

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

June 11, 2007

To: TRPA Hearings Officer

From: TRPA Staff

Subject: Joe and Nancy Davey, Land Capability Challenge; 664 & 668 Tata Lane, City of South Lake Tahoe, California APNs 023-442-16 & 17

Proposed Action: The applicants, Joe and Nancy Davey, request that the TRPA Hearings Officer review and approve the proposed Land Capability Challenges for the affected parcel.

Staff Recommendation: The staff recommends that the TRPA Hearings Officer approve the land capability challenge for the parcel changing the land capability class 3 to class 7.

Background: The subject parcel is shown as land capability class 3 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the JaD (Jabu coarse sandy loam, 9 to 20 percent slopes) soil map unit. The JaD soil map unit is consistent with the E-2 (Outwash, Till and Lake Deposits, Low Hazard Lands) geomorphic unit classification. The JaD soil formed in primarily granitic material on alluvial fans and in glacial outwash terraces.

A land capability verification was completed on these parcels in 2004 and they were both verified as land capability class 4. A land capability challenge was filed on February 21, 2007 to confirm the soil series and land capability for the parcels.

Findings: The adjacent parcels are located at 664 & 668 Tata Lane, City of South Lake Tahoe, California. The parcels are mapped within the geomorphic unit E-2 (Outwash, Till and Lake Deposits, Low Hazard Lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. TRPA staff conducted the soils investigation and this report was prepared. Based on one soil pit a representative soil profile was described (see Attachment A). After visiting the parcels, the soils on APNs 023-442-16 & 17 were determined to be consistent with land capability class 7 in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974).

If you have questions on this agenda item, please contact Heather Gustafson, at 775 - 589-5313.

Attachments:

6/11/2007
HG

AGENDA ITEM ???

SOIL INVESTIGATION FOR
664 & 668 Tata Lane, City of South Lake Tahoe, California APNs 023-442-16 & 17

INTRODUCTION

A soil investigation was conducted on APNs 023-442-16 & 17, and is located on 664 & 668 Tata Lane, City of South Lake Tahoe, California. A land capability verification was conducted by TRPA staff on these particular parcels.

A land capability challenge was filed with TRPA on February 21, 2007 to determine the appropriate land capability class for this parcel based on a soil investigation.

ENVIRONMENTAL SETTING

This parcel is shown as land capability class 3 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the JaD (Jabu coarse sandy loam, 9 to 20 percent slopes) soil map unit. The JaD soil map unit is consistent with the E-2 (Outwash, Till and Lake Deposits, Low Hazard Lands) geomorphic unit classification. The JaD soil formed in primarily granitic material on alluvial fans and in glacial outwash terraces. The overstory vegetation is Jeffrey pine and white fir with an understory of manzanita and bitterbrush.

PROCEDURES

One soil pit was dug near the property line of these adjacent parcels. After examination, the soil was described in detail as representative of the soils on the parcels. A copy of this description is included in this report. Slopes were measured with a clinometer.

FINDINGS

The soils on this parcel are deep and well drained. The soil is characterized as having a very thin (1") surface mantle of litter over a dark brown gravelly loamy sand layer approximately 17 inches thick over a strong brown coarse sandy loam subsoil to 44 inches, underlain by dark yellowish brown coarse sandy loam sediments to 60 inches. This soil is different from the Elmira – Gefo soil complex, which are characterized by somewhat excessively drained loamy coarse sands. This soil is appropriately placed in Hydrologic Group B (moderately low runoff). Therefore, based on these physical characteristics and slope class range, this soil is assigned to land capability class 7 per the Bailey Land Capability Classification system.

CONCLUSION

Based on the results of the site visit, the soil on APNs 023-442-16 & 17 was determined to be an unknown soil series of the Tahoe basin. Based on slope range and previously cited and physical characteristics, this soil is associated with land capability class 7, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974).

APNs 023-442-16 & 17

Representative Soil Profile:

Soil Classification: Coarse-loamy, mixed, frigid, Ultic Haploxerafls

Soil Series: Unnamed

Drainage Class: Well Drained

Hydrologic Group: B

- A 0 to 10 inches; brown (7.5YR 4/3) gravelly loamy sand, dark brown (7.5YR 3/2) moist; moderate fine granular structure; soft, loose, nonsticky and nonplastic; many very fine and fine roots; many very fine and fine interstitial pores; 15 percent gravel; clear smooth boundary.
- AB 10 to 17 inches; brown (7.5YR 4/4), gravelly loamy sand, dark brown (7.5YR 4/3) moist; weak fine granular structure; soft, loose, friable, nonsticky and nonplastic; many fine medium coarse roots; many very fine and fine interstitial pores; 15 percent gravel; gradual smooth boundary.
- Bt1 17 to 30 inches; light brown (7.5YR 6/4) coarse sandy loam, brown (7.5YR 4/4) moist; weak fine subangular blocky structure; slightly hard friable, nonsticky and nonplastic; many fine medium coarse roots; common very fine and fine tubular pores; few thin clay films occur on faces of peds, 10 percent gravel; gradual smooth boundary.
- Bt1 30 to 44 inches; reddish yellow (7.5YR 6/4) coarse sandy loam, strong brown (7.5YR 5/6) moist; moderate fine subangular blocky structure; slightly hard friable, nonsticky and nonplastic; common fine medium coarse roots; common very fine and fine tubular pores; few thin clay films occur on faces of peds, 10 percent gravel; gradual smooth boundary.
- C 44 to 60 inches; brownish yellow (10 YR 6/6) coarse sandy loam, dark yellowish brown (10 YR 4/6) moist; massive structure; slightly hard, friable, non-sticky and non-plastic; few fine medium roots; 5 percent gravel and 10 percent gravel; few fine tubular pores

MEMORANDUM

To: TRPA Hearings Officer

From: TRPA Staff, David L. Landry, Senior Planner

Date: June 28, 2007

Subject: Treated Water Intertie Pipeline Addition, between Edgewood Water Company and Kingsbury General Improvement District, from 4H Road to Lake Parkway, Douglas County, Nevada, Assessor's Parcel Number (APN) 1318-27-001-004, TRPA File Number ERSP2007-0139.
Linear Public Facility – Water Line

Proposed Action: Hearings Officer action on the proposed project and related findings based on this Staff Summary and the attached Draft Permit. The required actions and recommended conditions are outlined in Section D of this Staff Summary.

Staff Recommendation: Staff Recommends that the Hearings Officer make the required findings and approve the proposed project subject to the special conditions in the draft permit (attached).

