

TRPA Legal Committee

August 26, 2020

AGENDA ITEM 3

Appeal of Approval of Conditional Sewer Repair Permit, 3328 & 3320 Edgewater Drive, Placer County, California, APNs 093-094-041 & -042 (530-301-00), TRPA File # ERSP2019-0514, Appeal File # ADMIN2020-001

TRPA Legal Committee

August 26, 2020

Agenda Item 3

STAFF PRESENTATION

Appeal of Approval of Conditional Sewer Repair Permit, 3328 & 3320 Edgewater Drive, Placer County, California, APNs 093-094-041 & -042 (530-301-00), TRPA File # ERSP2019-0514, Appeal File # ADMIN2020-001

TRPA Legal Committee

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APPELLANTS PRESENTATION

Appeal of Approval of Conditional Sewer Repair Permit, 3328 & 3320 Edgewater Drive, Placer County, California, APNs 093-094-041 & -042 (530-301-00), TRPA File # ERSP2019-0514, Appeal File # ADMIN2020-001

Subject: Edgewater Sewer Repair - Follow up
Date: Tuesday, March 19, 2019 at 8:02:56 AM Pacific Daylight Time
From: Kim Boyd
To: Josh Floum
CC: Sean Barclay
Attachments: image001.jpg

Good morning Josh,
Thank you for your time last week to discuss the progress of our sewer line repair and associated impacts to your property. As you are likely already aware, the sewer line repair work was completed over the weekend, and the by-pass has been dismantled. However, we did want you to be aware that we were not able to completely backfill material over the entire length of the pipe. As discussed last week, we will let the lake and wave action settle and stabilize the material in the shore zone around the pipe, and in the coming months we will further assess the pipe's exposure. We understand you are planning to come up soon, please let me know if you would like to meet with Tony at your property.

Thank you,

Kim Boyd
Senior Management Analyst
Tahoe City Public Utility District
530.580.6286 Direct
530.583.3796 Main Office ext. 386
www.tcpud.org

2016 RECIPIENT OF THE DISTRICT TRANSPARENCY CERTIFICATE OF EXCELLENCE



The Mission of the TCPUD is to serve the people, our community, and its environment. It is our responsibility to provide safe and reliable water service, sewer service for the protection of public health, and parks and recreation services to enhance quality of life.

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Subject: RE: Edgewater Sewer Repair - Follow up
Date: Tuesday, March 19, 2019 at 8:28:13 AM Pacific Daylight Time
From: Kim Boyd
To: Josh Floum
CC: Sean Barclay, Tony Laliotis
Attachments: image001.jpg

It has to do with the existing shore zone elevation and necessary grade of the pipe's alignment. I will defer to Tony for a more detailed explanation.

Kim Boyd
Senior Management Analyst
Tahoe City Public Utility District
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From: Josh Floum [mailto:joshfloum@gmail.com]
Sent: Tuesday, March 19, 2019 8:12 AM
To: Kim Boyd <kboyd@tcpud.org>
Cc: Sean Barclay <sbarclay@tcpud.org>
Subject: Re: Edgewater Sewer Repair - Follow up

Why werent you able to backfill over the pipe? Yes I will be there next week and would like to meet

Sent from my iPhone

Subject: RE: Edgewater Sewer Repair - Follow up
Date: Wednesday, March 20, 2019 at 4:07:18 PM Pacific Daylight Time
From: Tony Laliotis
To: Kim Boyd, Josh Floum
CC: Sean Barclay
Attachments: image001.jpg, backfill.jpg

Josh,

As you can see from the attached photo, backfilling the pipe was a blind operation and we were being overly cautious about being too aggressive. With the impending storms, we had to remove the silt curtain by yesterday morning and the turbidity needed all of the two plus days we gave it to settle out. We were not allowed to remove the curtain by Lahontan until the turbidity inside and outside the curtain were within 10% of each other. That did not occur until yesterday morning.

We have had some good wind and wave action since then and we are hopeful that mother nature does a better job of evenly distributing the disturbed material. We will revisit the site when things calm down to see how it looks.

