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STAFF REPORT

Date: August 19, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Hekmat/Quiet Waters/Whitehead New Multiple-Parcel Pier; 885/887/889 Lakeshore Boulevard, Washoe County, Nevada; Assessor's Parcel Numbers 122-181-32, -64, -65; TRPA File Number ERSP2020-0121

Summary and Staff Recommendation:

A new multiple-parcel pier is proposed to serve three littoral parcels located at 885, 887, and 889 Lakeshore Drive in Incline Village, Washoe County, Nevada. The proposed pier extends 210.9' from High Water elevation of 6,229.1 and includes two 30 foot long catwalks and two boatlifts to serve the three parcels associated with the pier. The proposed pier complies with development and location standards for multiple-parcel piers serving three littoral parcels. Staff recommends that the Governing Board make the required findings and approve the proposed project.

Required Motions:

In order to approve the proposed project, the Board must make the following motions, based on the staff report and evidence in the required:

- 1) A motion to approve the required findings, including a finding of no significant effect.
- 2) A motion to approve the proposed project subject to the conditions in the draft permit as shown in Attachment B.

For the motions to pass, an affirmative vote of 5-9 (5 Nevada and 9 Total) of the Board is required.

Shoreline Review Committee:

TRPA facilitates monthly Shoreline Review Committee (SRC) meetings for agencies with permitting jurisdiction along the shoreline and within Lake Tahoe to coordinate the permitting of projects. The subject project will be reviewed and discussed at SRC on August 20, 2020. TRPA staff has solicited comments ahead of the August SRC from Nevada Division of State Lands, U.S. Army Corps of Engineers, and Nevada Department of Wildlife. Nevada Division of State Lands has received an application and did not have any concerns over the project.

Project Description/Background:

The project applicants received an allocation for a new multiple-parcel pier as a result of the 2019 new pier allocation distribution and multiple-parcel prioritization criteria. The new multiple-parcel pier will serve three littoral parcels located at 885, 887, and 889 Lakeshore Boulevard. There is a single-family dwelling on both 889 and 887 Lakeshore Boulevard. There is an existing basketball court on 885

Lakeshore Boulevard, which is an accessory to the single-family dwelling on 887 Lakeshore Boulevard. 885 Lakeshore Boulevard is eligible for a single-family dwelling. Existing shorezone development for the project area includes a total of six moorings: APN 122-181-32 two mooring buoys; APN 122-181-64 two mooring buoys; APN 122-181-65 two mooring buoys.

The proposed project involves constructing a new pier to extend 210.9' from the High Water Line elevation of 6,229.1, with two 3 foot by 30 foot catwalks and two boatlifts located at the pierhead. The pierhead will be 15 feet wide. Existing moorings will be converted to boatlifts as a result of the project. The pier will straddle the property line between APN 122-181-32 and 122-181-65. The pier complies with all development and location standards for a multiple-parcel pier serving three parcels. The proposed project is located within Plan Area Statement 037- Lakeview where piers are an allowed use.

Recognition of a Multiple-Parcel Pier:

New multiple-parcel piers are subject to the deed restriction requirements in TRPA code section 84.4.E which states "An additional multiple-parcel pier shall extinguish future pier development potential through deed restriction on all parcels served by the pier, including adjacent and non-adjacent parcels, with the exception of the littoral parcel on which the additional pier is permitted." As a result of the project, the project area consisting of three parcels will be deed restricted to one pier. Besides the pier, the three parcels will have the following shorezone development as a result of the project: APN 122-181-32 one mooring buoy and one mooring lift; APN 122-181-64 two mooring buoys; APN 122-181-65 one mooring buoy and one mooring lift.

The Governing Board may find the pier will be a multiple-parcel pier as it results in both the reduction of shorezone development potential and serves two or more primary residential littoral parcels, subject to deed restriction provisions.

2018 Shoreline Plan:

The TRPA Governing Board adopted a new Shoreline Plan in October 2018, which went into effect in December 2018. New single-parcel and multiple-parcel piers are allowed as a part of that plan. A maximum of 128 piers will be distributed over the life of the plan, and every two years TRPA will distribute allocations for single-parcel and multiple-parcel piers. In 2019, TRPA awarded five allocations for new single-parcel piers and seven allocations for new multiple-parcel piers. The allocations for multiple-parcel piers were awarded based on codified prioritization criteria. The seven applications that ranked highest per the prioritization criteria were awarded allocations and given six months to then submit complete project applications. Staff has analyzed the potential environmental impacts of the proposed pier and determined that it will not adversely affect the environment. An analysis of the impact areas is as follows:

A. Scenic Quality:

The proposed project is located within Scenic Shoreline Unit 23, Crystal Bay, which is not in attainment with the TRPA Scenic Threshold. Up to 460 square feet of visible mass is allowed for multiple-parcel piers serving three or more primary residential littoral parcels. The allowable visible mass is not inclusive of accessory structures such as boatlifts, handrails, and ladders. The proposed pier has a total visible mass of 371.65 square feet which counts towards the 460 square feet of allowable visible mass. The project area is located in a Visually Modified scenic character type, requiring mitigation of all additional mass, including accessory structures associated with a pier, at a 1:2 ratio. There is a total visible mass, including accessory structures, of 719.65 square feet. This means that 1,439.3 square feet of visible mass will be mitigated

within the project area. The project area must also demonstrate that it can meet a Composite Scenic Score of 25 within six months of project completion. The project area will achieve a Composite Scenic Score of 25 within six months of project completion by adding 72 new plants and trees to serve as vegetative screening and darkening the exterior materials of the residence located at 889 Lakeshore Boulevard. Existing vegetative screening will also contribute to the required mitigation.

B. Fish Habitat:

This property is located in mostly feed and cover fish habitat, with a small portion in marginal habitat. The new pier will have 34 new pilings for a total of 23.5 square feet of new lake bottom disturbance, to be mitigated at a 1:1 ratio. The proposed fish habitat mitigation consists of the construction of three (3) rock pyramids at 9 square feet each, resulting in 27 square feet of fish habitat mitigation. None of the proposed fender piles will create lake bottom disturbance because they do not extend to the lake bottom. The pier will be constructed using an open piling methodology, resulting in a pier that is 90 percent open.

As required by Chapter 36: Mitigation Fee Requirements of the TRPA Code of Ordinances, which requires \$60.00 per foot be paid for additional pier length to mitigate the impacts of pier development on fish habitat, the Draft Permit includes a condition requiring the permittee pay a shorezone mitigation fee of \$12,654.00 for the construction of 210.9 additional feet of pier length (refer to Attachment B – Draft Permit).

C. Deed Restriction:

The shorezone ordinances require that an additional multiple-parcel pier shall extinguish future pier development potential through deed restriction on all parcels served by the pier, including adjacent and non-adjacent parcels, with the exception of the littoral parcel on which the additional pier is permitted. The three parcels associated with the project area will be deed restricted against future pier development. As a result of the project, the project area consisting of three parcels will be deed restricted to one pier. Besides the pier, the three parcels will have the following shorezone development as a result of the project: APN 122-181-32 one mooring buoy and one mooring lift; APN 122-181-64 two mooring buoys; APN 122-181-65: one mooring buoy and one mooring lift.

D. Setbacks:

TRPA Code, Section 84.4.3.B, requires that new piers comply with a 40 foot setback from all other piers and 20 feet from the outer-most parcel boundary projection lines associated with the project area. The proposed pier complies with these setback requirements.

E. Pier Length:

TRPA Code, Section 84.4.3.C states “Piers shall extend no farther lakeward than 30 feet lakeward of elevation 6,219 Lake Tahoe Datum or 60 feet lakeward of the pierhead line, whichever is more limiting. Up to an additional 15 feet in length may be permitted for piers serving three or more residential littoral parcels”. The new pier, extends 65 feet beyond the TRPA pierhead line, which is the limiting factor for determining pier length. The additional five feet is allowed because the new pier serves three residential littoral parcels.

F. Pier Deck Height:

Pier decks may extend up to elevation 6,234.0 feet in limited situations where TRPA finds that the additional height is necessary for safety reasons, because local wave characteristics represent a real threat to the integrity of the structure, or to provide lateral public access. This project area is located in an area that often experiences strong wind events from the southwest, creating the longest possible fetch for wave creation on Lake Tahoe. At high water, this means that the crest of the wave is at elevation 6,233, one foot above the normal pier deck elevation of 6,232. During times of high winds, the wave heights will make the pier unusable and create pier damage requiring temporary disturbance necessary for repair.

Environmental Review:

The applicant completed an Initial Environmental Checklist (IEC) to assess the potential environmental impacts of the project. No significant long term environmental impacts were identified because the proposed pier complies with the existing Code and incorporates required mitigation (fisheries and scenic). Additionally, the property would be deed restricted limiting the three subject properties to one shared pier. The IEC is provided as Attachment D.

Public Comment:

Property owners within 300 feet of the subject site were provided notice of the proposed project. As of the posting of this staff report, no comments were received.

Regional Plan Compliance:

The proposed project is consistent with the Goal and Policies of the Regional Plan, Shorezone Subelement, in that it complies with the design standards and includes mitigation to ensure no negative impacts to the environmental thresholds. The proposed project is for a multiple-parcel pier, which are encouraged by the Regional Plan to reduce overall development potential along the shoreline of Lake Tahoe.

Contact Information:

For questions regarding this agenda item, please contact Tiffany Good, Principal Planner, at (775) 589-5283 or tgood@trpa.org.

Attachments:

- A. Required Findings/Rationale
- B. Draft Permit
- C. 2018 Shorezone Code Conformance Table
- D. Initial Environmental Checklist
- E. Proposed Site Plan and Elevations

Attachment A

Required Findings/Rationale

Required Findings/Rationale
Hekmat/Quiet Waters LLC/Whitehead New Multiple-Parcel Pier Construction

Required Findings:

The following is a list of the required findings as set forth in Chapter 4, 80, 82, and 84 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 4 – Required Findings:

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

Based on the information provided in this staff report, the project application, the Initial Environmental Checklist (IEC), and Article V(g) Findings Checklist, there is sufficient evidence demonstrating that the proposed project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statement 037 - Lakeview, the Code and other TRPA plans and programs.

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

TRPA staff has completed the “Article V(g) Findings” in accordance with Chapter 4, Subsection 4.3 of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. Also, the applicant has completed an IEC. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed V(g) Findings are available at TRPA and will be made available online at both www.trpa.org and www.laketahoeinfo.org.

- (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.

TRPA is requiring that all potential environmental effects be mitigated through Best Management Practices, including the use of turbidity curtains during construction. The applicant is also required to obtain separate approval for the project from the U.S. Army Corps of Engineers, Nevada Department of Wildlife, Nevada Division of State Lands, and Washoe County to ensure the project will meet or exceed all federal, state, or local standards. As a result, upon completion of construction, the project should have no impact upon air or water quality standards.

2. Chapter 80 – Shorezone Findings:

- (a) Significant Harm: The project will not adversely impact littoral processes, fish spawning habitat, backshore stability, or on-shore wildlife habitat, including waterfowl nesting areas.

There is no evidence in the project file that indicates the proposed project will adversely impact littoral processes (the pier will be constructed on pilings to allow for the free flow of water), fish habitat (as conditioned), backshore stability, or on-shore wildlife habitat, including waterfowl nesting areas.

- (b) Accessory Facilities: There are sufficient accessory facilities to accommodate the project.

The proposed multiple-parcel pier will be accessory to the primary upland residential uses located at 887 and 889 Lakeshore Boulevard. While 885 Lakeshore Boulevard is a part of the project area, there is currently not a primary residential land use on the property. 885 Lakeshore Boulevard would be eligible for a primary residential use in the future.

- (c) Compatibility: The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modifications of such existing uses or structures will be undertaken to assure compatibility.

There are a number of private multiple-parcel and single-parcel piers within the immediate vicinity of the subject site. While the pier will extend beyond the TRPA pierhead line, the pier will not extend beyond the length limitations placed on multiple-parcel piers serving three or more residential littoral parcels and will therefore be compatible with the surrounding shorezone facilities. The pier is compatible with the length, size, and facilities of surrounding piers in this area.

- (d) Use: The use proposed in the foreshore or nearshore is water dependent.

The pier is located in the shorezone of Lake Tahoe and is therefore a water dependent structure.

- (e) Hazardous Materials: 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). In addition, the special conditions of approval prohibit the discharge of petroleum products, construction waste and litter or earthen materials to the surface waters of Lake Tahoe. All surplus construction waste materials shall be removed from the project and deposited only at TRPA approved points of disposal. No containers of fuel, paint, or other hazardous materials may be stored on the pier or shoreline.

- (f) Construction: Construction and access techniques will be used to minimize disturbance to the ground and vegetation.

The new pier will be constructed and the project area accessed via barge/amphibious vehicle in order to avoid unnecessary disturbance of the shorezone/backshore. All of the pilings will be driven with a vibratory hammer from the barge/amphibious vehicle to a depth of 8 feet or refusal. Once all of the pilings have been installed, the joists and decking will be constructed from the barge/amphibious vehicle. All steel pilings and

accessories will be painted prior to being transported to the project site. All material storage will be on the barge/amphibious vehicle. Any upland access required would be fitted with temporary Best Management Practices (BMPs). The Draft Permit (Attachment B) includes conditions to ensure construction and access techniques will be used to minimize disturbance to the ground and vegetation, including Tahoe Yellow Cress.

- (g) Navigation and Safety: The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.

