TAHOE REGIONAL PLANNING AGENCY

128 Market Street
Stateline, Nevada
www.trpa.org

P.O. Box 5310
Stateline, Nevada 89449

(775) 588-4547
Fax (775) 588-4527
Email: trpa@trpa.org

HEARINGS OFFICER
AGENDA OF MEETING FOR

Tahoe Regional Planning Agency
128 Market Street, TRPA Conference Room
Stateline, NV 89449

Date: August 3, 2006
2:00 p.m.

AGENDA

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Hearings Officer on any agenda item not listed as an Announcement of Appeal Right or Public Hearing Item, or on any other issue, may do so at this time. However, public comments on Announcement of Appeal Rights or Public Hearing Items will be taken at the time those agenda items are heard.

NOTE: THE HEARINGS OFFICER IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

IV. ANNOUNCEMENT OF APPEAL RIGHTS

V. PUBLIC HEARING ITEMS

A. Diamond Peak Ski Resort, 1210 Ski Way, Incline Village, Nevada, Assessor's Parcel Number (APN) 126-010-60, TRPA File Number 20060372. The proposed project will upgrade and replace existing electrical power lines located in within Diamond Peak Ski Area. Due to the age and method of installation, the existing power lines have been deemed unreliable by the applicant. The existing lines are located within an area classified as Land Capability 1b and will be abandoned in their current sub-surface location. The new proposed lines will be relocated within an area also classified as Land Capability 1b, in an area on the shoulder of the parking lot that is already disturbed and compacted. The depth of the trench will not exceed 52 inches. The project will create 117 square feet of new land coverage, attributed to four vaults spaced along the 1,200 linear foot trench. Please see the reverse side of this notice for a vicinity map of the proposed project.

VI. ADJOURNMENT

By: _____
Executive Director

This agenda has been posted at the TRPA office and at the following places: Zephyr Cove and Stateline Nevada Post Office, Al Tahoe California Post Office and the El Dorado County Library.

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TAHOE REGIONAL PLANNING AGENCY
HEARINGS OFFICER STAFF SUMMARY

Project Name: Diamond Peak Ski Resort Power Line Replacement

Application Type: Pipeline and Power Transmission

Applicant: Incline Village General Improvement District

Applicant's Representative: Mike Bandelin, Diamond Peak Ski Resort

Agency Planner: Patrick Dobbs, Assistant Planner

Location: 1210 Ski Way, Washoe County, Nevada

Assessor's Parcel Number / File Number: 126-010-60 / 20060372

Staff Recommendation: Staff recommends approval of the project based on this staff summary and the evidence contained in the project record. The recommended conditions of approval are contained in the attached Draft Permit.

Project Description: The project is to allow Sierra Pacific Power Company to install a new power line to service the administrative offices and two ski lifts at Diamond Peak Ski Resort. The existing power lines were directly buried in the ground to provide service to a ski lift in 1965. Since that time, the areas where the power line exists have been paved to provide parking and Diamond Peak Ski Resort is unsure of their actual location and they are concerned about the reliability of this primary power source.

Site Description: The proposed power line relocation is in Washoe County. The site is located within land capability class 1b in a pre-disturbed area that borders one of the Ski Resort's parking lots. The electrical line replacement will require 5 concrete electrical vaults with steel lids amounting to a total added coverage of 117 square feet that will require 175.5 square feet of base allowable coverage to be retired because of the 1.5:1 ratio, relating to new coverage within low land capability (SEZ). The proposed excavation will not exceed an excavation depth of 5 feet. Tree removal is not necessary as a part of this project. The land is man modified fill with a high water infiltration rate and ground water interception is not anticipated at this time of year.

Issues: According to Plan Area Statement 052, Incline Ski, pipelines and power transmission is a special use and therefore require Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code.

Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, 20, and 64 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 6 – Required Findings:

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

   Based on the findings provided on the Initial Environmental Checklist and the V (g) Findings checklist, there is sufficient evidence in the project file to make this finding.

