water is prohibited. Extreme care shall be taken to insure that wood preservatives are not introduced into Lake Tahoe.
 - b. Disturbance of the lake bed materials shall be kept to the minimum necessary for project construction.
 - c. Best practical control technology shall be employed to prevent earthen materials to be resuspended as a result of pier construction and from being transported to adjacent lake waters. The applicant shall install a turbidity screen around the entire construction site (in the water) prior to construction. This screen may be removed upon project completion only upon a satisfactory inspection by TRPA to insure that all suspended materials have settled.

- d. 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 from the project site and deposited only at legal points of disposal.
- e. This structure shall not extend beyond the pierhead line as indicated on official TRPA maps (100 feet lakeward of the highwater line for this property).
- f. No raking or grooming of the beach area shall be allowed during or after construction, including removal or placement of fill material. Removal of native plants from the beach is prohibited. Storage of construction materials on the beach and the unstable beach bluff is prohibited.
- g. In no case shall the width of this pier be greater than ten feet, including that portion of the pier with a catwalk. This pier shall be placed only within an area that is enclosed by lines that are parallel to and a minimum of 20 feet inward of parcel lines when extended lakeward at right angles from the high water line.
- h. Final construction drawings shall conform to all the applicable design standards of Section 54.4.B. TRPA Code of Ordinances, and all other applicable TRPA design standards.
- i. The applicant shall submit a new pier mitigation fee of \$3,000 for the construction of 100 feet of new pier.
- j. The applicant shall submit a construction schedule prior to commencement of construction. This schedule shall identify dates for the following:
 - 1. When installation of temporary erosion control structures and turbidity screens will occur.
 - 2. When construction will start.
 - 3. When construction slash and debris will be removed.
 - 4. When installation of all permanent erosion control structures will occur.
 - 5. When construction will be completed.

- k. Prior to commencement of construction, the applicant shall submit a slope stabilization plan for the bluff adjacent to the beach for TRPA approval.
- l. Upon completion of the single family residence under construction on this property on the date of this permit, the area above the detached garage shall be returned to non-living area as indicated on the approved 1981 CTRPA-TRPA construction plans.
- m. The applicant shall submit plans and cost estimates for the installation of all required water quality improvements (BMPs) for the slope stabilization area prior to commencement of construction. The security required under Standard Condition A.3 of Attachment S shall be 110 percent of this cost estimate. The \$500.00 security currently being held for the new single family dwelling on this property shall be considered separate from this security.
- n. The applicant shall mitigate excess land coverage on this property in a manner consistent with Chapter 20 of the TRPA Code of Ordinances. This condition may be satisfied by submittal of an excess land coverage mitigation fee as follows:

$\text{Cost of Project} \times 0.05 \text{ (TRPA Reduction Factor)} \times \text{Excess Land Coverage Percentage.}$

Excess land coverage percentage equals the existing land coverage percentage minus the allowable land coverage percentage. Please provide a written cost estimate by your contractor. In no case shall the mitigation fee be less than \$100.

Also, if you choose, existing land coverage may be removed in lieu of payment of an excess land coverage mitigation fee. To calculate this land coverage reduction amount, divide the amount of the mitigation fee by \$5 per square foot. Please revise your site plan land coverage calculation if you choose this option.

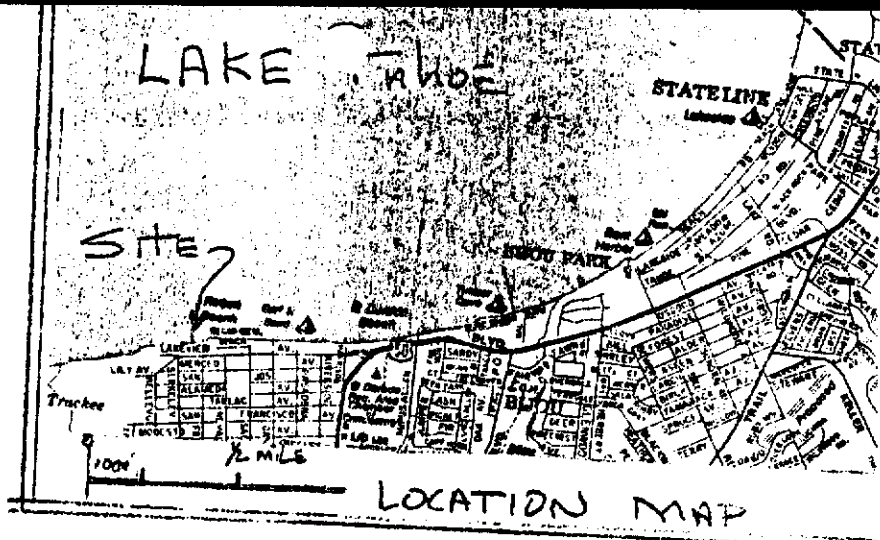
- o. This pier shall be wood tone or earth tone in color.
- p. Prior to commencement of construction, the applicant shall obtain all required approvals from the U. S. Army Corps of Engineers, Lahontan Regional Water Quality Review Board, and the California State Lands Commission for this new pier.

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BY _____

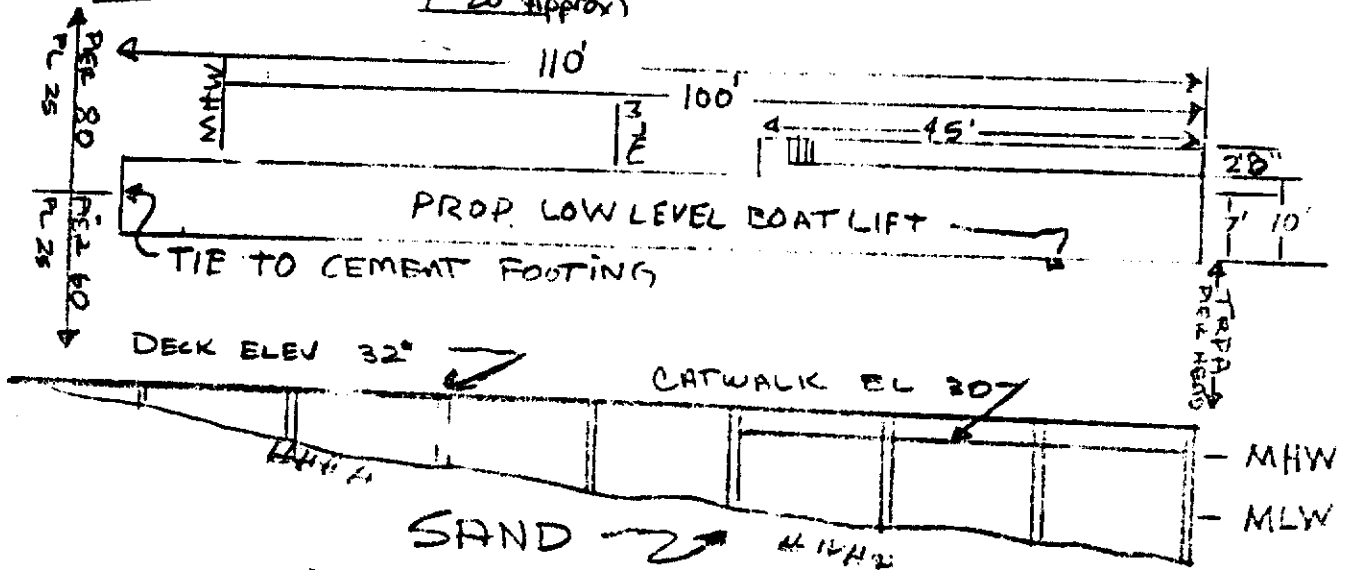
AUG 03 1987

TAHOE REGIONAL
PLANNING AGENCY



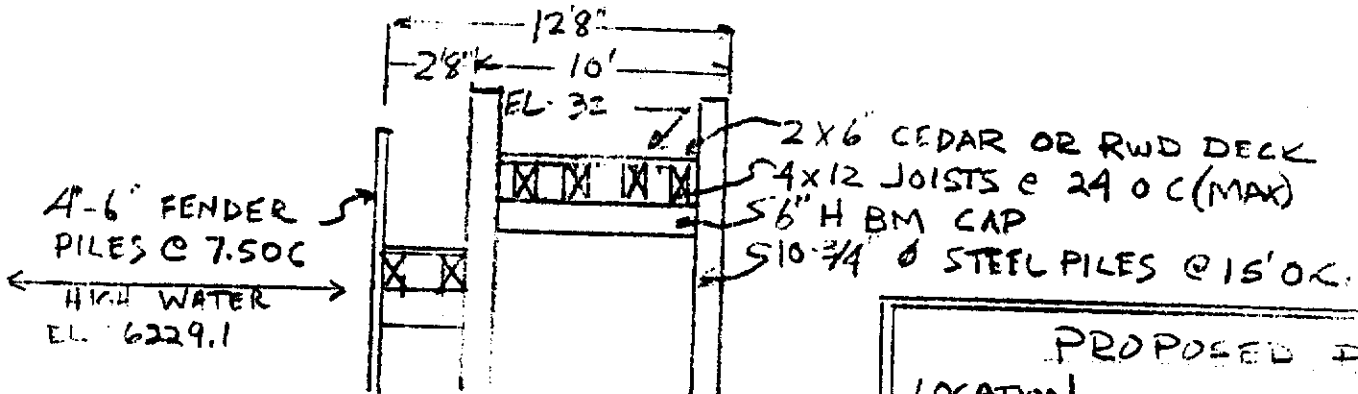
PROP. PLAN

1" = 20' (approx)



SAND
PROP. PROFILE

H&V: 1" = 20' (approx)



PROP. SECTION
NTS

PROPOSED PIER
LOCATION
739 LAKEVIEW AV.
SOUTH LAKE TAHOE
CALIF 95731 BX 984
APN 26-031-04
APPLICATION BY
KENNETH R WOOD
BX 9842
SOUTH LAKE TAHOE
CA 95731

25

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Barton Memorial Hospital Physical Therapy Building Addition

Application Type: Public Service

Applicant: Barton Memorial Hospital

Location: Corner of South Avenue and 4th Street, City of South Lake Tahoe

Assessor's Parcel Number/Project Number: 23-081-03

Project Description: The project involves construction of a 2,520 square foot single story building addition to Barton Memorial Hospital. Approximately 1,450 square feet of the structure will be used for inpatient physical therapy. The remaining 1,070 square feet will be devoted to four (4) offices needed by existing Hospital personnel.