The pierhead line was established for the purpose of protecting navigation and safety. The proposed pier will extend beyond the TRPA pierhead line by approximately 65 feet, but in accordance with the length limitations provided in TRPA code, Section 84.4.3.C. TRPA staff solicited comments from agencies with jurisdiction over the lake's navigable waters and no concerns regarding navigation and safety were raised.

- (h) Other Agency Comments: TRPA has solicited comments from those public agencies having jurisdiction over the nearshore and foreshore and all such comments received were considered by TRPA, prior to action being taken on the project.

TRPA staff solicited comments from the U.S. Army Corps of Engineers, the Nevada Division of State Lands, Nevada Department of Wildlife, and the Lake Tahoe Water Supplier's Association. No negative comments were received. The applicant is required to get approval for the project from all of the aforementioned agencies prior to construction.

- (i) Additional Findings for Coverage or Disturbance in the Backshore: The amount of land coverage is the minimum necessary when all Thresholds are taken into consideration to provide access to an approved or an existing structure or use in the nearshore or foreshore.

Approximately 173 square feet of Class 1b/SEZ coverage associated with the new pier is necessary to connect the new pier with the upland portion of the properties. The permittee will be required to obtain restoration credits from the California Tahoe Conservancy or Nevada Division of State Lands at a ratio of 1.5 to 1 times the amount of coverage required for the proposed pier coverage. Should restoration credits not be available, then the applicant is required to undertake a restoration project to be reviewed and approved by TRPA or relocate existing, verified, Class 1b coverage on-site. Should this be the case, the applicant would need to create a project area for coverage purposes and deed restrict the Class 1b coverage accordingly.

3. Chapter 83 Shorezone Tolerance Districts and Development Standards:

- (a) Vehicular access to the shoreline shall not be permitted except where TRPA finds that such access will not cause environmental harm.

The proposed project is located in Shorezone Tolerance District 7, where vehicular access to the shoreline shall not be permitted except where TRPA finds that such access will not cause environmental harm. The pier will be constructed entirely from a barge/ amphibious vehicle on the lake. Access to the project area from the upland is prohibited except for necessary access paths for construction workers, and construction staging of equipment and material will not occur anywhere on the shoreline or on the upland portion of the property.

Attachment B

Draft Permit



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

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

August 26, 2020

Kaufman Edwards Planning
P.O. Box 1253
Carnelian Bay, CA 96140

QUIET WATERS LLC/HEKMAT/WHITEHEAD NEW MULTIPLE-PARCEL PIER, 885/887/889 LAKESHORE BOULEVARD, WASHOE COUNTY, CALIFORNIA, ASSESSOR'S PARCEL NUMBERS (APNs)122-181-32, 64 & 65, TRPA FILE NUMBER ERSP2020-0121

Dear Applicant:

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

TRPA will acknowledge the original permit only after all standard and special conditions of approval have been satisfied. Please schedule an appointment with me to finalize your project. Due to time demands, TRPA cannot accept drop-in or unannounced arrivals to finalize plans.

Pursuant to Rule 11.2 of the TRPA Rules of Procedure, this permit may be appealed within twenty-one (21) days of the date of this correspondence, (September 9, 2020).

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,

A handwritten signature in black ink, appearing to read "Tiffany Good".

Tiffany Good
Principal Planner
Planning Department

C: Quiet Waters, LLC
10877 Wilshire Boulevard #300
Los Angeles, CA 90024

Conditional Permit

PROJECT DESCRIPTION: New Multiple-Parcel Pier

APNs: 122-181-32, -64, -65

PERMITTEES: Kambiz and Mahnaz Hekmat
Quiet Waters, LLC
Eddie and Lynn Whitehead

FILE #: ERSP2020-0121

COUNTY/LOCATION: Washoe/ 885/887/889 Lakeshore Boulevard

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on **August 26th, 2020**, subject to the standard conditions of approval attached hereto (Attachments Q and S) and the special conditions found in this permit.

This permit shall expire on **August 26th, 2023**, 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 DEMOLITION, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

- (1) 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;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) THE PERMITTEE OBTAINS APPROPRIATE COUNTY PERMIT. TRPA'S ACKNOWLEDGEMENT MAY BE NECESSARY TO OBTAIN A COUNTY PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
- (4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.



TRPA Executive Director/Designee

8/26/2020

Date

PERMITTEES' 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 _____

Signature of Permittee(s) _____ Date _____

Signature of Permittee(s) _____ Date _____

(PERMIT CONTINUED ON NEXT PAGE)

APNs 122-181-32, -64, & -65

FILE NO. ERSP2020-0121

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

Excess Coverage Mitigation Fee (2): Amount \$ _____ Type Paid _____ Receipt No. _____

Project Security Posted (3): Amount \$ 10,000 Type Paid _____ Receipt No. _____

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

Project Security Posted (5): Amount \$ 5,000 Type Paid _____ Receipt No. _____

Security Administrative Fee (6): Amount \$ _____ Paid _____ Receipt No. _____

Shorezone Mitigation Fee (7): Amount \$ 12,654 Type Paid _____ Receipt No. _____

Notes:

- (1) Amount to be determined. See Special Condition 3.F, below.
- (2) Amount to be determined. See Special Condition 3.G, below.
- (3) See Special Condition 3.H, below.
- (4) Consult the TRPA filing fee schedule for the current security administration fee.
- (5) See Special Condition 3.J, below.
- (6) Consult the TRPA filing fee schedule for the current security administration fee.
- (7) See Special Condition 3.I, below.

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

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

TRPA Executive Director/Designee

Date

SPECIAL CONDITIONS

1. This permit authorizes a new multiple-use pier is proposed to serve three littoral parcels located at 885, 887, and 889 Lakeshore Boulevard in Incline Village, Washoe County, Nevada. The proposed pier involves constructing a new pier to extend 210.9' from the High Water Line elevation of 6,229.1, with two 3-foot by 30-foot catwalks and two boatlifts located at the pierhead. The pierhead will be 15 feet wide. Two existing moorings will be converted to two boatlifts as a result of the project. The pier will straddle the property line between APN 122-181-32 and 122-181-65. The pier complies with all development and location standards for a multiple-parcel pier serving three parcels, and consistent with TRPA Code of Ordinances chapters 80 through 85. There is no coverage approved landward of the High Water Line.

Existing shorezone development includes a total of six moorings:

The three parcels associated with the project area will be deed restricted against future shorezone development and limited to one shared pier. Once the permit has been acknowledged, the project area will include the following (See Special Condition 3.C, below):

APN 122-181-32 one mooring buoy and one mooring lift

APN 122-181-64 two mooring buoys

APN 122-181-65 one mooring buoy and one mooring lift

All APNs: one multiple-parcel pier

The three parcels associated with this project shall be considered a project area for scenic mitigation purposes. The proposed contrast rating scores for the parcels are as follows:

APN 122-181-32: Composite Contrast Rating Score of 26

APN 122-181-64: Composite Contrast Rating Score of 26

APN 122-181-65: Composite Contrast Rating Score of 26

The proposed project is located within Scenic Shoreline Unit 23, Crystal Bay, which is not in attainment with the TRPA Scenic Threshold. Up to 460 square feet of visible mass is allowed for multiple-parcel piers serving three or more primary residential littoral parcels. The allowable visible mass is not inclusive of accessory structures such as boatlifts, handrails, and ladders. The proposed pier has a total visible mass of 371.65 square feet which counts towards the 460 square feet of allowable visible mass. The project area is located in a Visually Modified scenic character type, requiring mitigation of all additional mass, including accessory structures associated with a pier, at a 1:2 ratio. There is a total visible mass, including accessory structures, of 719.65 square feet. This means that 1,439.3 square feet of visible mass will be mitigated within the project area. The project area must also demonstrate that it can meet a Composite Scenic Score of 25 within 6 months of project completion. The project area will achieve a Composite Scenic Score of 25 within 6 months of project completion by adding 72 new plants and trees to serve as vegetative screening and darkening the exterior materials of the residence located at 889 Lakeshore Boulevard. Existing vegetative screening will also contribute to the required mitigation.

2. The Standard Conditions of Approval listed in Attachment S shall apply to this permit.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied:
 - A. The site plan (Sheet T1) for the project area shall be revised to include the following:
 1. Include the location of temporary BMPs, if necessary, for access pathways from the upland to the pier.
 2. Delineate the location of the turbidity curtain and include allowance for barge access.
 3. Delineate the limits of the barge access for construction of the pier.
 4. Add a note stating no containers of fuel, paint, or other hazardous materials may be stored on the pier or shoreline.
 5. Include a plan notation that indicates pile driving operations and other piling installation methods (i.e. pinning, etc.) shall require the installation of caissons for turbidity control **upon the discretion of the TRPA inspector upon a pre-grade inspection**. A floating fine mesh fabric screen or other material approved by TRPA shall be installed underneath the pier decking to capture any fallen materials during pier demolition and reconstruction. The floating screen and caissons may be removed upon project completion and after a satisfactory inspection by TRPA to ensure that all suspended materials have settled.
 6. Remove the temporary jet ski rail/storage located in the backshore of APN 122-181-32. The project security shall not be released unless this has been removed.
 - B. The Permittee shall submit a projected construction completion schedule to TRPA prior to acknowledgment. Said schedule shall include completion dates for each item of construction.
 - C. The permittees shall record a deed restriction to be prepared by TRPA that will create a project area of the subject APNs (122-181-32, -64, & -65) for the purpose of limiting potential future shorezone development, to allow for only one pier between the subject parcels. The deed restriction shall also create a project area for the purposes of scenic review. The permittee shall record the deed restriction with the Washoe County Recorder's Office, and provide either the original recorded

deed restriction or a certified copy of the recorded deed restriction to TRPA prior to permit acknowledgement.

- D. The Permittee shall conduct a Tahoe Yellow Cress survey for the subject property. Surveys shall be conducted during the growing season of June 15th through September 30th prior to commencement of proposed work. If TYC or TYC habitat are present, the Permittee shall submit a TYC avoidance and protection plan to TRPA prior to acknowledgement of this permit.
- E. The Permittee shall provide a Spill Prevention Plan for the use of any hazardous materials or equipment (i.e., fuel, epoxy glue, other volatile substances, welding and torch equipment, etc.), for construction activities occurring from a barge and/or amphibious vehicle and within the lake. The Plan shall require absorbent sheets/pads to be retained on the barge at all times. A contact list of all emergency response agencies shall be available at the project site at all times during construction.
- F. The subject property, APN 122-181-65, has 4,727 square feet of unmitigated excess land coverage. The Permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within the Hydrologic Transfer Area 1 (Incline), or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed (in square feet), use the following formula:

Estimated project construction cost multiplied by 0.0150, divided by 8.

If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:

Square footage of required coverage reduction (as determined by formula above) multiplied by the excess coverage mitigation fee of \$20.00 per square foot for projects located within the Hydrologic Transfer Area 1 (Incline).

Please provide a construction cost estimate by your licensed contractor, architect, or engineer. In no case shall the mitigation fee be less than \$200.00.

- G. The subject property, APN 122-181-32, has 6,217 square feet of unmitigated excess land coverage. The Permittee shall mitigate a portion or all of the excess land

coverage on this property by removing coverage within the Hydrologic Transfer Area 1 (Incline), or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed (in square feet), use the following formula:

Estimated project construction cost multiplied by 0.0175, divided by 8.

If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:

Square footage of required coverage reduction (as determined by formula above) multiplied by the excess coverage mitigation fee of \$20.00 per square foot for projects located within the Hydrologic Transfer Area 1 (Incline).

Please provide a construction cost estimate by your licensed contractor, architect, or engineer. In no case shall the mitigation fee be less than \$200.00.

- H. The project security required under Standard Condition A.3 of Attachment S shall be \$10,000. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.
- I. Pursuant to Section 10.8.5.E.4.a.i of the TRPA Rules of Procedure, the permittee shall submit a shorezone mitigation fee of \$12,654 for the construction of 210.9 feet of pier length for a new pier (assessed at \$60.00 per linear foot).
- J. By acceptance of this permit, the permittee agrees that the scenic mitigation authorized under this permit shall be maintained in perpetuity. Failure to meet scenic mitigation requirements is a violation of the permit and TRPA Code of Ordinance Section 5.4 and is subject to enforcement actions.

A project area contrast rating score of 26 will be achieved to comply with the required scenic mitigation and qualify for security return. The project has a maximum of 5 years from final inspection to meet the necessary requirements. When the scenic mitigation requirements have been met, the following documentation shall be submitted at www.trpa.org/.

- Post project photos taken from 300 feet and one quarter mile offshore, with at least one photo from center and perpendicular to the project area, and photos of onsite existing conditions.
- Post project revised scenic assessment. This is only required if there are significant changes from the approved scenic assessment.
- Planting of 72 trees and shrubs in the project area and painting of the exterior siding of the residence located at 122-181-32 to match Munsell color 3/1 5YR

The shorezone scenic security of \$5,000 shall be required per TRPA Code of Ordinances Section 5.9. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee. An additional inspection fee is due at permit acknowledgement.

- K. The Permittee shall provide an electronic set of final construction drawings and site plans for TRPA Acknowledgement.
4. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions arising directly or indirectly from issuance or implementation of this permit. TRPA will have the sole and exclusive control (including the right to be represented by attorneys of TRPA's choosing) over the defense of any claims against TRPA and over this settlement, compromise or other disposition. Permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same.

5. It is the Permittee's responsibility to receive authorization, and obtain any necessary permits from other responsible agencies for the proposed project.