   (b) The project will not cause the environmental threshold carrying capacities to be exceeded.

   TRPA staff has completed the "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. Also, the applicant has completed an Initial Environmental Checklist (IEC). 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 checklist and IEC will be made available at the Hearings Officer hearing and at TRPA.

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

   (Refer to paragraph 1.b, above.)

2. Chapter 18 – Special Use Findings:

   (a) 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 power line replacement is critical to Diamond Peak Ski Resort's ability to operate. The linear distance of the proposed power line is 1,200 feet in length. The proposed site will have minimum impact due to the existing pre-disturbed conditions. The existing line will be abandoned in place.

   (b) 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 will support the current use and allow Diamond Peak Ski Resort to continue operations. The applicant will be required to apply temporary Best

Management Practices to the project area to protect the land, water, and air resources of the subject property and that of the surrounding property owners.

3. Chapter 20 – Land Coverage Findings:

(a) The land coverage relocation is to an equal or superior portion of the parcel or project area.

The existing power line is located in an area classified as land capability 1b. The proposed line will be located in a pre-disturbed area, also classified as land capability 1b.

(b) The area from which the land coverage was removed for relocation is restored in accordance with Subsection 20.4.C.

The new coverage will be retired from Diamond Peak Ski Resorts base allowable coverage in land capability 1b.

(c) The relocation is not to Land Capability Districts 1a, 1b, 1c, 2 or 3 from any higher numbered land capability district.

(Refer to paragraph 3.a, above.)

4. Chapter 64 – Excavation Findings:

(a) A soils/hydrologic report prepared by a qualified professional, whose proposed content and methodology has been reviewed and approved in advance by TRPA, demonstrates that no interference or interception of groundwater will occur as a result of the excavation.

A soils/hydrologic application has not been filed and will be a required condition of this permit, because of the excavation within land capability class 1b. The project will not require excavation in excess of 5 feet. At this time there are 4 sediment basins within the proposed project area that are over 6 feet deep with no evidence of ground water interception.

(b) The excavation is designed such that no damage occurs to mature trees, except where tree removal is allowed pursuant to Subsection 65.2.E, including root systems and hydrologic conditions of the soil.

There will be no need for tree removal and no damage to trees, their root systems and the hydrologic conditions of the soil are anticipated.

(c) Excavated material is disposed of pursuant to Section 64.5 and the project area's natural topography is maintained pursuant to Subparagraph 30.5.A(1); or if groundwater interception or interference will occur as demonstrated by a soils/hydrologic report prepared by a qualified professional, the excavation can be made as an exception pursuant to Subparagraph 64.7.A(2) and measures are included in the project to maintain groundwater flows to avoid adverse impacts to SEZ vegetation, if any would be affected, and to prevent any groundwater or subsurface water flow from leaving the project area as surface flow.

The excavated material will be backfilled in the trench.

Required Actions: Agency staff recommends that the Hearings Officer approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. Approve the findings contained in this staff summary, and a finding of no significant environmental effect.

II. Approve the project, based on the staff summary, subject to the conditions contained in the attached Draft TRPA permit.

Attachments:

1. Draft Permit
2. Site Plan and Building Elevations

-D-R-A-F-T-
PERMIT

PROJECT DESCRIPTION: Diamond Peak Ski Resort Power Line Replacement APN: 126-010-60

PERMITTEE(S): Incline Village General Improvement District FILE #20060372

COUNTY/LOCATION: Washoe County/ 1210 Ski Way

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on August 3, 2006, subject to the standard conditions of approval attached hereto (Attachment Q, J) and the special conditions found in this permit.