Project Description: This is a proposal for the installation of a 12 inch, +/-2400 linear foot potable water intertie pipeline between Glenbrook Water Company and Kingsbury Grade Improvement District (KGID). The pipeline project will include the installation of a new pipeline intertie and the construction of a new water pump station with back up generator and associated flow control devices. At this time neither water company has backup capabilities in the event of unforeseen circumstances. The intertie will enable both water purveyors to interconnect their systems to provide continued water service during periods of emergency and/or routine maintenance. Ground disturbance to accommodate the placement of the intertie pipeline will include trenching and backfilling approximately 2,020 linear feet of pipe within the Edgewood Golf Course with a small section leading from an existing KGID manhole at the intersection of 4H Road and Laura Drive, to the golf course traversing a section of the course along Interstate 50 where it encroaches into Nevada Department of Transportation right-of-way and Douglas County maintained sidewalk, and finally leading to Lake Parkway to the west, to the Edgewood Water Company connection point located at the northwest corner of Interstate 50 and Lake Parkway. The +/-100 foot section running underneath Lake Parkway will be installed using a Jack Pit and Bore method and will be connected to the Edgewood Water Company pipeline near the corner of the Wells Fargo Bank property at Highway 50 and Parkway.

The new pump station and associated flow control devices will be located along 4H Road just south of Laura Drive. Construction will include a one story, 645 square foot CMU building with a folded seem steel roof with a 12:12 pitch. Other components will include the installation of a +/- 17 foot wide access driveway and a 30 x 35 foot vehicle parking and maneuvering area.

The maximum excavation depth for the majority of the intertie pipe using a trenching and backfill method will be 5 feet below ground surface (bgs). The maximum depth for the Jack Pit and Bore section of the pipeline will be 10 feet bgs as approved by the Soil Hydrological Approval (TRPA File # 20060200). The estimated volume of soil to be disturbed will be approximately

AGENDA ITEM V. B.

250 cubic yards. As trenches are prepared, pipe will be installed and backfilled on a continuous basis during any given work period. The amount of trench that will be open at any given time during daylight hours will depend on the location and whether any complications arise along sidewalk sections with the Highway right-of-way or other areas. As such the applicant shall trench only that amount that can be completely installed within a given day as a condition of approval. In the event that a section can not be completed for unforeseen reasons, steel plates shall be used to cover trenches for safety purposes. All coverage to be transferred to the site will either be from banked sources or relocated from other parcels within the Edgewood Golf Course project area. The amount of land coverage to be transferred to the project area will be approximately 2,180 square feet of Class 5 coverage.

Site and Project Area Description: The project area runs generally in a linear fashion from 4H Road along the eastern property boundary of the Glenbrook Golf Course, turning west within the confines of the golf course near the property's southern boundary approximately 680 linear feet after which the proposed work site will jog to the south approximately 50 feet encroaching into the Nevada Department of Transportation's road right of way and Douglas County maintained sidewalk right of way. The work within the side walk section along Highway 50 will require an encroachment permit which will allow work staging into the most northern west bound traffic lane. From this point the encroachment runs approximately 360 linear feet to the west at which point the work site jogs back to the north 50 feet into the Golf Course property and continues west another +/-720 linear feet in a more or less northwest fashion until it reaches Lake Parkway. At this location the pipe will be placed underneath Lake Parkway in a westward direction to a receiving pit located on the opposite or west side of Lake Parkway. The pipe will then follow along the northwest corner of Highway 50 and Lake Parkway just inside the Wells Fargo Property line and connect to the 12 inch Edgewood Water Company Line just in front of the bank.

Issues: The primary issues associated with the project are:

Land Use: The largest majority (approximately 95%) of the proposed project is to be carried out within the Edgewood Plan Area Statement (PAS) 070A with the remainder, a small section) to take place within the Douglas County sidewalk right-of-way, which is located within the Stateline Community Plan (CP). The portion of the work within Edgewood PAS is an allowed use while the portion of work to take place in the Stateline CP (pipelines and power transmissions) is a special use and as such Special Use Findings will be addressed in the Staff Analysis, Item D2 and Required Findings, below.

Grading and trenching: The primary components of the project that will create temporary ground disturbances will consist of trenching and backfilling conducted at varying lengths per day. The trenches will be either backfilled or temporarily covered with steel plates or repaved bringing the project area back to a safe or original state. These measures will be introduced with the purpose of reducing potential ground disturbance and/or traffic impacts. In the event ground water is encountered during trenching an approved TRPA dewatering plan will need to be put into affect for the purpose of reducing the possibility of contaminated water leaching into the lake.

Ground Water: It is anticipated that during trenching, excavation depths will not be below documented ground water levels in most locations. Excavation depths for the intertie pipeline are projected to be at a maximum depth of 5 feet (bgs) for trenched

portions of the project and 10 feet bgs for sections using the Jack Pit and Bore method. In the event ground water is encountered, it will need to be removed via pump and conveyed into the sanitary sewer system, or other means as approved by TRPA.

BMP and Construction Phasing Plan. Temporary BMPs will need to be introduced as a means of combating potential run-off from sediment piles created during trenching and backfilling. Site disturbance created during the trenching operations will amount to varying amounts of open trench at any one time. At the end of each work day, any open trench will either need to be backed filled or covered with steel grates. All trench areas in addition to any drop inlets will need to have temporary BMPs in place to combat the possibility of soil particles migrating into the storm drain system. As a condition of approval all drop inlets, manholes, and temporary stockpiling areas, etc., shall be protected with fiber roll logs or other devices to prevent potential discharges of soil into storm drains.

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) to assess the potential impacts of the project. Some potential environmental impacts were identified and staff has concluded that these impacts are temporary in nature and when mitigated will have less than a significant effect on the environment. A copy of the completed IEC will be made available at the Hearings Officer hearing and at TRPA.
- B. Plan Area Statement: The largest portion of the project is located in the Edgewood 070A Plan Area Statement which identifies pipelines and power transmission as an allowed use. The Land Use Classification is Recreation and the Management Strategy is Mitigation.

The Special Policies section of the PAS state that the Edgewood Water Company and its accessory uses shall be considered an allowed use pursuant to Chapter 18 of the Code of Ordinances and the Permissible Uses section in this Plan Area Statement.

- C. Community Plan Area: The smaller portion of the project area, approximately 5%, is located in the Stateline Community Plan Area which identifies pipelines and power transmission as a special use. The Land Use Classification is Tourist and the Management Strategy is Mitigation.
- D. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, 20, 64 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 6 – Threshold-Related 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.
 - i. *Land Use.* While the majority of the Pipeline and Power Transmission project is located within the Edgewood Plan Area Statement and identified as an

allowed use, a portion of the proposed project is located within the Stateline Community Plan and is categorized as a special use thus needing public hearings review. The proposed project is a public service that is compatible with the surrounding linear public facilities in that it complements other systems, is non-growth inducing, and with the special permit conditions, will meet all TRPA codes and ordinances.

