

**TRPA
GOVERNING BOARD
PACKETS**

**JULY
2000**

July 2000

Governing Board Packet

**TAHOE REGIONAL PLANNING AGENCY (TRPA)
TAHOE METROPOLITAN PLANNING ORGANIZATION (TMPO)**

NOTICE IS HEREBY GIVEN that on Wednesday, July 26, 2000, commencing at 9:30 a.m., the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The meeting will take place at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California. The agenda is attached hereto and made a part of this notice.

Governing Board Committee items are action items unless otherwise noted

NOTICE IS FURTHER GIVEN that on Wednesday, July 26, 2000, commencing at 8:30 a.m., at the same location, the TRPA Finance Committee will meet. The agenda will be as follows: **1)** public interest comments (no action); **2)** discussion of allocation of fines and forfeitures; **3)** eligibility for use of water quality mitigation funds, **3a.** Placer County water quality mitigation fund request (\$148,000) for Burton Creek government center BMP retrofit, **3b.** Placer County water quality mitigation fund request (\$138,000) for water quality maintenance; **4)** Washoe County water quality mitigation (Bitterbrush) funds (\$137,000) for Fairview/Country Club water quality improvement project; **5)** update on local jurisdiction use of mitigation funds; **6)** discussion of potential long-term TRPA office location; and **7)** member comments. (Committee: Neft, Heller, Galloway, Solaro, Bennett)

NOTICE IS FURTHER GIVEN that on Wednesday, July 26, 2000, commencing at 12:00 p.m., at the same location, the TRPA Local Government Committee will meet. The agenda will be as follows: **1)** public interest comments; **2)** identification of process by which this committee will function (a) chairman and/or facilitator (b) support provided to the committee by local jurisdictions' staff, TRPA staff, affordable housing group, and other public agencies; **3)** discussion regarding assignments of committee; **4)** next meeting and agenda; and **5)** member comments. (Committee: Solaro, Bennett, Galloway, Miner, Cole, Sevison)

NOTICE IS FURTHER GIVEN that on Wednesday, July 26, 2000, commencing at 8:30 a.m., at the same location the TRPA EIP Committee will meet. The agenda will be as follows: **1)** discussion on EIP update and criteria; **2)** update on Phase II of the Regional Revenue Feasibility Analysis; **3)** update on EIP finance plan and project funding; and **4)** member comments. (Committee: Miner, Cole, DeLanoy, Perock, Waldie)

July 17, 2000



John L. Marshall
Acting Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

North Tahoe Conference Center
8318 North Lake Boulevard
Kings Beach, California

July 26, 2000
9:30 a.m.

All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear. For agenda management purposes, approximate time limits have been assigned to each agenda item. All public comments should be as brief and concise as possible so that all who wish to speak may do so; testimony should not be repeated.

AGENDA

- I. PLEDGE OF ALLEGIANCE (5 minutes)
- II. ROLL CALL AND DETERMINATION OF QUORUM (5 minutes)
- III. PUBLIC INTEREST COMMENTS - **All comments are to be limited to no more than five minutes per person.**

Any member of the public wishing to address the Governing Board on any agenda item not listed as a Project Review, Public Hearing, TMPO, Appeal, or Planning Matter item may do so at this time. However, public comment on Project Review, Public Hearing, Appeal, and Planning Matter items will be taken at the time those agenda items are heard. The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

- IV. APPROVAL OF AGENDA (5 minutes)
- V. APPROVAL OF MINUTES (5 minutes) **Pg 1**
- VI. CONSENT CALENDAR (see agenda pg.3 for specific items) (5 minutes)

(Adjourn the TRPA, convene the TMPO)

- VII. MEETING OF THE TAHOE METROPOLITAN PLANNING ORGANIZATION (TMPO)
 - A. Public Interest Comments - **All comments are to be limited to no more than five minutes per person.**
 - B. Consent Calendar – 1) Report on the TTD July 14 Meeting (5 minutes); **Pg 61**
2) Approval of Resolution Adopting the TRPA Personnel Policy Manual **Pg 65**
for the TMPO (5minutes)
 - C. Public Hearing on Adoption of FY 2000 TMPO Federal Transportation **Pg 69**
Improvement Program (20 minutes)

(Adjourn the TMPO, reconvene the TRPA)