This permit shall expire on August 3, 2009 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 WASHOE COUNTY BUILDING PERMIT. THE WASHOE 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 WASHOE 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(s) _____ Date _____

PERMIT CONTINUED ON NEXT PAGE

D-R-A-F-T

APN: 126-010-60
FILE NO. 20060372

Water Quality Mitigation Fee (1): Amount $ 270.27 Paid _____ Receipt No. _____

Security Posted (2): Amount $ 5,000 Posted _____ Type _____ Receipt No. _____

Security Administrative Fee (3): Amount $ _____ Paid _____ Receipt No. _____

Notes:
(1) See Special Condition 3 (B), below.
(2) See Special Condition 3 (C), below.
(3) $74.00 if a cash security is posted or $144.00 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 Sierra Pacific Power Company to install a new power line to service the administrative offices and two ski lifts at Diamond Peak Ski Resort. Construction activities will be located in a pre-disturbed area, primarily on the shoulder of the lower parking lot. Construction activities will include a trench approximately 1,200 feet in length and 48 inches in depth. Five concrete vaults with steel lids will add 117 square feet of new coverage within land capability class 1b; therefore 175.5 square feet of land capability class 1b to be retired.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.

3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.

   A. The site plan shall be revised to include:

      (1) The following revised land coverage calculations:

         (a) Notes indicating the retirement of 175.5 square feet of land coverage due to new coverage placed within land capability class 1b.

(b) Identification of temporary stockpile areas. Temporary stockpile areas shall be located on existing paved surfaces or existing disturbed road shoulder areas. Soil stockpiles shall not be placed on top of existing vegetation. All excavated material shall be placed uphill of trench location. All temporary soil stockpiles shall be contained by temporary erosion control fences or fiber roll logs (8' minimum diameter) and covered with a non-permeable material at the end of the work day and/or during periods of precipitation or high winds.

(c) Submit three sets of final construction drawings for TRPA review and approval.

(2) A note indicating: "All areas disturbed by construction shall be mulched with a 2 to 3 inch layer of pine needles or wood chips as a dust control measure. This mulch shall be maintained from completion of the initial grading through completion of the project."

(3) Location of the construction materials storage and staging area. Storage and staging areas should be located on paved surfaces to avoid additional disturbance.

B. A water quality mitigation fee of $270.27 shall be paid to TRPA. This fee is based on the creation of 175.5 square feet of land coverage at a rate of $1.54/Sq ft.

C. The security required under Standard Condition 1.B of Attachment Q shall be $5,000.00. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

D. The permittee shall submit a projected construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction, as well as temporary BMP installation for the entire project area.

4. Prior to construction a soils/hydrologic application must be filed with the TRPA and approved due to the excavation within land capability 1b (SEZ).

5. Construction may commence between August 1 and October 15 of the construction season, typically the dry time of year. The assigned TRPA Compliance Inspector will validate this at the time of pre-grade inspection.

6. Excavation required for the trenches or vaults in areas identified as Stream Environment Zones (SEZs) will require a dewatering plan to be implemented at such time groundwater is intercepted. Intercepted groundwater shall not be discharged into storm drains. Intercepted groundwater shall be removed from the Tahoe Basin, or discharged into the sanitary sewer system subject to approval and requirements of the applicable sewer district.

7. Any normal construction activities creating noise in excess to 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.

8. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.

9. Drop inlets and storm water conveyance and treatment facilities located downslope of excavated material shall be protected be temporary erosion control fences or fiber roll logs (minimum 8' diameter).

10. Temporary erosion control structures located downslope of the proposed construction areas. Temporary erosion control structures must be maintained until disturbed areas are stabilized or sufficiently revegetated. Temporary erosion control structures shall be removed once the site has been stabilized or revegetated. *Please Note: Straw bales are no longer acceptable for temporary erosion control or mulch material in the Lake Tahoe Basin. The use of straw has contributed to the spread of noxious weeds throughout the basin. The use of alternatives to straw bales, such as pine needle bales, filter fabric, coir logs and pine needle or wood mulches for erosion control purposes is required.*

