

**TRPA
GOVERNING BOARD
PACKETS**

**OCTOBER
2002**

TAHOE REGIONAL PLANNING AGENCY (TRPA)
AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on Tuesday, October 22, 2002, commencing at 2:00 p.m., the Governing Board of the Tahoe Regional Planning Agency will conduct a tour of the Redevelopment Projects and Forest Health projects. The tour will take place at Park Avenue and U.S. Highway 50 and along Pioneer Trail and Garbage Dump Road.

NOTICE IS HEREBY GIVEN that on Wednesday, October 23, 2002, 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 Horizon Casino Resort, U.S. Highway 50, Stateline, Nevada. 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, October 23, 2002, 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) monthly statement; 3) Resolution Allocating FY 2002-2003 Local Transportation Funds (\$554,655) to the City of South Lake Tahoe for STAGE Operating Expenses; 4) Resolution Approving the Reprogramming of El Dorado County Local Transportation Funds (\$23,080) for Trolley and STAGE Services; 5) CTS Budget Augmentation; 6) Release of Up to \$10,230 from Each of the Five Jurisdictions' (Douglas, El Dorado, Placer, Washoe, and the City of South Lake Tahoe) Accumulated Interest from their Water Quality Mitigation Funds to Formulate and Evaluate Alternatives for Water Quality Improvement Projects; and, 7) member comments. (Committee: Slaven, Helier, Galloway, Solaro, Plank, Gunn)

NOTICE IS FURTHER GIVEN that on Wednesday, October 23, 2002, commencing at 8:30 a.m., at the same location the TRPA Legal Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) Resolution of Enforcement Action, Lakeshore House, LLC and Postmistress Properties, LLC, Shakespeare Road, Assessor's Parcel Number 001-070-027, Glenbrook, Nevada; 3) Olsen/Bremer, Resolution of Enforcement Action, 4035 Nightingale Road, Placer County, Assessor's Parcel Number 92-051-0044; 4) Resolution of Enforcement Action, Byron Gehring, 951 Divot Court, Assessor's Parcel Number 128-132-14, Washoe County; and, 5) member comments. (Committee: Waldie, DeLanoy, Miner, Swobe, Derringer)

NOTICE IS FURTHER GIVEN that on Wednesday, October 23, 2002, commencing at 12:00 noon, at the same location, the TRPA Rules Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) Adoption of Agency Personnel Policy Manual Update; and, 3) member comments. (Committee: Derringer, Galloway, Perock, Slaven, Swobe)

October 11, 2002



Juan Palma
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

Horizon Casino
U.S. Highway 50
Stateline, Nevada

October 23, 2002
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)
- VI. CONSENT CALENDAR (see agenda pg. 3 for specific items) (5 minutes)

VII. REPORTS

A. Executive Director Report (20 minutes)

- 1. Monthly Status Report on Agency Activities Pg. 73
- 2. Tahoe Transportation District/Commission Agenda
And Report from the October 11, 2002, Meeting Pg. 79
- 3. Tahoe Tomorrow Presentation

B. Legal Division Monthly Status Report (5 minutes)

VIII. PROJECT REVIEW (**time certain 1:00 p.m.**) (30 minutes)

- A. Lakehouse Mall Pier Plan Revision, Request for Condition of
Approval Modification, Grove Street at Lake Tahoe, Placer County, Pg. 83
Assessor's Parcel Number 94-090-10, et al., TRPA File No. 20021284

IX. PUBLIC HEARINGS

- A. Amendments to Code Chapters 2, 4, 30, 53, 55 and (90 minutes) Pg.115
Related Chapters, Goals and policies Chapter IV, and
Design Review Guidelines to Implement a Littoral Parcel
Scenic Review System and to Further Regulate Structure,
Colors and Roofing Materials
- B. 2002-2003 Tahoe Region Unmet Transit Needs Hearing (10 minutes) Pg.227

X. APPEAL (time certain 1:30 p.m.) (45 minutes)

- A. Harvey's Tahoe Management Company, Inc., Appeal of Administrative
Determination, Assessor's Parcel Number's 007-111-09, 10, 11 & 12 Pg.231

