
MEMORANDUM

Date: December 10, 2015

To: TRPA Hearings Officer

From: TRPA Staff

Subject: Edgewood Raw Water Intake Line Extension, 180 Lake Parkway, Douglas County, NV; Assessor's Parcel No: 1318-27-001-001; TRPA File No: ERSP2015-1272

Proposed Action: Hearings Officer action on the proposed project and related findings based on this Staff Summary and the Draft Permit (Attachment A).

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 and Site Description: The project proposes the construction of a 3,000 linear foot extension to an existing raw water intake pipeline and the removal of an old, abandoned water intake line, both owned by Edgewood Water Company (EWC). Edgewood Water Company is a private water company which operates a public water system that primarily services the Casino Core portion of Stateline, Nevada through water withdrawn from Lake Tahoe using the existing pipeline originating at EWC facilities located on Edgewood Golf Course property, Douglas County APN 1318-27-001-001. The removal of the old, abandoned raw water intake line will require grading in the shorezone to expose and remove the old line. The proposed project is located within the South Shore Area Plan, within the Casino Core Area and Edgewood Tahoe Golf Course commercial area, where public services including pipelines and power transmissions are permissible but considered a Special Use. By extending the existing line, the intake will draw waters with lower potential to contain pathogens and algae, therefore contributing to the improvement of public health and safety.

Issues: The primary issues associated with the extension of the existing intake pipeline and the removal of the old abandoned intake line are:

1. **Land Use:** The proposed project is located in the South Shore Area Plan. In this Area Plan, public services including pipelines and power transmissions are permissible, but must be considered as a Special Use and therefore require Hearings Officer review in accordance with Section 2.2.2 of the TRPA code.

2. Construction Methodology and BMPs: Construction staging will be located within the existing paved parking lot adjacent to the project area with a 50-foot wide access corridor to the waterline. The new pipe for the extension will be stored in the construction staging area and will be floated and towed into place by a barge or other similar vessel. Once in the correct location the new pipe will be filled with water, allowing it to sink into place for connection.

To remove the abandoned line, approximately 9,400 square feet of disturbance will occur on the beach and within the shorezone. Section by section, the 880 linear feet of existing line will be removed by a large excavator that will pull the old pipe up through up to five feet of sand. The sand is expected to fall back into the void. Excavation within the shorezone will be required to expose and remove the abandoned line.

3. Disturbance in the Shorezone: Excavations greater than five feet in depth, typically between five to six feet in depth, may be necessary to expose and remove the abandoned intake line where it crosses the beach. Additionally, temporary vehicular access within the backshore will be required to remove the abandoned intake line.

These issues are summarized in the following Staff Analysis:

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No unmitigated significant environmental impacts were identified, and staff has concluded that the project will not have a significant adverse effect on the environment. A copy of the completed IEC will be made available at the Hearings Officer hearing and at TRPA.
- B. Land Use: The project is located within the South Shore Area Plan. The project is a public service project and is permissible per the South Shore Area Plan, but needs to be considered as a Special Use. As such, the project requires Hearings Officer review per subparagraph 2.2.2.F.2.a of the TRPA Code. Special Use Findings have been addressed below. This project meets TRPA Code of Ordinances development and design standards and staff has made all of the appropriate findings and is able to make a recommendation of approval to the Hearings Officer.
- C. Area Plan: The project is located within the South Shore Area Plan. The South Shore Area Plan specifies that linear public facilities such as pipelines and power

transmission are a permissible use that must be considered under provisions of a Special Use for permitting by TRPA. The proposed water intake line extension will draw in the same amount of water as the current system and will provide the following public health and safety benefits:

- Allow for a dual/redundant system that allows for system maintenance without water supply disruption to EWC customers
- Reduce risk of pathogens to water supply
- Reduce build-up of algae, and therefore maintenance, on the intake screen
- Reduce the risk of intake vandalism