11. Tree and vegetation removal is not authorized by this permit.

12. Soil tracked onto pavement shall be removed through regular sweeping at the end of each business day.

END OF PERMIT

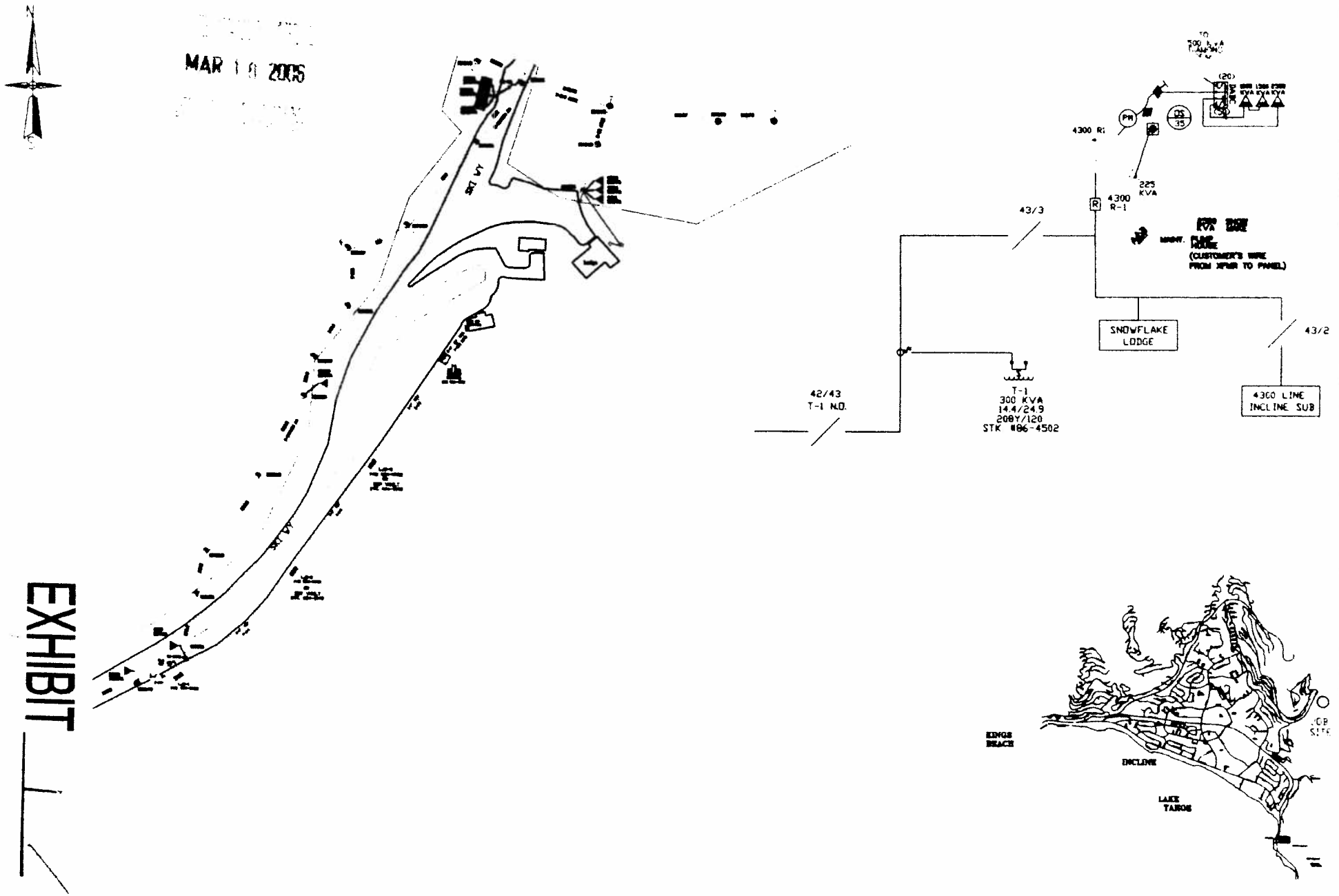
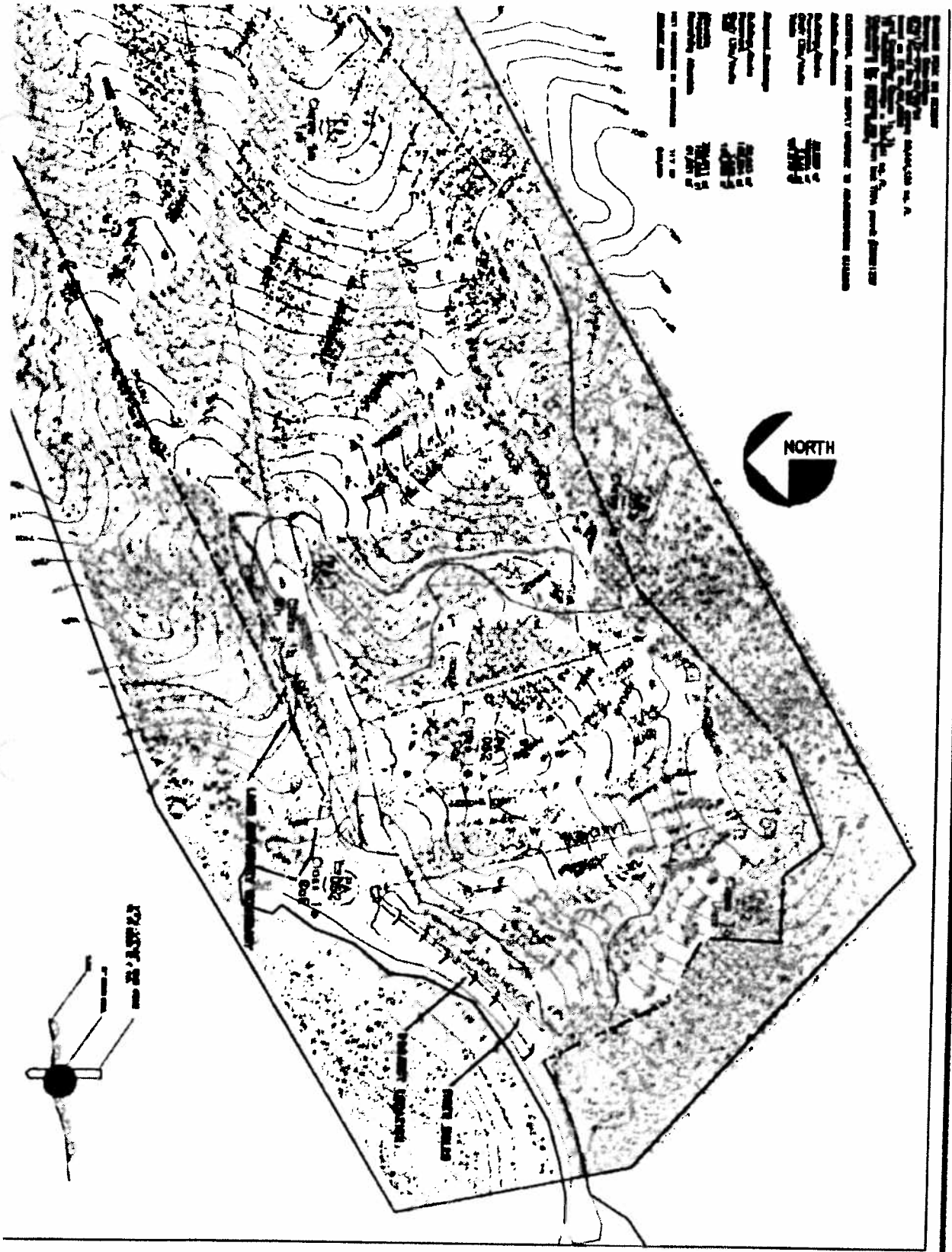


