



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

MEMORANDUM

Date: March 11, 2010
To: TRPA Hearings Officer
From: TRPA Staff
Subject: Linear Public Facility Waterline Replacement, Kingswood Estates
Subdivision, Placer County, California, TRPA File Number ERSP2009-
3611.

Requested Action: Hearings Officer action on the proposed project and related findings based on this staff summary and the attached Draft Permit.

Staff Recommendation: Staff recommends that the Hearings Officer make the required findings and approve the proposed project based on this staff summary and the evidence contained in the project record. The recommended conditions of approval are contained in the attached Draft Permit.

Project Description/Background: The North Tahoe Public Utility District (NTPUD) is proposing replacement of approximately 2 linear miles of existing waterlines in the Kingswood Estates Subdivision located in Placer County, California. The existing waterline has several leaks, varying pipe diameters, and does not adequately convey water to meet current and future domestic and public service needs. The primary project component includes excavation and installation of 9,250 linear feet of new 8-inch diameter PVC main waterline throughout the entire project area. There will be 84 new lateral service (customer) lines that will connect surrounding private parcels to the new water mainline. Water meters for all service connections will be installed at the property lines and all fire hydrants within the project area will be replaced.

Site Description: The Kingswood Estates Subdivision is located on the west side of Highway 267 in Placer County, California approximately 1-mile north of Highway 28. The project area includes the following seven Placer County roadways: Whitehall Avenue, Kingswood Drive, Friars Dell Court, Forest Glen Drive, Nottingham Way, Stewart Way, and North National Avenue. The neighborhood is primarily residential and contains approximately 200 private parcels served by the roadways in the project area. The majority of work will occur within mapped Land Capability Classes 5 and 6, and approximately 550 linear feet of trenching (of the 10,000 linear foot project) will occur within Class 1b Stream Environment Zone. Construction activities will be performed in the 20-foot wide road right of way. Three stabilized construction staging areas are identified on the site plans, two of which are located on North National Avenue, and one staging area on Forest Glen Drive.

Issues/Concerns: Linear Public Service projects are listed as a Special Use within the Kingswood East Plan Area Statement (PAS -025) and therefore require Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Traffic Control: Placer County has issued Permit Numbers DUT 0063 and DEPU 2010050 for the Improvement Plans and Encroachment Permit for the proposed project. A traffic control plan for this project was approved as part of Placer County's permit process.
2. Best Management Practices: The volume of excavation required for this project is 1,500 cubic yards. Some of the excavated material will be placed along the high side of the trench and some of the material will be loaded into a truck and transported to an identified staging area (to be sifted), before being used as backfill. Because there is potential to track significant amounts of soil around the project area, staff has included a Draft Permit condition requiring the applicant to submit a dust control plan which includes the use of a vacuum sweeper and daily A/C paving of all backfilled trenches.

Regional Plan Compliance: The proposed project complies with all requirements of the TRPA Goals and Policies, Plan Area Statement, and Code of Ordinances, including all required findings in Chapters 6 and 18 of the TRPA Code of Ordinances (see Attachment A for details).

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

Contact Information: For questions regarding this project please contact Patrick Dobbs at (775) 589-5215 or pdobbs@trpa.org.

Attachments:

- Required Findings/Rationale (Attachment A)
- Draft Permit (Attachment B)
- Proposed Site Plans (Attachment C)

Attachment A – Required Findings/Rationale

A. The following is a list of the required findings as set forth in Chapters 6 and 18 of the TRPA Code of Ordinances. Following each finding, agency staff has briefly summarized the evidence on which the finding can be made.