VIII. PLANNING MATTERS

- A. Resolution in Support of Measure E, a Proposed Half-Cent Sales Tax Increase Fund Expansion of Transit Services at North Lake Tahoe **Pg 95**
(20 minutes)

IX. PUBLIC HEARINGS

- A. Notice of Opportunity to Comment on Federal Transit Administration 5311 Grant Application to Purchase Four 15-Passenger Vans for STAGE Using \$132,000 in Federal Funds, Adoption of Supporting Resolution (10 minutes) **Pg 117**
- B. Scoping Session for Environmental Document for Stonewood Estates Condominiums (formerly South Shore Estates), Douglas County APN 007-050-05 (60 minutes) – 1:30 p.m. **Pg 119**

X. PROJECT REVIEW

- A. Lowe, New Single Use Pier/Conversion of an Existing Accessory Shorezone Structure, 77 Shoreline Circle, Incline Village, Washoe County APN 122-169-09, TRPA File No. 990882 (30 minutes) **Pg 137**
- B. Merhtens/Douglas County, New Commercial Development, Transit Facility and Parking Garage, U.S. Highway 50 and Kingsbury Grade, APN 07-120-08 et al, File #990431 (30 minutes) **Pg 149**

XI. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

- A. Finance Committee (20 minutes)
1. Placer County Request for \$148,000 in Water Quality Mitigation Funds for the Burton Creek Government Center BMP Retrofit **Pg 175**
2. Placer County Request for \$138,000 in Water Quality Mitigation Funds for Water Quality Maintenance **Pg 183**
- B. Executive Director Selection Committee (5 minutes)
- C. Local Government Committee (5 minutes)
- D. EIP Committee (5 minutes)

XII. REPORTS

- A. Executive Director Monthly Status Report (5 minutes)
1. Status Report on Project Applications **Pg 189**
2. Status of Work Program for FY 1999-2000

B. Legal Division Monthly Status Report (5 minutes)

C. Governing Board Members (5 minutes)

XIII. ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>
1. Lombardi Pier Rebuild and Modification/Expansion 3940 North Lake Boulevard, Placer County APN 92-142-02, File #990163	Approval of Findings and Conditions <u>Pg 3</u>
2. Tahoe City Public Utility District, Lakeside Bike Trail Phase 1A, "64 Acre" Parcel at the Truckee River, Placer County APN 94-180-65, File #200225	Approval of Findings and Conditions <u>Pg 17</u>
3. Hebrew Congregation Building, New Two-Story Building, Placer County APNs 117-100-01 and -03, File #200007	Approval of Findings and Conditions <u>Pg 27</u>
4. Barton Memorial Hospital, Additional Parking Lot, El Dorado County APNs 023-081-03 and -09, File #200309	Approval of Findings and Conditions <u>Pg 45</u>
5. Washoe County Request for \$137,000 in Additional Water Quality Mitigation (Bitterbrush) Funds for the Fairview/Country Club Water Quality Improvement Project	Approval <u>Pg 57</u>

The consent calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in 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.

Article III(g) Public Law 96-551

Tahoe Regional Planning Agency Governing Board Members:

Chairman Larry Severson, Placer County	Wayne Perock, Nev. Dept. of Conservation Appointee
Vice Chairman Don Miner, Douglas County	Drake DeLanoy, Nevada Gov. Appointee
Kay Bennett, Carson City	Jerry Waldie, Calif. Senate Rules Com. Appointee
Jim Galloway, Washoe County	Leslie Medina, Calif. Assembly Spkr. Appointee
Hal Cole, South Lake Tahoe	Joanne Neft, Calif. Gov. Appointee
Dave Solaro, El Dorado County	Terry Giles, Calif. Gov. Appointee
Brian Sandoval, Nevada At-Large Member	Peter Chase Neumann, Presidential Appointee
Dean Heller, Nevada Secretary of State	

TAHOE REGIONAL PLANNING AGENCY

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Phone: (775) 588-4547
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MEMORANDUM

July 18, 2000

To: TRPA Governing Board
From: TRPA Staff
Subject: Disposition of June Meeting Minutes

The minutes from the June 28 Board meeting will not be available in time for your action at the July meeting. They will be mailed under separate cover as soon as they are completed.