- D. Land Coverage: The proposed project is located on Douglas County APN 1318-27-001-001, which is the entire Nevada side of the Edgewood Golf Course. The parcel size is 9,764,341 square feet. There is no change in coverage associated with the proposed project.
- E. Shorezone Tolerance District: The subject parcel is located in Shorezone Tolerance District 7. Projects within Shorezone Tolerance District 7 require that access to the shoreline shall be restricted to stabilized access ways which minimize the impact to the backshore. Shorezone Tolerance District 7 also requires that vehicular access to the shoreline not be permitted except where TRPA finds that such access will not cause environmental harm.
- F. Construction Methodology and BMPs: This project will require both access from land and by water. The removal of the old abandoned pipeline will require access from the upland staging area and excavation in the shorezone. The pipeline extension will require transport of the new pipe from the upland staging area to the beach where the new pipe will be floated into place by barge. BMP measures shall be included throughout the construction site. Temporary BMPs shall include two layers of erosion control filter fencing below the temporary construction area, erosion control and vegetation protection fencing surrounding all stockpiles and access corridors, and vegetation protection around all trees on the property. A turbidity curtain will be installed and maintained around the area where the old abandoned pipe will be removed.
- G. Partial Shorezone Permitting Program: Due to a 2010 court ruling that recalled TRPA's updated shorezone ordinances, TRPA is currently processing shorezone applications under the Partial Shorezone Permitting Program, which limits the type of shorezone applications that TRPA can accept and process. At this time, TRPA cannot accept or process applications to permit additional boating facilities such as new piers, buoys, and boatlifts. However, the 2010 court ruling does allow TRPA to process applications for certain non-boating facility projects, including water intake lines, and for the repair, reconstruction, modification, and expansion of legally existing boating structures provided the facility will not

adversely affect the environment, either individually or cumulatively. Specifically, all potential shorezone applications are screened and reviewed to ensure:

- There is no increase in boating capacity
- There is no net increase in visual mass along the shoreline
- There will be no increase in littoral drift impacts or increase in erosion
- There will be no increase in Prime Fish Habitat disturbance

In demonstrating that the water intake line meets the Partial Shorezone Permitting Program, staff has analyzed the potential environmental impacts of the proposed project and determined that it will not have a negative environmental impact. This project proposal is for the extension of an existing water intake line and meets the screening criterion that allows TRPA to approve this project.

Required Findings: The following is a list of the required findings as set forth in Chapters 4, 21, 33, 80, 81, and 83 of the TRPA Code. 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.

There is no evidence in the file or record showing that the proposed project will have an adverse effect on the Land Use, Transportation, Conservation, Recreation, Scenic Quality, Public Service and Facilities, or Implementation sub-elements of the Regional Plan. The proposed project involves the modification of an allowed accessory structure and is consistent with the Land Use Element of the Regional Plan. Based on the findings provided on the Initial Environmental Checklist and the Article 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 Section 4.4.2 of the TRPA Code of Ordinances and incorporates the checklist into this analysis. 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.

All potential effects are temporary and shall be mitigated through temporary and permanent Best Management Practices. The applicant will meet or exceed all federal, state, or local water quality standards which will be demonstrated through approval and/or permissions provided by all agencies with jurisdiction over the project and project area. Upon completion of construction, the projects will have no impact upon water quality standards.

2. Chapter 21 – 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 project is an addition to an existing raw water intake line that connects to existing facilities located on APN 1318027-001-001. The project is an appropriate, permissible use within the South Shore Area Plan. The additional water intake line length will allow for improvements to the area it serves and therefore is an appropriate use for the parcel and the surrounding area.

- (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 proposed project will reasonably deliver sufficient water supply to meet the projected cooling demands of the Edgewood Tahoe Lodge while meeting the ongoing water supply and fire flow demands of EWC's (Edgewood Water Company) existing customers. The project specifically benefits public health and safety by extending the existing intake line to deeper lake depths to draw waters with lower potential to contain algae and pathogens. Relocating the intake will also reduce infestation of algae and aquatic invasive species on the intake screen. Additionally, the applicant has provided water quality monitoring results conducted in compliance with Nevada Department of Environmental Protection's Bureau of Safe Drinking Water requirements which indicate that

source water from the proposed intake site are comparable to that of the existing intake site, with both sites testing negative for contaminants.