1. Chapter 6 Findings:

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

- (1) Land Use: The proposed linear public service project will provide reliable capacity and delivery of safe water (basic service) to the area to be used for domestic and emergency services. Temporary and permanent Best Management Practices (BMPs) will be installed as erosion control measures. No new permanent land coverage or disturbance is authorized for this project. The project is consistent with TRPA's Regional Plans including the Land Use Element of TRPA's Goals and Policies.
- (2) Transportation: Traffic generated by equipment and construction workers for the project will be temporary in nature. No additional permanent daily vehicle trip ends (dvte) are generated by the project. Placer County has issued an Encroachment Permit (No. DEPU 2010050) for activities occurring within the public right of way. No significant impacts to Level of Service or Regional or Sub-Regional air quality are anticipated based on the TRPA Initial Environmental Checklist (IEC).
- (3) Conservation: This project will not adversely affect implementation of the Conservation Element of the Goals and Policies. There are no known special interest species within the project area. Two small segments of the waterline project cross mapped Stream Environment Zones, although these areas within the County right of way are already disturbed and do not represent functioning wetlands. Construction activity for this project will be visible from State Route 267, a TRPA Scenic Roadway, however there will not be any improvements located above ground when the project is completed. Therefore, there will be no ongoing impact to scenic resources.
- (4) Recreation: The proposed project is not within a recreation area and will have no affect on the recreational opportunities in the Lake Tahoe Basin.

- (5) Public Service Facilities: The public service elements of the Regional Plan support upgrading and expansion of Public Service Facilities. This project will provide safe and reliable water for the neighborhood. The project will comply with the NTPUD pipe diameter standards (8-inch) for waterlines and will comply with fire hydrant spacing standards of the North Tahoe Fire Protection District.
- (6) Implementation: The project requires no additional development allocations and is consistent with the Implementation Element of the Goals and Policies. This is a scheduled Capital Improvement Project for the NTPUD.

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

The basis for this finding is provided on the checklist entitled “Project Review Conformance Checklist and Article V(g) Findings” in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances, and the TRPA Initial Environmental Checklist (IEC). All responses contained on said checklists indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklists will be made available at the Hearings Officer meeting and at the TRPA offices.

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

(Refer to paragraph 1.b, above.)

2. Chapter 18 – Special Use Findings:

- a. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The waterline replacement project has been designed to meet water conveyance and capacity standards for the domestic and emergency service needs of the neighborhood. Full replacement of the existing antiquated waterlines that are leaking is an appropriate solution for the Subdivision.

- 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.

Upgrading water service in the area will improve public health and safety for the neighborhood. This neighborhood is located on the edge of the wild land forest making fire hazard one of the primary natural hazard concerns. Improved water supply for fire protection resulting from this project will therefore be beneficial not only to this neighborhood, but to the general welfare of the region. Installation of BMPs and traffic control plans are steps that will be taken to protect environmental and human resources.

- 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.

This project will upgrade water service for the area. The proposed waterline plan will have no affect on neighborhood character. Pipeline Transmission is listed as a Special Use in the applicable PAS, thereby requiring notification to all property owners within 300 feet of the project area, and the opportunity for public input before action is taken on the project at a public hearing.

Attachment B - Draft Permit

PROJECT DESCRIPTION: Linear Public Service Waterline Replacement

PERMITTEE: North Tahoe Public Utility District **FILE:** #ERSP2009-3611

COUNTY/LOCATION: Placer County / Public Rights of Way Along: Whitehall Ave., Kingswood Dr., Friars Dell Ct., Forest Glen Dr., Nottingham Way, Stewart Way, and County Road W-1018 (North National Ave.)

Having made the findings required by Agency ordinances and rules, TRPA Hearings Officer approved the project on **March 18, 2010** subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on **March 18, 2013** without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

- (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 A COUNTY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
- (4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee

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 _____
(PERMIT CONTINUED ON NEXT PAGE)

D-R-A-F-T

**TRPA PROJECT NO. 530-301-00
FILE NO. ERSP2009-3611**

Security Posted (1): Amount \$5,000.00 Type _____ Paid _____ Receipt No. _____

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

Notes:

(1) See Special Condition 3.F., 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 excavation and construction of approximately 2 linear miles of waterlines in the Kingswood Estates Subdivision, located in Placer County, California. The project includes installation of a new 8-inch diameter water main throughout the Subdivision, lateral service connections and water meters to surrounding private properties, and fire hydrant replacement within the project area. No new land coverage or disturbance is authorized with this project. Excavation shall not exceed 5 feet below existing grade. All work associated with this permit shall be located within the public right of way.
2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.
3. Prior to final permit acknowledgement the following conditions of approval shall be satisfied.
 - A. The site plan shall be revised to include:
 - (1) Temporary BMPs down slope of project staging areas.
 - (2) A note indicating: "All areas disturbed by construction shall be mulched with a 2 to 3 inch layer of pine needles or wood chips as a dust control measure. This mulch shall be maintained from completion of the initial grading through completion of the project."

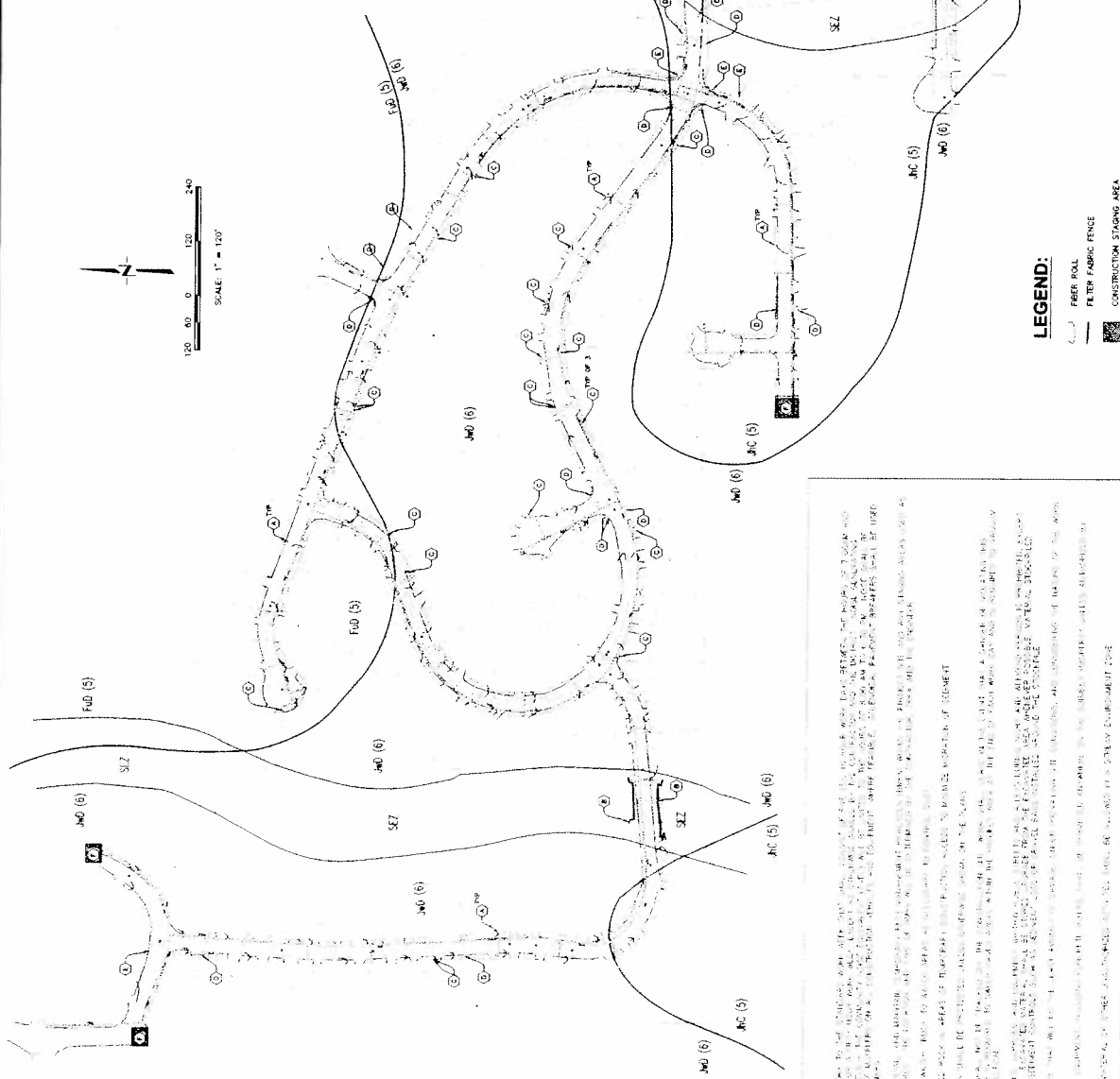
- B. Permittee shall provide a copy of Placer County's approved Encroachment Permit for work associated with this project taking place in the County Right of Way (Placer County Permit No. DEPU 2010050).
 - C. Permittee shall provide a dust control plan that will meet the project cleanup requirements specified in Special Condition #5 . This plan is subject to TRPA review and approval and may be modified as necessary by TRPA's Environmental Compliance Inspector.
 - D. The permittee shall prepare a dewatering plan for TRPA review and approval should ground or surface water be intercepted during excavations.