Tony Laliotis
Director of Utilities
Tahoe City Public Utility District
530.580.6053 Direct
530.583.3796 Main Office ext. 353
www.tcpud.org

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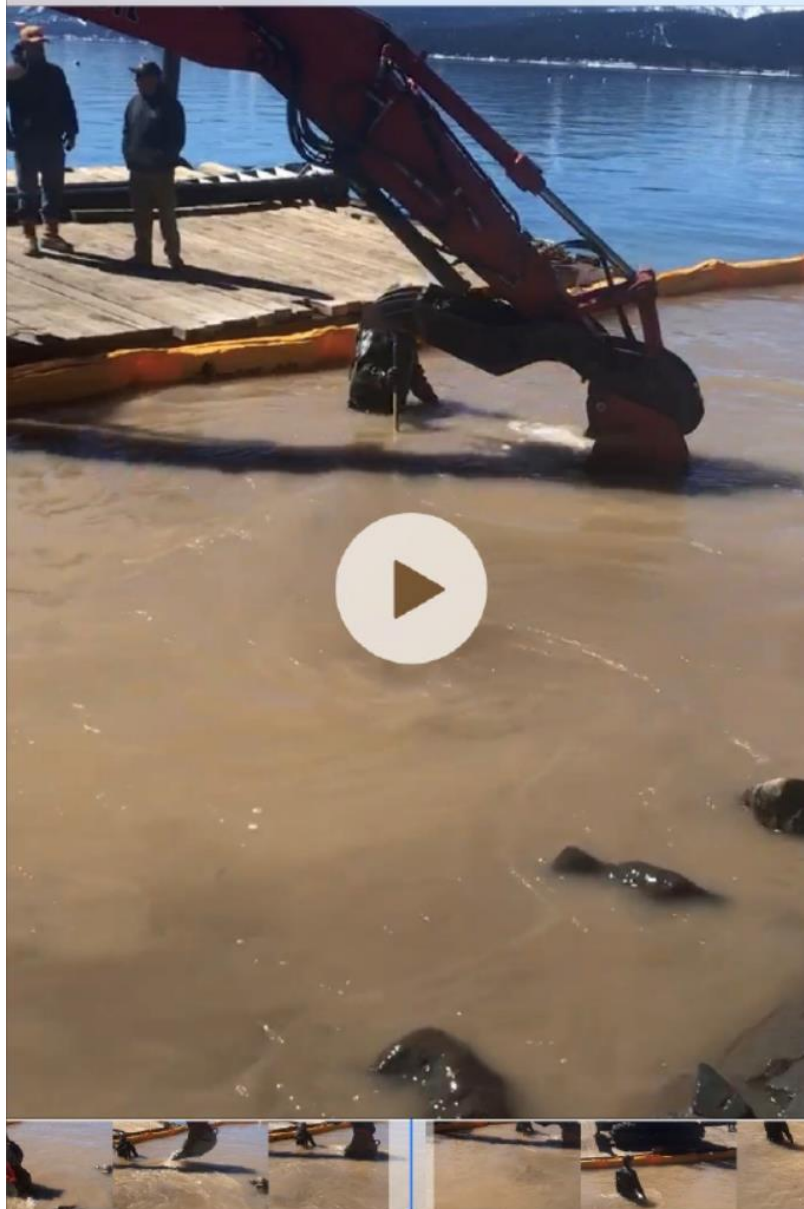


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Done

5 of 7



Subject: RE: Urgent
Date: Monday, April 1, 2019 at 4:56:04 PM Pacific Daylight Time
From: Sean Barclay
To: Josh Floum, Marc Metcalf
CC: Tony Laliotis, Kim Boyd
Attachments: image001.jpg, IMG_4250.jpg, IMG_4252.jpg, IMG_4248.jpg

Hello Josh and Marc,

We have confirmed that the sewer pipe and system is intact and functioning properly. What you are seeing in the lake are algae blooms. Attached are a few pictures from the Lake Forest Boat ramp of the same type of algae blooms, these pictures were taken today. As these blooms are fairly widespread they do not appear to be related to the project.

We also understand that the sewer pipe is not covered. As we discussed previously, the wave action in the lake is continuously moving the material around the pipe and we need to give it some time to settle out. We will continue to observe the pipe over the next few months, as well as continue our efforts to identify a more long-term solution to covering the pipe.