The work needed to complete the project will be conducted during the winter months so as to minimize conflict with the busier summer months.

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

The applicant has taken reasonable steps to protect against potential injury, and to protect the land, water, and air resources. The project will not change the character of the neighborhood nor the adjacent properties. The proposed project will not detrimentally affect the purpose of the South Shore Area Plan.

3. Chapter 33 – Grading and Construction – Excavation Limitations

- (a) TRPA may approve exceptions to the prohibition of groundwater interception or interference if TRPA finds that it is a necessary measure for the protection or improvement of water quality.

The project proposes excavation of approximately 5 to 6 feet within the shorezone to remove the old abandoned pipeline where it crosses the beach and groundwater will likely be encountered. The old abandoned pipeline has the potential to rust and decay, contributing to water quality degradation and therefore removing the abandoned pipeline will contribute to water quality improvement by removing the potential for contaminants to come into contact with groundwater and/or lake water.

4. Chapter 80 – Review of Projects in the Shorezone and Lakezone

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

The construction methodology for the proposed project includes temporary disturbance in the backshore and the lakezone. Construction access from the existing paved parking area (construction staging area) will be limited to a 50 foot wide corridor from construction staging area to the shoreline. Temporary construction BMPs include project fencing to define and limit the extent of disturbance and delineate the access corridor, placement of fiber rolls and/or silt fencing, stockpile management, armoring of the construction access and egress,

vegetation protection, and general good housekeeping BMPs such as sweeping and drain inlet protection.

Neither the existing intake nor the proposed intake extension is located within fish spawning habitat. According to TRPA fisheries maps, the area where work is proposed crosses marginal fish habitat.

The proposed water intake extension will not adversely impact littoral processes because of the pipe extension will essentially be floating off of the lakebed. The pipe will be held in place by anchors placed on the lakebed as needed. This methodology will allow the sands to move freely above and below the proposed pipeline extension. The proposed pipeline will be engineered to absorb the force of the wave rather than working against the wave, allowing the littoral process of the area to remain the same.

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

The proposed water intake line extension is a modification to a legal, existing water intake line. The intake system capacity will not be increased as a result of the proposed project. The proposed pipeline extension would provide for a quasi-public utility service connection to the proposed Edgewood Tahoe Lodge. Public services, including pipelines and power transmissions, are permissible uses within the South Shore Area Plan but must be considered under the provisions of a Special Use. As sufficient accessory facilities are associated with the legally existing pipeline, no additional accessory facilities are necessary to accommodate the project.

- (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.

The project will extend the location of an existing intake, a conforming use that is compatible with the existing shorezone and lakezone uses and structures on, or in the immediate vicinity of, APN 1318-27-001-001. This modification to the Edgewood Water Company's existing water supply system is being undertaken to assure continued compatibility with existing uses and the demands of the permitted Edgewood Tahoe Lodge. The existing intake was constructed in 1992 and has produced no known incompatibility issues. The old, abandoned intake line is no longer serviceable or in use and will be capped and the exposed portions of the pipe removed from the shorezone.

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

The existing intake pipeline and the proposed extension are located in the backshore, nearshore, and foreshore of Lake Tahoe and is, by its nature, water dependent.

- (e) Hazardous Materials: Measures will be taken to prevent spills or discharges of hazardous materials.

The project proposal includes measures to prevent spills or discharges of hazardous materials, with access, staging, and pipe assembly proposed to take place within a portion of the existing paved parking area.

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

The project proposal includes measures to minimize disturbance to the ground and vegetation, with access, staging, and pipe assembly proposed to take place within a portion of the existing paved parking area. Construction access will occur within a 50-foot wide access corridor between the parking area and the waterline. Existing vegetation within the access corridor and within the shorezone will be protected. A Tahoe yellow cress survey was conducted on-site by TRPA staff on October 30, 2015. Though TRPA staff found potential TYC habitat, no plants were observed at the location of the proposed project or access areas for the project.