 - E. The permittee shall submit a projected construction completion schedule to TRPA. Said schedule shall include completion dates for each item of construction, as well as BMP installation for the entire project area.
 - F. The security required under Standard Condition I.2 of Attachment Q shall be \$5,000.00. The project security will not be released until all areas disturbed by construction have been stabilized and/or restored. Please see Attachment J, Security Procedures for appropriate methods to post a security and for calculation of the required Security Administrative fee.
 - G. The permittee shall provide (3) three sets of the final plans for TRPA acknowledgement.
- 4. The permittee shall immediately report any water line breaks or contact with the ground water table to the TRPA inspector. All test water, flushed water, and other waste waters shall be collected in a vactor truck and disposed at a location approved by the TRPA Environmental Compliance Inspector.
 - 5. The permittee shall sweep the areas of construction periodically throughout the construction day and shall complete a thorough vacuum sweep of the entire project area roadways to prevent sediment from leaving the project site. All spoils collected must be disposed of at a TRPA approved location or out of the Tahoe Basin.
 - 6. All waste resulting from the saw-cutting of pavement shall be removed using a vacuum (or other TRPA-approved method) during the cutting process or immediately thereafter. Discharge of waste material to surface drainage features is prohibited and constitutes a violation of this permit.
 - 7. Temporary erosion control structures must be maintained until disturbed areas are stabilized. Temporary erosion control structures shall be removed once the site has been stabilized.