6. No pier demolition or construction shall occur between May 1 and October 1 (spawning season) unless prior approval is obtained from the California Department of Fish and Wildlife, the U.S. Army Corps of Engineers, or the U.S. Fish and Wildlife Service.
7. Disturbance of lake bed materials shall be the minimum necessary. The removal of rock materials from Lake Tahoe is prohibited. Gravel, cobble, or small boulders shall not be disturbed or removed to leave exposed sandy areas before, during, or after construction.
8. Best practical control technology shall be employed to prevent earthen materials to be re-suspended as a result of construction activities and from being transported to adjacent lake waters.
9. 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 and deposited only at approved points of disposal.
10. Any normal construction activity 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.

END OF PERMIT

Attachment C

2018 Shorezone Code Conformance Table

Attachment C

Hekmat/Quiet Waters/Whitehead Multiple Use Pier Conformance Review Table

Table 1: Pier Conformance Review Under 2018 Shorezone Code

Standard	2018 Shzne Code	Proposed Pier	Conformance
Streams	Outside of Stream Mouth Protection Zone (SMPZ)	1/3 mile away from the nearest SMPZ located at Incline Beach	In conformance
Fish Habitat	Mitigation at 1:1 for Feed/Cover fish habitat	Replaced fish habitat adjacent to project, mitigation of \$12,654 for additional 210.9 linear feet	In conformance
Length	Pierhead may extend 30 feet past 6219 or 60 feet past pierhead line, whichever is more limiting. An additional 15 feet may be permitted for piers serving three or more primary residential parcels.	210.9' , extends 65 feet past TRPA pierhead line	In conformance
Setbacks	20' for new piers from outermost property boundary projection lines, & 40' from existing piers as measured from the pierhead	Conforms with external projection line setbacks	In Conformance
Width	Maximum 15' wide excluding catwalks	15' with two (2) boatlifts on either side of the pier.	In conformance
Catwalk	Maximum of 3' by 30'	3' x 30'	In conformance
Boatlift	One boat lift per littoral parcel (max. 4)	Two boatlifts	In conformance
Pier Height	6,232' maximum	6,234'	In conformance (see staff report)
Free Flowing Water	Piers required to be floating or have an open piling foundation	Open piling foundation (90%)	In conformance
Superstructures (Boat House)	Prohibited	NA	In conformance

Colors & Materials	Dark colors that blend with background	Brown decking, flat black structural components	In conformance
Visual Mass Limitation	460 sf of visible mass allowed for piers serving 3 or more primary residential littoral parcels (does not include accessory structures such as boatlifts, boats, handrails, and ladders).	371.65 square feet	In conformance
Visual Mass Mitigation	In Visually Modified Character Types mitigation required at a 1:2 ratio	Additional visible mass, including accessory structures, will be mitigated at a 1:2 ratio through changing exterior material colors and adding vegetative screening.	In conformance
Retirement of Shorezone Development Potential	An additional multiple-parcel pier shall extinguish future pier development potential through deed restriction on all parcels served by the pier, including adjacent and non-adjacent parcels, with the exception of the littoral parcel on which the additional pier is permitted.	Deed restriction to be recorded prior to permit acknowledgement.	In conformance

Attachment D

Initial Environmental Checklist



**TAHOE
REGIONAL
PLANNING
AGENCY**

OFFICE
128 Market St.
Stateline, NV

Phone: (775) 588-4547
Fax: (775) 588-4527

MAIL
PO Box 5310
Stateline, NV 89449-5310

www.trpa.org
trpa@trpa.org

HOURS
Mon., Wed., Thurs., Fri.
9 am-12 pm / 1 pm-4 pm
Closed Tuesday

New Applications Until 3:00 pm

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

I. Assessor's Parcel Number (APN)/Project Location 122-181-32, 64 & 65

Project Name Hekmat-Quiet Waters-Whitehead New Multi Use Pier County/City Washoe

Brief Description of Project:

New multiple use pier shared by three littoral parcels. Please refer to enclosed project description for details.

The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments. Use the blank boxes to add any additional information. If more space is required for additional information, please attach separate sheets and reference the question number and letter.

II. ENVIRONMENTAL IMPACTS:

1. Land

Will the proposal result in:

a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

- Yes No
 No, With Mitigation Data Insufficient

b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

- Yes No
 No, With Mitigation Data Insufficient

c. Unstable soil conditions during or after completion of the proposal?

- Yes No
 No, With Mitigation Data Insufficient

d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

- Yes No
 No, With Mitigation Data Insufficient

e. The continuation of or increase in wind or water erosion of soils, either on or off the site?

- Yes No
 No, With Mitigation Data Insufficient

f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?

- Yes No
 No, With Mitigation Data Insufficient

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

- Yes No
 No, With Mitigation Data Insufficient

2. Air Quality

Will the proposal result in:

a. Substantial air pollutant emissions?

- Yes No
 No, With Mitigation Data Insufficient

b. Deterioration of ambient (existing) air quality?

- Yes No
 No, With Mitigation Data Insufficient

c. The creation of objectionable odors?

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

4. Vegetation

Will the proposal result in:

a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

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

b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

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

c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

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

d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)?

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

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

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

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

[Empty response box]

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

g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?

[Empty response box]

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

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

[Empty response box]

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

5. Wildlife

Will the proposal result in:

a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?

[Empty response box]

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

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

[Empty response box]

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

c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

- Yes No
 No, With Mitigation Data Insufficient

d. Deterioration of existing fish or wildlife habitat quantity or quality?

- Yes No
 No, With Mitigation Data Insufficient

6. Noise

Will the proposal result in:

a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan?

- Yes No
 No, With Mitigation Data Insufficient

b. Exposure of people to severe noise levels?

- Yes No
 No, With Mitigation Data Insufficient

c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

- Yes No
 No, With Mitigation Data Insufficient

d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?

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

e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?

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

f. Exposure of existing structures to levels of ground vibration that could result in structural damage?

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

7. Light and Glare

Will the proposal:

a. Include new or modified sources of exterior lighting?

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

8. Land Use

Will the proposal:

a. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?

- Yes No
 No, With Mitigation Data Insufficient

b. Expand or intensify an existing non-conforming use?

[Empty response box]

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

9. Natural Resources

Will the proposal result in:

a. A substantial increase in the rate of use of any natural resources?

[Empty response box]

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

b. Substantial depletion of any non-renewable natural resource?

[Empty response box]

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

10. Risk of Upset

Will the proposal:

a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?

[Empty response box]

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

b. Involve possible interference with an emergency evacuation plan?

[Empty response box]

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

11. Population

Will the proposal:

a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?

- Yes No
 No, With Mitigation Data Insufficient

b. Include or result in the temporary or permanent displacement of residents?

- Yes No
 No, With Mitigation Data Insufficient

12. Housing

Will the proposal:

a. Affect existing housing, or create a demand for additional housing?

To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:

(1) Will the proposal decrease the amount of housing in the Tahoe Region?

- Yes No
 No, With Mitigation Data Insufficient

(2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?

- Yes No
 No, With Mitigation Data Insufficient

Number of Existing Dwelling Units: 3

Number of Proposed Dwelling Units: 3

b. Will the proposal result in the loss of housing for lower-income and very-low-income households?

[Empty response box]

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

13. Transportation/Circulation

Will the proposal result in:

a. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

[Empty response box]

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

b. Changes to existing parking facilities, or demand for new parking?

[Empty response box]

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

c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

[Empty response box]

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

d. Alterations to present patterns of circulation or movement of people and/or goods?

[Empty response box]

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

e. Alterations to waterborne, rail or air traffic?

[Empty response box]

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

f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

- Yes No
 No, With Mitigation Data Insufficient

14. Public Services

Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?

a. Fire protection?

- Yes No
 No, With Mitigation Data Insufficient

b. Police protection?

- Yes No
 No, With Mitigation Data Insufficient

c. Schools?

- Yes No
 No, With Mitigation Data Insufficient

d. Parks or other recreational facilities?

- Yes No
 No, With Mitigation Data Insufficient

e. Maintenance of public facilities, including roads?

- Yes No
 No, With Mitigation Data Insufficient

f. Other governmental services?

- Yes No
 No, With Mitigation Data Insufficient

15. Energy

Will the proposal result in:

a. Use of substantial amounts of fuel or energy?

- Yes No
 No, With Mitigation Data Insufficient

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

- Yes No
 No, With Mitigation Data Insufficient

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

a. Power or natural gas?

- Yes No
 No, With Mitigation Data Insufficient

b. Communication systems?

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?

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

e. Storm water drainage?

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

f. Solid waste and disposal?

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

17. Human Health

Will the proposal result in:

a. Creation of any health hazard or potential health hazard (excluding mental health)?

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

b. Exposure of people to potential health hazards?

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

18. Scenic Resources/Community Design

Will the proposal:

a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

19. Recreation

Does the proposal:

a. Create additional demand for recreation facilities?

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

b. Create additional recreation capacity?

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

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

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

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

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

20. Archaeological/Historical

a. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?

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

b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

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

- Yes No
 No, With Mitigation Data Insufficient

21. Findings of Significance.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

- Yes No
 No, With Mitigation Data Insufficient

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)

- Yes No
 No, With Mitigation Data Insufficient

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)

- Yes No
 No, With Mitigation Data Insufficient


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

- Yes No
 No, With Mitigation Data Insufficient

DECLARATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature: (Original signature required.)

 _____ At _____ Placer _____ Date: 12/26/19
Person Preparing Application County

Applicant Written Comments: (Attach additional sheets if necessary)

Please refer to attached IEC response.

FOR OFFICE USE ONLY

Date Received: 1/17/2020 By: Tiffany Good

Determination:

On the basis of this evaluation:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

Yes No

Yes No

- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures.

Yes No

Yes No

- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with Chapter 3 of the TRPA Code of Ordinances and the Rules of Procedure.

Yes No

Yes No

Signature of Evaluator Date: _____

Tiffany Good - Principal Planner
Title of Evaluator

Attachment E

Proposed Site Plan and Elevations

HEKMAT/WHITEHEAD MULTIPLE-USE PIER PROJECT

PROJECT INFORMATION:

OWNERS: KAMBIZ HEKMAT
10877 WILSHIRE BLVD. #300
LOS ANGELES, CA 90024
(APN: 122-181-064)

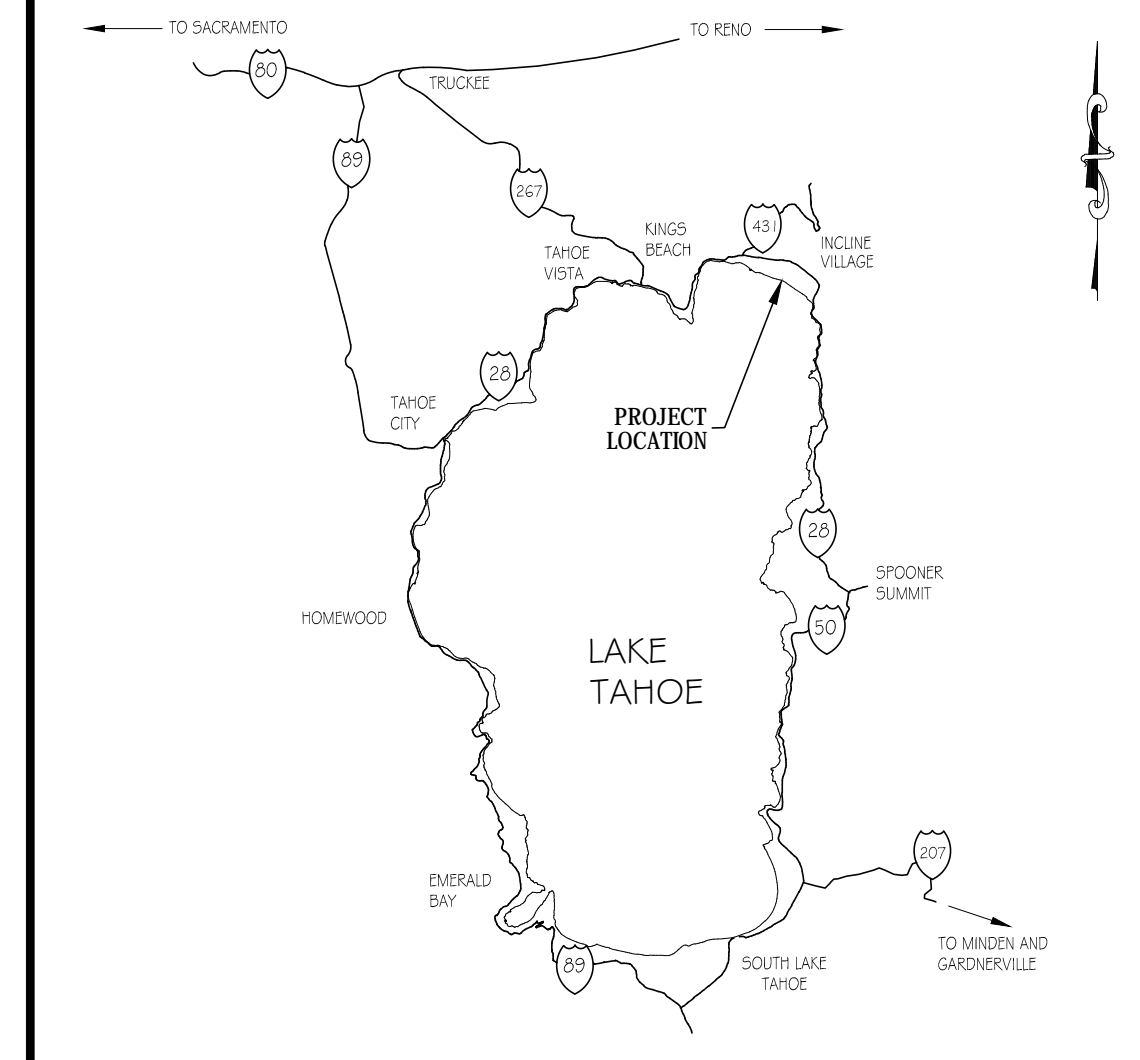
QUIET WATERS, LLC d/b/a INDIVEST
10877 WILSHIRE BLVD. #300
LOS ANGELES, CA 90024
(APN: 122-181-065)