Site Description: The project site consists of a developed parcel containing Barton Memorial Hospital. Land capability of the building site is district 7.

Review Per Code:

Chapter 4 - Project Review	Chapter 32 - Regional Plan and Threshold Review
Chapter 5 - Environmental Documentation	Chapter 62 - Grading and Construction Standards
Chapter 6 - Findings	Chapter 64 - Grading Standards
Chapter 13 - Plan Area Statements	Chapter 65 - Vegetation Protection
Chapter 18 - Permissible Uses	Chapter 77 - Revegetation
Chapter 20 - Land Coverage	Chapter 81 - Water Quality Control
Chapter 22 - Height Standards	Chapter 82 - Water Quality Mitigation
Chapter 25 - Best Management Practices	
Chapter 30 - Design Standards	

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. In addition, the project has been determined by the applicant to be categorically exempt under the CEQA requirements. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA. A sample IEC is attached to each Governing Board packet for reference.

RA:cs
2/9/88

CONSENT CALENDAR ITEM 3.

B. Plan Area Statement:

The project is located within Plan Area Statement 110, Special Area 2, South "Y". The Land Use Classification is Commercial - Public Service and the Management Strategy is Redirection. The proposed use is listed as an allowed use in this Plan Area. Agency staff has reviewed the subject Plan Area Statement and has identified the following item (underlined) as being applicable to the project. Following the item is a brief statement addressing consistency.

1. Special Policies:

Properties in Special Area #2 should be considered a preferred area for multi-residential, professional offices and hospital-related uses.

The proposed project is consistent with this Special Policy.

C. Land Capability District/Land Coverage:

1. Land Capability Districts:

The land capability of the project area is class 7. The total project area is approximately 581,962 square feet.

2. Existing Coverage:

Buildings	63,778 square feet
Pavement	79,941 square feet
Walks	<u>7,057 square feet</u>
Total	150,776 square feet

3. Proposed Coverage:

Buildings	66,713 square feet
Pavement	79,941 square feet
Walks	<u>7,081 square feet</u>
Total	153,735 square feet

Net Increase: 2,959 square feet

4. Allowed Coverage:

581,962 square feet x 30% = 174,589 square feet.

5. Structure Height:

The proposed structure height is 14 feet which is within that allowed under Chapter 22 of the Code.

E. Required Findings:

The following is a list of the required findings as set forth in Chapter 6 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the required finding may be made.

1. 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.
 - a. Land Use: The project is located in Plan Area Statement 110, Special Area #2, South "Y". The proposed use is listed as an allowed use in this Plan Area.
 - b. Transportation: The facility is to service current in-patient levels only. No significant increase in traffic generated to the site is anticipated. As such, there is no aspect of the project which would adversely impact implementation of the transportation element of the Regional Plan.
 - c. Conservation: There is no aspect of the project which would adversely impact implementation of the Conservation Element of the Regional Plan.
 - d. Recreation: There is no aspect of the project which would adversely impact implementation of the Recreation Element of the Regional Plan.
 - e. Public Services and Facilities: The project is included on the Agency's five-year Public Services and Facilities Plan. As such, the project is consistent with the Public Services and Facilities Element of the Regional Plan.
 - f. Implementation: The project does not require any new development allocations and will not result in any adverse impacts on the Implementation Element of the Regional Plan.
2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for which this finding can be made is provided on the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA. A sample checklist is attached to each Governing Board hearing packet for reference.

3. 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(d) of the TRPA Compact, the project meets or exceeds such standards.

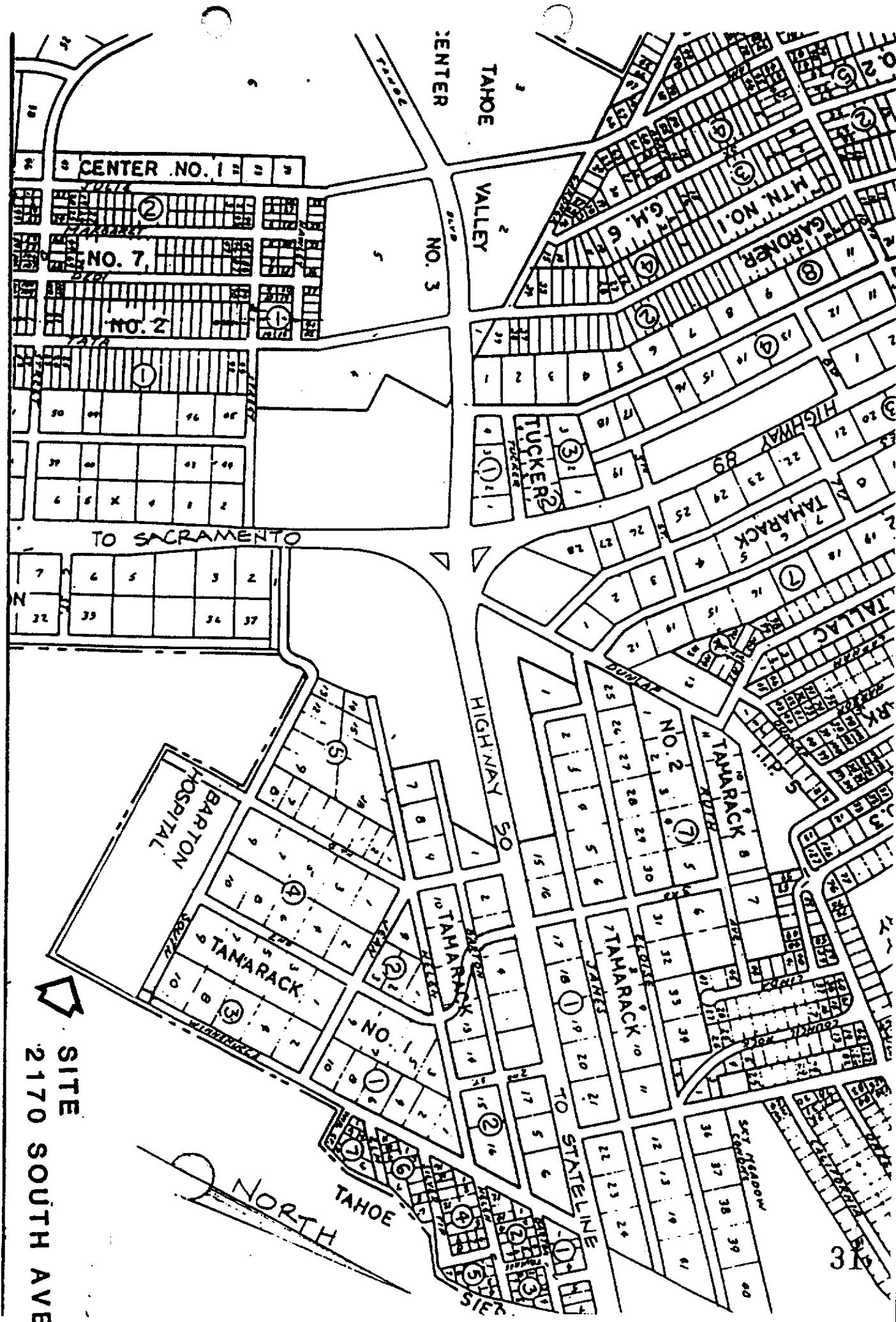
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Required Actions and Findings: Agency staff recommends that, the Governing Board approve the project by making the following motions and findings:

- I. A motion, based upon the staff summary, for a finding of no significant environmental effect with direction to staff to prepare the necessary certification documents to be included with the permit and for the following findings:
 1. 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 of Ordinances and other TRPA plans and programs.
 2. The project will not cause the environmental threshold carrying capacities to be exceeded.
 3. 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(d) of the TRPA Compact, the project meets or exceeds such standards.
- II. A motion to approve the project, based upon the staff summary, subject to the following conditions:
 1. The Standard Conditions of Approval listed in Attachment Q.

2. The following special conditions:
 - a. Prior to commencement of construction, the applicant shall pay water quality mitigation fee of \$858 for creation of 2,959 square feet of additional land coverage.
 - b. Prior to August 1, 1988, the applicant shall submit plans and cost estimates for the installation of all required water quality improvements (BMPs) for the entire project area prior to August 1, 1988. All required BMPs inside the construction site boundary shall be installed prior to project completion. All required BMPs outside of the construction site boundary up to a maximum of five percent of the estimated construction cost of the project shall also be installed prior to project completion. The balance of the required BMPs for the remaining project area shall be installed as follows: At least 50 percent of the BMPs shall be installed within five years and 100 percent within ten years, as determined by an estimate of the cost of the BMPs.
 - c. The applicant shall submit a projected construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for BMP installations for the entire project area.
 - d. Any normal construction activities creating noise in excess of 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.