END OF PERMIT



- EROSION CONTROL KEYNOTES:**
- ① PLACE FILTER ROLL PER DETAIL "A" ON SHEET 20
 - ② PLACE FILTER FABRIC FENCE PER DETAIL "B" ON SHEET 20
 - ③ INSTALL TREE PROTECTION FENCE PER DETAIL "C" ON SHEET 20
 - ④ INSTALL GRAVEL BAG CHECK DAMS PER DETAIL "D" SHEET 20
 - ⑤ PROTECT GRASS SLOPE PER TRPA STANDARDS. INSTALL TEMPORARY SEEDMENT BANK PER DETAIL "E" ON SHEET 20
 - ⑥ STABILIZED CONSTRUCTION STAGING AREA.

PROJECT AREA = 2,898,588 SF = 66.5 ACRES
 AREA OF DISTURBANCE = 44,000 SF = 1.01 ACRES



- LEGEND:**
- FILTER ROLL
 - - - FILTER FABRIC FENCE
 - CONSTRUCTION STAGING AREA
 - ▨ STREAM ENHANCEMENT ZONE
 - AREA OF DISTURBANCE

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 APPROVED BY: _____
 TITLE: _____

TRPA BMP NOTES

The following notes apply to the TRPA BMPs shown on this plan. All BMPs shall be installed and maintained in accordance with the TRPA Standards and Guidelines for Construction Activities. The TRPA Standards and Guidelines for Construction Activities are available at: www.trpa.gov/standards. The TRPA Standards and Guidelines for Construction Activities are also available in the TRPA Standards and Guidelines for Construction Activities Manual, which is available at: www.trpa.gov/manual. The TRPA Standards and Guidelines for Construction Activities are also available in the TRPA Standards and Guidelines for Construction Activities Manual, which is available at: www.trpa.gov/manual. The TRPA Standards and Guidelines for Construction Activities are also available in the TRPA Standards and Guidelines for Construction Activities Manual, which is available at: www.trpa.gov/manual.

RECORD DRAWINGS
 DATE: _____

MEMORANDUM

Date: March 11, 2010
To: TRPA Hearings Officer
From: TRPA Staff
Subject: Demolition - Historic Resource/Banking– W.D. Barton Ranch, 1080 Emerald Bay Road, City of South Lake Tahoe, California, Assessor's Parcel Number (APN) 023-081-11, TRPA File Number VBOC2009-0609.

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

Staff Recommendation: Staff recommends that the Hearings Officer make the required findings and approve the proposed project based on this staff summary and the evidence contained in the project record. The recommended conditions of approval are contained in the attached Draft Permit.

Project Description/Background: The W. D. Barton Ranch Complex was designated as a TRPA Historic Resource at TRPA Code adoption in 1987. The Ranch's significance to both the early history of development in Lake Tahoe and the Native American Community is well documented in the City of South Lake Tahoe's *Tahoe Valley "Y" Community Plan's Heritage Resource Study* (background document for creation of the future community plan). The study concludes that the Barton Ranch is an important historic resource due to the Ranch's "...association with important events and personalities in Euroamerican local history, its architecture is distinctive, and it has excellent integrity. Furthermore, the Barton Ranch Complex is an important cultural landmark that evokes a post-contact period of adjustment in Washoe history, representing ranching lifeways and the kinds of relationships that transcended mere work opportunities. It represents a rare opportunity to highlight these aspects of Lake Tahoe heritage hinted at, but rarely featured in other interpretive media or venues – expressing the theme of ranching at Lake Tahoe and inter-personal relationships among individual Washoe and Euroamerican people."

The applicant proposes to demolish two structures located within the W.D. Barton Ranch Complex. According to El Dorado County Assessor's records and information provided by the owner, these two structures were built in the early 1950's. The Ranch had ceased operations by the 1950s, placing the structures beyond the Ranch's period of historical significance. Both the California State Historic Preservation Officer and the applicant's historic consultant believe that removal of the buildings would not harm the historic integrity of the Ranch complex. If the buildings are removed and the location revegetated, TRPA will consider the units and coverage banked on site (as verified in TRPA File LCAP2007-0478).

Site Description: The W.D. Barton Ranch complex is a four acre (174,108 square feet) parcel of land located southeast of the Tahoe Y (intersection of Highway 50 and Emerald

Bay Road). There are nine buildings or structures located on the property, including a ranch house, barn, residential units, garages, shed and other ranching facilities. The site is currently unoccupied. The parcel is located entirely in Land Capability Class 7 lands. TRPA File LCAP2007-0478 verified 40,746 square feet of existing coverage and four residential units for use.

Issues/Concerns: The proposed project involves the demolition of a portion of a TRPA designated historic resource and thus requires Hearings Officer review in accordance with Chapter 4, Appendix A of the TRPA Code of Ordinances.

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

Contact Information: For questions regarding this project please contact Chantal Birnberg at (775) 589-5231 or cbirnberg@trpa.org.