If you have any questions, please call Julie Frame at (775) 588-4547, ext. 243.

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Lombardi Pier Rebuild and Modification/Expansion

Application Type: Shorezone / Existing Pier Expansion

Applicant: Michael and Helen Lombardi

Agency Planner: Jon-Paul Harries, Associate Planner

Location: 3940 North Lake Boulevard, Placer County, CA

Assessor's Parcel Number / File Number: 092-142-02 / 990163

Staff Recommendation: Staff recommends approval of the proposed project based on this staff summary and evidence contained in the project record. The required actions are outlined in Section F of this staff summary.

Project Description: The applicants are proposing to demolish and rebuild an existing pier. The existing double-piling pier is approximately 145 feet in length and is 5½ feet wide to the pierhead, which varies from 14 to 18 feet wide and includes a four foot wide catwalk. The proposed pier will be approximately 145 feet in length (same as existing). The first 115 feet will be six feet wide and supported by single pilings. The most lakeward 30 feet will be 10 feet wide and supported by double pilings. A single low-level boatlift and three foot wide by 30 foot long adjustable catwalk are also proposed. No pilings or railings are proposed to extend above the pier deck.

Site Description: The upland project area is approximately 7,866 square feet in size and is developed with a single family residence. The parcel has an average slope of 13% with a steeper backshore bluff and is composed of Land Capability Districts 1b (backshore), 4 and 6. The parcel is situated in a residential neighborhood and is visible from Scenic Shoreline Unit Number 18 (Cedar Flat). The project area is located in an area mapped and verified as prime fish spawning habitat.

Issues: This project involves the expansion of an existing nonconforming structure (based on fish habitat) and, therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code of Ordinances. The primary issues associated with this project are:

1. Scenic Quality: The proposed project is visible from Scenic Shoreline Unit number 18, Cedar Flat. The 1996 Threshold Evaluation found the shoreline's scenic quality rating dropped due to pier development and expansions and poorly sited and screened residences. Therefore, any proposed development must show an improvement in the scenic quality of the shoreline travel route. TRPA staff have worked with the applicant's representative to develop a project proposal and scenic mitigation package that is consistent with the recommendations for improving the scenic quality identified in the Scenic Quality Improvement Program (SQIP) and that will result in an incremental improvement in the scenic quality the project area. Mitigating project elements include

rebuilding the pier to conform to TRPA design standards, the use of primarily single-piling supports (resulting in eight less pilings), removal of pilings that extend above the pier deck, removal of railings and seats from the pierhead and catwalk, and landscaping that will add additional screening of the residence.

2. Fisheries: This proposed project is located in an area mapped and verified as prime fish habitat (spawning). Also, the applicable Plan Area Statement (14-Cedar Flat) and TRPA Prime Fish Habitat maps identify the area as targeted for fish habitat restoration. TRPA staff have inspected the subject parcel and determined that the proposed project, as conditioned, will not adversely impact fisheries. The proposed pier will be located in the same location as the existing pier and will have eight less pilings. A recommended condition of approval includes the implementation of a fish habitat restoration plan for the project area that is prepared by a qualified professional.
3. Placer County Right-of-Way: The proposed project will cross a Placer County right-of-way known as Lakeside Drive. The applicants have submitted a copy of their *Permit To Encroach on County Right-of-Way*, and the Placer County Department of Public Works have sent a letter to TRPA advising that Placer County has no objection to the proposed project.

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC), a fish habitat impact determination, and visual simulation in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project, as conditioned, will not have a significant effect on the environment. A copy of the completed IEC, fish habitat impact determination, and visual simulation will be made available at the Governing Board hearing and at TRPA.
- B. Plan Area Statement: The project is located within Plan Area Statement Number 14 (Cedar Flat). The land use classification is residential, and the management strategy is mitigation. The proposed use (pier) is an allowable accessory structure in the Plan Area Statement. TRPA staff have reviewed the plan area statement and have determined that the project is consistent with the applicable planning statement, planning considerations and special policies.
- C. Land Coverage:
 1. Land Capability District: The land capability districts of the project area include class 1b (backshore). The total project area is 7,866 square feet in size.
 2. Total Allowable Land Coverage: 1,744 square feet
 3. Total Existing Land Coverage
(Includes 537 sq. ft. of banked coverage): 3,718 square feet
 4. Proposed Land Coverage: 3,718 square feet
 5. Excess Land Coverage: 1,974 square feet

6. Excess Land Coverage Mitigation: Based on the above coverage figures, the project area contains approximately 1,974 square feet of excess land coverage. The applicants have mitigated 112 square feet of excess land coverage through a previous permit. The applicant will be required to mitigate a portion of the remaining unmitigated excess land coverage (1,862 sq. ft.) within the project area in accordance with Chapter 20 of the TRPA Code of Ordinances.