EDDIE WHITEHEAD
P.O. BOX 8751
INCLINE VILLAGE, NV 89451
(APN: 122-181-032)

PLANNER: KAUFMAN EDWARDS PLANNING & CONSULTING
ATTN: ABIGAIL EDWARDS
P.O. BOX 1253
CARNELIAN BAY, CA 96140
(530) 546-4402

ENGINEER: FERRELL CIVIL ENGINEERING
ATTN: TIM FERRELL
P.O. BOX 361
TAHOE VISTA, CA 96148
(530) 546-2752

PROJ. LOCATION: 885, 887 & 889 LAKESHORE BLVD
INCLINE VILLAGE, NV 89450



AREA MAP

SURVEY/GENERAL NOTES:

- PIER DESIGN BASED ON SURVEYS PROVIDED BY KENNETH F. BARROW LAND SURVEYOR, DATED: 05/21/2003 (FOR APN: 122-181-032) AND SURVEY DATED 07/14/2003 (FOR APN'S: 122-181-064/065). FERRELL CIVIL ENGINEERING (F.C.E.) WILL NOT BE RESPONSIBLE FOR THE ACCURACY OF THESE SURVEYS.
- WHILE COMBINING THE SURVEYS F.C.E. MADE MINOR ALTERATIONS TO THE CONTOUR LINES TO MINIMIZE DISCREPANCIES, CONTRACTOR TO VERIFY ON SITE ALL ASPECTS OF PROPOSED DESIGN PRIOR TO BEGINNING OF WORK. IF CONFLICT ARISES IMMEDIATELY CONTACT F.C.E. FOR RE-DESIGN.
- EXISTING BUOY LOCATION AND COORDINATES WERE PROVIDED BY KAUFMAN PLANNING, AND ARE SHOWN ON THIS SITE PLAN FOR GRAPHICAL REPRESENTATION ONLY.
- NO INVESTIGATION CONCERNING THE LOCATION OF OR EXISTENCE OF UNDERGROUND UTILITY SERVICE LINES TO THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY. CONTRACTOR TO BE RESPONSIBLE FOR CONTACTING UNDERGROUND SERVICE ALERT PRIOR TO BEGINNING OF WORK, EVEN ON PRIVATE PROPERTY.
- CONTRACTOR AND/OR OWNER TO VERIFY ALL EXISTING EASEMENTS, BUILDING SETBACKS AND ANY OTHER BUILDING RESTRICTIONS WHICH MAY AFFECT THIS PROPERTY/PROJECT.
- CONTRACTOR TO HAVE THE APPROVED TRPA PERMIT AND STAMPED PLANS ON SITE AT ALL TIMES DURING CONSTRUCTION.
- CONTRACTOR SHALL COMPLY WITH THE TRPA SPECIAL AND STANDARD CONDITIONS OF APPROVAL SET FORTH IN THE PERMIT.
- ALL PROPOSED STEEL PILES TO HAVE A MIN. EMBEDMENT DEPTH OF 6 FEET. IF SITE CONDITIONS DO NOT ALLOW FOR THIS CONTRACTOR SHALL PIN THE PILES TO EXISTING BOULDERS PER ENGINEER'S DIRECTION AND DETAIL 4/D 1.
- PIER FILINGS, STRUCTURAL STEEL AND CATWALK SHALL ALL BE A FLAT DARK GRAY, BLACK, OR OTHER DARK COLOR CONSISTENT WITH THE COLOR PHOTOGRAPHS SUBMITTED WITH THE APPLICATION MATERIALS.
- CAISSONS AND/OR A TURBIDITY CURTAIN WILL BE INSTALLED AT THE DISCRETION OF THE CONTRACTOR, SUBJECT TO THE APPROVAL OF THE TRPA PRE-GRADE FIELD INSPECTOR.

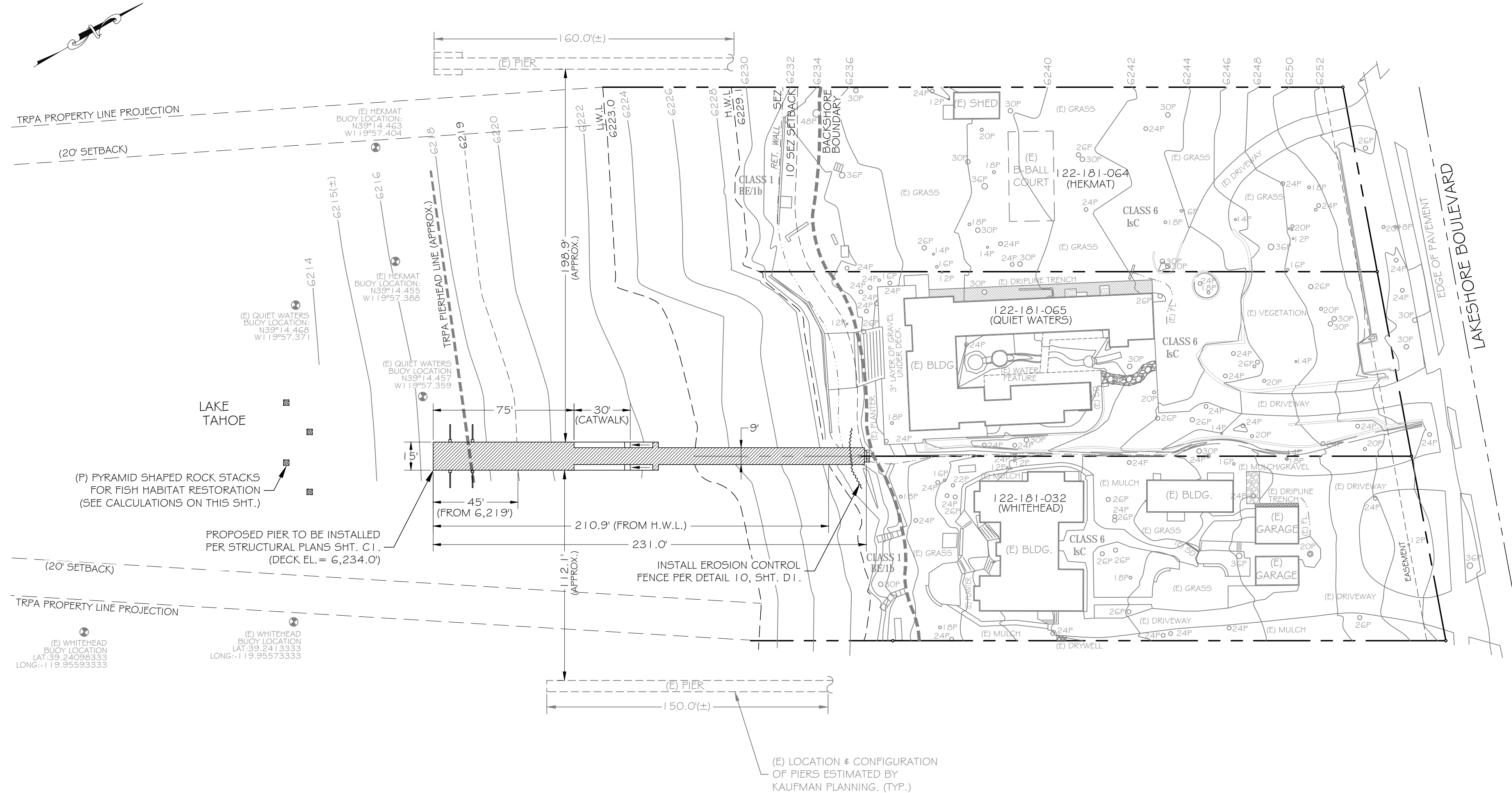
TRPA NOTES:

- THERE WILL BE NO STORAGE OF CONSTRUCTION MATERIALS IN THE SHOREZONE (INCLUDING THE BACKSHORE), EXCEPT ON EXISTING HARD LAND COVERAGE.
- STAGING ACTIVITY IS PROHIBITED LAKE-WARD OF THE HIGH WATER LINE EXCEPT BY BARGE DELIVERY, REMOVAL AND STAGING OF CONSTRUCTION EQUIPMENT AND MATERIALS SHALL ONLY OCCUR ON THE BARGE UNLESS APPROVED BY TRPA IN THE CONSTRUCTION PLAN.
- DISTURBANCE (TEMPORARY OR PERMANENT) TO THE LAKE SUBSTRATE IS PROHIBITED FOR CONSTRUCTION ACTIVITIES AND MODIFICATIONS TO THIS PIER EXCEPT FOR BOLTS OR SIMILAR DEVICES NECESSARY TO ANCHOR THE APPROVED STRUCTURAL SUPPORT AND FENDER FILINGS. EXISTING BOULDERS IN LAKE TAHOE SHALL NOT BE REMOVED OR RELOCATED. CONSTRUCTION ACTIVITIES SHALL NOT INCREASE WATER TURBIDITY NOR CAUSE ANY SUSPENSION OF ANY LAKE SEDIMENTS IN THE WATERS OF LAKE TAHOE.

ALLOWED PIER MASSING CALCULATIONS		
PROPOSED PIER DIMENSIONS	(feet/in.)	(feet)
Pier length (to HWL)	210'-10.8"	210.90
Width of pier head and (2) Catwalks	15'-0"	15.00
Decking height with joists	9"	0.75
Girders depth	8-1/4"	0.70
Pile height (visible at 6.226' lake level)	6'-6.75"	6.56
Pile width (Pier Walkway)	10-3/4"	0.90
Pile width (Pier Head)	12"	1.00
PROPOSED PIER VISUAL MASS (sq. ft.)		
Decking/framing: 210.9' x 0.75' (side) =		158.18
Decking/framing: 15' x 0.75' (front) =		11.25
Steel piles (Walkway): 0.9' x 6.56' x 9 piles (side) =		53.14
Steel piles (Walkway): 0.9' x 1.75' x 2 piles (side) =		3.15
Steel piles (Pier Head): 1' x 6.56' x 6 piles (side) =		39.36
Steel Piles: 1' x 6.56' x 4 piles (front) =		26.24
Steel Girders: 0.08 SF x 18 (side) =		1.44
Steel Girders: 0.7' x 15' (front) =		10.50
(2)-Catwalk/Guardrail/Ramp: ((9.99)+(5.25' x 3' +1.5)) =		54.48
New fender piles: ((0.29' x 6' x 6)+(0.29' x 6' x 2)) =		13.92
Total Proposed Visual Massing:		371.65
Total Allowed Visual Massing:		460.00

VISIBLE PIER MASSING TO BE MITIGATED		
PROPOSED PIER VISUAL MASS	(sq. ft.)	
Decking/framing: 210.9' x 0.75' (side) =		158.18
Decking/framing: 15' x 0.75' (front) =		11.25
Steel piles (Walkway): 0.9' x 6.56' x 9 piles (side) =		53.14
Steel piles (Walkway): 0.9' x 1.75' x 2 piles (side) =		3.15
Steel piles (Pier Head): 1' x 6.56' x 6 piles (side) =		39.36
Steel Piles: 1' x 6.56' x 4 piles (front) =		26.24
Steel Girders: 0.08 SF x 18 (side) =		1.44
Steel Girders: 0.7' x 15' (front) =		10.50
(2)-Catwalk/Guardrail/Ramp: ((9.99)+(5.25' x 3' +1.5)) =		54.48
New fender piles: ((0.29' x 6' x 6)+(0.29' x 6' x 2)) =		13.92
Two New 12,000 lbs Boat Lift (@ 174 SF) =		348.00
Total Visual Massing to be Mitigated:		719.65
SQUARE FEET OF MITIGATION REQUIRED		
Visually Modified Scenic Character Type (1:2 scenic mitigation req.) (719.65 x 2) =		1439

FISH HABITAT MITIGATION CALCULATIONS		
AREA OF DISTURBANCE RESULTING FROM INSTALLATION OF 22 (10-3/4" DIA.) NEW PILINGS (0.64 X 22)		14.08 SQ. FT.
AREA OF DISTURBANCE RESULTING FROM INSTALLATION OF 12 (12" DIA.) NEW PILINGS (0.79 X 12)		9.48 SQ. FT.
TOTAL FISH HABITAT RESTORATION REQUIRED (1:1.5 MITIGATION)		35.34 SQ. FT.
TOTAL PROPOSED FISH HABITAT MITIGATION (FOUR ROCK PYRAMIDS AT 9 SQ.FT./EACH)		36.00 SQ. FT.