Sincerely,

Sean Barclay
General Manager
Tahoe City Public Utility District
530.580.6051 Direct
530.583.3796 Main Office ext. 351
www.tcpud.org

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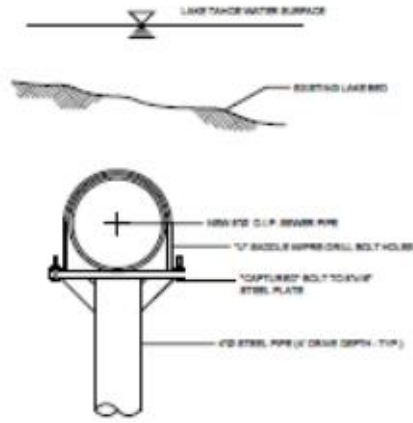
This electronic message contains information from the Tahoe City Public Utility District, which is intended to be sent to the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying or distribution or use of the contents of this information is prohibited. If you receive this electronic transmission in error, please notify me by email.



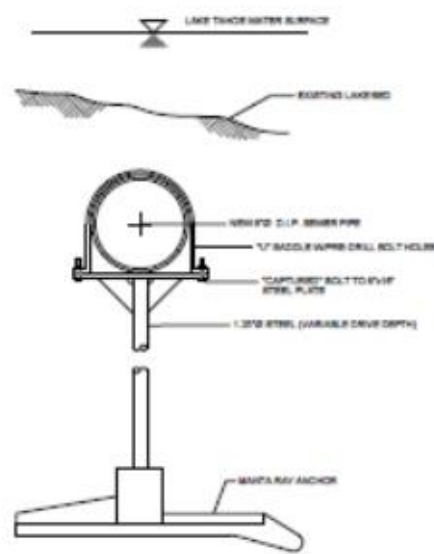
Appellants' Beach on 11/5/2015 Showing Sewer Pipe Completely Buried



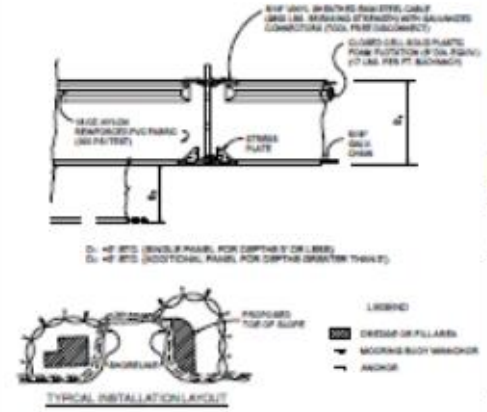
Exposed Replacement Pipe Photographed on 3/31/2019 – Twelve Days After Completion



1 PIPE ANCHOR



2 MANTA RAY ANCHOR



TURBIDITY BARRIER SHOWN IS A MINIMUM. TURBIDITY BARRIER SHALL BE DESIGNED AND INSTALLED TO WITHSTAND ANTICIPATED WIND, CURRENT AND STORMWATER RUNOFF THAT MIGHT OCCUR.

- CONTRACTOR SHALL SUBMIT SHOP DRAWINGS DETAILING THE LAYOUT, ANCHORING AND CURTAIN SPECIFICATIONS FOR REVIEW 3 WEEKS PRIOR TO CONSTRUCTION.
- TURBIDITY BARRIER SHALL NOT INTERFERE WITH AN ADJACENT US-COAST GUARD OPERATIONS.
- TURBIDITY BARRIER SHALL EXTEND THE FULL DEPTH AND BE ANCHORED TO THE LAKE BOTTOM WITH AN IDENTIFIED NEW DESIGN ON THE CURTAIN DRAFT CLOSE ENOUGH SPACABLE TO MAINTAIN A SOFT SEAL ON THE LAKE BOTTOM.
- TURBIDITY BARRIER SHALL REMAIN IN PLACE UNTIL THE TRIBUTY OF SEDIMENT AND ULTRAFINE TRANSPORT CHANGES TO SUBSTANTIAL AND WHEN THE PROJECT IS COMPLETE.