- (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 proposed project involves extending the existing water intake line that serves the subject property as well as other Edgewood Water Company customers. The pipe extension will be located at or near the lake bottom and will be placed deep enough so as not to adversely impact navigation or create a threat to public safety. Furthermore, communications with the U.S. Coast Guard will occur prior to project commencement. The U.S. Coast Guard will include the project in the agency's maritime alerts announced to boaters on Lake Tahoe. Additionally, the project will ideally be constructed during the winter months of 2016 and prior to peak boating months.

- (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 has solicited comments from the members of the Interagency Shorezone Review Committee regarding the proposed water intake line extension and its potential impacts on the adjacent areas. Agencies notified of this project for the Interagency Shorezone Review Committee include the Nevada Division of Environmental Protection, Nevada Division of State Lands, United States Army Corps of Engineers, and the Nevada Department of Wildlife.

5. Chapter 81 – Permissible Uses and Structures in the Shorezone and Lakezone:

- (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 project is consistent with the existing use, as the existing water intake line has legally existed since 1992. The Edgewood Water Company owns the water intake line and it serves the facilities that are located on the subject parcel (Douglas County APN 1318-27-001-001). The Edgewood Water Company is regulated by the Public Utility Commission of Nevada and Nevada Department of Environmental Protection Bureau of Safe Drinking Water. The Edgewood Water Company operates a public water system that services primarily the Casino Core portion of Stateline, Nevada using the existing water intake line. The request to extend the existing line into deeper lake waters is the result of Edgewood Water Company's "Will Serve" commitment the Edgewood Tahoe Lodge, limited to standard domestic and fire services. The proposed water intake line extension will also allow the system to draw water that is cold enough to reasonably meet source water temperature criterion for the proposed Edgewood Tahoe Lodge cooling system and potentially meet the cooling demands of the Edgewood Tahoe Lodge without increasing the amount of water drawn from Lake Tahoe by the Edgewood Water Company.

- (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 in the region.

Modifying the point of intake of lake water 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. Results from water quality monitoring conducted in compliance with the Nevada Department of Environmental Protection's Bureau of Safe Drinking Water requirements indicate that source waters at the proposed intake location are comparable to source waters at the existing intake location, with both intake sites continuing to test negative for coliform and cryptosporidium.

- (c) The applicant has taken reasonable steps to protect the land, water, and air resources of both the applicant's property and that of the surrounding property owners.

The project construction methodology includes conscientious methods and temporary BMPs to prevent unnecessary disturbance in the backshore and to prevent suspended sediment from escaping the work area into the water of Lake Tahoe. The duration of work will be temporary and will not negatively impact the environment, the subject parcel, or the surrounding property owners.

- (d) The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable plan area statement, community, redevelopment, specific, or master plan as the case may be.

The existing water intake line has legally existed since 1992, belongs to the Edgewood Water Company, directly services the subject APN (1318-27-001-001), and contributes to the EWC's public water system that primarily serves the Casino Core portion of Stateline, Nevada. This public service is recognized in the applicable South Shore Area Plan and will therefore not deviate from the purpose of the South Shore Area Plan.

6. Chapter 83 – Shorezone Tolerance Districts and Development Standards

- (a) Access to the shoreline shall be restricted to stabilized access ways which minimize the impact to the backshore.

The proposed project will create minimal, temporary disturbance in the backshore. The area of temporary disturbance will be limited to the 50-foot wide access corridor to move the extension pipeline from the construction staging area located in the existing paved parking area to the shoreline, where the pipeline extension will then be floated into Lake Tahoe. The access corridor and the construction staging area will be restored to their original condition.

The removal of the old, abandoned pipeline will require approximately 9,400 square feet of disturbance to expose the old line and remove it. Once the old sections of pipeline have been removed, the sand will likely automatically backfill into the voided space. The area disturbed by the removal of the old, abandoned pipeline will be restored to its original, pre-construction condition.