SITE PLAN OVERVIEW
SCALE: 1"=40'-0"

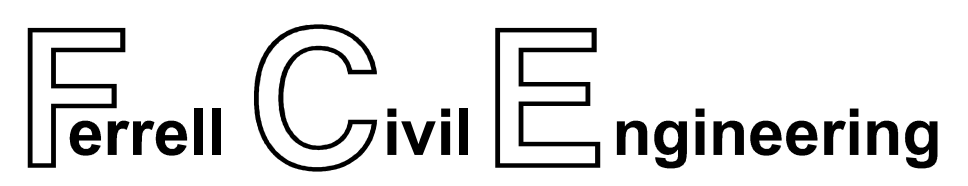
SHEET INDEX:

- T1 - TITLE SHEET & SITE PLAN
- C1 - PROPOSED PIER PLANS
- D1 - STRUCTURAL DETAILS
- D2 - BUOY EXHIBIT & COVERAGES

A.P.N.	PARCEL SIZE	LAKE FRONTAGE
122-181-064	39,391 SF	107.2 LF
122-181-065	37,799 SF	110.1 LF
122-181-032	35,748 SF	111.0 LF
TOTAL:	112,938 SF	328.3 LF

*CALCULATIONS BASED ON THE SURVEY PROVIDED BY: KEN BARROW P.L.S.

REVISION	DATE	DESCRIPTION	APPROVED	DATE



885/887/889 LAKESHORE BLVD.

TITLE SHEET/SITE PLAN

A.P.N: 122-181-064
122-181-065
122-181-032

DATE: JANUARY 14, 2020

SCALE: 1"=40'-0"

SHEET
T1
OF
4

NEVADA W.O. NO. HEKMAT/WHITEHEAD PIER

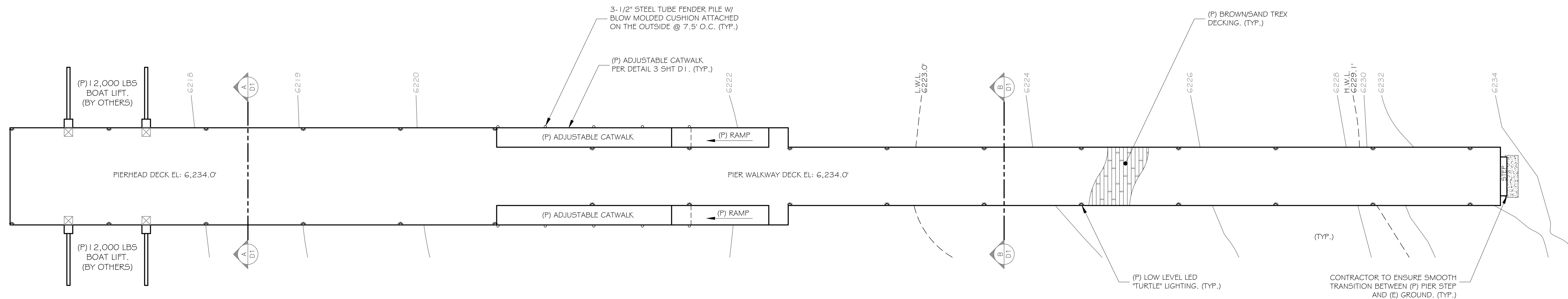
CA #C 55546 NV #12927
P.O. Box 361, Tahoe Vista, CA 96148

www.ferrellcivilengineering.com
ferrell@fcivil.com

ph: 530.546.2752
fax: 530.546.4469

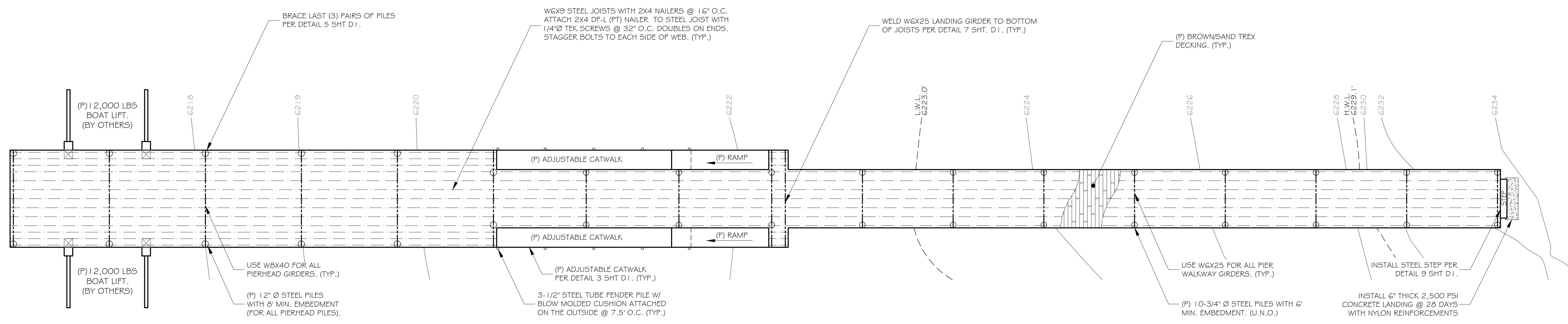
INCLINE VILLAGE

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PLAN VIEW
SCALE: 1"=8'-0"

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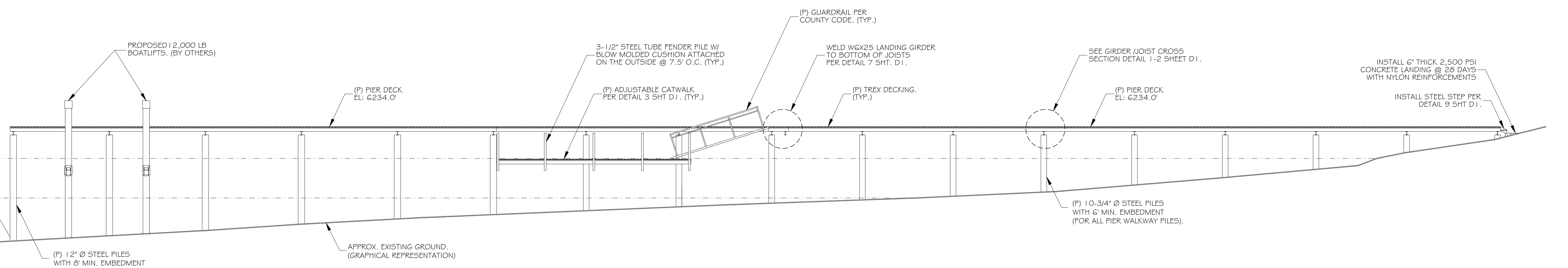
FRAMING PLAN VIEW
SCALE: 1"=8'-0"

NOTE:
THE PRIMARY COLOR OF THE PIER AND CATWALK SHALL REMAIN IN CONFORMANCE W/ THE EARTH TONE & WOOD TONE RANGES TO BLEND W/ THE NATURAL SURROUNDINGS. PILING WILL BE PAINTED FLAT BLACK OR A COLOR APPROVED BY TRPA.

MHW
6229.1'

MLW
6223.0'

BOT. EL: 6,216.3'



EAST ELEVATION VIEW
SCALE: 1"=8'-0"

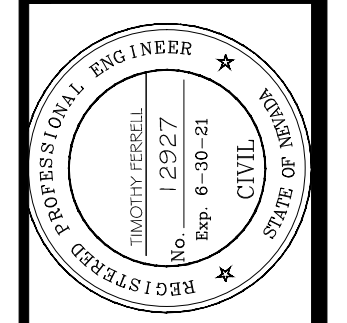
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1				
2				
3				
4				
5				

COMP.: ECE
DESIGN: HBB
DRAW: HBB
WORK ORDER:
SCALE: AS NOTED
HORIZONTAL:
VERTICAL:
CAD:

DATE: JANUARY 14, 2020

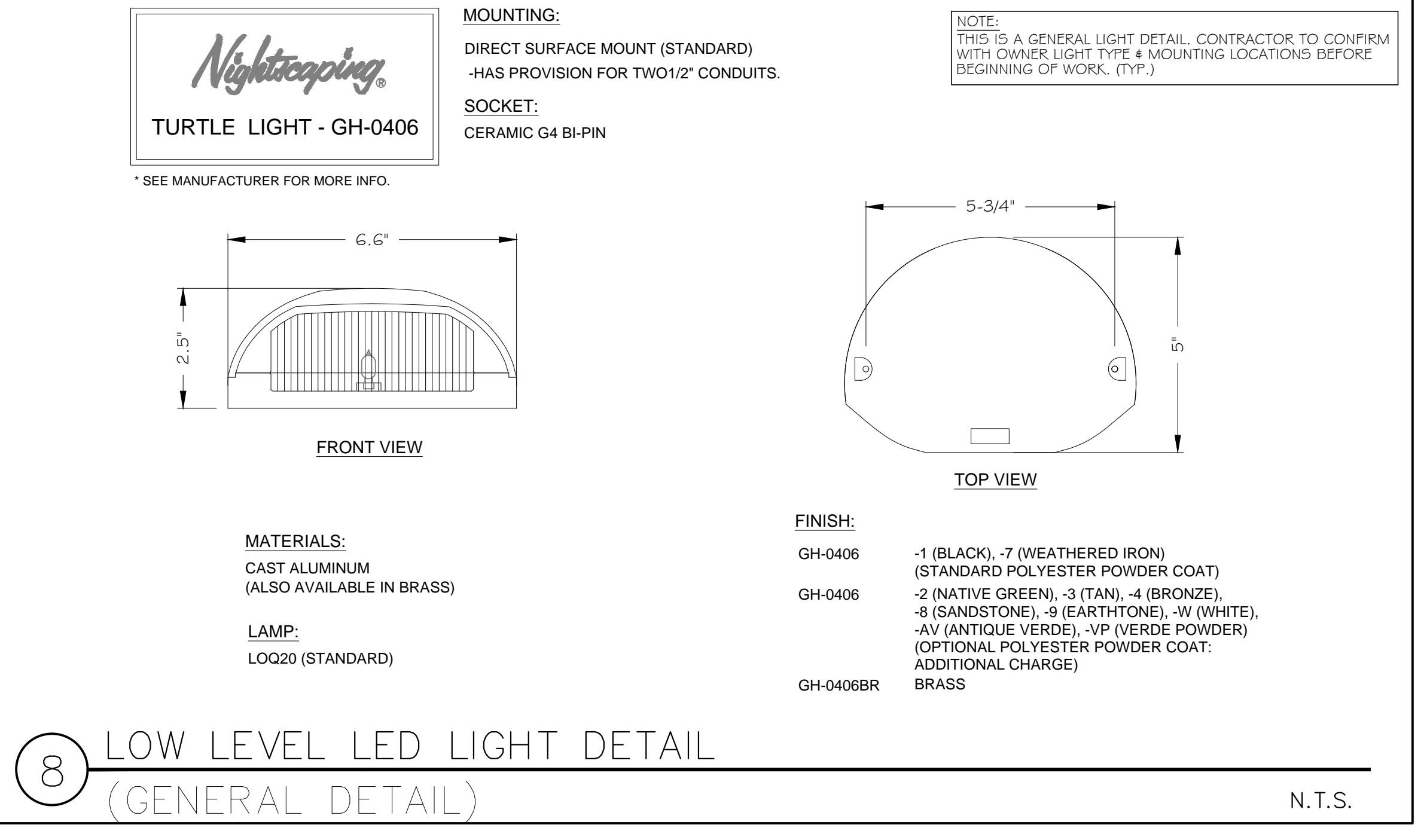
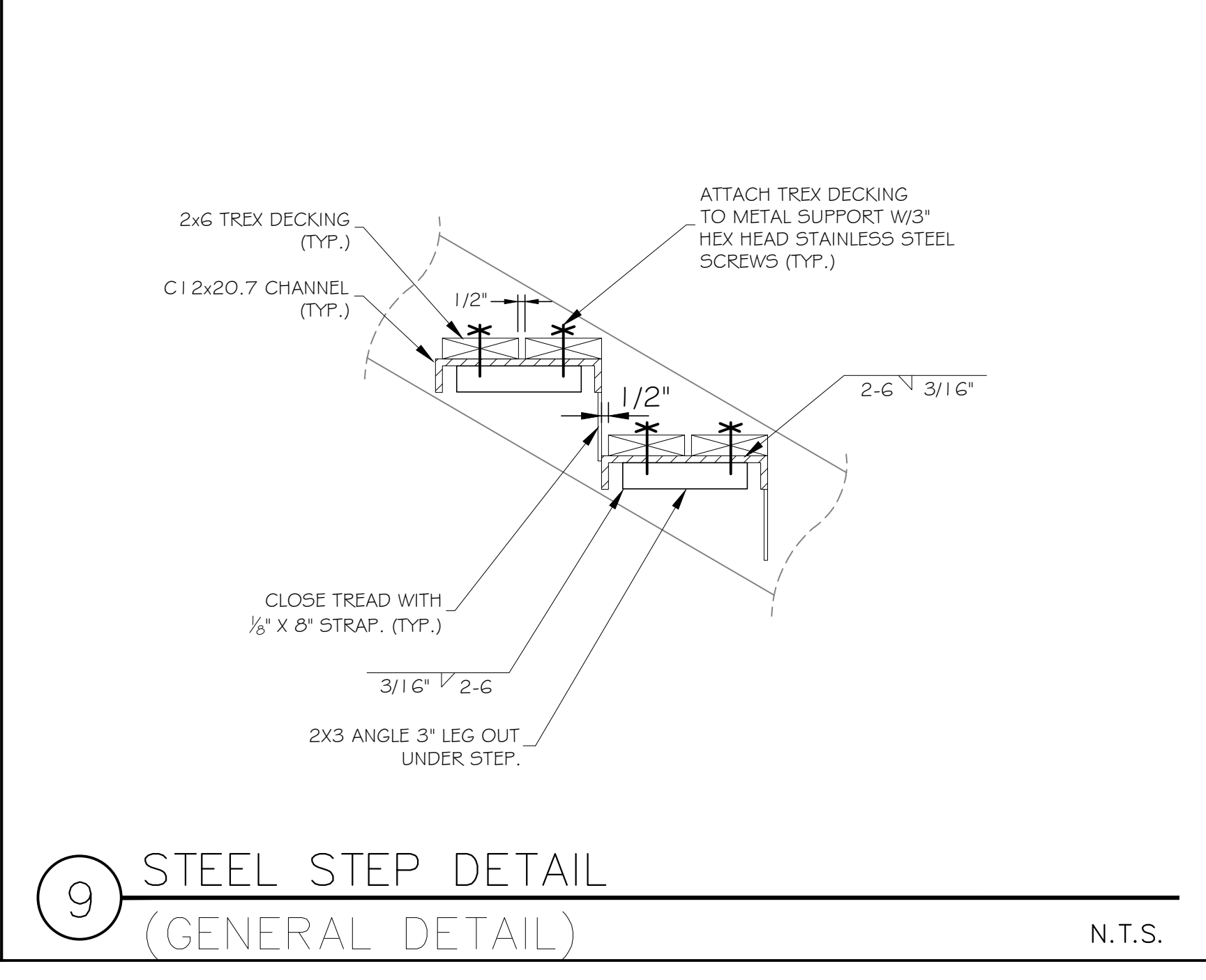
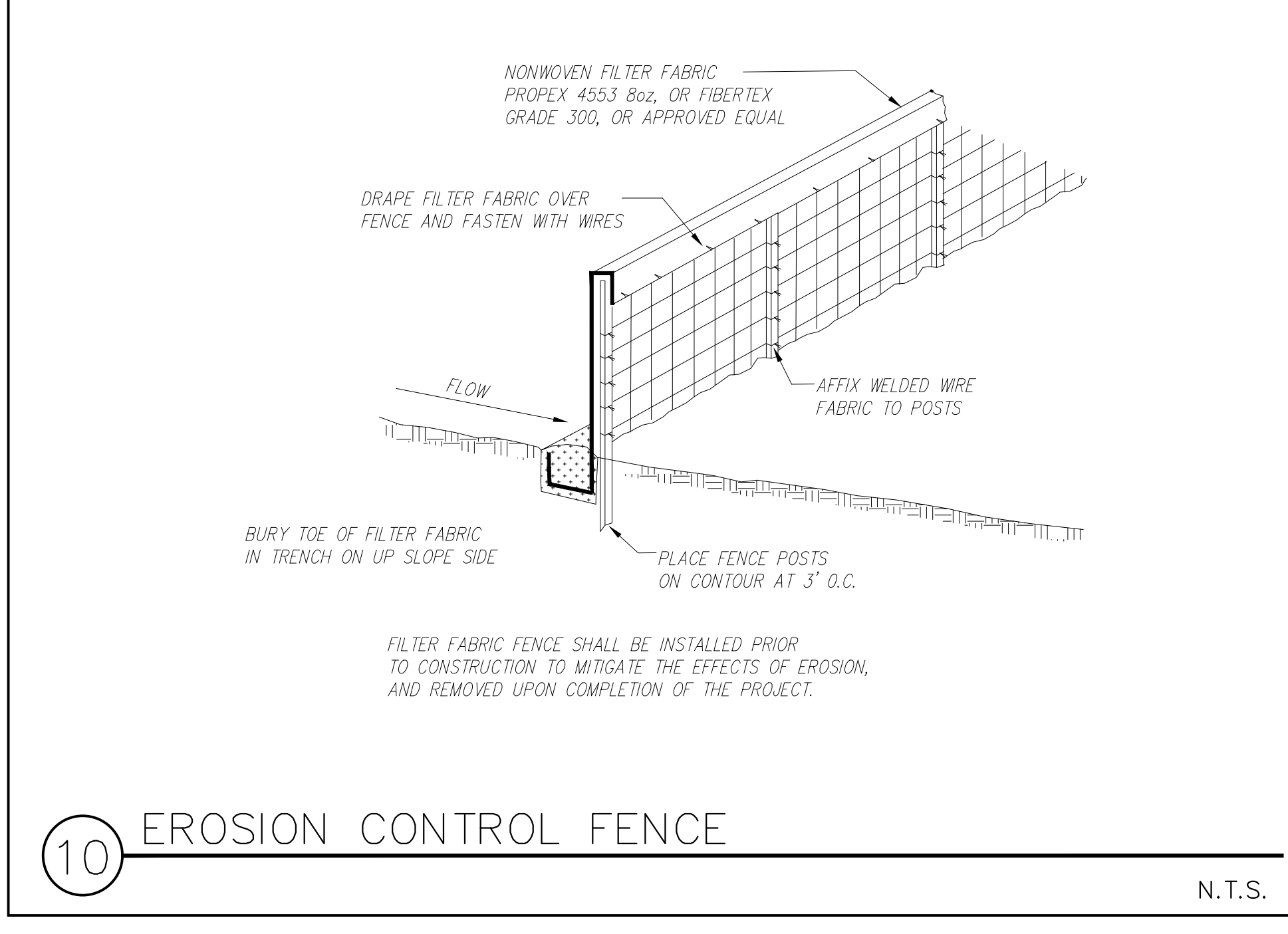
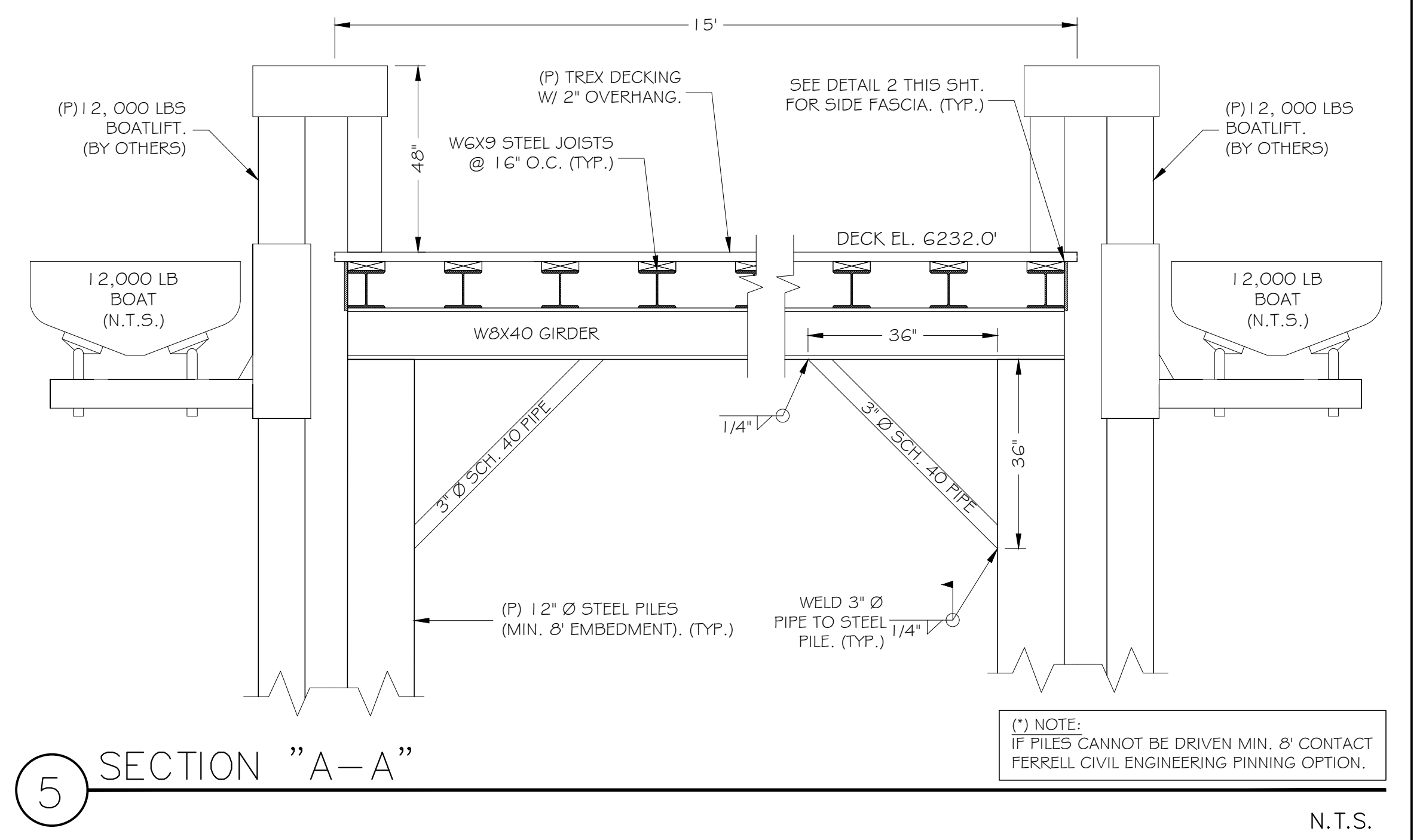
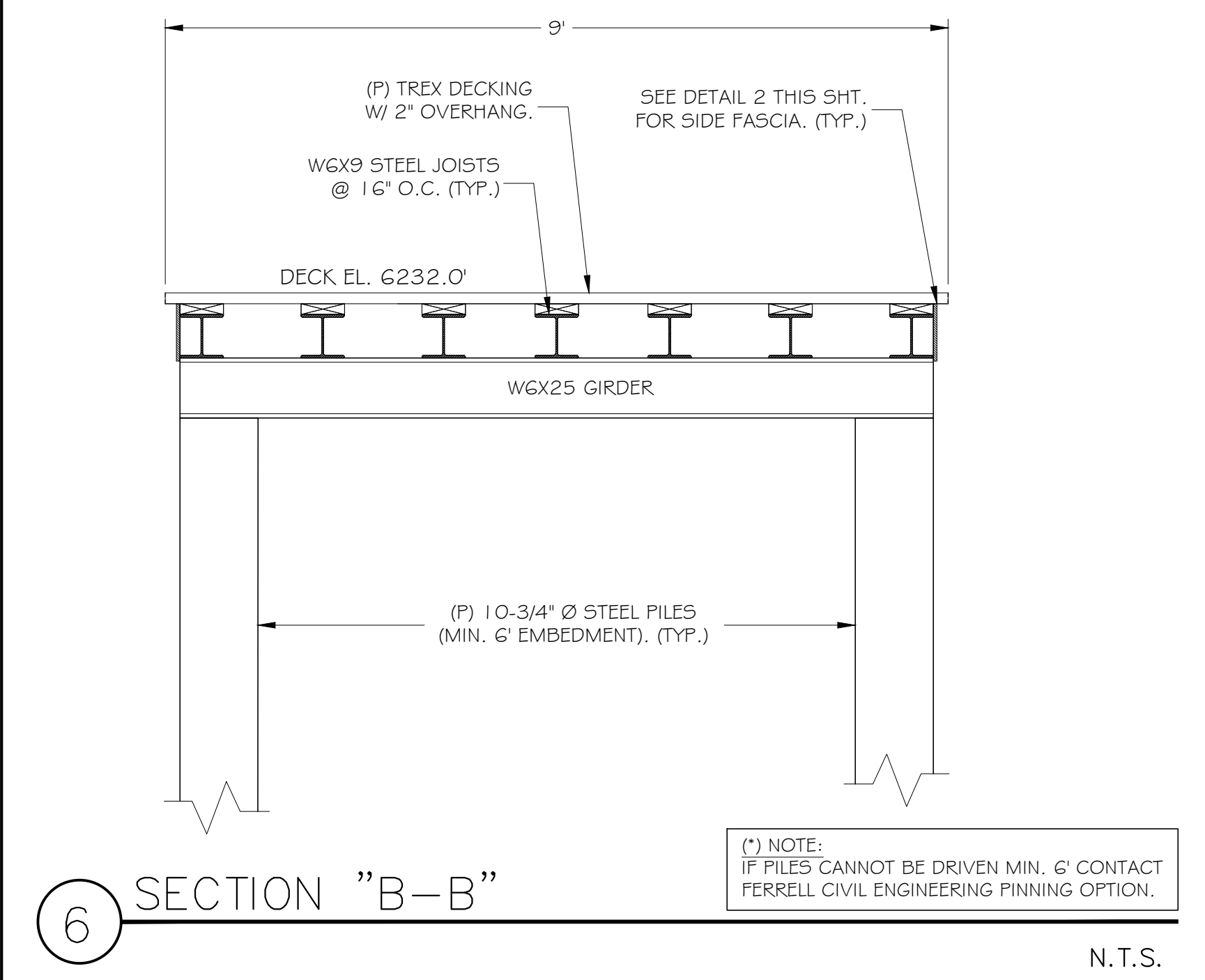
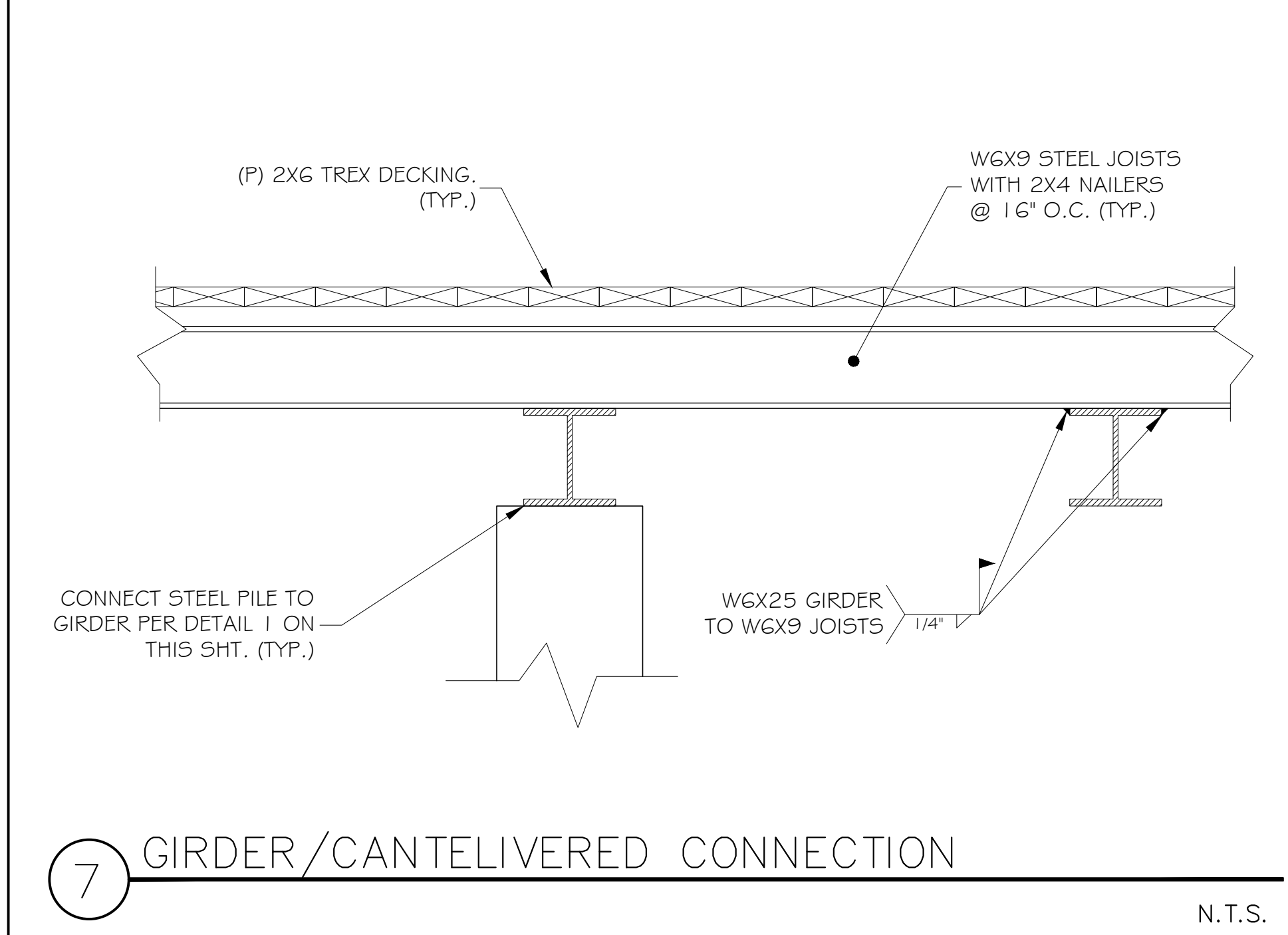