3 TURBIDITY CURTAIN



1. PROVIDE TEMPORARY EROSION CONTROL MEASURES AROUND THE PERIMETER OF THE STAGING AREA.

2. ALL FUEL STORED ON SITE SHALL BE IN REQUIRE FUEL CONTAINMENT SYSTEMS.

4 BYPASS ALIGNMENT AND STAGING AREA

5 NOT USED

| | |
|-----|-----------|
| NO. | REVISIONS |
| | |
| | |
| | |

RECORD DRAWING

TITLE: SUBMITTALS



Andrew J. Edmonds, P.E.
 CIVIL ENGINEERING AND GEOTECHNICAL ENGINEERING CONSULTANTS
 10100 SHERMAN BLVD. #100 FOLSOM, CA 95630
 TEL: 916.977.9000 FAX: 916.977.9001
 WWW.AJEENGINEERING.COM

TOWN: DOLLAR PT. / EDGEWATER DR.
 SEWER REPAIR
 CML DETAILS
 PLACER COUNTY
 CALIFORNIA

| | |
|------------------|------------|
| PROJECT NUMBER | 0179 |
| DATE OF ISSUE | 08/21/2019 |
| DATE OF REVISION | 08/21/2019 |
| SCALE | AS SHOWN |
| DATE | 08/21/2019 |
| CD1 | |

with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions arising directly or indirectly from issuance or implementation of this permit. Permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same.

5. This permit is for a single dredging operation. This permit shall expire upon completion of the dredging. Completion of the dredging shall be defined as dredged material placed back over the repaired pipe and turbidity levels returned to background measurements (pre-dredging sampling numbers) or less than 10 NTUs, whichever is less.
6. Dredging shall be the minimum necessary to expose and remove the pipe to be repaired and/or replaced.
7. This project may be subject to the permitting requirements from other local, state, or federal agencies with jurisdiction over the proposed project, including but not limited to the U.S. Army Corps of Engineers, California State Lands Commission, California Department of Fish and Wildlife, Lahontan Regional Water Quality Control Board, and Placer County.
8. Any and all temporary sand/material stockpiles shall be appropriately covered with tarps and contained by temporary erosion control fences and/or coir logs with gravel bags.
9. Any and all unused excavated material shall be hauled away from the site to a TRPA approved location. No fills or re-contouring shall be allowed outside of the dredging operations.
10. All employee temporary work vehicles shall be parked on existing paved surfaces or existing compacted road shoulders only.
11. Best practical control technology shall be employed to prevent earthen materials to be re-suspended as a result of construction activities and from being transported to adjacent lake waters.
12. No container of fuel, paint, or other hazardous materials may be stored in the backshore area.
13. The use of any wood preservatives or tributyltins is strictly prohibited.
14. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the waters of the Lake Tahoe Basin is prohibited. Any surplus dredging waste materials shall be removed from the project and deposited in a TRPA approved sites.
15. Disturbance to lakebed materials shall be kept to the minimum necessary. The removal of rock material from Lake Tahoe is prohibited.
16. Gravel, cobble, or small boulders shall not be disturbed or removed outside the dredging limits of this

project.

17. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
18. Any normal dredging activity creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M.

END OF PERMIT

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PERMITTEE PRESENTATION

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Attachment A



March 19, 2019 8:33 am

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APPELLANTS REBUTTAL

Appeal of Approval of Conditional Sewer Repair Permit, 3328 & 3320 Edgewater Drive, Placer County, California, APNs 093-094-041 & -042 (530-301-00), TRPA File # ERSP2019-0514, Appeal File # ADMIN2020-001

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Committee Member Comments

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PUBLIC COMMENT



Appeal of Approval of Conditional Sewer Repair
Permit, 3328 & 3320 Edgewater Drive, Placer
County, California, APNs 093-094-041 & -042
(530-301-00), TRPA File # ERSP2019-0514, Appeal
File # ADMIN2020-001

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FINAL STAFF RECOMMENDATION

Appeal of Approval of Conditional Sewer Repair Permit, 3328 & 3320 Edgewater Drive, Placer County, California, APNs 093-094-041 & -042 (530-301-00), TRPA File # ERSP2019-0514, Appeal File # ADMIN2020-001

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A motion to recommend to the
Governing Board to deny the appeal of
the Hearing's Officer decision.