Attachments:

- Required Findings/Rationale (Attachment A)
- Draft Permit (Attachment B)
- Regional Plan Compliance Analysis (Attachment C)
- Letters from CA SHPO and Judith Marvin (Attachment D)
- Site Plan (Attachment E)

Attachment A – Required Findings/Rationale

A. The following is a list of the required findings as set forth in Chapters 6 and 29 of the TRPA Code of Ordinances. Following each finding, agency staff has briefly summarized the evidence on which the finding can be made.

1. Chapter 6 Findings:

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

- (1) Land Use: The proposed project does not introduce any new or prohibited land uses. The project will bank two existing residential units of use on site.
- (2) Transportation: The project does not create any permanent daily vehicle trip ends (dvte). No significant impacts to Level of Service or Regional or Sub-Regional air quality are anticipated based on the IEC.
- (3) Conservation: This project will not adversely affect implementation of the Conservation Element of the Goals and Policies of the Regional Plan. The area where the units will be removed will be revegetated and all the coverage will be removed.

The W.D. Barton Ranch complex is a designated TRPA historic resource. However, it has been determined that the two guest houses proposed for demolition were built after the Ranch ceased operation. According to the California State Historic Preservation Officer and Judith Marvin, architectural historian, these particular buildings are not historic and can be removed without harming the historic integrity of the Ranch. (See Attachment D)

- (4) Recreation: The proposed project will have no effect on the recreational opportunities in the Lake Tahoe Basin.
- (5) Public Service Facilities: The proposed project will not affect public service facilities.
- (6) Implementation: The project requires no additional development allocations and is consistent with the Implementation Element of the Goals and Policies of the Regional Plan.

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

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Hearings Officer meeting and at the TRPA offices.

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

(Refer to paragraph 1.b, above.)

2. Chapter 29 Findings:

- a. Demolition: Historic resources shall not be demolished, disturbed, or removed, unless TRPA finds that:
- (1) The action will not be detrimental to the historic significance of the resource. The historic significance of the resource revolves around the W.D Barton Dairy Ranch. The Ranch's significance consists of the architectural style, the importance of the Ranch in early Tahoe history and the relationships between the ranchers and the Washoe. The guest cottages were determined, through El Dorado County Assessor's records and owner history, to have been built after the Ranch ceased operation and as such were not a part of the historic Ranch. The 1955 date of construction places both structures beyond the Barton Ranch's period of historic significance. California's State Historic Preservation Office and Judith Marvin, architectural historian, concur that the removal of the structures will not harm the integrity of the Ranch.
 - (2) The action is pursuant to a recovery plan approved by the applicable state historic preservation officer. The State Historic Preservation Officer determined that these specific buildings were not of historic significance, and thus, no recovery plan was necessary.

Attachment B - Draft Permit

PROJECT DESCRIPTION: Demolition and banking of two residential units of use and land coverage associated with a designated historic resource.

APN: 023-081-11

FILE: VBOC2009-0609

PERMITTEES: Melba Mosher Trust

COUNTY/LOCATION: City of South Lake Tahoe / 1080 Emerald Bay Road

Having made the findings required by Agency ordinances and rules, TRPA Hearings Officer approved the project on **March 18, 2010**, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on **March 18, 2013**, 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 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 A CITY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A CITY BUILDING PERMIT. THE CITY 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

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_____

(PERMIT CONTINUED ON NEXT PAGE)

D-R-A-F-T

**APN 023-081-11
FILE NO. VBOC2009-0609**

Security Posted (1): Amount \$ 1500.00 Type _____ Paid _____ Receipt No. _____

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

Notes:

- (1) See Special Condition 3.B., 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 the demolition of two guest houses located on the W.D. Barton Ranch Complex located at 1080 Emerald Bay Road, City of South Lake Tahoe, California. Due to its designation as a historic resource, no additions, modifications or removal of any other structures located in the Barton Ranch Complex is allowed. After removal of the guest cottages and revegetation of the coverage and return of the required security, TRPA will consider two residential units of use and the land coverage associated with the cottages banked on the parcel.
2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.
3. Prior to final permit acknowledgement the following conditions of approval shall be satisfied.
 - A. Submission of a site plan which includes:
 - (1) Clear indication of areas to be revegetated.
 - (2) Location and details of temporary BMPs to be installed before and during demolition of cottages.
 - (3) 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.