XI. ADMINISTRATIVE MATTERS

- A. Best of the Basin Awards (time certain 9:30 a.m.) (30 minutes)
- B. CTS Status Report (10 minutes) Pg.237
- C. Adoption of Agency Personnel Policy Manual Update (15 minutes) Pg.241

XII. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

- A. Finance Committee (5 minutes)
- B. Legal Committee (5 minutes)
- C. Local Government Committee (5 minutes)
- D. Shorezone Committee (5 minutes)
- E. Rules Committee (5 minutes)

XIII. REPORTS

- A. Governing Board Members (15 minutes)

XIV. ADJOURNMENT

CONSENT CALENDAR

<u>Item</u>	<u>Recommendation</u>	
1. September 2002 Financial Statement	Receipt	
2. Timberlake Pier Relocation and Expansion, 1380 North Lake Boulevard, Placer County, Assessor's Parcel Number 094-520-001, TRPA File No. 200491	Approval with Conditions	<u>Pg.1</u>

- | | | | |
|----|--|--------------------------|--------------|
| 3. | Resolution of Enforcement Action, Byron Gehring, 951 Divot Court, Washoe County, Assessor's Parcel Number 128-132-14 | Approval with Conditions | <u>Pg.15</u> |
| 4. | Resolution of Enforcement Action, Lakeshore House, LLC and Postmistress Properties, LLC, Shakespeare Road, Glenbrook, Nevada, Assessor's Parcel Number 001-070-027 | Approval with Conditions | <u>Pg.21</u> |
| 5. | Olsen/Bremer, Resolution of Enforcement Action, 4035 Nightingale Road, Placer County, Assessor's Parcel Number 92-051-004 | Approval with Conditions | <u>Pg.27</u> |
| 6. | Resolution Allocating 2002-2003 Local Transportation Funds (\$554,655) to the City of South Lake Tahoe For STAGE Operating Expenses | Approval | <u>Pg.35</u> |
| 7. | Resolution Approving the Reprogramming of El Dorado County Local Transportation Funds (\$23,080) for Trolley and STAGE Services | Approval | <u>Pg.39</u> |
| 8. | CTS Budget Augmentation | Approval | <u>Pg.43</u> |
| 9. | Release of Up to \$10,230 from Each of the Five Jurisdictions' (Douglas, El Dorado, Placer, Washoe, And the City of South Lake Tahoe) Accumulated Interest from their Water Quality Mitigation Funds To Formulate and Evaluate Alternatives for Water Quality Improvement Projects | Approval | <u>Pg.45</u> |

Land Capability Challenges:

- | | | | |
|-----|--|----------|--------------|
| 10. | Alan and Joan Shattuck Land Capability Challenge, 3960 Belleview Drive, Tahoe Pines, Placer County, Assessor's Parcel Number 085-221-003 | Approval | <u>Pg.69</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 Dean Heller, Nevada Secretary of State
Wayne Perock, Nev. Dept. of Conservation
Appointee
Vice-Chairman Dave Solaro, El Dorado County
Drake DeLanoy, Nevada Gov. Appointee
Jon Plank, Carson City
Jerry Waldie, Calif. Senate Rules Com. Appointee
Jim Galloway, Washoe County
Catherine Derringer, Calif. Assembly Spkr.
Appointee

Hal Cole, South Lake Tahoe
Tom Quinn, Calif. Gov. Appointee
Larry Sevison, Placer County
Ronald Slaven, Calif. Gov. Appointee
Coe Swobe, Nevada At-Large Member
Vacant, Presidential Appointee
Don Miner, Douglas County

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

October 14, 2002

To: TRPA Governing Board

From: TRPA Staff

Subject: September 25, 2002 Governing Board Minutes

The September 25, 2002, Governing Board minutes will be mailed under separate cover.