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

Temporary vehicular access between the existing paved construction staging area and the shoreline for the purposes of transporting the pipeline extension and excavation for the removal of the old pipe will occur as a part of the proposed project. Measures to minimize the temporary impact proposed by the applicant include limiting the area of disturbance to a 50-foot wide access corridor, construction limit fencing, placement of fiber rolls and/or silt fencing, stockpile management, armoring of the construction access and egress, vegetation protection, and general good housekeeping BMPs such as sweeping and drain inlet protection will protect the area from any possible environmental harm as a result of vehicular access to the shoreline.

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

ATTACHMENT A
DRAFT PERMIT

PROJECT DESCRIPTION: Water Intake Line Extension

APN: 1318-27-001-001

PERMITTEE(S): Edgewood Companies

FILE #ERSP2015-1272

COUNTY/LOCATION: Douglas/180 Lake Parkway

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on December 17, 2015 subject to the standard conditions of approval attached hereto (Attachment R) and the special conditions found in this permit.

This permit shall expire on December 17, 2018 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 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 ALL APPLICABLE AGENCY PERMITS. TRPA'S ACKNOWLEDGEMENT MAY BE NECESSARY TO OBTAIN APPLICABLE AGENCY PERMITS. THE AGENCY PERMITS AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS.
- (4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR CONTRACTOR.

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

APN: 1318-27-001-001
FILE NO. ERSP2015-1272

Security Posted (1): Amount \$ _____ Posted _____ Type _____ Receipt No. _____

Security Administrative Fee (2): Amount \$ _____ Paid _____ Receipt No. _____

Notes:

- (1) See Special Condition 3.C, below
- (2) \$152 if a cash security is posted, or \$135 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 an extension to the existing water intake pipeline and the removal of an old abandoned water intake line. The extension is a 3,000 linear foot, 24-inch pipe extension attached to the existing raw water intake pipeline so that intake occurs approximately 3,300 linear feet from shore and at a depth of 600 feet below the water's surface. A power conduit will run parallel to the new water intake pipeline extension. Approximately 880 linear feet of abandoned pipeline will be removed that will require grading in the shorezone to expose and remove the old line. No change in coverage is permitted as a result of this permit approval.
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 shall be revised to include:
 - (1) Include a notation indicating that there will be no storage of excavated material on site; if excess material results from the removal of the old abandoned pipe it will be disposed of in a TRPA approved location.

- (2) Include a notation indicating that there will be no storage of construction materials or equipment on any of the beach areas.
 - (3) Include a notation indicating that no staging activity is authorized on the shoreline, and that access associated with water line demolition and construction activities shall be limited to the 50-foot wide access corridor and by barge; and that delivery, removal, and staging of all construction equipment and materials shall occur through the access corridor and/or by barge.
 - (4) Delineate turbidity curtain placement around the area where the old abandoned line will be removed.
 - (5) Indicate the appropriate Tolerance District (Tolerance District 7) on the site plan.
 - (6) Vegetation protective fencing around the entire construction site. The fencing shall be no more than 12 feet from any footprint, driveway, or area of approved disturbance. Trees located within the construction area that are to be retained shall be individually protected by fencing or other means as necessary.
- B. 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.
- C. The security required under Standard Condition A.3 of Attachment S 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. Permittee shall provide design specifications and details including color for the conduit that will run parallel to the water intake line extension. Efforts should be taken to ensure that the conduit and conduit housing blend with the substrate.
- E. The permittee shall obtain any and all permits and permissions from the appropriate local jurisdictions including but not limited to Nevada Division of State Lands, and the U.S. Army Corps of Engineers. The permittee shall also provide a copy of said permits and/or permissions to TRPA for final review.
- F. The permittee shall submit three sets of final construction drawings and site plans to TRPA.
- G. Should the permittee make any changes to the construction staging area or determine an alternative staging area, the permittee must notify TRPA staff immediately and incorporate any temporary BMPs (Best Management Practices) as determined necessary by TRPA staff.