LOCATION MAP



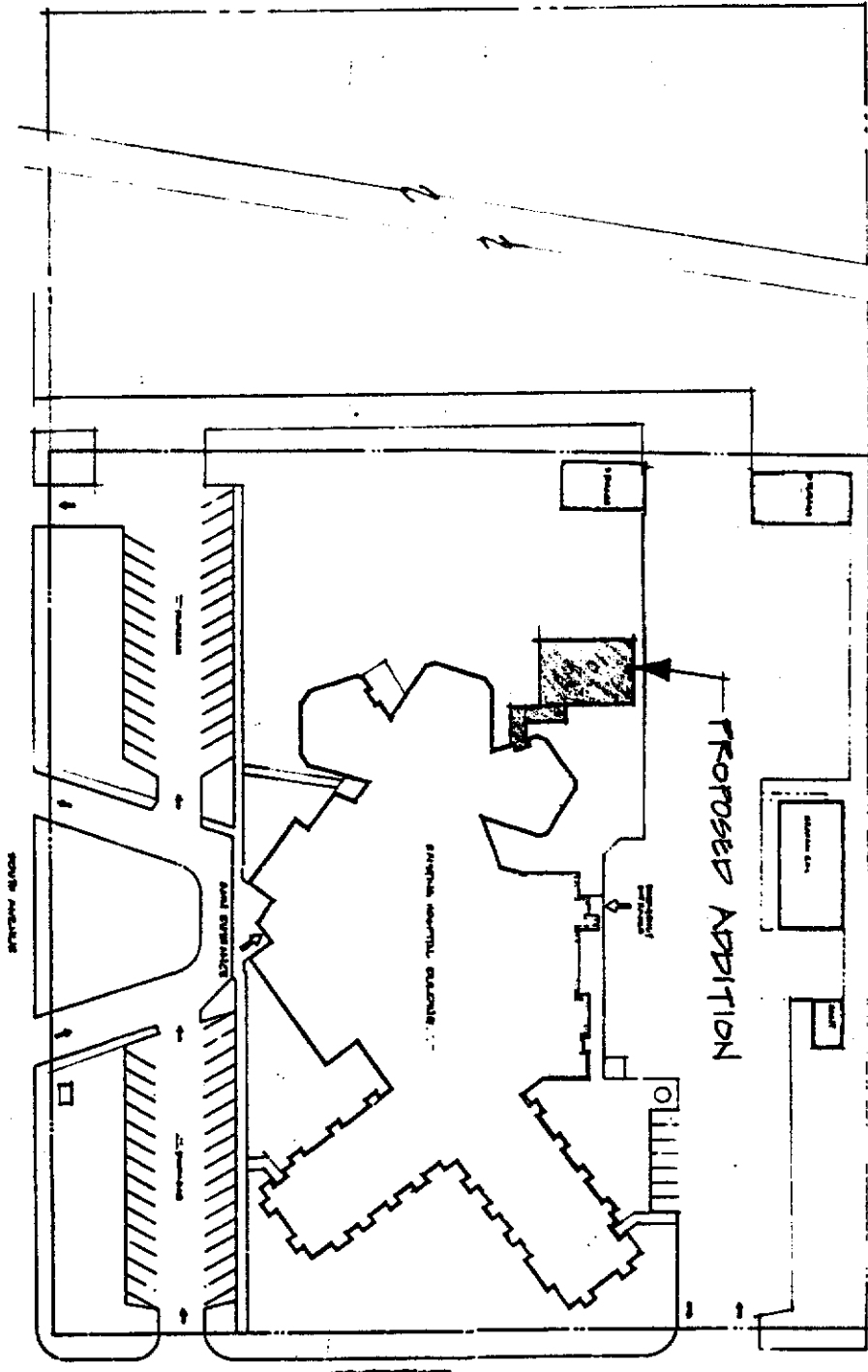
HOUSE
SITE
2170 SOUTH AVE

NORTH
TAHOE

RECEIVED

SEP 17 1987

TAHOE REGIONAL PLANNING AGENCY



SITE PLAN

EXISTING LAND COVERAGE

BUILDINGS	63,778 S.F.
DRIVES, PARKING	79,941
WALKS, PATIOS	7,057
TOTAL	150,776 S.F. (27.37%)

PROPOSED LAND COVERAGE

BUILDINGS	66,713 S.F.
DRIVES, PARKING	79,941
WALKS, PATIOS	7,081
TOTAL	153,735 S.F. (27.91%)

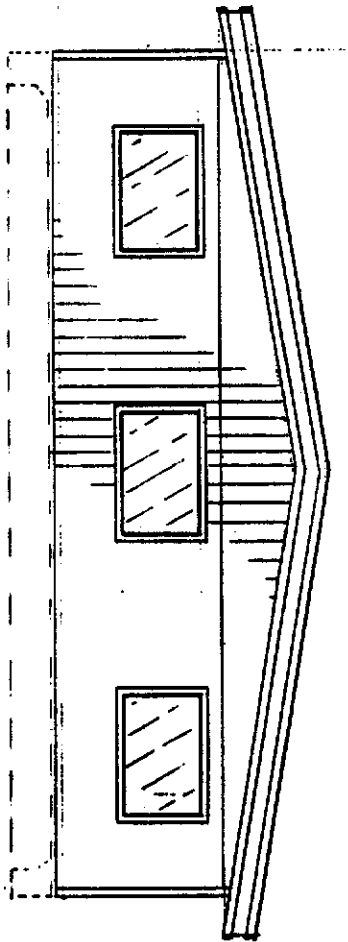
LOT SIZES & ALLOWED COVERAGES

APN: 23:081:02	=	250,195 SF
23:081:09	=	294,595 SF
TOTAL		544,790 SF
SOIL TYPE: Efk		20%
ALLOWED COVER: 165,237 S.F.		

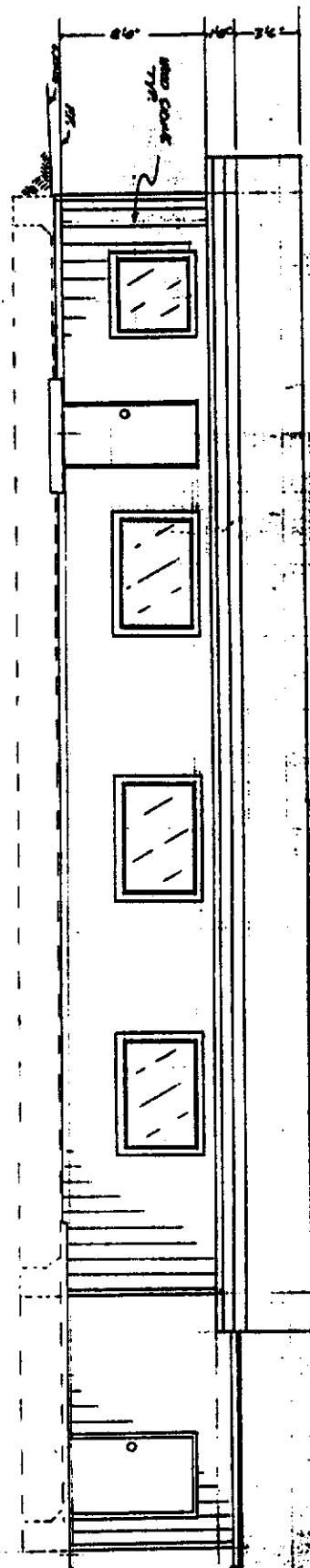
AN ADDITION FOR:
BARTON MEMORIAL HOSPITAL

ROBERT MASON, ARCHITECT
 P. O. BOX 33110
 SOUTH LAKE TAHOE, CALIF.
 96150 206-2689

SOUTH ELEVATION
WEST SIMILAR



EAST ELEVATION
WEST SIMILAR



AN ADDITION FOR:
BARTON MEMORIAL HOSPITAL

ROBERT MASON, ARCHITECT
P. O. BOX 15130
SOUTH LAKE TOWN, CALIF. 910
910 344-2859



TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: South Lake Tahoe Animal Control Shelter Reconstruction

Application Type: Public Service

Applicant: El Dorado County

Applicant Representative: Walt Dalbeck, Project Engineer

Location: 1121 Shakori Drive, Meyers

Assessor's Parcel Number/Project Number: 35-183-01 and 02

Project Description: Reconstruction of the South Lake Tahoe Animal Control Shelter building. The Shelter experienced fire damage to approximately 25 percent of the structure during late summer, 1987. At the request of El Dorado County, the TRPA issued an emergency permit for reconstruction on September 21, 1987. The Executive Officer of the TRPA determined that with winter weather approaching, the damaged structure could not provide adequate shelter for the animals or personnel working at the facility without immediate reconstruction of the damaged structure. The reconstruction has been completed as of the date of this summary.

Site Description: The site is currently developed with an animal shelter, offices, incinerator and parking facilities.

Review Per Code:

Chapter 4 - Project Review	Chapter 20 - Land Coverage
Chapter 5 - Environmental Documentation	Chapter 22 - Height Standards
Chapter 6 - Findings	Chapter 25 - Best Management Practices
Chapter 13 - Plan Area Statements	Chapter 30 - Design Standards
Chapter 18 - Permissible Uses	Chapter 32 - Regional Plan and Threshold Review

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. In addition, the project has been determined by El Dorado County to be categorically exempt under the CEQA requirements. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA. A sample IEC is attached to each Governing Board packet for reference.

RA:cs
2/9/88

CONSENT CALENDAR ITEM 4.

B. Plan Area Statement:

The project is located within Plan Area Statement 125, Special Area #1, Meyers Commercial. The Land Use Classification is Commercial - Public Service and the Management Strategy is Mitigation.

It is the conclusion of staff that the proposed use falls within the definition of a Local Public Health and Safety Facility. Such facilities are considered allowed uses in this Plan Area.

C. Land Capability District/Land Coverage:

1. Land Capability Districts:

The land capability of the project area is class 6, 1a and 1b. The total project area is approximately 52,764 square feet.