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TAHOE REGIONAL PLANNING AGENCY GOVERNING BOARD STAFF SUMMARY

Project Name: Timberlake Pier Relocation and Expansion

Application Type: Shorezone-Pier Rebuild

Applicants: Members of the Timberlake Homeowners Association
Robert Longinetti
Stanley & Margaret Shatsky
Marc Corporon
Kenneth & Linda Okenquist

Applicant's Representative: Kevin Agan, Agan Consulting, Inc.

Agency Planner: Gerald Dion, Associate Environmental Planner, LRPD

Location: 1380 North Lake Blvd, Placer County, CA

Assessor's Parcel Number/Project Number: 094-520-01 / 200491

Staff Recommendation: Staff recommends approval of the project. The required actions and recommended conditions are outlined in Section F of this staff summary.

Project Description: The proposed project involves the building of a floating pier and dismantling of an existing pier. The rebuilt pier will be 300 feet in length to the pierhead line and will be 10 feet wide.

Site Description: The parcel is located at 1380 North Lake Blvd in Placer County, California. The project area is approximately 12,010 square feet in size with verified Land Capability Districts Classes 1 and 5. A four-plex condominium with ten parking spaces is currently on the site. BMP's have not been installed and the dominant vegetation is landscaping. Surrounding land uses are residential.

Issues: The proposed project involves the removal of an existing pier, and relocation and extension of an existing pier. This rock-crib type pier will be dismantled. The new pier will be floating, single piling design and will be moved east to meet setback standards. Pier structures are listed as an allowed use in Plan Area Statement 005-Rocky Ridge. The primary project related issues are:

1. Fish Habitat: This project is in an area verified as feed and/or escape cover. However, pier relocation is allowed within feed and/or escape cover. Activities that could impact fish habitat are currently occurring with the existing pier, and no addition impacts are anticipated with the proposed project.

2. Scenic Quality: The proposed project is visible from Scenic Shoreline Unit 15, Tahoe City. This scenic shoreline unit has a score of 5, which is not in attainment with TRPA scenic thresholds. For projects within non-attainment areas the project must mitigate the scenic impacts of the project and provide an incremental improvement in the scenic quality of the scenic unit. A scenic analysis has concluded that the proposed floating pier, revegetation plan, and removal of the existing pier would mitigate the scenic impacts of the proposed project as well as provide an incremental improvement in the scenic quality of the unit overall.

Staff Analysis:

- A. Environmental Documentation: The staff has completed an Initial Environmental Checklist (IEC) to assess the potential impacts of the project. Mitigation, such as scenic and BMPs, associated with the project reduces all of the project related impacts to a less than significant level. A copy of the completed IEC will be made available at the Governing Board hearing. A scenic evaluation was also completed.
- 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. The PAS includes a Special Designation as a Scenic Restoration Area. Agency staff has reviewed the subject plan area statement and has determined that the project is consistent with the applicable special area, planning considerations, and special policies. Piers are listed as an allowed use.

C. Land Coverage:

1. Land Capability Districts: The submitted land capability districts for the project area are Class 1 and 5.

Backshore	1,086 sq ft.
Class 5	17,858 sq ft.
Total Area	18,944 sq ft.

2. Existing Land Coverage:

Backshore (1b)	
Wood Deck	12 sq ft.
Class 5	
Residence	3,540 sq. ft.
Wood Decks/Stairs	1,460 sq. ft.
A.C. Paving	5,682 sq. ft.
Railroad Tie and Dirt Paths	1,316 sq. ft.
Total Existing	11,998 sq. ft.

3. Proposed Land Coverage: There is a proposed increase of 28 sq. ft. of coverage within the backshore. This coverage is deemed necessary for

recreational access as per Section 55.4 (d) of the TRPA Code. This coverage must be mitigated off-site or by fee to TRPA. The total proposed new coverage is well within the allowable for this parcel.

Backshore (1b)	
Wood Deck	40 sq ft.
Class 5	
Residence	3,540 sq. ft.
Wood Decks/Stairs	1,460 sq. ft.
A.C. Paving	5,682 sq. ft.
<u>Railroad Tie and Dirt Paths</u>	<u>1,288 sq. ft.</u>
Total Proposed	11,970 sq. ft.