EXHIBIT 1

PRELIMINARY NOT FOR CONSTRUCTION

DIAMOND PEAK
ADMINISTRATIVE OFFICE
NORTH LAKE TAHOE



INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT
893 Southwood Boulevard; Incline Village, Nevada 89451 Phone 775-832-1267

DIAMOND PEAK SKI RESORT
ELECTRICAL POWER SUPPLY UPGRADE

LAND CAPABILITIES,
COVERAGES & BMPS

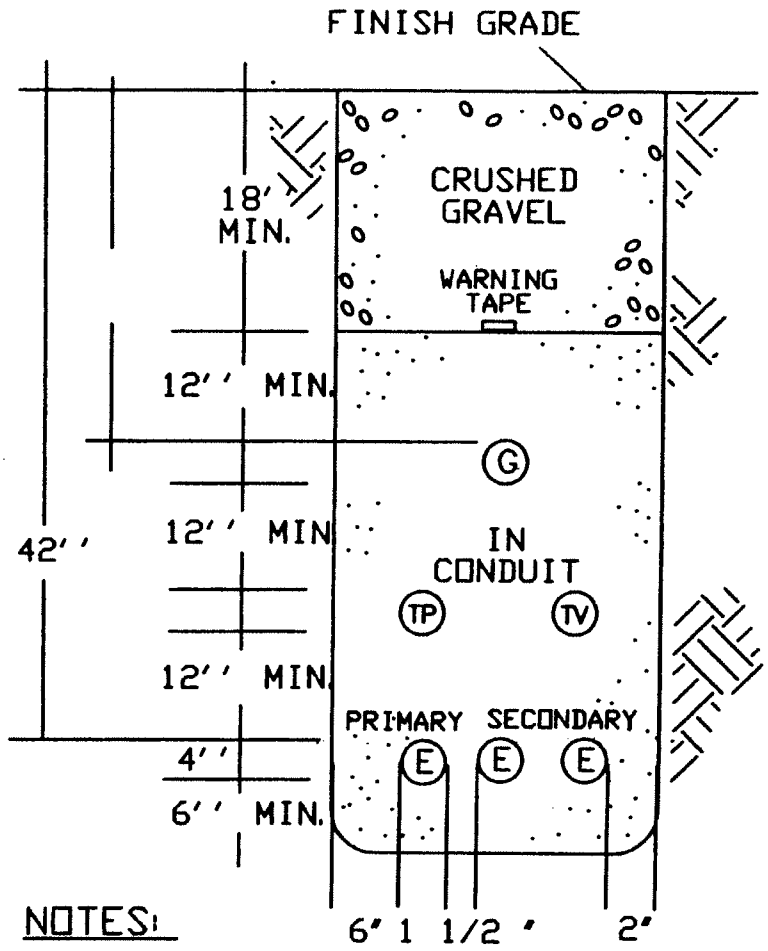
MAR 1 6 2006

EXHIBIT 2

EXHIBIT 3

TYPICAL SERVICE TRENCH DETAIL

N. T. S.



NOTES:

1. Native material requires 80% compaction, refer to SUB01X.
2. Sand requires 90% compaction.
3. The top 18" of all trenches on private property may be backfilled with native material. Refer to SUB01X, 3" min, minus.
4. Warning tape shall be placed in all trenches at least 18" below finish grade or 12" above SPPCo pipe, conduit, or cable.

TES

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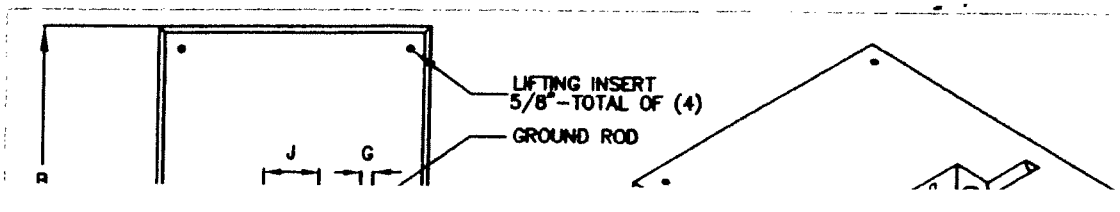