2. Existing Coverage:

Buildings	3,737 square feet
Pavement	<u>3,001 square feet</u>
Total	6,738 square feet

3. Proposed Coverage:

Buildings	3,737 square feet
Pavement	<u>3,001 square feet</u>
Total	6,738 square feet

4. Allowed Coverage:

Class 6 Area (16,500 sq. ft.)	4,950 square feet
Class 1a and 1b Area (36,264 sq. ft.)	<u>363 square feet</u>
Total	5,313 square feet

NOTE: No additional land coverage is proposed. All existing land coverage is located on Class 6 land. Section 4.11.C of the Code provides that structures damaged by fire are not subject to excess coverage mitigation at the time of reconstruction.

D. Structure Height:

The structure height is 15 feet which is within that allowed under Chapter 22 of the Code.

E. Required Findings:

The following is a list of the required findings as set forth in Chapters 4 and 6 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the required finding may be made.

1. 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.
 - a. Land Use: The project is located in Plan Area Statement 125, Special Area #1. The existing and proposed use is an allowed use in this Plan Area.
 - b. Transportation: There is no aspect of the project which would adversely affect implementation of the Transportation Element of the Regional Plan.
 - c. Conservation: There is no evidence that the project will adversely affect implementation of the Conservation Element of the Regional Plan.
 - d. Recreation: There is no evidence that the project will adversely affect implementation of the Recreation Element of the Regional Plan.
 - e. Public Services and Facilities: The reconstruction of an existing public facility will have no effect on or require any new public services. As such, the project is consistent with the Public Services and Facilities Element of the Regional Plan.
 - f. Implementation: The project does not propose any expansion of the existing facilities and does not require any development allocations. As such, the project is consistent with the Implementation Element of the Regional Plan.
2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for which this finding can be made is provided on the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA. A sample checklist is attached to each Governing Board hearing packet for reference.

3. 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(d) of the TRPA Compact, the project meets or exceeds such standards.

The basis for which the finding can be made is provided in the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA. A sample checklist is attached to each Governing Board hearing packet for reference.

4. The repair or reconstruction does not increase the extent to which the structure does not comply with the site development provisions.

The damaged structure has been restored to its pre-fire configuration with no modifications.

5. There is no increase in height, floor area, land coverage, or volume of the structure.

All improvements on site have been restored to the pre-fire configuration with no increase in height, floor area, land coverage or volume of the structure.

6. A written statement and application were filed within the timelines setforth and in accordance with Section 4.11.C(1) of the Code.

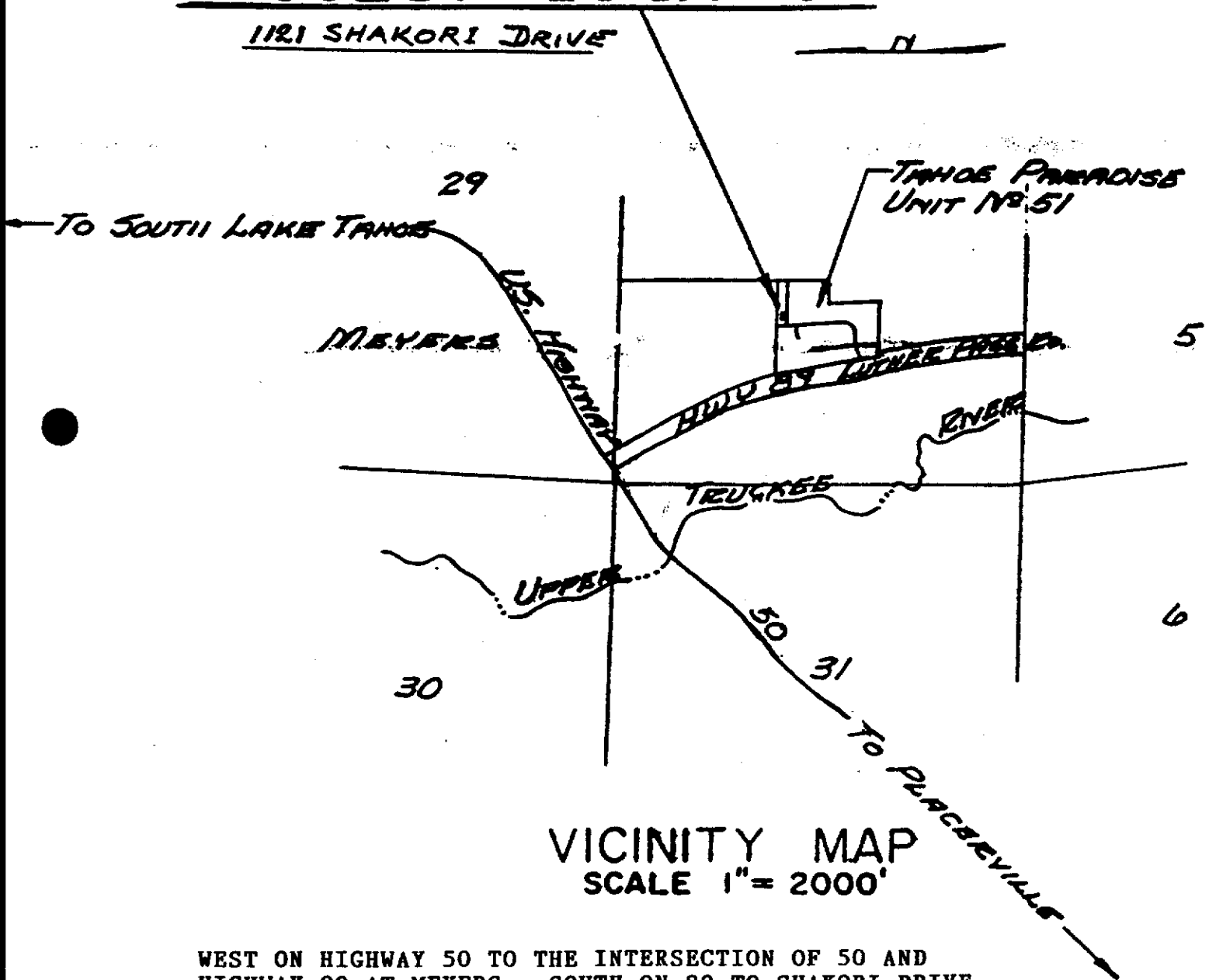
A notice of intent to reconstruct the damaged structure was submitted September 16, 1987 and a complete application submitted on January 20, 1988. Both the notice of intent and application were submitted well within the timelines setforth in the Code.

Required Actions and Findings: Agency staff recommends that, the Governing Board approve the project by making the following motions and findings:

- I. A motion, based upon the staff summary, for a finding of no significant environmental effect with direction to staff to prepare the necessary certification documents to be included with the permit and for the following findings:
 1. 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 of Ordinances and other TRPA plans and programs.

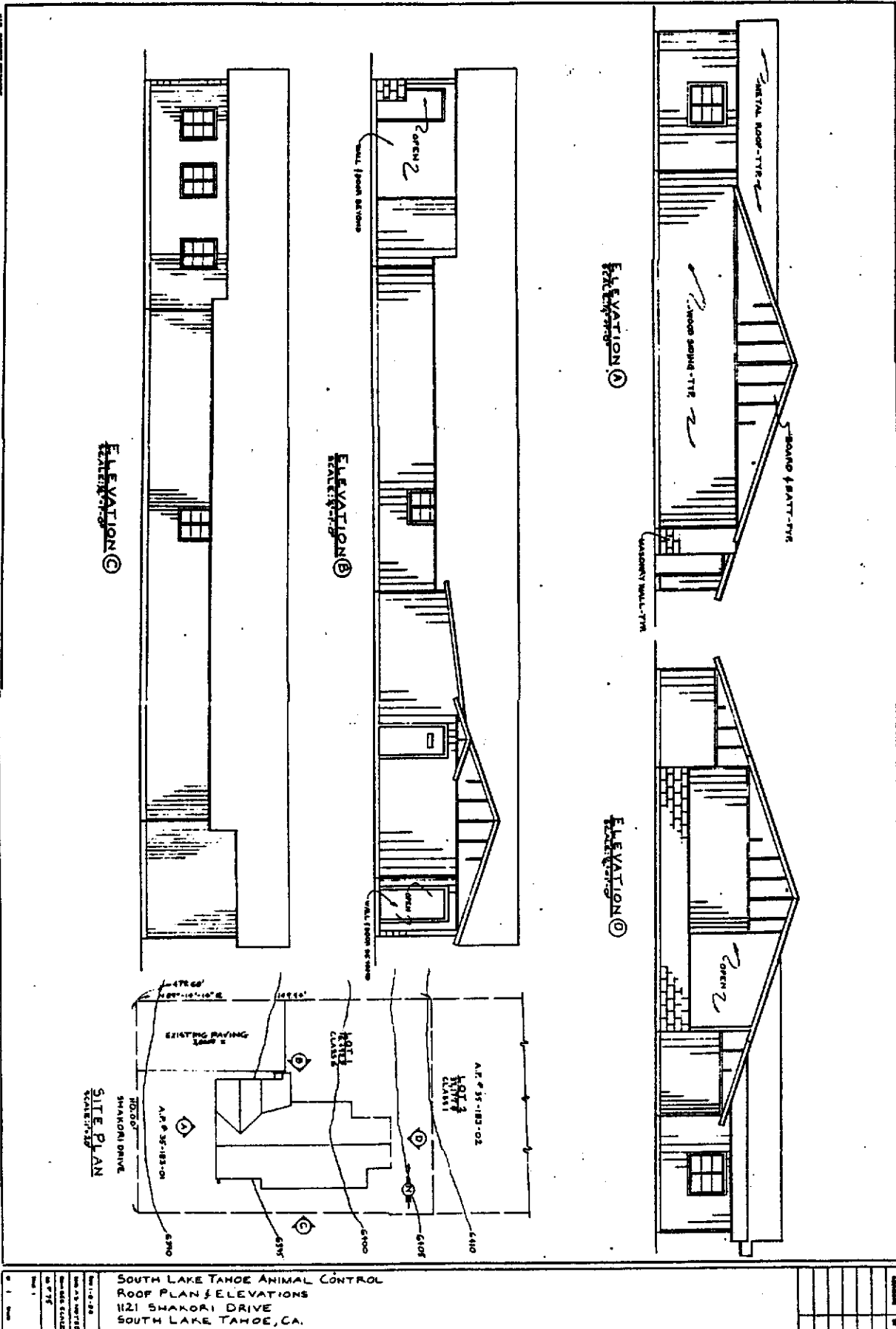
2. The project will not cause the environmental threshold carrying capacities to be exceeded.
 3. Wherever Federal, State, or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the TRPA Compact, the project meets or exceeds such standards.
 4. The repair or reconstruction does not increase the extent to which the structure does not comply with the site development provisions.
 5. There is no increase in height, floor area, land coverage, or volume of the structure.
 6. A written statement and application were filed within the timelines setforth and in accordance with Section 4.11.C(1) of the Code.
- II. A motion to approve the project, based upon the staff summary, subject to the following conditions:
1. The applicant shall submit plans and cost estimates for the installation of all required water quality improvements (BMPs) for the entire project area prior to July 30, 1988. All required BMPs inside the construction site boundary shall be installed prior to project completion. All required BMPs outside of the construction site boundary up to a maximum of five percent of the estimated construction cost of the project shall also be installed prior to project completion. The balance of the required BMPs for the remaining project area shall be installed as follows: At least 50 percent of the BMPs shall be installed within five years and 100 percent within ten years, as determined by an estimate of the cost of the BMPs.