The permittee shall restore an area of land in the backshore in the amount of 1.5 times the amount of land in the backshore to be covered (for a total of 42 sq ft.) on-site or off-site.

4. Total Allowable Land Coverage:

Backshore 1B	189 sq. ft.
<u>Class 5</u>	<u>4,736 sq. ft.</u>
Total	4,925 sq. ft.

5. Excess Land Coverage: The project areas contains 7,274 square feet of excess coverage.

6. Land Coverage Mitigation: Excess land coverage shall be mitigated prior to acknowledgement of the permit in accordance with chapter 20 of the TRPA Code.

D. 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 finding can be made.

1. Chapter 6 Findings:

a. The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code, and other TRPA plans and programs.

(1) Land Use: Single-family dwellings are listed as an allowed primary use within the Rocky Ridge Plan Area Statement. The proposed project involves the construction of an allowed accessory structure and is consistent with the Land Use Element of the Regional Plan. Piers are a permissible use. Surrounding land uses consist of residential properties. The proposed project will not alter any land use patterns.

- (2) Transportation: The proposed pier will be used by the property owners and their guests and, as such, will not result in an increase of daily vehicle trip ends (dvte) to the subject parcel or vehicle miles traveled (VMT).
- (3) Conservation: The proposed project is consistent with the scenic subelement of the Conservation Element of the Regional Plan. The shoreline unit is currently not in attainment with adopted scenic thresholds and the applicant has proposed sufficient scenic mitigation measures to show an incremental improvement in the scenic quality of the shoreline travel route.

The project, as proposed, is consistent with the remaining Conservation Element of the Regional Plan. Previous surveys have not identified this parcel as containing the plant Tahoe Yellow Cress (*Rorippa subumbellata*). This project will not result in the obstruction or degradation of any scenic vista or view open to the public. As part of the project the applicant would be required to install the required Best Management Practices (BMPs) on the parcel, in accordance with Chapter 25 of the TRPA Code. There are no known special interest animal species or cultural resources within the project area.

- (4) Recreation: This project does not involve public recreation facilities or uses and will not adversely impact any existing public recreation facilities or activities.
 - (5) Public Service Facilities: This project does not require any additions to public services or facilities.
 - (6) Implementation: The proposed project does not require any allocations of development.
- b. The project will not cause the environmental threshold carrying capacities to be exceeded.

The project proposes to relocate and expand a shorezone structure in an area identified as non-attainment for scenic quality. The proposed mitigation sufficiently offsets the scenic impacts of the proposed and will provide an incremental improvement in the scenic quality for the shoreline scenic unit. No other thresholds will be exceeded, such as vegetation, and fisheries.

- c. Wherever federal, state or local air and water quality standards applicable for the region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TRPA Compact, the project meets or exceeds such standards.

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 applicable air and water quality standards. A copy of the completed checklist will be made available at the Governing Board hearing and at the TRPA.

2. Shorezone Findings (Chapter 50):

- a. The proposed project will not adversely impact: (1) littoral processes; (2) fish spawning; (3) backshore stability; and (4) on-shore wildlife habitat, including wildfowl 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 project is not located in an area mapped or verified as spawning habitat and will not adversely impact fish spawning. The existing backshore is in a slightly unstable condition and the proposed project will stabilize the backshore area. 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.

- b. There are sufficient accessory facilities to accommodate the project.

The project area is developed with a single family residence and contains sufficient facilities to accommodate the project. The pier will only be used by the property owners and their guests.

- c. 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 lake and shorezone uses and structures in the vicinity. The surrounding uses consist of residential properties and will not be adversely affected by this project.

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

The pier is proposed to be located in the foreshore and nearshore of Lake Tahoe and is, by its nature, water-dependent.

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

TRPA prohibits the use of spray painting and the use of tributyltin (TBT). Also, TRPA typically applies conditions of approval that 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 are

required to be removed from the project and deposited only at approved points of disposal. No containers of fuel, paint, or other hazardous materials would be allowed to be stored on the pier.