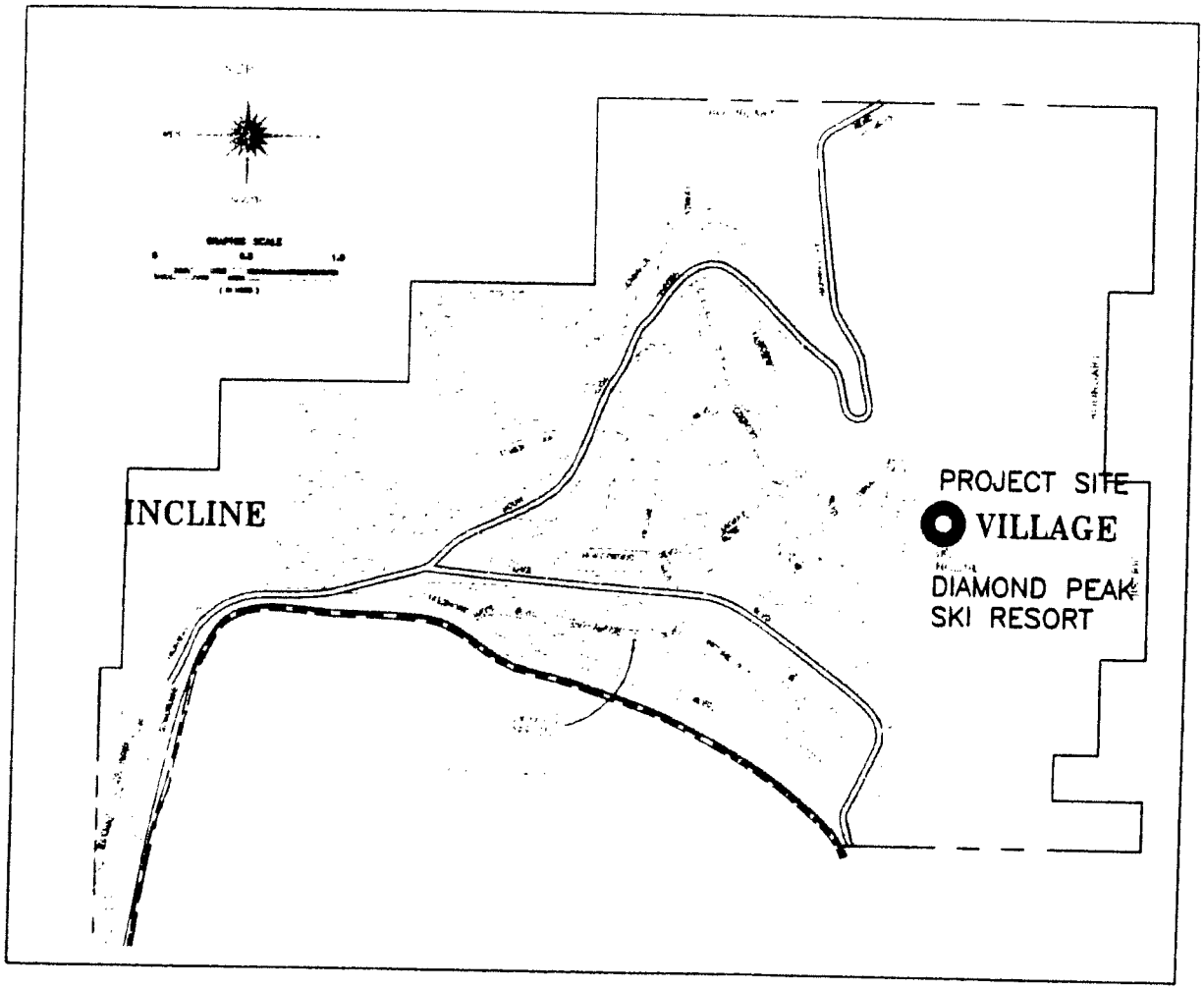
INCLINE
PROJECT SITE
VILLAGE
DIAMOND PEAK
SKI RESORT