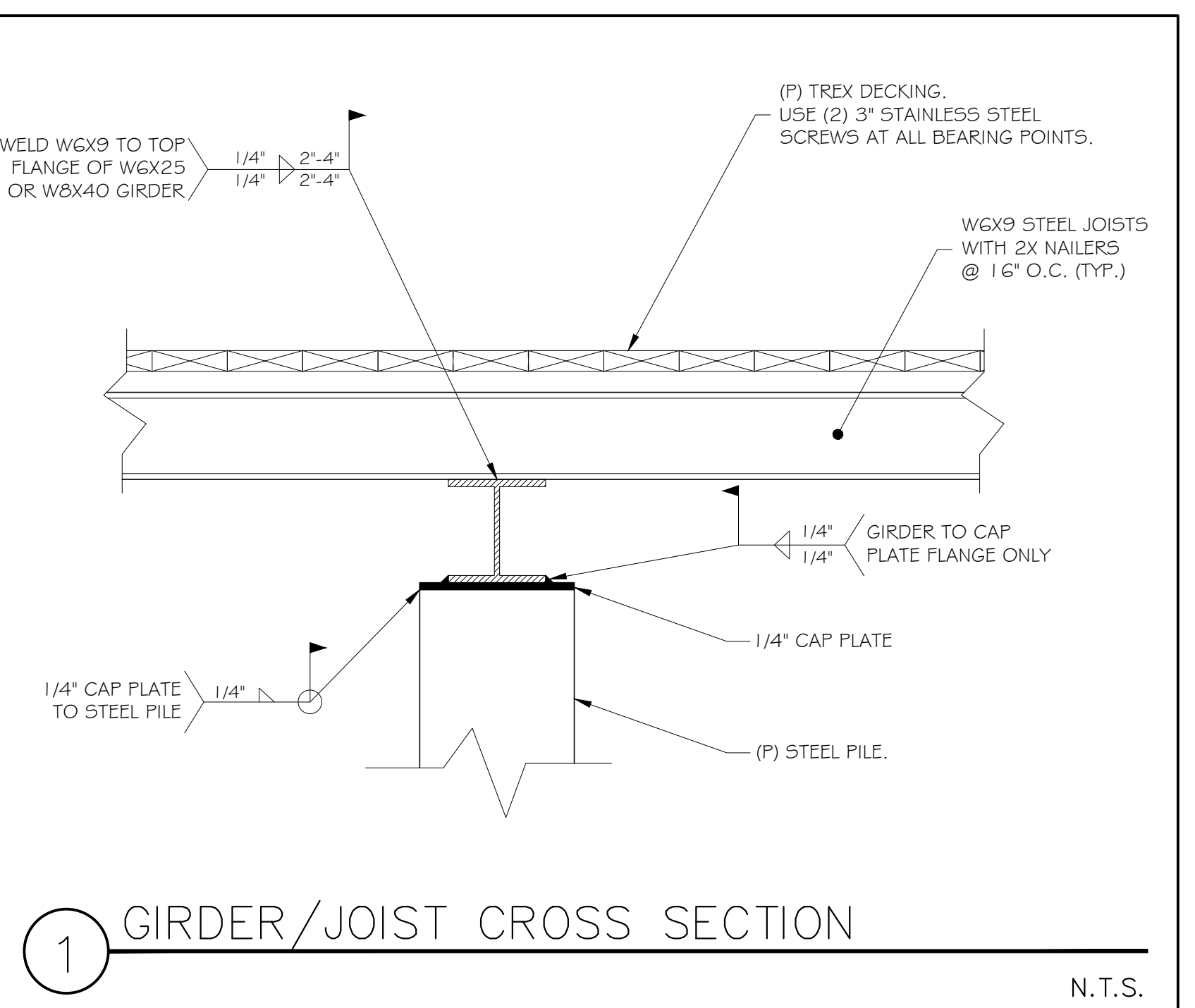
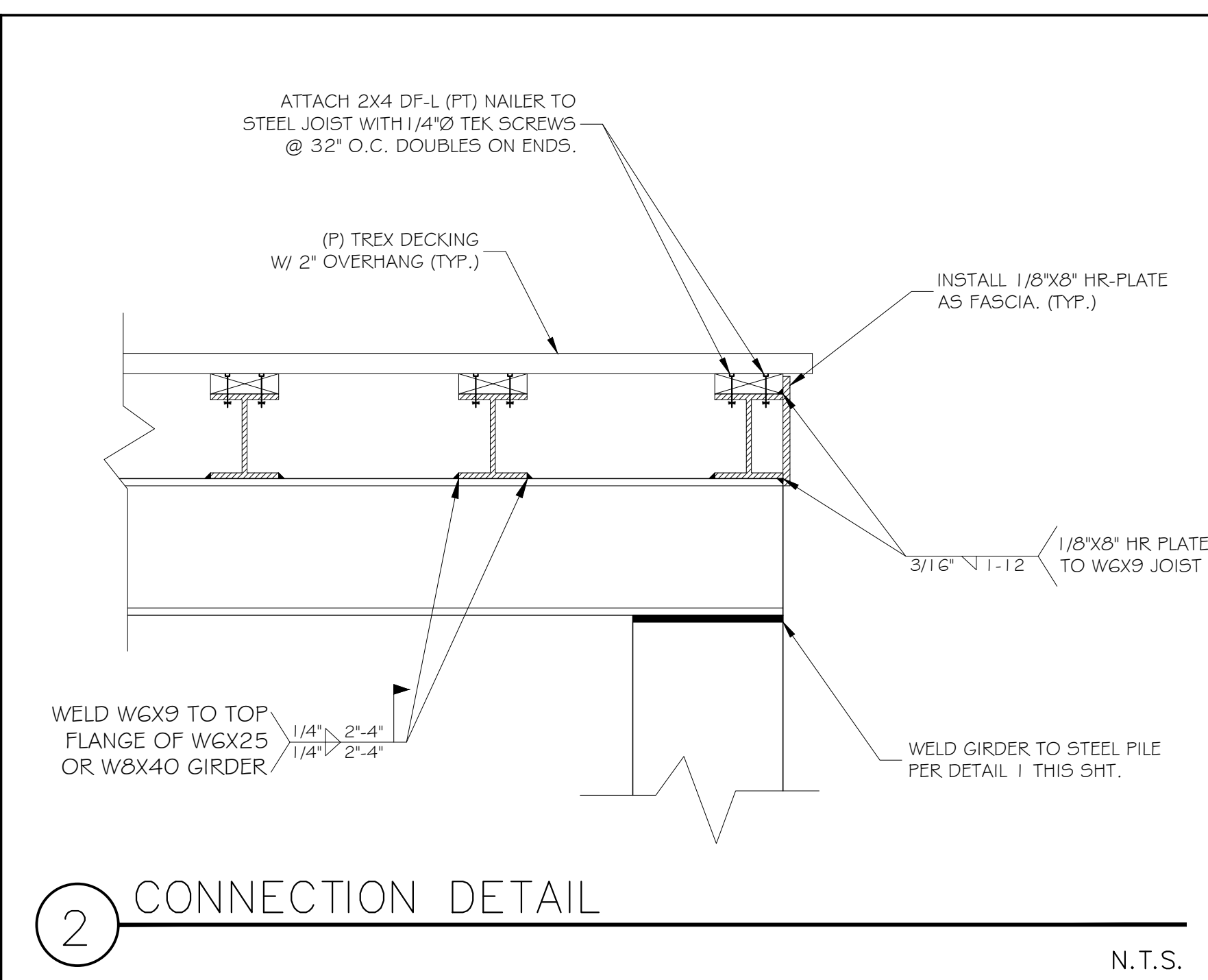
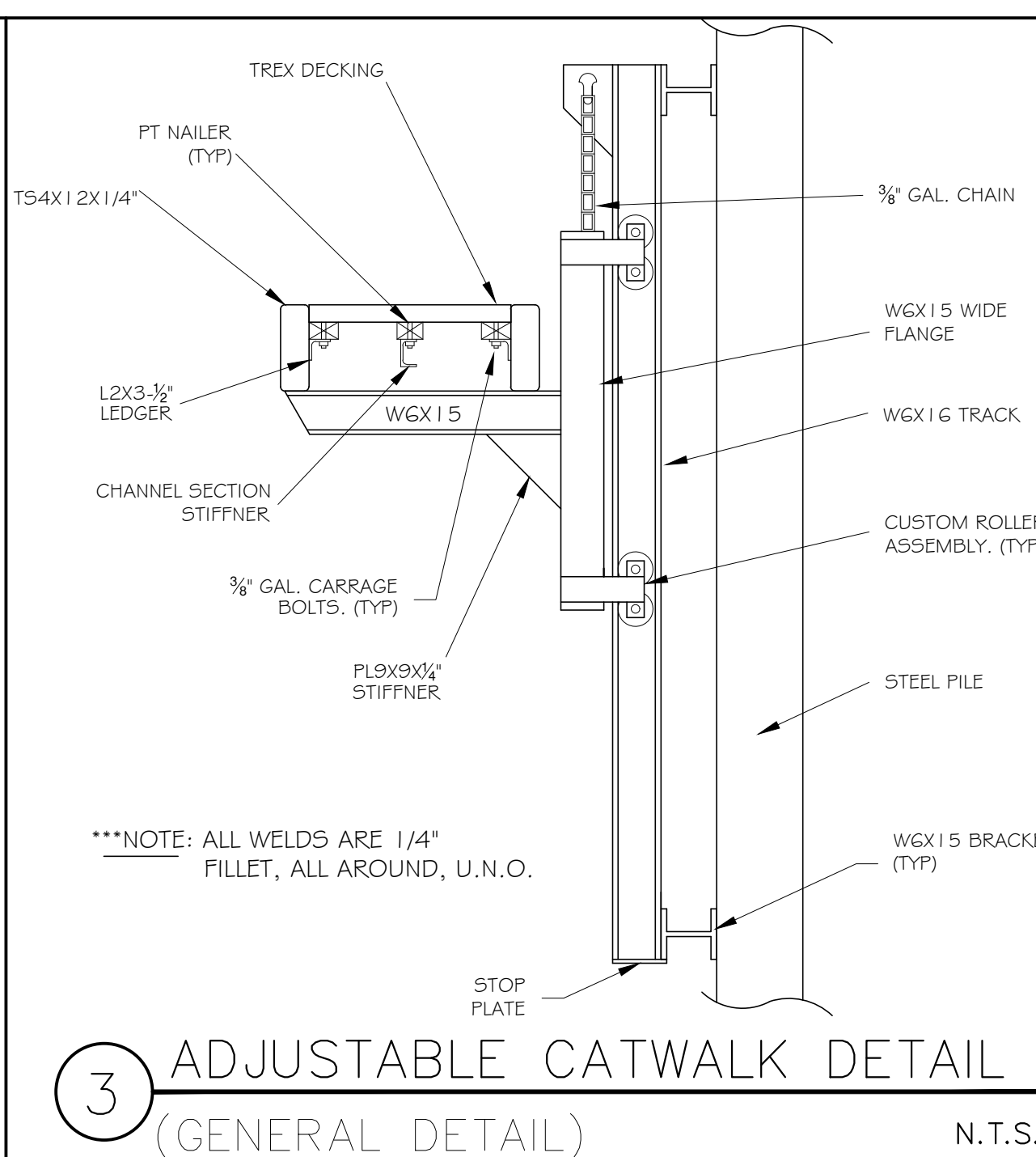
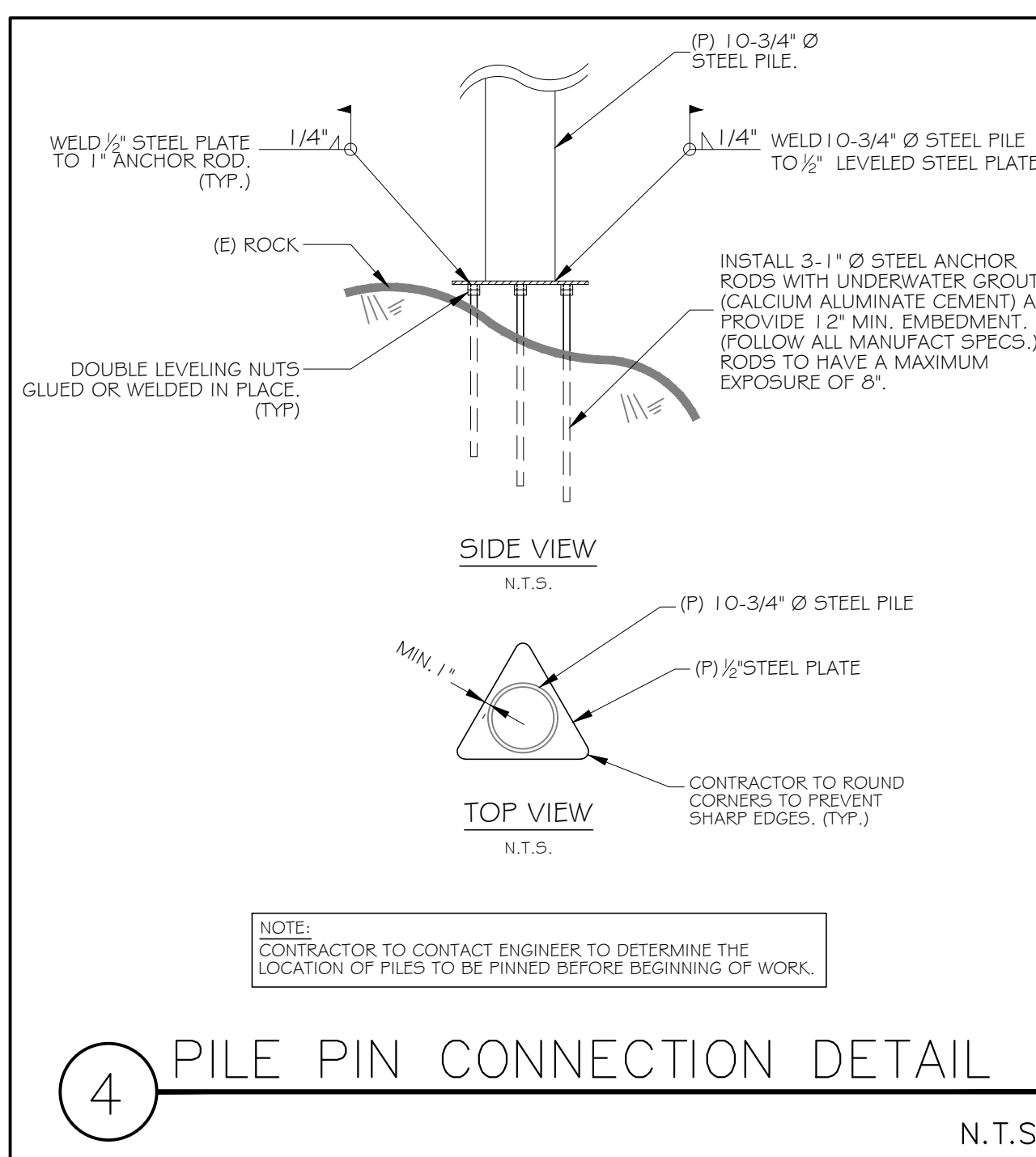
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errell@errell.com