- D. Shorezone Tolerance District: The subject parcel is located within Shorezone Tolerance District 4, which requires vegetation and stabilization of the backshore and stabilized access ways to the shoreline. The project, as conditioned, complies with the shorezone tolerance district standards.

- E. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 50, and 52 of the TRPA Code of Ordinances. Following each finding, agency staff has briefly summarized the evidence on which the finding can 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 single family dwelling on the subject parcel is an allowed use within the applicable plan area statement. The proposed project involves the expansion of an allowed accessory structure (pier) and is consistent with the Land Use Element of the Regional Plan. Adjacent land uses consist of residential properties with accessory shorezone structures. The proposed project will not alter any land use patterns.

 - b) Transportation: The existing pier serves the homeowners of the affected parcel and, as such, will not generate an increase in daily vehicle trips ends (DVTE) or vehicle miles traveled (VMT). There is no evidence that the proposed project will adversely affect implementation of the Transportation Element of the Regional Plan.

 - c) Conservation: The project, as conditioned, is consistent with the fisheries, shorezone, and scenic subelements of the Conservation Element of the Regional Plan. The project involves replacing an existing pier and is designed to minimize impacts to the fish habitat. The proposed colors and design are consistent with the TRPA Design Review Guidelines. This project will not result in the obstruction or degradation of any scenic vista or view open to the public. There are no known special interest animal species, plant species, or cultural resources within the project area.

 - d) Recreation: This project does not involve any recreation facilities or uses. The proposed pier will be similar in length to adjacent existing piers and will not extend beyond the TRPA pierhead line. By remaining consistent with existing development, the proposed pier will not adversely affect recreational boating or top-line angling.

- e) Public Service Facilities: This project does not require any additions to public services or facilities.
- f) Implementation: The proposed project does not require any allocations of development.

2. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and 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 the TRPA.

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

(Refer to paragraph 2, above.)

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

The proposed project will not have an impact on littoral processes because the project does not involve a structure that is less than 90 percent open. The proposed pier will be constructed of eight less pilings and implementation of a fish habitat restoration plan is recommended as a condition of approval. The proposed pier will be in the same location as the existing pier and will utilize the existing pathway and thus will not impact backshore stability. The proposed project is not located within an area that is mapped as on-shore wildlife habitat nor has the site been shown to be a waterfowl nesting area.

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

This project involves the relocation and expansion of an existing pier. The project is located in the shorezone of a property occupied by a single family residence. The pier will only be used by the owners of the property and their guests. There is sufficient parking and shorezone access 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 modification of such existing uses or structures will be undertaken to assure compatibility.

The project is compatible with existing shorezone accessory uses (piers & buoys) in the vicinity. The proposed pier will not extend beyond the TRPA pierhead line.

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

The pier is located in the foreshore of Lake Tahoe and, by its nature, is water dependent.

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

This approval prohibits the use of spray painting and the use of tributyltin (TBT). Also, conditions of approval prohibit the discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal. No containers of fuel, paint, or other hazardous materials may be stored on the pier.

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

The applicant shall not be permitted to store construction materials on the beach. Permanent disturbance to ground and vegetation is prohibited. The construction of the pier will be accomplished from the lake by barge.

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 proposed pier will not extend beyond the TRPA pierhead line or other piers in the vicinity, and as such will not adversely impact navigation or create a threat to public safety. The project must also receive approval by the U.S. Army Corps of Engineers which typically makes its own public safety findings in addition to TRPA's. The U.S. Army Corps of Engineers have completed a preliminary review of the project and commented that no safety or navigation impacts have been identified.

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 this project.

This project must receive approval from the California Division of State Lands, and the U.S. Army Corps of Engineers. Comments from these agencies, as well as the California Department of Fish & Game, were solicited as part of the review of this project. None of the agencies indicated that they had concerns regarding the proposed project.