- ii. *Transportation.* This project is not anticipated to create additional permanent daily vehicle trip ends (dvte) to the site as the number of vehicle trips associated with this project is less than 1 daily vehicle trip end (dvte). Air quality mitigation fees for temporary vehicle trips are not required as a condition of the permit.
 - iii. *Conservation.* There are no identified special interest species or sensitive or uncommon plants located in the Edgewood Golf Course, County or NDOT Rights-of-Ways. Temporary BMPs will protect trenched areas, staging and other areas from the potential impact of soil discharging into the lake.
 - iv. *Recreation.* Although the project site traverses a major recreational facility any impacts to the facility will be temporary in nature and all ground surfaces will be back filled and re-vegetated. Thus the project will not have a long term impact to existing or proposed recreation areas, nor will it create other long term impacts to recreational activity on Lake Tahoe as the project is not located near other public recreation areas.
 - v. *Public Service Facilities.* This Linear Public Service project will upgrade and improve the public service facilities in this area. No additional services or facilities outside of this work will be added with the improvements.
 - vi. *Implementation.* As set forth below, the project complies with the Regional Plan and TRPA Ordinances and Regulations.
- (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 Hearing 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 TRPA Compact, the project meets or exceeds such standards.

(Refer to paragraph 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 an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The proposed project is to install an intertie pipeline that will enable both water purveyors to interconnect their systems to provide continued water service during periods of emergency or routine maintenance. As limited by the special conditions of this permit, the method and timing of trenching, backfilling and construction of support facilities shall be of a degree and methodology as to reduce the impacts to the surrounding neighborhood.

- (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.

Although during construction there will be temporary disturbances to traffic flow along Interstate 50, Lake Parkway and 4H Road, a construction schedule in addition to a Traffic Control Plan, demonstrating that the project will be phased in a manner to reduce traffic impacts shall be submitted to TRPA as a condition of approval. The site plan shall also identify the location of all equipment and material staging area(s) and methods in which temporary BMPs are to be installed. Further temporary BMPs shall be introduced to mitigate any potential environmental impacts to water quality during trenching, pipe installation, and construction of pump house and associated flow regulating equipment. In the event that ground water is encountered during trenching, an approved dewatering plan demonstrating how all waters will be diverted to the sanitary sewer or disposed of in a TRPA approved location as a condition of approval shall be instituted.

- (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, as the project is merely an improvement to an existing system.

The proposed public facility is an improvement to two existing water service systems which provides service to approximately 10,000 Stateline Casino users per day and approximately 2,400 residential and 130 commercial customers in the Roundhill, Edgewood, Lake Tahoe and Tahoe Ridge areas.

3. Chapter 20 - Land Coverage Findings:

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

The proposed amount of land coverage to be transferred to the project area shall be 2,180 square feet of Class 5 coverage. This land coverage shall be from an equal or superior portion of the project area or from appropriate banked sources.

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

Coverage to be transferred to the site will either be from Banked sources or relocated from other parcels within the Edgewood Golf Course project area. Areas in which coverage is being removed shall be scarified and re-vegetated in accordance with TRPA standards.

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

Land coverage for the pump station and access easements will be transferred from an eligible Edgewood Golf Course parcel or from banked sources. No coverage will be relocated from a lower Land Capability District to a higher Land Capability District.

4. Chapter 64 - Excavations:

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

In May 2007 the applicant prepared and submitted a soils/hydrologic application for approval of a proposed exaction depth of 10 feet using a Jack Pit and Bore pipe installation method. After review of the application, Staff deleted the requirement for a subsurface investigation and approved the depth of the proposed excavation to 10 feet below ground surface (bgs), in areas of Jack Pit and Bore excavations. As a condition of approval, the applicant must submit a dewatering plan for the entire project for TRPA approval.

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

As a condition of approval the permittee shall not excavate more than five feet below natural grade (bgs) for the trenching and back filling portions of the project and 10 feet bgs for the Jack Pit and Bore method installation. No living native trees located adjacent to the proposed pipeline or road right of ways shall be removed. The project will not present damage to any mature trees.

- c. Excavated material is disposed of pursuant to Section 64.5 and the project area's natural topography is maintained pursuant to Subparagraph 30.5.A (1).

As a condition of approval any excavated material must be hauled away from the site to a TRPA approved location. Only fills and/or re-contouring for purposes of

backfilling of trenches and ground leveling will be authorized as a result of this permit.

Required Actions: Staff recommends that the Hearings Officer take the following actions:

- I. Approve the findings contained in this staff summary, and a Finding of No Significant Effect.
- II. Approve the project, based on the staff summary, subject to the conditions contained in the attached Draft TRPA Permit.

Attachment:
Exhibit 1, Location Map

-PERMIT-

PROJECT DESCRIPTION: Treated Water Intertie Pipeline Addition **APN** 1318-27-001-004

PERMITTEE: Edgewood Water Company with KGID **FILE #** ERSP2007-0139
Wells Fargo Bank

COUNTY/LOCATION: Douglas County, Kingsbury Grade to Lake Parkway

Having made the findings required by Agency ordinances and rules, TRPA Staff approved the project on **June 28, 2007**, subject to the standard conditions of approval attached hereto (Attachment S) and the special conditions found in this permit.

This permit shall expire on **June 28, 2010**, 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 APPROPRIATE COUNTY/CITY PERMIT. TRPA'S ACKNOWLEDGEMENT MAY BE NECESSARY TO OBTAIN A COUNTY PERMIT. THE COUNTY/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)

**APN 1318-27-001-004
FILE NO. ERSP2007-0139**

Security Posted (1): Amount \$ 5,000 Posted _____ Type _____ Receipt No. _____

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

Notes:

- (1) See Special Condition 3.B, below.
- (2) \$144 if a cash security is posted, or \$74 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 installation of a 12 inch, +/-2400 linear foot potable water intertie pipeline and associated equipment between Glenbrook Water Company and Kingsbury Grade Improvement District (KGID). The project will include the pipeline intertie, the construction of a new water pump station building with back up generator and associated flow control devices. Work is authorized to take place within the 4H Road right-of-way, the southern portion of the Edgewood Golf Course, the Douglas County sidewalk right-of-way, the north lane of the west bound Interstate 50 road right-of-way, Lake Parkway, and a portion of the frontage property of Wells Fargo Bank. This authorization is contingent upon the permittee receiving proper jurisdictional authorization prior to acknowledgement of this permit. Construction methodology shall consist of trenching and backing filling of the largest portion of the pipeline with the smaller portion of pipe being installed under Lake Parkway to use a Jack and Bore method. Approximately 2,180 square feet of Class 5 coverage will be transferred from an Edgewood Golf Course parcel for use for the pipeline and building construction portions of the project.
2. The standard conditions of approval listed in Attachment S shall apply to this permit.
3. Prior to final permit acknowledgement the following conditions of approval shall be satisfied.
 - A. The permittee shall revise the site plan to include:

- (1) A note indicating a recorded Nevada Department of Transportation Easement.
 - (2) A note indicating that a Douglas County Easement is not required for this project.
 - (3) A note and/or graphic depicting how water will be conveyed from the roof to an appropriate storage location.
 - (4) The location of all temporary BMPs and sediment control devices located on all drop inlets and down slope of all building construction, trench excavation, access points, and staging areas.
- B. Elevation drawings for the pump station building shall be revised to show the location of the 10 inch hazardous materials sign, call out for specific building materials and down spouts, rain gutters and/or other water conveyances.
- C. The security required under Standard Condition I.2 of Attachment S shall be \$5000.00. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.
- D. The permittee shall submit a projected construction completion schedule to TRPA prior to acknowledgment. Said schedule shall include completion dates for each item of construction and demonstrating completion by Oct 15th of each construction season.
- E. The permittee shall submit a dewatering plan which specifically addresses how any wastewater from project activities or water removed from within the work area, as a result of trenching is routed to an approved, designated holding or disposal area out of the shorezone to ensure that fine sediment and other contaminants are not discharged into lake. The plan should include methods for ensuring that water quality threshold standards per section 81.2 of the TRPA Code, are not exceeded.
- F. The permittee shall provided evidence of all new proposed access easements having been recorded with the county recorder and a copy made available to TRPA.
- G. Permittee shall submit copies of water operating and water rights agreement between Edgewood Water Company and Kingsbury Grade Improvement District.
- H. The permittee shall provide (3) three sets of the final plans for TRPA Acknowledgement.
4. Through separate applications, the permittee shall transfer a total of 2,180 square feet of Class 5 coverage from an Edgewood Golf Course parcel for use for the pipeline and building construction portions of the project. All of the transferred land coverage shall be located within South Stateline Hydrologic Area 4. (Note all coverage transfers must be in

- compliance with Chapter 20 of the TRPA Code of Ordinances and the TRPA Rules of procedure).
5. All work associated with this permit requiring use of heavy equipment or vehicles shall take place within existing paved roadway or along existing compacted dirt shoulders. Any work requiring minor temporary disturbance to existing vegetation or undisturbed areas such as in the backshore shall employ the use of land mats and other protective devices.
 6. All areas temporarily disturbed by construction shall be immediately (within 48 hours) reseeded/re-vegetated and mulched following backfilling of trenches and/or access holes.
 7. All temporary soil stockpiles shall be appropriately covered with tarps and contained by temporary erosion control fences and/or coir logs with gravel bags and shall be located outside of the Shorezone including the backshore.
 8. No grading or excavation shall be permitted except as shown on the plans.
 9. Any and all excavated materials shall be hauled away from the site to a TRPA approved location. No fills or re-contouring, other than backfill for structures, shall be allowed.
 10. 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.
 11. All employee vehicles shall be parked on existing paved surfaces or existing compacted road shoulders only.
 12. In the event ground water is encountered during trenching, an approved TRPA dewatering plan shall be put into affect for the purpose of reducing the possibility of contaminated water leaching into the lake.
 13. Tree removal is not authorized as a result of this permit.
 14. Temporary erosion control structures must be maintained until disturbed areas are stabilized or sufficiently re-vegetated. Temporary erosion control structures shall be removed once the site has been stabilized or re-vegetated.
 15. Dust control in the way of sweeping of dirt tracked onto pavement at the end of each day is required.
 16. Before water is introduced into the new intertie line, stabilization work, vegetation and other work shall be completed.
 17. The permittee shall submit a dewatering plan describing in detail a dewatering system and disposal method of any water entering the excavation or other parts of the work site in accordance with the provisions of the attached TRPA recommended contents for a dewatering plan.

18. This site shall be winterized in accordance with the provisions of Attachment S by October 15th of each construction season. All disturbed areas shall be stabilized with a 3-inch layer of mulch or covered with an erosion control blanket.

END OF PERMIT

TAHOE REGIONAL PLANNING AGENCY

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MITIGATED STATEMENT OF NO SIGNIFICANT EFFECT

PROJECT DESCRIPTION: Treated Water Intertie Pipeline Addition APN 1318-27-001-004

PERMITTEE: Edgewood Water Company with KGID FILE # ERSP2007-0139
 Wells Fargo Bank

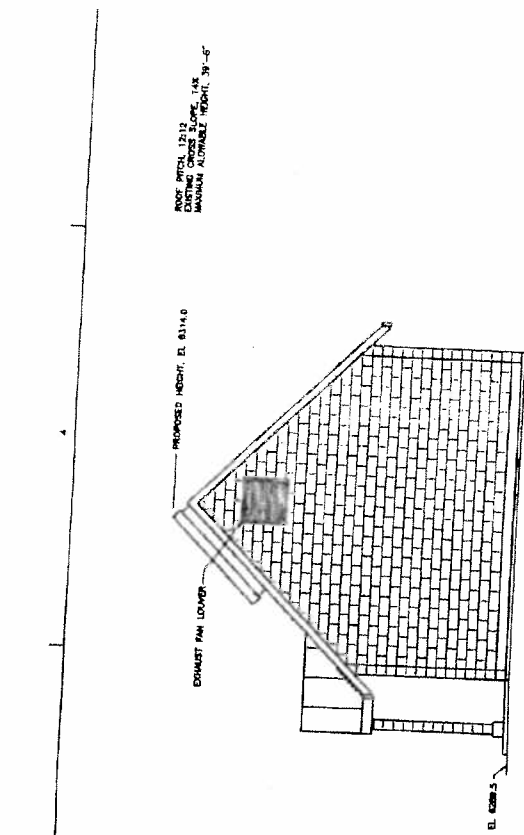
COUNTY/LOCATION: Douglas County, Kingsbury Grade to Lake Parkway

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.3 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.