PROJECT LOCATION



VICINITY MAP
SCALE 1" = 2000'

WEST ON HIGHWAY 50 TO THE INTERSECTION OF 50 AND
HIGHWAY 89 AT MEYERS - SOUTH ON 89 TO SHAKORI DRIVE-
EAST ON SHAKORI TO 1121



DATE	1/1/78
BY	J. W. HARRIS
CHECKED	J. W. HARRIS
SCALE	AS SHOWN
PROJECT	SOUTH LAKE TAHOE ANIMAL CONTROL
NO.	1

SOUTH LAKE TAHOE ANIMAL CONTROL
 ROOF PLAN & ELEVATIONS
 1121 SHAKORI DRIVE
 SOUTH LAKE TAHOE, CA.

TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547

MEMORANDUM

February 11, 1988

To: TRPA Governing Board

From: Agency Staff

Subject: Consent Calendar, Approval of Land Capability Challenge

Chapter 20, Section 20.2.D of the TRPA Code of Ordinances sets forth policies for processing land capability challenges. At this time, the staff recommends Board approval of the following land capability challenge:

Wallace R. Hagglund, APN 97-192-08, Placer County

The staff summary and soil report for the above challenge are attached.

If you have any questions or comments on this agenda item, please contact Jerry Budy at (702) 588-3296.

JB:rdh

CONSENT CALENDAR ITEM 5

00 41

TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547

TAHOE REGIONAL PLANNING AGENCY STAFF SUMMARY

Land Capability Challenge

APN 97-192-08

Owner: Drew E. and John A. Neeb

Agent: Wallace R. Hagglund

Lot 87, Meadow Road and McKinney Drive, McKinney Shores Subdivision,
Placer County, California

Soils

The soil units mapped for this parcel by the Tahoe Area Soil Survey (Rogers, 1974) are the Tallac very stony coarse sandy loam, seeped variant, found on 2 to 9 percent slopes (map symbol TkC) and the gravelly alluvial land (map symbol Gr). The TkC soil unit is assigned to land capability class 5, allowing 25 percent coverage, and the Gr soil unit is assigned to land capability class 1b (SEZ), allowing 1 percent coverage.

The soils on lot 87 have been inspected by Sid Davis, Certified Professional Soil Scientist No. 1031. He found the soils to be different than presently mapped. He concluded that the soils belong in the Jabu soil series. The soils found on slopes of 0 to 9 percent are placed in the JgC soil unit (Jabu sandy loam, moderately fine subsoil variant), land capability class 5, allowing 25 percent coverage. The soils found on slopes greater than 9 percent have not been described in the Lake Tahoe Basin. Davis found a Jabu sandy loam, moderately fine subsoil variant. Based on the Bailey system, the soil would be placed in land capability class 3, allowing 5 percent coverage.

Staff Recommendations

The TRPA staff has inspected this parcel and found it to be consistent with the above findings. Two different land capability districts are present on lot 87, class 5 and 3. The TRPA staff will use the topographic map on file to determine land capability boundaries and to assign coverages.

JB:rdh
2/11/88

CONSENT CALENDAR ITEM 5

**Soils Investigation
for
Lot 87 McKinney Shores Subdivision
Placer County, California
(A.P.N. 097-192-08)**

January 20, 1988

Introduction:

A soil investigation was conducted on Lot 87 McKinney Shores subdivision, Placer County California (A.P.N. 097-192-08), on November 11, 1987. The purpose of the study was to evaluate the soils and other features on the lot and relate them to Land Capability and allowable coverage as is utilized in the Lake Tahoe Basin. The lot is located north of intersection of McKinney Drive and Meadow Road, approximately 300 feet southwest of State Highway 89. This work was done at the request of the Tahoe Regional Planning Agency (TRPA).

Environmental Setting:

Lot 87 is shown on TRPA map sheet C-11 (Homewood) as being within a delineation of TkC (Talic very stony coarse sandy loam, seeped, 2 to 9 percent slopes). The geology, as mapped by Mathews (1968), shows this lot to be near Q1 (Recent lake beds) and Q1o (older lake beds). The geomorphic analysis of this area by Bailey (1974) shows the lot to be within the delineation E-2 (Outwash, till and lake deposits). The lot is situated on a slightly concave northeast facing toeslope gradient ranging from 7 to 14 percent.

Typical vegetation consists of Incense cedar, Jeffrey pine, White fir, gooseberry, willow and thimbleberry. Drainage from Quail Lake passes approximately 200 feet southeast of the lot border but does not directly affect the subject property.

Procedure:

The lot was studied as well as areas nearby. Several auger borings were made on the lot and one that is representative of the site was exposed and described in some detail, a copy of which is attached for reference. Slopes were measured in the field with a hand level and later a topographic map was made available for more detailed study.

Findings:

The soils on Lot 87 were found to be moderately deep and moderately well drained. They

can be characterized as having a slightly acid very dark grayish brown loamy sand (near sandy loam) topsoil over a slightly acid brown gravelly sandy loam subsoil, abruptly underlain by compact lacustrine sediments consisting of medium acid light brownish gray, mottled olive yellow, sandy clay loam or silty clay loam. Coarse fragments throughout the profile occupied 15 percent or less of the total soil volume.

These soils are different than the Tallac series as presently mapped because they have fewer coarse fragments throughout the profile, have slightly coarser textured surfaces and have finer textured subsoils. They better resemble the Jabu moderately fine subsoil variant as mapped elsewhere in the Lake Tahoe Basin. They are members of Hydrologic Group C.

Lot 87 is divided nearly in half by slopes ranges from 0 to 9 percent and from 9 to 15 percent. Soils on the gentler portion of Lot 87 would have slight relative erosion potential and moderately high to high runoff potential. Soils on the steeper portion of the lot would have moderate relative erosion potential and moderately high to high runoff potential.

Conclusions:

The soils on Lot 87 differ from the Tallac soils as presently mapped. They more resemble Jabu moderately fine subsoil variant. The soils on the portion of the lot with lesser slope gradient would be placed in soil unit JgC (Jabu sandy loam, moderately fine subsoil variant, 0 to 9 percent slopes). This unit is in Land Capability class 5 with 25 percent allowable coverage.

Jabu moderately fine subsoil variant has not been described on greater than 9 percent slopes in the Lake Tahoe Basin area. For the purpose of Land Capability classification here, it is proposed that a soil unit JgD (Jabu sandy loam, moderately fine subsoil variant, 9 to 15 percent slopes) be designed to accommodate the site. JgD would have Land Capability class 3 and receive 5 percent coverage. Please refer to the attached topographic map of the site for delineation of these capability districts.

Respectfully submitted,


Sidney Davis,

Certified Professional
Soil Scientist No. 1031

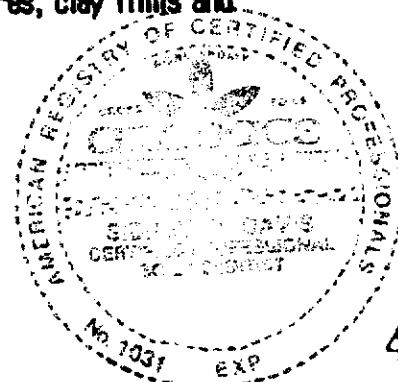
Representative Soil Profile:

Soil Classification: Fine-loamy, mixed, frigid, Mollic Haploxeralfs

Soil Series: Jebu moderately fine subsoil variant

Note: This pedon has a slightly thicker A horizon than typical.