PROPOSED PIER PLANS
HEKMAT/WHITEHEAD MULTIPLE-USE PIER
885/887/889 LAKESHORE BLVD. INCLINE VILLAGE, NV
A.P.N.: 122-181-032/064/065

C1



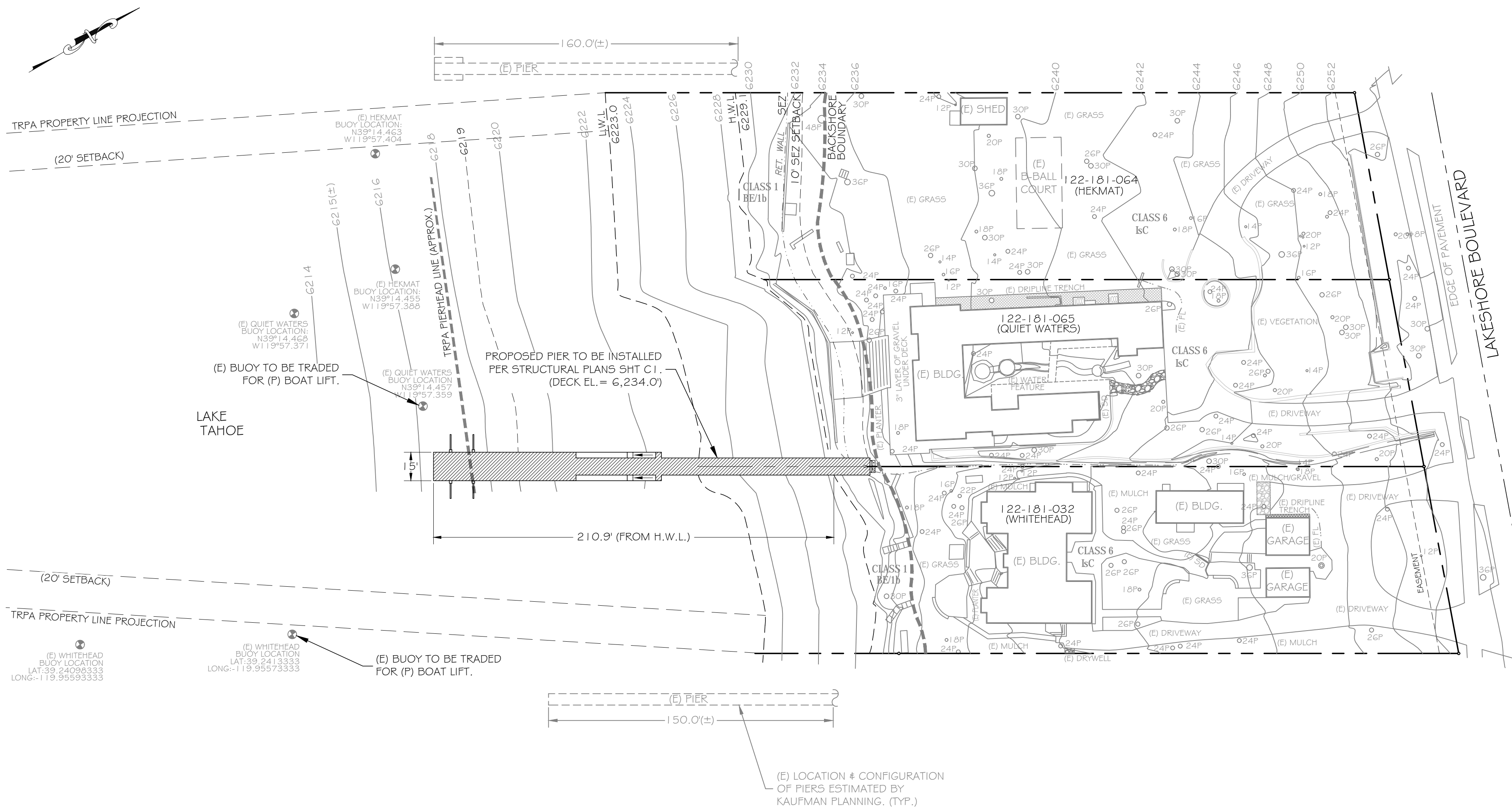
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APPROVED	
DESCRIPTION	
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DESIGN: HBS	
CHK: TKP	
DATE: JANUARY 14, 2020	
COMP. DATE	
DRW. HBS	
SCALE: AS NOTED	
HORIZONTAL:	
VERTICAL:	
CAD:	

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 PH: 500.546.2752
 FAX: 500.546.4469
 ferrell@ferrell.com

REGISTERED PROFESSIONAL ENGINEER
 No. 12927
 Exp. 6-30-21
 CIVIL
 STATE OF CALIFORNIA

STRUCTURAL DETAILS
 HEKMAT/WHITEHEAD MULTIPLE-USE PIER
 885/887/889 LAKESHORE BLVD. INCLINE VILLAGE, NV
 A.P.N.: 122-181-032/064/065

D1



BUOY EXHIBIT
SCALE: 1"=40'-0"

HEKMAT PROPERTY APN: 122-181-064		QUIET WATERS PROPERTY APN: 122-181-065		WHITEHEAD PROPERTY APN: 122-181-032	
EXISTING COVERAGE		EXISTING COVERAGE		EXISTING COVERAGE	
CLASS 6 (IsC)		CLASS 6 (IsC)	5,305 SF	CLASS 6 (IsC)	5,063 SF
DECK/STAIRS	26 SF	DECK/STAIRS:	1,537 SF	BUILDINGS:	3,805 SF
CONCRETE:	1,888 SF	CONCRETE:	4,725 SF	A.C. PAVING:	5,189 SF
A.C. PAVING:	1,335 SF	A.C. PAVING:	85 SF	SHEDS:	32 SF
SHEDS:	358 SF	ROCK PATHS:	1,016 SF	ROCK PATHS:	373 SF
TOTAL (CLASS 6):	3,607 SF	TOTAL (CLASS 6):	12,668 SF	TOTAL (CLASS 6):	14,462 SF
CLASS 1 (Be/1b)		CLASS 1 (Be/1b)		CLASS 1 (Be/1b)	
DECK/STAIRS	59 SF	CONCRETE	545 SF	CONCRETE/STAIRS	134 SF
TOTAL (CLASS 1):	59 SF	TOTAL (CLASS 1):	545 SF	TOTAL (CLASS 1):	134 SF
TOTAL EXISTING:	3,666 SF	TOTAL EXISTING:	13,213 SF	TOTAL EXISTING:	14,596 SF
ALLOWED COVERAGE		ALLOWED COVERAGE		ALLOWED COVERAGE	
CLASS 6 (IsC):	9,115 SF	CLASS 6 (IsC):	8,459 SF	CLASS 6 (IsC):	8,298 SF
CLASS 1 (Be/1b):	22 SF	CLASS 1 (Be/1b):	27 SF	CLASS 1 (Be/1b):	81 SF
TOTAL ALLOWED:	9,137 SF	TOTAL ALLOWED:	8,486 SF	TOTAL ALLOWED:	8,379 SF
PROPOSED COVERAGE		PROPOSED COVERAGE		PROPOSED COVERAGE	
CLASS 6 (IsC)		CLASS 6 (IsC)	5,305 SF	CLASS 6 (IsC)	5,063 SF
DECK/STAIRS	26 SF	DECK/STAIRS:	1,537 SF	BUILDINGS:	3,805 SF
CONCRETE:	1,888 SF	CONCRETE:	4,725 SF	A.C. PAVING:	5,189 SF
A.C. PAVING:	1,335 SF	A.C. PAVING:	85 SF	SHEDS:	32 SF
SHEDS:	358 SF	ROCK PATHS:	1,016 SF	ROCK PATHS:	373 SF
TOTAL (CLASS 6):	3,607 SF	TOTAL (CLASS 6):	12,668 SF	TOTAL (CLASS 6):	14,462 SF
CLASS 1 (Be/1b)		CLASS 1 (Be/1b)		CLASS 1 (Be/1b)	
DECK/STAIRS	59 SF	CONCRETE	545 SF	CONCRETE/STAIRS	134 SF
TOTAL (CLASS 1):	59 SF	PIER & STEPS	82 SF	PIER & STEPS	79 SF
		CONCRETE LANDING	6 SF	CONCRETE LANDING	6 SF
TOTAL PROPOSED:	3,666 SF	TOTAL (CLASS 1):	633 SF	TOTAL (CLASS 1):	219 SF
		TOTAL PROPOSED:	13,301 SF	TOTAL PROPOSED:	14,681 SF

COMP.: ECE DESIGN: HBS
 DRWN: HBB PROJ. ENG.: TKF
 WORK ORDER:
 SCALE: AS NOTED
 HORIZONTAL:
 VERTICAL:
 CAD:

REV. DATE DESCRIPTION APPROVED DATE

DATE: JANUARY 14, 2020

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BUOY EXHIBIT & COVERAGES
 HEKMAT/WHITEHEAD MULTIPLE-USE PIER
 885/887/889 LAKESHORE BLVD. INCLINE VILLAGE, NV

D2