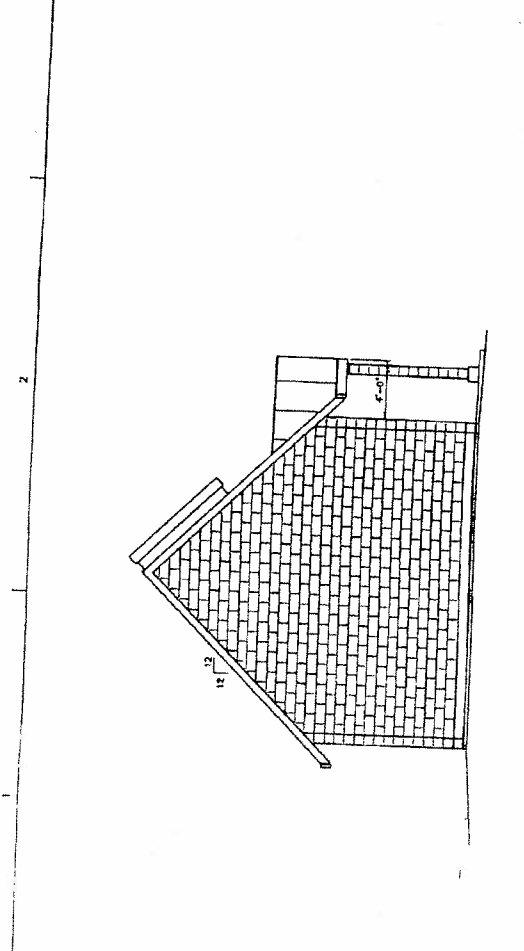
Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.

TRPA Chairman or Executive Director

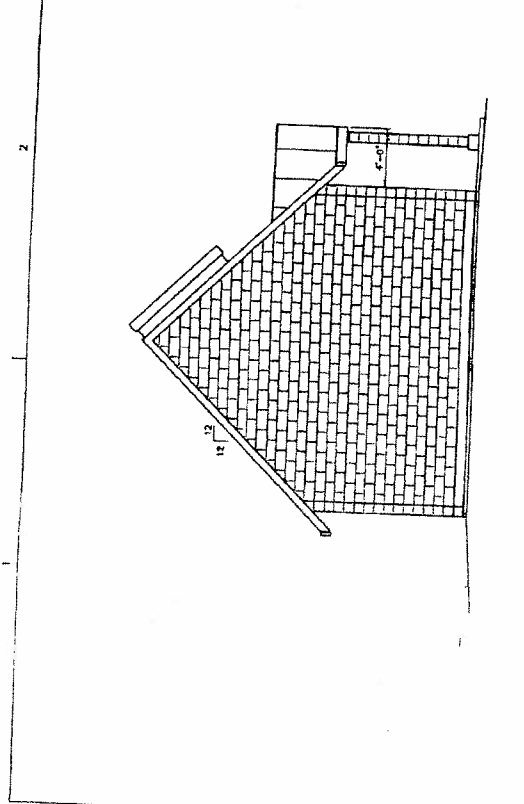
Date



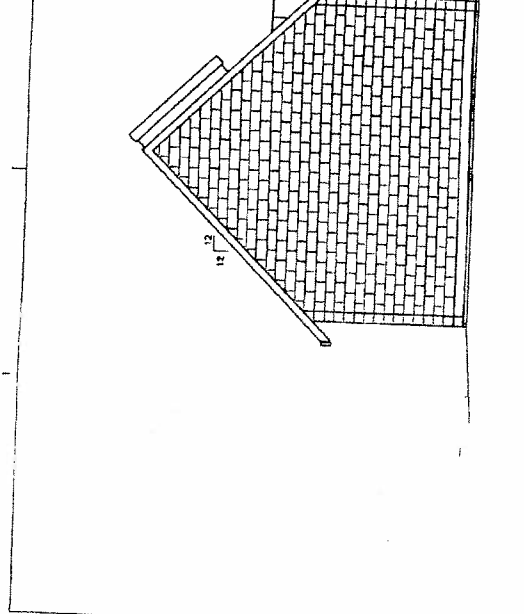
NORTH ELEVATION
1/4" = 1'-0"



SOUTH ELEVATION
1/4" = 1'-0"



EAST ELEVATION
1/4" = 1'-0"



WEST ELEVATION
1/4" = 1'-0"

NOTE: PITCH 12:12
DRAINAGE TO THE
MAXIMUM ALLOWABLE HEIGHT: 38'-0"

PROPOSED HEIGHT: E.I. 6314.6

B. 0208.3

REMOVABLE HATCH

12x12 BRICK LOUVER

24x24 BRICK LOUVER



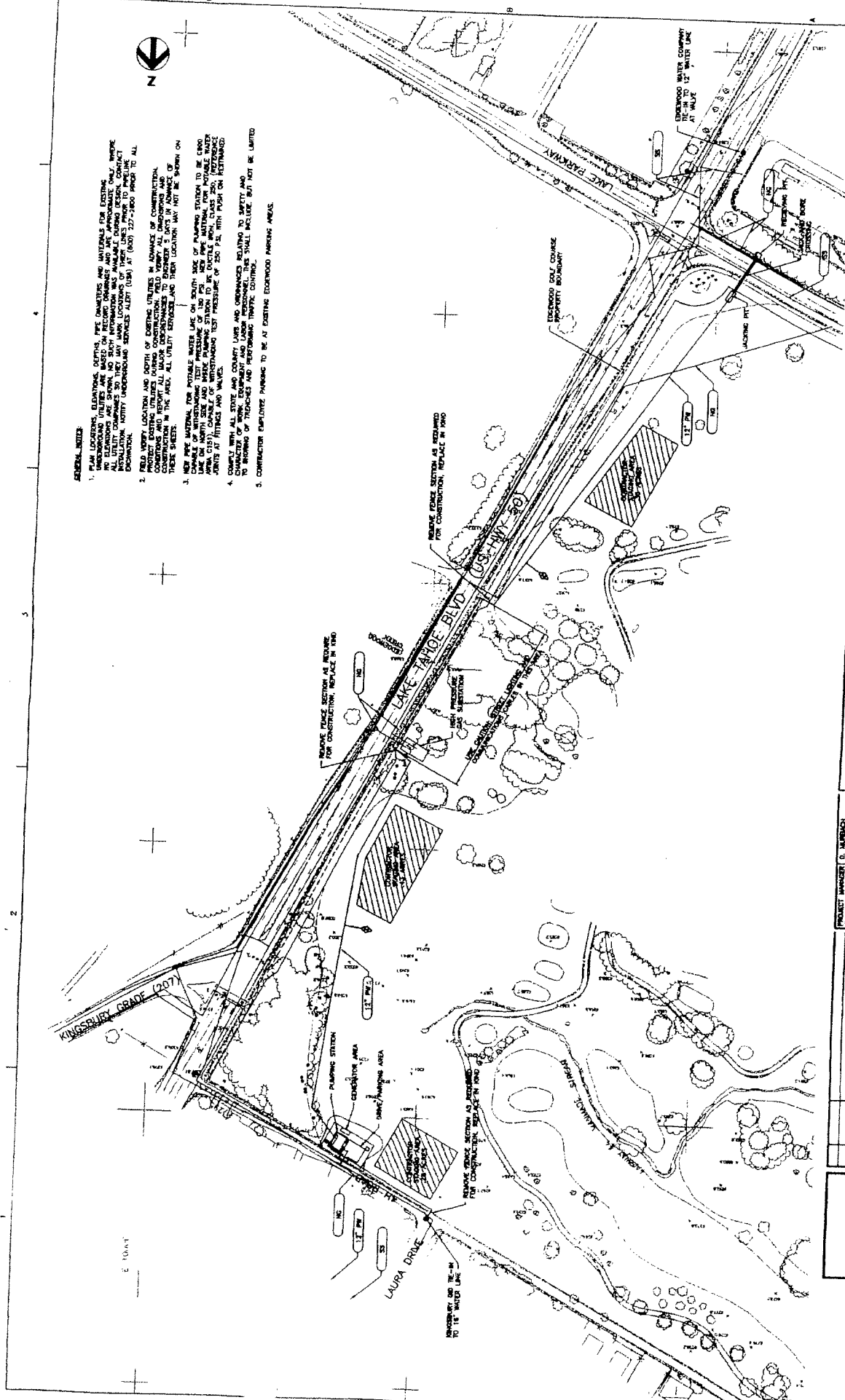
PROJECT MANAGER	D. MURPHY
DESIGNED BY	R. SHOOK
CHECKED BY	
PROJECT NUMBER	44217
REV. NUMBER	