- O 1 to 0 inches, conifer needles and leaf litter.
- A11 0 to 11 inches, very dark grayish brown (10YR 3/2) loamy sand (near sandy loam), very dark brown (10YR 2/2) moist; moderate fine granular structure; soft, loose, nonsticky and nonplastic; many very fine, fine and common medium roots; many very fine and fine interstitial pores; slightly acid; 10 percent gravel; clear smooth boundary.
- A12 11 to 17 inches, brown (10YR 5/3) gravelly loamy sand (near sandy loam), dark yellowish brown (10YR 3/4) moist; weak fine granular structure; soft, loose, nonsticky and nonplastic; many very fine, fine medium, few coarse roots; many very fine interstitial pores; slightly acid; 15 percent gravel; gradual smooth boundary.
- B21t 17 to 30 inches, brown (10YR 5/3) gravelly sandy loam, yellowish brown (10YR 3/4) moist; weak fine subangular blocky structure; slightly hard, very friable, slightly sticky and slightly plastic; common very fine, fine, medium, few coarse roots; common very fine and fine tubular and interstitial pores; few colloidal stains mineral grains; slightly acid; 15 percent gravel; abrupt smooth boundary.
- IIB22t 30 to 42 inches, light brownish gray (10YR 6/2) sandy clay loam, olive (5Y 5/3) moist; moderate medium angular blocky structure parting to massive; hard, firm, sticky and plastic; common very fine and fine roots; common very fine tubular pores; common thin clay films on ped faces; medium acid; gradual wavy boundary.
- IIC1 42 to 50 inches light brownish gray (2.5Y 6/2) with many fine distinct mottles of olive yellow (2.5Y 6/8) silty clay loam, olive gray (5Y 5/2) with many fine prominent mottles of strong brown (7.5YR 5/8), moist; massive; hard, friable, sticky and plastic; few very fine roots; few very fine tubular pores; common thin clay films as bridges; medium acid; gradual wavy boundary.
- IIC2 50 to 60 inches, light gray (2.5Y 7/2) with common fine distinct mottles of olive yellow (2.5Y 6/8) silty clay loam, grayish brown (2.5Y 5/2) mottled strong brown (7.5YR 5/8), moist; massive; consistence, roots, pores, clay films and reaction as above.



TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Camp Galilee - Dormitory for the Physically Handicapped

Application Type: Recreation - Group Facilities

Applicant: Episcopal Diocese of Nevada

Applicant Representative: Milton Sharp

Location: 1778 U. S. Highway 50, Douglas County

Assessor's Parcel Number/Project Number: 01-130-01 and 01-130-02

Project Description: The project involves the construction of a 813 square foot dormitory building, 467 square foot concrete walkway and ramp and a 150 square foot gravel walkway. The proposed dormitory is designed to provide easy access for the physically handicapped. The building will contain two separate dormitory rooms with space for four beds in each room. Shower and toilet facilities will be provided in each room. As a result of construction of the dormitory, the capacity of the camp will be increased by eight persons. The estimated construction cost of the project is \$40,000.

Site Description: The project area consists of two separate parcels totalling approximately 8.7 acres. The Camp Galilee facility currently contains 22 separate buildings for seasonal use including a lodge, multipurpose meeting and recreation building, outdoor volley ball court, church, dining hall, dormitory, storage buildings and a caretakers residence.

Review Per Code:

Chapter 4 - Project Review	Chapter 27 - Basic Services
Chapter 5 - Environmental Documentation	Chapter 30 - Design Standards
Chapter 6 - Findings	Chapter 32 - Regional Plan and Threshold Review
Chapter 13 - Plan Area Statements	Chapter 33 - Allocation of Development
Chapter 18 - Permissible Uses	Chapter 62 - Grading and Construction Schedules
Chapter 20 - Land Coverage	Chapter 64 - Grading Standards
Chapter 21 - Density	Chapter 65 - Vegetation Protection
Chapter 22 - Height Standards	Chapter 77 - Revegetation
Chapter 24 - Parking Standards (Interim Rules)	Chapter 81 - Water Quality
Chapter 25 - Best Management Practices	Chapter 91 - Air Quality Control

GC:cs
2/5/88

AGENDA ITEM VI A.

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA. A sample IEC is attached to each Governing Board packet for reference.
- B. Other Agency Approvals: Douglas County, Community Development Department - Building Permit 2-28-83
- C. Plan Area Statement:

The project is located within Plan Area Statement 061, Logan Creek. The Land Use Classification is Residential and the Management Strategy is Mitigation. The Plan Area Statement lists the proposed use as a Special Use. The required findings to approve a special use are addressed below in this staff summary under Section G, Required Findings. Agency staff has reviewed the subject Plan Area Statement and has identified the following item (underlined) as being applicable to the project. Following this item is a brief statement addressing consistency.

1. Planning Considerations:

Scenic Roadway Unit 29 and Scenic Shoreline Unit 26 are within this Plan Area.

The location and design of the project will not cause a decrease in the numerical ratings assigned to the roadway or shoreline unit. The roadway and shoreline unit currently exceed 1982 acceptable Travel Route Ratings.

- D. Land Capability District/Land Coverage:

1. Land Capability Districts:

The project area consists of approximately 234,705 square feet of class 4 and 145,680 square feet of class 2 land capability for a total site area of 380,385 square feet. The proposed dormitory and walkways will all be located within land capability district 4.

2. Existing Coverage:

	<u>Land Capability 4</u>	<u>Land Capability 2</u>
Buildings	14,624 square feet	900 square feet
Driveway and Parking	27,024 square feet	9,968 square feet
Pedestrian Areas (walks)	<u>19,616 square feet</u>	<u>1,296 square feet</u>
Subtotals	61,264 sq. ft. (26%)	12,164 sq. ft. (8%)
Total	73,428 sq. ft. (19%)	

3. Proposed Coverage:

Buildings	15,213 square feet	900 square feet
Driveway and Parking	23,232 square feet	9,968 square feet
Pedestrian Areas (walks)	<u>19,337 square feet</u>	<u>1,296 square feet</u>
Subtotals	57,782 sq. ft. (25%)	12,164 sq. ft. (8%)
Total	69,946 sq. ft. (18%)	

4. Allowed Coverage:

Class 4 Area (234,705 sq. ft.)	46,941 square feet
Class 2 Area (145,680 sq. ft.)	<u>1,457 square feet</u>
Total	48,398 square feet (13%)

Coverage Mitigation:

Based on the above coverage figures the existing project area contains approximately five percent excess coverage. In order to mitigate the existing excess coverage pursuant to Section 20.5 of the TRPA Code of Ordinances the applicant shall be required to pay a mitigation fee of \$100 or reduce 20 square feet of existing coverage based on a project construction cost of \$40,000. As part of this project the applicant proposes to remove 3,482 square feet of impervious land coverage which will more than offset the required 20 square foot reduction. The remaining balance of 3,462 square feet will be available as a coverage mitigation credit for any future projects on the subject property.

E. Structure Height:

Proposed Maximum Height - 18 feet.
Allowed Maximum Height - 31 feet, 2 inches.

F. Density: Group Facilities

Existing Density - 9.7 persons per acre.
Allowed Density - 25 persons per acre.
Proposed Density - 10.7 persons per acre.

G. Additional Developed Recreation:

The proposal to construct a new dormitory with a capacity of eight people is not considered a significant enough improvement or expansion of the existing group facility to warrant the preparation of a master plan for TRPA approval. Any future proposals to expand the facility in terms of new dormitories or PAOTs, however, shall be subject to TRPA review and approval.

H. Required Findings:

The following is a list of the required findings as set forth in Chapters 6 and 18 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the required finding may be made.

1. 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.

a. Land Use:

Group Facilities are a Special Use in this Plan Area and the required findings to approve a Special Use are addressed in findings 4, 5 and 6 below. The project is consistent with the planning statement, planning considerations and special policies. The entire project area will be retrofitted with all required water quality improvements in accordance with Chapter 25 (Best Management Practices) of the TRPA Code.

b. Transportation: The project will generate 16 additional daily vehicle trips which is considered an insignificant increase. Parking for the dormitory as well as for the entire Camp Galilee comply with Douglas County parking standards and TRPA's interim rules.

c. Conservation: The project will not increase land coverage and as a condition of approval the applicant will be required to mitigate the existing excess coverage and to apply BMPs to the project area. The project has been designed to harmonize with the existing surrounding building architecture and will not have a significant impact on scenic quality.

- d. Recreation: The project will allow access for handicapped persons wishing to utilize the developed outdoor recreation facility and is consistent with the Recreation Element of the Regional Plan.
 - e. Public Services and Facilities: The applicant has demonstrated that the proposed project will not result in a need for any new utility systems and there are adequate public services and facilities to serve the project.
 - f. Implementation: The proposed dormitory building as part of Camp Galilee is considered to be a Developed Outdoor Recreation Group facility with no "additional developed recreation" and as such will not require any additional recreational allocations or PAOTs.
2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for which this finding can be made is provided on the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA. A sample checklist is attached to each Governing Board hearing packet for reference.

3. 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(d) of the TRPA Compact, the project meets or exceeds such standards.

The basis for which this finding can be made is provided in the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA. A sample checklist is attached to each Governing Board hearing packet for reference.

4. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The proposed project will be located on a parcel with an existing recreation group facility. The project will compliment an existing similar use and therefore is an appropriate use.

5. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.

The applicant does not propose a use that will be injurious or disturbing to the health, safety and general welfare of the neighborhood or region. The project will provide greater access to outdoor recreation for the physically handicapped.

6. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The new dormitory structure has been designed to harmonize with existing surrounding dormitory buildings and there shall be no additional coverage created by the project.

Required Actions and Findings: Agency staff recommends that, the Governing Board approve the project by making the following motions and findings:

- I. A motion, based upon the staff summary, for a finding of no significant environmental effect with direction to staff to prepare the necessary certification documents to be included with the permit and for the following findings:
 1. 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 of Ordinances and other TRPA plans and programs.
 2. The project will not cause the environmental threshold carrying capacities to be exceeded.
 3. 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(d) of the TRPA Compact, the project meets or exceeds such standards.

4. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.
5. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region.
6. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable Plan Area Statement, Community Plan and Specific or Master Plan, as the case may be.