- (4) Existing and proposed coverage numbers, indicating the amount of coverage to be removed and banked on the parcel.
 - (5) A note indicating that the property is a designated historic resource and no additional disturbance is allowed beyond the removal of the two guest cottages.
- B. The permittee shall submit a project security of \$1500.00. Security will not be released until revegetation is complete. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.
 - C. The permittee shall provide (3) three sets of the final plans for TRPA acknowledgement.

END OF PERMIT

Attachment C – Regional Plan Compliance Analysis

- A. Environmental Documentation: Environmental documentation is provided on the checklist entitled “Project Review Conformance Checklist and Article V(g) Findings” in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Hearings Officer meeting and at the TRPA offices.
- B. Plan Area Statement: The project area is located within the South “Y” Plan Area Statement – PAS 110. The Land Use Classification is Commercial and Public Service and the Management Strategy is Redirection. Agency staff has determined that the project is consistent with the applicable planning statement, planning considerations, and special policies.
- C. Land Coverage:
1. Land Capability District: The land capability of the project area is Class 7. The total project area is 174,108 square feet.
 2. Existing Coverage: TRPA File LCAP2007-0478 verified 40,746 square feet of existing Class 7 coverage.
 3. Base Allowable Coverage: The total project area (174,108 square feet) multiplied by 30% gives a base allowable coverage of 52,232 square feet.
 4. Proposed Coverage: No additional coverage is proposed. After removal of the cottages and revegetation, the amount of coverage restored will be banked on the property.

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov



October 22, 2009

Judy Finn
City of South Lake Tahoe
1052 Tata Lane
South Lake Tahoe, CA 96150-6323

RE: Two Cabins at 1080 Emerald Bay Road, South Lake Tahoe, California; APN: 023-081-11

Dear Ms. Finn:

Thank you for requesting my comments on whether issuing a demolition permit for the above cited project. You have requested my determination as to the historic significance of the properties in question pursuant to Chapter 29 of Tahoe Regional Planning Agency Code of Ordinances. My staff has reviewed the documentation provided and I would like to offer the following comments.

The two cabins are shown to have been built in 1955. Neither appears to be of high artistic or historic architectural significance. One of the cabins integrity seems to have been modified by enclosing the front porch area. Given the date and type of construction, I would not object to the City concluding that the two cabins are not historical resources.

If you have any questions, please contact Dwight Dutschke of my staff at 916-653-9134.

Sincerely,

Susan K Shattoe for

Milford Wayne Donaldson, F.A.I.A.
State Historic Preservation Officer



28 October 2009

Gary Midkiff
Midkiff & Associates
P.O. Box 12427
Zephyr Cove, NV
By e-mail: liz@midkiffandassoc.com

**RE: MOSHER PROPERTY (BARTON RANCH), 1080 EMERALD BAY ROAD,
SOUTH LAKE TAHOE, CALIFORNIA (APN 023-081-11)**

Dear Mr. Midkiff:

Based upon the documentation provided by Judy Finn, City of South Lake Tahoe, regarding the nuisance situation at the two guest cottages at the Barton Ranch, and the response by Susan Stratton of the California State Office of Historic Preservation that the cottages are not historical resources, I concur that the demolition of Guest House 3 and 4 is appropriate.

Based upon the above information, the cottages were not built until 1955, were not part of the original Barton Dairy Ranch, and are not historical resources for the purposes of CEQA.

Please do not hesitate to call if you have any questions or comments.

Sincerely,

A handwritten signature in black ink that reads "Judith Marvin".

Judith Marvin, Architectural Historian

cc: Lyn Barnett, TRPA