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

The applicant will not be permitted to store construction materials on the beach. Permanent disturbance to ground and vegetation is also prohibited. Driving the piling would be accomplished from the lake by barge.

- g. 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 further lakeward into Lake Tahoe than nearby shorezone structures. The U.S. Army Corps of Engineers must also review this project for navigational safety. The U.S. Army Corps of Engineers have completed a preliminary review of the project and did not identify any adverse impacts to navigation.

- h. 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 State Lands Commission and the U.S. Army Corps of Engineers. Comments from these agencies, as well as the California Department of Fish and Game, were solicited as part of the review of this project. No comments were received.

- F. Required Actions: Agency staff recommends that the Governing Board deny the proposed 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.
 - II. A motion to approve the project, based on the staff summary, subject to the following conditions found in the attached draft permit.

Timberlake
Page 7

TAHOE REGIONAL PLANNING AGENCY

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October 8, 2002

Kevin Agan
Agan Consulting Corporation
P.O. Box 9180
Incline Village, NV 89452

Dear Mr. Agan:

TIMBERLAKE PIER RELOCATION AND EXPANSION, ASSESSOR'S PARCEL NUMBER (APN) 094-520-001; 1380 NORTH LAKE BOULEVARD, PLACER COUNTY, FILE NO. 200491

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

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

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

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

Sincerely,

Gerald Dion
Associate Planner
Long Range Planning Division

Enclosures

cc: Timberlake HOA
160 West Santa Clara Street, Suite 990
San Jose, CA 95113

/JD
10/23/02

CONSENT CALENDAR ITEM NO. 2

PERMIT

PROJECT DESCRIPTION: Pier Relocation APN: 094-520-01

PERMITTEE(S): Members of the Timberlake HOA FILE NO 200491
 Robert Longinetti
 Stanley & Margaret Shatsky
 Marc Corporon
 Kenneth & Linda Okenquist

COUNTY/LOCATION: Placer County / 1380 North Lake Blvd.

Having made the findings required by Agency ordinances and rules, The TRPA Governing Board approved the project on October 23, 2002, subject to the standard conditions of approval attached hereto Attachment S and the special conditions found in this permit.

This permit shall expire on October 23, 2005 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. THE COUNTY/CITY 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.

Members of the Timberlake HOA
Unit 1 Signature of Permittee(s) _____ Date _____
Unit 2 Signature of Permittee(s) _____ Date _____
Unit 3 Signature of Permittee(s) _____ Date _____
Unit 4 Signature of Permittee(s) _____ Date _____

/gd PERMIT CONTINUED ON NEXT PAGE

**APN
FILE NO.**

Excess Coverage Mitigation Fee (1): Amount \$ _____ Paid _____ Receipt No. _____
Shorezone Mitigation Fee (2): Amount \$ 9,000.00 Paid _____ Receipt No. _____
Security Posted (3): Amount \$ _____ Posted _____ Type _____ Receipt No. _____
Security Administrative Fee (4): Amount \$ _____ Paid _____ Receipt No. _____

Notes:

- (1) Amount to be determined. See Special Condition D, below.
- (2) See Special Condition H, below.
- (3) Amount to be determined. See Special Condition C, below.
- (4) \$139 if a cash security is posted, or \$72 if a non-cash security is posted.

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

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

TRPA Executive Director/Designee

Date

SPECIAL CONDITIONS

1. This permit specifically authorizes relocation and extension of a multiple use pier. The rebuilt pier will be only 300 feet in length have a floating deck, and only be ten feet wide.
2. The standard conditions of approval listed in Attachment S.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.
 - A. The site plan shall be revised to include:
 - (1) Land coverage calculations
 - (2) Location of coverage to be removed
 - (3) Removal of reference to revetment (revetment work is not allowed under this permit).
 - B. The permittee shall submit plans, cost estimates and installation schedule for the installation of all required water quality improvements (BMPs) for the entire project area.
 - C. A BMP plan shall be submitted and approved by TRPA. This plan shall be sufficient to treat the 20 year, one hour rain event for on-site run-off. This plan shall also allow for some measurable improvement of water quality of run-off entering the property. This