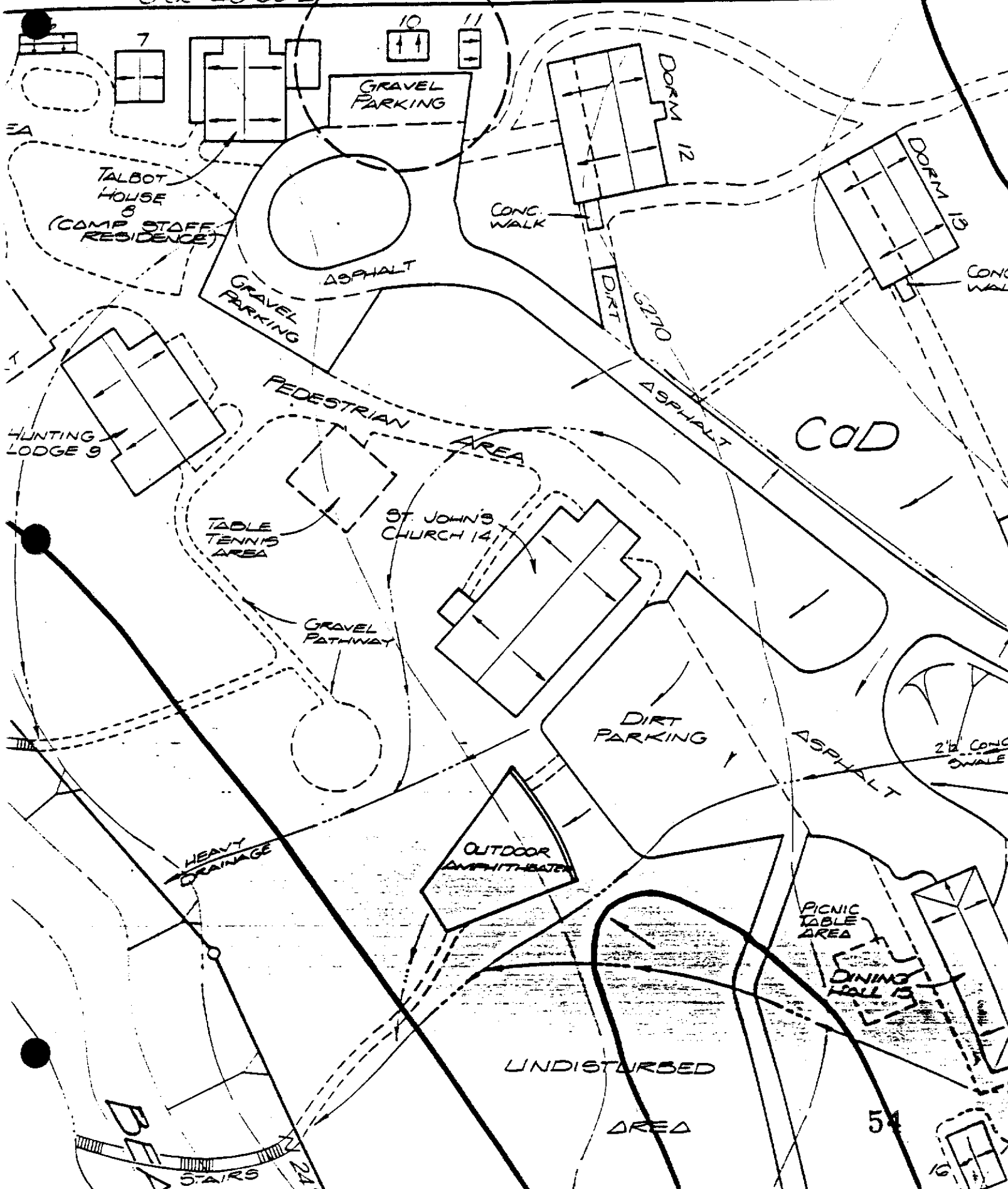
II. A motion to approve the project, based upon the staff summary, subject to the following conditions:

1. The Standard Conditions of Approval listed in Attachment Q.
2. The following special conditions:
 - a. The applicant shall submit evidence prior to commencement of construction that APNs 01-130-01 and 01-130-02 comprising the project area have been legally merged (consolidated).
 - b. Prior to September 30, 1988, the applicant shall submit plans, cost estimates, and a construction schedule for the installation of all required water quality improvements (BMPs) for the entire project area. Along with the BMP plans, the applicant shall submit a fertilizer management plan for all proposed revegetation and landscaping in accordance with Section 81.7 of the TRPA Code. All required BMPs, totalling at least five percent of the estimated construction cost of the project (dormitory and walkways), shall be installed prior to project completion. The balance of the required BMPs for the remaining project area shall be installed as follows: At least 50 percent of the BMPs shall be installed within five years and 100 percent within ten years, as determined by an estimate of the cost of the BMPs. A security in the amount of \$1,000 shall be required to insure compliance with the September 30, 1988 submittal date.
 - c. The applicant shall submit a construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for BMP installations for the entire project area.

- d. The applicant shall submit a final construction cost estimate exclusive of BMPs for the project prior to commencement of construction.
- e. The amount of the security required under condition I.2 of the Standard Conditions of Approval (Attachment Q) shall be determined upon the applicant's submittal of the BMP plans and cost estimate.
- f. Prior to commencement of construction the applicant shall submit a detailed parking plan for the camp facility. All parking spaces shall be indicated on the site plan. The design requirements for the parking spaces shall meet Douglas County specifications and the TRPA Interim Rules.

LOCATION OF PROPOSED DORMITORY. (SEE SHT. 3)

589°43'38"E



EA

HUNTING LODGE 9

TALBOT HOUSE 8
(CAMP STAFF RESIDENCE)

GRAVEL PARKING

GRAVEL PARKING

ASPHALT

CONC WALK

DORM 12

DORM 11

CONC WALK

PEDESTRIAN AREA

ASPHALT

C/D

ST. JOHN'S CHURCH 14

TABLE TENNIS AREA

GRAVEL PATHWAY

DIRT PARKING

ASPHALT

2 1/2" CONC SWALE

OUTDOOR AMPHITHEATER

HEAVY DRAINAGE

PICNIC TABLE AREA

DINING HALL 15

UNDISTURBED AREA

54

B/A

STAIRS



TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547

MEMORANDUM

February 17, 1988

To: The TRPA Governing Board

From: The Staff

Subject: Show Cause Hearing, Logan Shoals Marina,
Herman Strecker/Heiser Construction

A settlement agreement has been submitted to Mr. Strecker; but as of this mailing, TRPA has not received a response. Mr. Heiser's attorney is preparing a settlement agreement for his client, but TRPA has not received the document as of the date of this mailing. Staff will report to the Governing Board on the status of the two agreements at the February meeting. No problems with finalization of the agreements are expected at this time.

SES:jf
2/17/88

AGENDA ITEM VII A.

Action by the TRPA Governing Board on January 27, 1988 on the following agenda item:

VII SHOW CAUSE HEARING

- A. Logan Shoals Marina, Herman Strecker/Heiser Construction, Unpermitted Dredging and Other Violations of the TRPA Code of Ordinances, Douglas County APN 01-130-06

MOTION by Mr. Reed to accept the settlement offer of Mr. Strecker and Mr. Heiser as set forth in the staff memorandum to the Governing Board of January 27, 1988 and direct staff to prepare the necessary formal settlement documents. Both the show cause hearing and the cease and desist order are continued until the documents are signed. The motion carried unanimously.

TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547

MEMORANDUM

January 27, 1988

To: TRPA Governing Board
From: Agency Staff
Subject: Settlement Recommendations, Logan Shoals Marina Dredging

Agency staff recommends the Tahoe Regional Planning Agency Governing Board accept the following settlements in the Logan Shoals Marina Dredging matter.

Regarding the property owner, Mr. Strecker:

1. Mr. Strecker is to pay a penalty of four thousand five hundred dollars (\$4,500) to the TRPA.
2. Mr. Strecker shall install temporary erosion controls on the site to prevent eroded material from entering Lake Tahoe.
3. Mr. Strecker is to remove the pile of dredged material from the upper parking area to a site outside the Lake Tahoe Basin.
4. Mr. Strecker is to have prepared a Best Management Practices retrofit plan by a qualified engineer for the property in accordance with TRPA Code of Ordinances subsection 25.5 (enclosed). The plan is to be submitted to the TRPA for approval by July 1, 1988. The implementation of the plan is to be phased-in over a five year period beginning July 1, 1988.
5. Mr. Strecker is to post with the TRPA a bond in the amount of twenty thousand dollars (\$20,000) to insure that the plan is implemented.

Regarding Heizer Construction:

1. Mr. Heizer is to pay a penalty of one thousand dollars to the TRPA.
2. Mr. Heizer is to do work at the direction of TRPA equal to a sum of \$3,500. The work to be in regards to a public service erosion control project.

SC:sd

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February 10, 1988

Jon Yaple
333 East Fifth Street
Suite 207
Carson City, NV 89701

Subject: Logan Shoals Marina Violation Settlement Agreement

Dear Mr. Yaple:

Enclosed please find the Violation Settlement Agreement. The document outlines the nine points of the negotiated settlement of the violation at Logan Shoals Marina. Please review the agreement. If you find that it accurately states the settlement reached between the Tahoe Regional Planning Agency and Mr. Strecker, have him sign the agreement where provided for on the third page. The signature must be notarized.

It is requested that the signed agreement be returned to the TRPA office by February 19, 1988. A report on the status of this enforcement matter is on the agenda for the TRPA Governing Board meeting on February 24, 1988.

If you have any questions concerning this agreement, please contact Steve Chilton. Thank you for your attention to this matter.