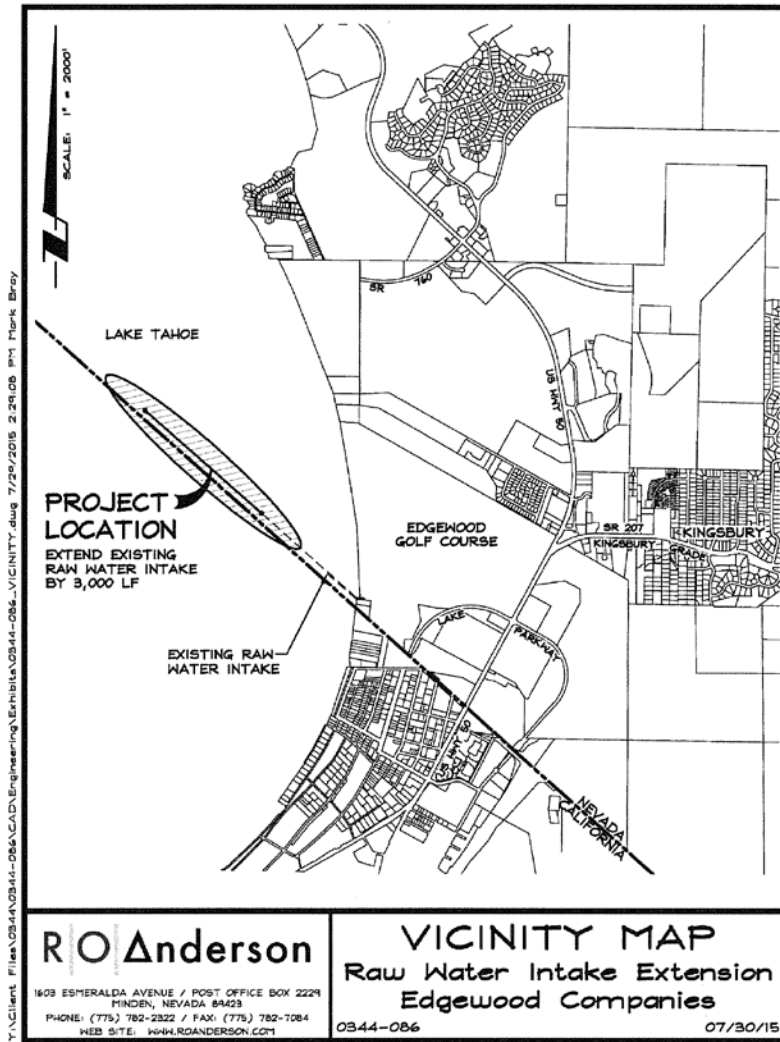
4. Excavation equipment shall be limited to the approved construction staging area, the delineated access corridor, and the delineated areas both for the removal of the abandoned line and the area around the existing line.
5. Prior to commencement of construction, the Permittee shall provide a Spill 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, within the lake, or in the shorezone or on the beach for the removal of the abandoned line. 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.
6. Best practical control technology shall be employed to prevent earthen materials from being re-suspended as a result of either the removal of the abandoned line or construction of the extension and from being transported to adjacent lake waters.
7. 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 TRPA approved points of disposal.
8. No containers of fuel, paint or other hazardous materials may be stored on the beach.
9. Gravel, cobble, or small boulders shall not be disturbed or removed to leave exposed sandy areas, before, during or after construction.
10. This project is located in TRPA designated marginal fish habitat. All construction activity shall take place during the non-spawning season, between October 1 and May 1.

END OF PERMIT

ATTACHMENT B
SITE PLAN

0344-086 Raw Water Intake Extension Project
Project Application
Attachment 1

Figure 1. Vicinity Map



FINDING OF NO SIGNIFICANT EFFECT

PROJECT DESCRIPTION: Water Intake Line Extension, Removal of Abandoned Line

APN: 1318-27-001-001

PERMITTEE: Edgewood Companies FILE#: ERSP2015-1272

COUNTY/LOCATION: Douglas/180 Lake Parkway

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 4.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.

TRPA Chairman or Executive Director/Designee

Date _____