NO.	DATE	DESCRIPTION

EDGEWOOD-KINGSBURY INTERTE IMPROVEMENT
PUMPING STATION ELEVATIONS

PLANSHEET 44217-002.PWG
SHEET

- GENERAL NOTES**
1. PLAN LOCATIONS, ELEVATIONS, DEPTHS, PIPE DIMENSIONS AND MATERIALS FOR EXISTING UNDERGROUND UTILITIES, INCLUDING WATER, SEWER, GAS, TELEPHONE, CABLE, AND FIBER OPTIC LINES, ARE SHOWN. NO SLOTT INFORMATION WAS OBTAINED FROM ANY RECORDS. CONTACT INSTALLATION, UTILITY AND/OR RECORDS SERVICES ALERT (USA) AT (800) 227-2800 PRIOR TO ALL EXCAVATION.
 2. FIELD VERIFY LOCATION AND DEPTH OF EXISTING UTILITIES IN ADVANCE OF CONSTRUCTION. CONDITIONS SHALL BE RECORDED. FIELD VERIFY ALL DEPTHS AND LOCATIONS OF EXISTING UTILITIES IN THE AREA. ALL UTILITY SERVICES TO BE MAINTAINED AND THEIR LOCATION MAY NOT BE SHOWN ON THESE SHEETS.
 3. VERIFY ALL MATERIAL FOR POTABLE WATER LINE ON SOUTH SIDE OF PARKING AREAS TO BE 150 PSI LAKESIDE POLYETHYLENE GLYCOL (PEX) PIPE. VERIFY ALL MATERIAL FOR POTABLE WATER LINE ON NORTH SIDE AND WASTE PIPING OF 150 PSI LAKESIDE POLYETHYLENE GLYCOL (PEX) PIPE. VERIFY ALL MATERIAL FOR WASTE PIPING OF 150 PSI LAKESIDE POLYETHYLENE GLYCOL (PEX) PIPE. VERIFY ALL MATERIAL FOR WASTE PIPING OF 150 PSI LAKESIDE POLYETHYLENE GLYCOL (PEX) PIPE. VERIFY ALL MATERIAL FOR WASTE PIPING OF 150 PSI LAKESIDE POLYETHYLENE GLYCOL (PEX) PIPE.
 4. COMPLY WITH ALL STATE AND COUNTY LAWS AND ORDINANCES RELATING TO SAFETY AND CHARACTER OF WORK. EXCAVATION AND RESTORATION SHALL INCLUDE, BUT NOT BE LIMITED TO, SHIELDING OF TRUCKS AND RESTORING TRAFFIC CONTROL.
 5. CONTRACTOR EMPLOYEE PARKING TO BE AT EXISTING EDGEWOOD PARKING AREAS.



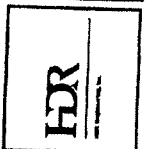
SITE PLAN

FILE NAME: 48217-C01A.DWG
 SCALE: 1"=80'
 SHEET: C01A

EDGEWOOD-KINGSBURY INTERTIE IMPROVEMENT

PROJECT MANAGER	D. MARRINCH
DESIGNED BY	D. MARRINCH
CHECKED BY	S. PAN
CONVERTED BY	R. SICKER
APPROVED BY	
PROJECT NUMBER	48217
SHEET NUMBER	

ISSUE	DATE	DESCRIPTION



MEMORANDUM

To: Hearings Officer

From: TRPA Staff, Gretchen Gibson, Associate Planner

Date: June 19, 2007

Subject: Glenbrook Property Owners Association, Safety and Navigation Buoys, 2071 Pray Meadow Road, Glenbrook, Nevada, Assessor's Parcel Number 1418-10-610-002, TRPA File Number 20070086.

Proposed Action: Hearings Officer action on the proposed project and related findings based on this Staff Summary and the attached Draft Permit. The required actions and recommended conditions are outlined on Section H of this Staff Summary.

Staff Recommendation: Staff recommends that the Hearings Officer make the required findings and approve the proposed project subject to the special conditions in the Draft Permit (attached).

Site Description: This is a proposal for the placement of new structures (twelve new navigation buoys) within the Shorezone. Previously the buoys were authorized on a temporary basis. Upon expiration of the permit it was to be determined whether the buoys were necessary. No new land coverage is proposed as a part of this project. The project area consists of a common area parcel with littoral status. Existing development on the property consists of a public drinking water intake and ozone treatment facility. The proposed buoys would be located in mapped and verified Marginal Fish Habitat.

The buoys would be placed 600 feet from high water line and 600 feet apart. The buoys are for the purposes of safety and navigation. The permit is conditioned to limit copy used on the buoys and to prohibit the use of the buoys for mooring boats. The buoys are integral to the dispersed outdoor recreation that occurs on Lake Tahoe and are appropriate for the boater traffic in this area.

Issues: The proposed project involves the placement of new structures (navigation buoys) within the Shorezone and therefore requires a Hearings Officer public hearing in accordance with TRPA Code of Ordinances, Chapter 4, Appendix A. The main issue relating to this project proposal is health and safety.

Land Use: The proposed project involves the placement of new structures (navigation buoys) within the Shorezone. Under TRPA Code of Ordinances Section 54.9, TRPA may approve safety and navigation devices upon recommendation from the U.S. Coast Guard or Army Corps of Engineers. Written correspondence from United States Army Corps of Engineer indicates that the buoys would enhance navigation and safety within Glenbrook Bay.

Scenic Analysis: The project is located within TRPA Shoreline Scenic Unit 26, Cave Rock which is currently in nonattainment with scenic threshold standards. The project requires no scenic mitigation at this time due to the size and spacing of the new buoys.

Glenbrook Navigation Buoys

Staff Summary

Page 2 of 9

Buoys will have visible dimensions of 9 inch diameter and 37 inches in height. Total height will be 61 inches with 37 inches being above water. A permit condition will require that the buoys shall not be used as moorings.

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. The project is not located in TRPA mapped prime fish habitat. 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 IEC will be made available at the Hearings Officer public meeting and at TRPA.
- B. Plan Area Statement: The project is located within the Plan Area Statement Number 058, Glenbrook. The Land Use Classification is Residential. Buoys are considered an allowed use within this Plan Area Statement. The navigation buoys are allowed accessory structures when associated with an allowed primary use. The primary use associated with the buoys is the common area lakefront property used for beach recreation.
- C. Shorezone Tolerance District: The project is located within Shorezone Tolerance District 7. The standards for Shorezone Tolerance District 7 state that access to the shoreline shall be restricted to stabilized access ways to minimize the impacts to the backshore. The navigation buoys will not create a need for access to the beach and are only intended as safety and navigation devices. The project as proposed is consistent with the shorezone tolerance district standards.

Required Findings: The following is a list of the required findings as set forth in Chapter 6 and 50 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 for the placement of the twelve navigation buoys on the subject property, or has briefly summarized the evidence on which the finding can be made.

1. Chapter Six 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.
 - i. Land Use: The proposed project involves the placement of twelve navigation buoys offshore of the Glenbrook community. The project is consistent with the goals and policies of the Regional Plan in that it: a) directs the amount and location of new land use appropriately; b) promotes the use of the waters of the Region for water-dependent outdoor recreation; and c) is conditioned to protect the scenic and natural qualities of Lake Tahoe and the surrounding area. The project is an allowed use within the Glenbrook Plan Area Statement and is consistent with the permissible uses outlined in the Shorezone Chapters of the

TRPA Code. The Land Use Classification in this area is Residential. The new buoys are accessory structures to the existing common area property. While they are associated with the common area property, the buoys serve the greater community of Glenbrook by encouraging boaters to be aware of and to follow the no-wake zone regulation. The placement of twelve new navigation buoys is also consistent with the TRPA Code of Ordinances, Chapter 54.9 – Safety and Navigation Devices. The placement of the twelve navigation buoys will be consistent with the location, design and construction standards outlined in TRPA Code Section 54.

- ii. Transportation: The proposed navigation buoys will not result in an increase of daily vehicle trip ends (dvte) to the subject parcel.
- iii. Conservation: The project is consistent with the fisheries, shorezone, and scenic subelements of the Conservation Element of the Regional Plan. The proposed buoys are located in TRPA mapped marginal fish habitat; and will not impact prime fish habitat areas: a). the use is water dependent (navigation buoys); b). The project does not propose any new access to the backshore areas; c). The proposed color and design of the buoys shall be consistent with the standards for navigation buoys as determined by the United States Coast Guard and/or the United States Army Corps of Engineers.
- iv. Scenic: This project will not result in the obstruction or degradation of the scenic vista or view open to the public.
- v. Recreation: This project does not require any additions to public recreational facilities. The project will not provide recreational opportunities but are intended to inform the public of the requirement to comply with the no-wake zone which could be viewed as an enhancement to recreation.
- vi. Public Service Facilities: The proposed project does not require any additions to public services or facilities.
- vii. Implementation: The proposed project does not require any allocations of development.
- (b) The project will not cause the environmental threshold carrying capacities to be exceeded.

The 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 hearing 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.)

1. Chapter 50 – Required Shorezone Findings: The proposed project would be located lakeward of highwater line and required shorezone findings are, therefore, necessary.

- (a) The proposed project will not adversely impact: (1) littoral processes; (2) fish spawning; (3) backshore stability; and (4) on-shore wildlife habitat, including wildfowl nesting areas.

The proposed project will not have an adverse impact on littoral processes because the navigation buoys will be placed consistent with Section 54.9 of the TRPA Code. Section 54.9 sets forth criteria for the placement of navigation buoys which can only be approved upon recommendation of the United States Coast Guard or United States Army Corps of Engineers. The proposed buoys will not be located within fish spawning habitat.

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

The subject property consists of a common area property shared by the Glenbrook Property Owners Association with appropriate littoral access to the Shorezone. The placement of twelve navigation buoys off the subject privately owned littoral parcel is consistent with the use of the property and will be supported by the existing facilities in the area.

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

The project, as conditioned, is compatible with existing lake and Shorezone uses and structures in the vicinity. The surrounding Shorezone uses consist of piers and buoys. Dispersed outdoor recreation occurs in the vicinity of the proposed buoys.

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

The buoys by their nature are water dependent.

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

The conditions of this approval prohibit the discharge of hazardous waste materials including petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of Lake Tahoe. The design and construction of the navigation buoys must comply with the US Army Corp of Engineers or Coast Guard standards. No containers of fuel, paint, or other hazardous materials may be stored in the shorezone or backshore areas.

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

Buoys will be placed by use of a barge. Buoy placement shall be done in a manner consistent with the TRPA approved plans.

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

The proposed navigation buoys, as conditioned, will not adversely impact navigation or create a threat to public safety but will actually encourage public safety. The U.S. Army Corps of Engineers must also review this project for navigational safety. A United States Coast Guard permit may be required for the proposed project.

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

This project must receive approval from the Nevada Division of State Lands, and the U.S. Army Corps of Engineers. Comments from these agencies, and those agencies who are members of the Interagency Shorezone Coordination Group, were solicited as part of the review of this project. To date the agencies have indicated that they do not have concerns regarding the proposed project. An application for the project is currently pending with Nevada Division of State Lands. In review of the project application, Nevada Division of State Lands staff has indicated that there may be a need to ensure the buoys are located in the correct locations. U.S. Coast Guard staff has indicated they have no objection to the buoys. U.S Army Corps of Engineers has indicated support of the buoys and an email from U.S. Army Corps of Engineers is included as an attachment.

Required Actions: Agency Staff recommends that the Hearings Officer approve the project as modified by taking the following actions based on this staff summary and the evidence contained in the record.

- I. Approve a finding of no significant environment effect, based on this staff summary and evidence contained in the project file, for the findings contained in this staff summary.
- II. Approve the project, based on the staff summary, subject to the special conditions set forth in the attached Draft Permit.

Attachments and Exhibits:

Attachment A: Draft Permit
Attachment B: Project Site Plan
Attachment D: Email from USACE

DRAFT PERMIT

PROJECT DESCRIPTION: New Navigation Buoys APN: 1418-10-610-002

PERMITTEE(S): Glenbrook Property Owners Association FILE #: 20070086

COUNTY/LOCATION: Douglas County / 2071 Pray Meadow Road

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on **June 28, 2007**, subject to the standard conditions of approval attached hereto (Attachment S) and the special conditions found in this permit.

This permit shall expire on **June 28, 2010** without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of placement of the navigation buoy block. 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 SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT.

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

/gg

PERMIT CONTINUED ON NEXT PAGE

- (2) A note stating that the navigation buoys will be installed by use of a barge.
 - (3) Locations of any other permanent shorezone structures in the vicinity of the no-wake buoys.
 - (4) Location and detail for all necessary construction staging areas.
 - (5) The permittee shall submit three copies of the site plan.
 - B. The permittee shall have a Tahoe Yellow Cress (TYC) inspection completed by TRPA staff, or a qualified professional botanist approved by TRPA. The inspection shall take place between June 15 and September 15 during the year that construction will commence. If TYC is present, the applicant shall submit a TYC Management Plan to be implemented during and following construction. The plan shall include, but not be limited to, construction methodology, vegetation protection fencing, limitations on vehicle and pedestrian access, construction staging, monitoring during construction, and long-term protection and monitoring methods which may include beach raking limitations, pedestrian access limitations, and avoidance of population disturbance.
 - C. The security required under TRPA Code Section 8.8 shall be \$1,500. Please see Attachment J, Security Procedures for appropriate methods to post a security and the required Security Administrative Fee.
4. The navigation buoys shall be placed in the approved locations consistent with the notes on the plans for distance from shore and spacing between buoys.
 5. Any use of the buoys to restrict public access to Glenbrook Bay is prohibited.
 6. The buoys shall be maintained in their approved locations at 600 feet from shore and 600 feet apart. In the event of any conditions that may require relocation of the buoys, the relocation of the buoys will require written TRPA approval.
 7. Navigation buoys shall not be placed in areas consisting of gravel, rock or cobble substrate that may be considered prime fish habitat.
 8. Upon placement of the twelve navigation buoys, the permittee shall contact the TRPA Watercraft Team to schedule a site inspection to allow the structures to be mapped with a Global Positioning device.
 9. The project security shall be held at TRPA until all permit conditions have been satisfied, including but not limited to all installation of the buoys in accordance with the approved plans and mapping of the buoys by the TRPA Watercraft Team.
 10. Disturbance of the lakebed materials shall be kept to the minimum necessary for placement of the twelve navigation buoy anchors.

Glenbrook Navigation Buoys

Staff Summary

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11. The buoys shall be associated with the Glenbrook Property Owners Association property only.
12. Gravel, cobble, and or small boulders shall not be disturbed or removed to leave exposed sandy areas, before, during or after construction.
13. Spray painting and the use of tributyltin is prohibited.
14. Storage of construction materials or equipment on the beach area is prohibited.
15. By accepting this permit, the permittee acknowledges that permits for this project may also be required from other regulatory agencies, including, but not limited to, the US Army Corp of Engineers, United States Coast Guard, Nevada Division of Wildlife and Nevada Division of State Lands.

END OF SPECIAL CONDITIONS

Gretchen Gibson

Subject: Glenbrook Navigation Buoys

Attachments: Roukey, Kevin SPK.vcf

From: Roukey, Kevin J SPK [mailto:Kevin.J.Roukey@spk01.usace.army.mil]

Sent: Monday, June 11, 2007 2:42 PM

To: Gretchen Gibson

Subject: RE: Glenbrook Navigation Buoys

Gretchen Gibson
Associate Planner II
Tahoe Regional Planning Agency

Gretchen,

I have reviewed the files for the Glenbrook HOA buoy field and no wake buoys. The Corps received the original application in July of 1999. The project purpose was to ... "Identify the TRPA "no-wake" zone for boating safety within Glenbrook Bay."

As part of our review we received notice from the Glenbrook Homeowners association and the Glenbrook Property Owners Association stating that the Nevada Wildlife Commission ruled authorization of an existing flat wake zone which, by virtue of its lake ward extension 200' beyond the existing buoy fields and historical pilings, will approximate the recently approved TRPA 600' zone. In their application to Nevada Division of State Lands they state under the project description... "Install, per NDOW approval, marker buoys (Nav-aids) to identify 600' "No-Wake" zone established by the TRPA ordinance. Buoys will be standard USCG approved Nav-Aids no-wake zone buoys."

We also received copies of comments from the HOA and the POA in unanimous support of the the no-wake buoys.

We informed the applicants that the project would qualify for a Regional General Permit # 16 once the received the permits and approvals form the TRPA and NDSL.

On May 2, 2000 we received copies of the approved TRPA drawings from the applicant. The drawings state the approval expired on 14 October 2004.

The NDSL issued their permit for 12 "No-Wake Zone" marker buoys, on May 9, 2000.

During our final review under Section 10 of the Rivers and Harbors Act 1899, we must consider any potential impacts to navigation and safety of navigable waters of the United States. the result of our review of previous action within the Glenbrook Bay. We found that we have had concerns with the safety and navigation within the bay due the historical pilings; remains of rock cribbing and the buoy fields in proximity to the beach area in the past. The area has high density use during the summer season with a large diversity of activities, swimming, windsurfing, kayaking, and top line trolling are typical activities. High speed powerboats and Personal Water Craft (Jet-skis) operating within the near shore adjacent to the buoy fields and swim areas can have a significant threat to swimmers, kayakers, rafts and passenger transfer activities. We determined that the no-wake zone would improve safety and navigation within the bay. We approved the project to place 12 "No-wake" marker buoys at a maximum of

600' from the ordinary high water line elevation of 6229.1 and a minimum of 600 ' apart.

This no wake zone along with the navigational aid markers on the outer end of the existing buoy fields will greatly enhance navigation and safety within Glenbrook Bay. T request to renew the retention of these buoys would qualify for authorization under our Regional General Permit # 16.

Kevin J. Roukey

Chief, CA/NV Regulatory Section

1325 J Street- RM 1480

Sacramento, California 95814-2922

(916)557-5254 FAX (916)557-6877

or (775)784-5305 FAX (775)784-5306

e-mail: Kevin.J.Roukey@usace.army.mil



STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

JUL 14 2007

EXHIBIT

GLENSHOOD BAY

"NO LAKE ZONE"



1" = 200'

• DUNE PROPOSED

— HIGH WATER LINE

~~100' WETLAND~~

RECEIVED

MAY 10 2007

LAHORE REGIONAL
PLANNING AGENCY

COMMUNITY DEVELOPMENT DEPARTMENT
200 GLENSHOOD BAY, CAMDEN, CALIFORNIA
APRIL 11/12-12/12-04
TEL: (619) 721-2100
FAX: (619) 721-2100