12. The expansion decreases the extent to which the structure does not comply with the development standards and/or improves the ability to attain or maintain the environmental thresholds.

The proposed pier will be an open piling design and will meet all of TRPA's development standards except for location in spawning habitat. TRPA staff has inspected the subject parcel and determined that the proposed project will not adversely impact fisheries due to the proposed pier design, construction

methods, and implementation of a fish habitat restoration plan. The project also will not create a degradation of any of the other environmental thresholds (Finding #2 above). The proposed project is located within Scenic Shoreline Unit 18 (Cedar Flat) which is not in attainment with TRPA scenic quality thresholds. The applicants are proposing a scenic mitigation package that will result in an incremental improvement in the scenic quality the project area.

13. The project complies with the requirements to install Best Management Practices (BMPs) as set forth in Chapter 25.

All of the required BMPs have been previously installed or will be installed as a condition of approval.

14. The project complies with the design standards in Section 53.10.

Consistent with TRPA Code Section 53.10, the color of the new pier will be compatible with the surroundings. Conditions of approval will ensure that earthtone colors are used on the new pier and the specific colors must be reviewed and approved by TRPA prior to acknowledgement of the permit.

15. The structure has not been unserviceable for more than five years.

The pier has been continually serviceable until this past winter (December 1998) when the property owner roped off the pier (preventing use) because of the pier's degraded condition and associated liability concerns.

F. Required Actions: Agency staff recommends that the Governing Board approve the project by making the following motions based on this staff summary and evidence contained in the record:

- I. A motion, based on this staff summary, for the findings contained in Section E above, and a finding of no significant environmental effect for the project.
- II. A motion to approve the project based on this staff summary subject to the conditions contained in the attached draft permit:

DRAFT PERMIT

PROJECT DESCRIPTION: Pier Rebuild and Expansion/Modification APN 092-142-02

PERMITTEE: Michael and Helen Lombardi FILE #990163

COUNTY/LOCATION: 3940 North Lake Boulevard, Placer County, CA

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on July 26, 2000, subject to the standard conditions of approval attached hereto (Attachment S) and the special conditions found in this permit.

This permit shall expire on July 26, 2003, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of driving pilings for the pier and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS. NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT. IN ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT AND A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT.

TRPA Executive Director/Designee Date

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

Signature of Permittee Date

PERMIT CONTINUED ON NEXT PAGE

APN 092-142-02
FILE NO. 990163

Excess Coverage Mitigation Fee⁽¹⁾: Amount \$ _____ Paid _____ Receipt No. _____

Shorezone Mitigation Fee⁽²⁾: Amount \$ 500.00 Paid _____ Receipt No. _____

Security Posted⁽³⁾: Amount \$ 2,500.00 Posted _____ Receipt No. _____ Type _____

Security Administrative Fee⁽⁴⁾: Amount \$ _____ Paid _____ Receipt No. _____

Notes:

- (1) Amount to be determined. See Special Condition 3.D, below.
- (2) See Special Condition 3.E, below.
- (3) See Special Condition 3.F, below.
- (4) \$130 if cash security is posted, or \$65 if non-cash security posted.

Required plans determined to be in conformance with approval: Date: _____

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

TRPA Executive Director/Designee

Date

SPECIAL CONDITIONS

1. This permit authorizes the rebuild and modification of an existing single-use pier. The approved pier shall not exceed a total of 145 feet in length (no additional length is authorized by this permit). The pier shall be 6 feet wide until the pierhead, which shall be 10 feet wide and 30 feet long including an adjustable 3 foot wide catwalk. A single low-level boatlift is also authorized by this permit.
2. The Standard Conditions of Approval listed in Attachment S, where applicable.
3. Prior to permit acknowledgement the following special conditions of approval must be satisfied:
 - A. The site plan shall be revised to:
 - (1) Delete all notes, land coverage calculations, and proposed development that pertains to previous projects on this property.
 - (2) Include stabilization and restoration of the bluff at the south-east corner of the property.
 - B. The permittees shall prepare a fish habitat restoration plan prepared by a qualified professional for review and approval. As a part of this project, the applicants shall implement the approved fish habitat restoration plan.