Sincerely,



William A. Morgan
Executive Director

WAM:sd

cc: Steve Chilton, TRPA
Susan Scholley, TRPA

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VIOLATION SETTLEMENT AGREEMENT

This agreement is made by and between Herman Strecker, (hereinafter "Strecker"), as the owner of APN 01-130-06 and as the owner and operator of Logan Shoals Marina (hereinafter collectively as "Marina"), Douglas County, Nevada, and the Tahoe Regional Planning Agency (hereinafter TRPA). This agreement represents a negotiated resolution of the Show Cause Hearing agenda item entitled Logan Shoals Marina, Herman Strecker/Heiser Construction, Unpermitted Dredging and Other Violations of the TRPA Code of Ordinances, Douglas County, APN 01-130-06 and the federal court action entitled TRPA v. Strecker, et al, U.S. District Court, District of Nevada, Case No. CV-N-88-28-BRT. Pursuant to the action of the Governing Board of TRPA at its January 27, 1988 meeting, TRPA shall forego pursuit of the above-referenced hearing and federal action in consideration of Strecker's agreement to, and implementation of, this agreement.

1. Strecker shall pay a penalty of four thousand five hundred dollars (\$4,500) to the TRPA no later than March 3, 1988.
2. Strecker shall install temporary erosion controls at the Marina, including at a minimum, filter fabric fence installed per attached standard specifications at the following locations: (1) surrounding the dredged material pile, and (2) immediately lakeward of the lower road on the site, to prevent discharges, indirect or direct, from entering Lake Tahoe, no later than February 18, 1988.
3. Strecker shall remove the pile of dredged material at the Marina located on the upper parking area adjacent to the restaurant building, to a site outside the Lake Tahoe Region, as defined in Article II of the Tahoe Regional Planning Compact, no later than July 1, 1988.
4.
 - a. Strecker shall submit a Best Management Practices plan (hereinafter "BMP plan"), prepared by a licensed qualified engineer, in compliance with Chapter 25 (Section 25.4 and 25.5).
 - b. Strecker shall submit such BMP plan to TRPA no later than July 1, 1988.
 - c. TRPA shall review the BMP plan and may approve the BMP plan with or without conditions as needed to make said plan comply with Chapter 25.
 - d. The BMP plan shall provide for implementation of the plan over a five-year period ending July 1, 1993 or for a shorter period of time. The BMP plan shall indicate, with specificity, in which year each improvement shown on the BMP plan shall be constructed. TRPA may, as part of its approval pursuant to paragraph (c) above, require modification of the implementation schedule consistent with Chapter 25.

5. Strecker shall post a security with TRPA in a form acceptable to TRPA to insure that the plan is implemented. The security shall be for a period not less than six years and in the amount of twenty thousand dollars (\$20,000). The security shall be posted with TRPA no later than July 1, 1988.
6. Strecker shall permit TRPA to enter and inspect the Marina at any reasonable time to monitor and assure compliance with this agreement.
7. Strecker shall submit a written request to TRPA for final inspection not later than July 1, 1993. TRPA shall determine whether the BMP plan has been fully implemented. If the BMP plan has been completed to TRPA's satisfaction, TRPA shall approve the release of the security. If the BMP plan has not been implemented to TRPA's satisfaction, then TRPA may enter the Marina and complete implementation of the BMP plan using the security in paragraph 5 above to cover all reasonable costs for said work. In the event that the security is inadequate to cover the implementation of the BMP plan, Strecker shall reimburse TRPA for any additional costs necessary to complete the BMP plan within thirty (30) days of receiving a statement requiring such reimbursement.
8. If legal action is instituted to enforce this agreement, TRPA shall be entitled to recover reasonable attorney's fees and court costs.
9. This agreement shall be binding upon the parties, their heirs, executors, administrators, assigns, and successors in interest of the parties hereto.

As the owner of Logan Shoals Marina and APN 01-130-06, Herman Strecker states that he has read and understands the agreement and has been represented by independent legal counsel in the negotiation of the agreement. Strecker agrees to hold TRPA harmless for any and all claims arising out of the implementation of the agreement, including implementation of the BMP plan.

In consideration of settlement of the Logan Shoals Marina violation, TRPA agrees to dismiss the action entitled TRPA v. Strecker, et al, Case No. CV-N-88-28-BRT, U.S. District Court, District of Nevada without prejudice.

 HERMAN STRECKER
 LOGAN SHOALS MARINA

 WILLIAM A. MORGAN
 TAHOE REGIONAL PLANNING AGENCY

SUBSCRIBED and SWORN to before me,
 a Notary Public in and for said
 County and State this day of
 February, 1988.

SUBSCRIBED and SWORN to before me,
 a Notary Public in and for said
 County and State this day of
 February, 1988.

 Notary Public

 Notary Public

TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547

February 4, 1988

Mr. Richard Glasson
Manoukian, Scarpello, and Alling
P. O. Box 55
Zephyr Cove, NV 89448

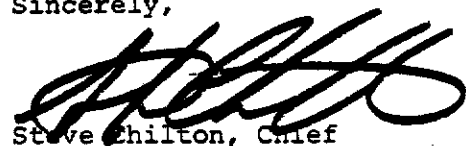
Subject: Settlement Agreement - Heizer Construction

Dear Mr. Glasson:

I want to confirm in writing our discussion on January 27, 1988 regarding settlement of the Logan Shoals matter with your client, Mr. Heizer. Our agreement included a payment to the Tahoe Regional Planning Agency (TRPA) of one thousand dollars (\$1,000) and a commitment to do work at the direction of TRPA equal to a sum of three thousand five hundred dollars (\$3,500). The work is to be in regards to public service erosion control projects. You offered to write a binding agreement for your client and TRPA to sign.

I trust this is correct to your knowledge, and need the agreement as soon as possible in order to eliminate the need to place the item on this month's Governing Board agenda.

Sincerely,



Steve Chilton, Chief
Environmental Compliance Division

SC:sd

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Show Cause Hearing: Logan Shoals Marina, Herman Strecker/Heizer Construction, Unpermitted Dredging and Other Violations of the TRPA Code of Ordinances

Location: APN 01-130-06, Logan Shoals Marina, Douglas County

Property Owner: Herman Strecker

Violations of TRPA Code of Ordinances:

1. Failure to apply for and obtain the required permit, Code Sections 4.10, 54.14.C.
2. Grading after October 15, Code Section 64.2.A.
3. Disposal of earthen material in other than an approved site, Code Section, 64.5.
4. Direct discharge of solid and liquid waste materials, Code Section 64.3.B.
5. Approved discharge control devices not in place, Code Section 64.3.C.
6. Violation of Cease and Desist Order, Code Section 8.3.B.

Description of Violations:

On November 5, 1987, TRPA staff members observed that substantial dredging activity had occurred at Logan Shoals Marina. The work was not complete and involved dredging below the high water elevation (6229.1) of Lake Tahoe. Evident ground disturbance indicated that an unlicensed, unmarked John Deere, Model 644A, front-end loader parked on the site was the primary piece of equipment used. Subsequent events showed that the loader is operated by Heizer Construction. A berm of Lake bottom material had been constructed and a substantial amount of material (approximately 1,000 cubic yards) had been removed from the Lake bottom and transported to an upper unpaved parking area. There were no approved temporary erosion controls in place. The berm had been washed over by wave action in a number of spots and was continuing to erode further. Lake bottom sediments had been heavily disturbed and the water was extremely turbid. There were no workmen on the site at the time. Photographs were taken and a Stop Work Order was posted on the front-end loader. A Cease and Desist Order (see attached) was mailed by Certified Mail, Return Receipt Requested to Mr. Strecker's post office box that same day. A copy of the Cease and Desist Order was placed on the seat of the front-end loader on November 13, 1987 after attempts to contact Mr. Strecker were unsuccessful. Mr. Strecker has neither applied for, nor received a permit for the work. He had applied for and received a dredging permit in 1976 for another area of the marina. That permit was valid for only a four-month period in 1976.

On November 16, 1987, TRPA staff observed continued dredging and grading work occurring below the high water elevation of Lake Tahoe in violation of the posted Stop Work Order and the Cease and Desist Order. A Case 580 backhoe, the previously mentioned John Deere front-end loader, and a maroon Ford pick-up truck were observed operating in that beach area. When questioned, the backhoe operator stated that he was with Heiser Construction and that he was working for the marina owner, Mr. Herman Strecker. The operator was asked if he had seen the Stop Work Order and the Cease and Desist Order which had been placed on the seat of the front-end loader. He responded that he hadn't seen anything and that this was between Mr. Strecker and the Agency. He further stated that the work was now finished anyway. It appeared to TRPA staff at the time that no further work was planned. At that time the earthen berm had been obliterated by wave action and the remaining suspended bottom sediment had been distributed throughout the immediate area. On December 2, 1987, Agency staff observed that further work had occurred on the property. The upper parking area and the access road to the lakeshore had been recently graded. Dredged material had been used to fill in gullies and pot holes on the lot.

Following is a brief summary of the violations:

1. Failure to apply for, and obtain the required permit. A permit was neither applied for nor obtained to do the marina work.
2. Grading after October 15. The activity of disposing of the dredged material at the upper parking area constitutes grading by definition. The work occurred about November 5, 1987, again on November 16, 1987 at the least, and sometime around December 2, 1987.
3. Disposal of earthen material in other than an approved site. The disposal area was not an approved disposal site.
4. Direct discharge of solid and liquid waste materials. The dredging activity, utilizing a front-end loader disturbed stable bottom sediments and reintroduced these dredged materials in an unstable state into the Lake environment. The activity of the loader transporting dredged material to the upper parking created a wet, muddy, unstable condition which resulted in solid and liquid waste materials being directly discharged into Lake Tahoe.
5. Approved discharge control devices not in place. During the majority of the dredging activity, no approved discharge control devices were in place. The expired 1976 dredging permit granted to Mr. Strecker required a turbidity curtain to contain suspended sediments to within the immediate area. A typical permit today would have required that and more. A berm was constructed of bottom sediments. During its construction this berm would have accounted for a substantial discharge of bottom sediments to the Lake environment. In addition, the berm was continually topped by wave action, releasing further suspended sediments. This is not an approved device. The discharge control devices needed for such an operation would at the least include: