

TAHOE REGIONAL PLANNING AGENCY
HEARINGS OFFICER STAFF SUMMARY

Project Name: Kingsbury General Improvement District Waterline Replacement Project

Application Type: Pipelines and Power Transmission/Rebuild

Applicant: Kingsbury General Improvement District

Applicant's Representative: AMEC Infrastructure, Inc.

Agency Planner: Jason Ramos

Location: State Route 207, Manor Drive, Market Street, Hawthorne Way, Sequoia Drive, Woodland Way, Daggett Way, Cypress Way, Meadow Lane, Granite Springs Drive, Chimney Rock Road, Hall Court, Pony Express Way, Terrace View Drive, and Andria Drive, Douglas County, Nevada

Assessor's Parcel Number/Project Number: APN 560-121-05/Project No. 20051663

Staff Recommendation: Staff recommends approval of the project based on this staff summary and evidence contained in the project record.

Project Description: Kingsbury General Improvement District (KGID) is requesting to replace the existing 12-inch transmission water main located beneath State Route (SR) 207 in the Lower Kingsbury area, and adjacent streets within the vicinity of SR 207. Approximately 8,000 linear feet of 16-inch ductile iron and 160 linear feet of 10-inch PVC waterlines will be installed at these locations. The existing 12-inch transmission water main will be abandoned at these locations. The affected sections of SR 207 will be between Deer Run Court and Manor Drive, between Pine Ridge Drive and Meadow Lane, and the intersection between SR 207 and Chimney Rock Road. The affected residential streets include Deer Run Court, Market Street, Manor Drive, Hawthorne Way, Sequoia Drive, Woodland Way, Daggett Way, Cypress Lane, Cypress Way, Meadow Lane, Granite Springs Drive, Chimney Rock Road, Hall Court, Pony Express Way, Glen Court, and Terrace View Drive.

The project also includes the replacement of the existing 6-inch waterline along Andria Drive between Bradbury Way and Barrett Drive, with the installation of 3,783 linear feet of 8-inch C900 PVC waterlines. The existing 6-inch waterline will be abandoned at this location.

All existing water service connections will be reconnected to the new waterlines. The project does not propose any new water service connections associated with this project, with the exception that new fire hydrants or air release valves will be installed at pipeline high points for air release purposes. A new pressure reducing valve vault will be installed at the Market Street location of the project.

All construction will occur within the public right-of-way of the affected roadways, with the exception of approximately 350 linear feet of 16-inch water transmission main, to be located outside of public roadways. The exact pipeline alignment has not been

established at this time, but will generally be established within existing paved roadways and shoulder areas. The areas of waterline installation outside of public roadways includes an area between Market Street and the corner of Hawthorne Way, which will traverse through the Lake Vista Apartments. New waterline installation is also proposed from Granite Springs Drive through the adjacent road cut to SR 207. New easements will need to be established for these areas.

The affected sections of State Route 207 and the other affected roadways will be subject to controlled traffic conditions during certain times of project construction as conditioned with this permit. Two temporary project signs, approximately 4 feet by 8 feet, are proposed to be located at project locations during project construction. The signs are required for AB 198 Grant projects, and will display information including project name, owner, engineer, contractor, financier, and contract amount. The signs will be removed upon completion of construction.

The new waterline pipe will be established at a minimum depth of 42 inches. The depth of excavations is anticipated to be approximately 6 feet below existing grade. The project was authorized by TRPA to not exceed 10 feet below ground surface. All construction staging area and parking locations will occur on existing land coverage areas. No new land coverage is authorized for this project.

Site Description: The affected roadways are located within a variety of different Land Capability Districts, including some paved Class 1b (SEZ) areas. However, all construction will occur within the public right-of-way of the affected roadways, with the exception of approximately 350 linear feet of 16-inch water transmission main, to be located outside of public roadways. The pipelines will generally be established within existing paved roadways and shoulder areas. The section of pipeline to be installed through the Lake Vista Apartments property will occur within a playground common area of the apartments.

Issues: Pipeline and power transmission land uses are identified as a special use in all of the affected Plan Area Statements for this project, and therefore requires Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Traffic Control: For the affected sections of SR 207, the project will require controlled traffic and temporary road closure conditions. Construction within the affected residential roadways will also require controlled traffic conditions. Motorists may experience temporary delays and detour routes during construction hours for the affected roadways.
2. Lake Vista Apartments: The section of pipeline to be installed through the Lake Vista Apartments property will occur within a playground common area of the apartments. The tenants of the apartments may experience a temporary disruption of use of this area during the construction process. A new easement is required for the pipeline installation at this location. An Arborist Report is also required at this location to avoid disturbance to the root zones of existing trees.
3. Temporary Water Service Disruption: A temporary disruption of water service is expected to occur during the pipeline replacement construction process. KGID is

required to provide a 24 to 48 hour notice to all affected property owners who may experience a temporary disruption of water service, including all applicable

Fire Districts regarding water service to affected fire hydrants. According to KGID, a temporary disruption of water service is not anticipated to exceed a 5 to 8 hour period and would occur during normal daytime business hours for the affected residential roadways.

4. Grading Impacts (Air and Water Quality): Cumulatively, the project will involve an excessive amount of grading for the total amount of new pipeline installation. The majority of the grading will occur within the affected residential roadways. The project also requires some grading within paved Stream Environment Zone areas. The affected SEZ areas occur within existing paved roadways.
5. Noise: Temporary noise impacts are expected within the affected residential areas during project construction. Construction related noise is expected to result from the use of power equipment and machinery for grading activities, including the use of construction related vehicles and tractors.
6. BMP and Land Coverage Compliance: The project area includes new pipeline installation and staging area use of the KGID Water Station located along Andria Drive. The Station occurs within two adjacent parcels (APNs 1319-18-401-004, and 005). The Station is located entirely within a Class 1b SEZ area, and contains dirt driveways with no permanent BMPs for the existing structures and compacted dirt surfaces. BMP compliance for these properties is a condition of this permit.

TRPA records indicate that a previous TRPA permit was issued in 1979, for APN 1319-18-401-004 with reference for a water storage and distribution land use. The permit is currently being sought for verification of any previously authorized land coverage for the property(s). If the existing land coverage within the Station properties cannot be verified through the previous TRPA permit, then a land coverage verification may be required for the Station properties, to determine the amount of potentially unmitigated excess land coverage. The permittee could be further subject to Chapter 20 mitigation requirements of excess land coverage as a condition of this permit.

Staff Analysis:

- A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No 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 hearing and at TRPA.
- B. Plan Area Statement: The project area is located within the Kingsbury Community Plan; Plan Area Statement (PAS) 078, Middle Kingsbury; PAS 079, Chimney Rock, and PAS 081, Kingsbury Village. The Land Use Classification for the Kingsbury Community Plan PAS is Commercial/Public Service, and the

- C. Management Strategy is mitigation. The Land Use Classification for PASs 078, 079, and 081 is residential, and the Management Strategy is mitigation. Agency staff has reviewed the subject Plan Area Statements and has determined that the project is consistent with the applicable planning statement, planning considerations, and special policies.
- D. Land Coverage: The affected roadways are located within a variety of different Land Capability Districts, including some paved Class 1b (SEZ) areas. The existing waterlines within SR 207, Market Street, Chimney Rock, Hall Court, Pony Express Way, and Terrace View Drive cross SEZ areas. It is not feasible to move the water lines outside of the SEZ areas without modifying the entire water system for the area. Further, relocation of the waterlines would result in greater disturbance than that proposed for this project, as well as financially unfeasible for KGID. Since the project is not creating new disturbance within the SEZ areas, the findings pursuant to Section 20.4.B of TRPA Code (Exceptions for the Prohibition of Land Coverage and Disturbance Within Land Capability District 1b) are not required for this project.

Except as discussed in the project description, the pipelines will generally be established within existing paved roadways and shoulder areas. All construction staging area and parking locations will occur on existing land coverage areas. No new land coverage is authorized for this project.

As discussed in the Issues section, a land coverage verification may be required for the KGID Water Station properties, to determine the amount of potentially unmitigated excess land coverage. The permittee could be further subject to Chapter 20 mitigation requirements of excess land coverage as a condition of this permit.

- E. Traffic: For the affected sections of SR 207, the project will require controlled traffic and temporary road closure conditions. Construction hours for SR 207 are proposed to occur during late night and early morning hours to avoid peak traffic hours. Construction within the affected residential roadways will also require controlled traffic conditions. Motorists may experience temporary delays and detour routes during construction hours for the affected roadways. A Traffic Control Plan is required for the project, in accordance with the Nevada Department of Transportation, Douglas County Department of Transportation, and TRPA standards.
- F. Air Quality: A Dust Control Plan is required to minimize air quality impacts associated with overall grading activities, including stockpiling of earthen materials, transport and disposal of earthen materials, and construction related vehicle and equipment emissions during the construction phases of this project.
- G. Noise: Temporary noise impacts are expected within the affected residential areas during project construction. However, pursuant to Section 23.8 of TRPA Code, any normal construction activities 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.

Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, and 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.

Chapter 6 Findings

1. 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.

Sufficient evidence was submitted with the Project application, and is contained in the TRPA file, to make this finding.

2. 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 TRPA.

3. 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.

Due to the excessive amount of grading for the project, a Dust Control Plan is required to minimize air quality impacts associated with overall grading activities, including stockpiling, transport, and disposal of earthen materials. Emissions from construction related equipment and vehicles are expected to remain within the applicable air quality standards for the region.

A pre-grading inspection is required for the project area to ensure the installation of all required Best Management Practices for erosion control. The project also requires some grading within paved Stream Environment Zone areas. A Dewatering Plan is required for the potential interception and treatment of groundwater at these locations. The project as conditioned, is expected to comply with all applicable water quality standards for the region.

Chapter 18 Findings, Special Uses:

1. 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.

(see question 3, below)

2. 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.

(see question 3, below)

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

The pipeline installation project will primarily occur within the right-of-way of the affected roadways, which are planned areas for underground utility installation to serve the adjacent land uses. All affected roadways in the project area currently have existing underground waterlines. The purpose of the project is to replace the existing leaking, undersized waterlines that have exceeded their useful life. The existing waterlines are susceptible to contamination, and could have an adverse impact upon the health and safety of the District's customers.

The project is a permissible use and is consistent with the purpose of all applicable PASs. KGID has consulted with all jurisdictional agencies and private property owners directly affected by the proposed project locations for preliminary project endorsement. KGID is also currently pursuing all necessary

easements for the long-term maintenance of new pipeline locations. The project as conditioned is not expected to have potentially significantly impacts on environmental resources within the project area.

Chapter 64 Findings

- 64.7.A Groundwater Interception: Groundwater interception or interference is prohibited except as set forth below:

- (2) TRPA may approve exceptions to the prohibition of groundwater interception or interference if TRPA finds that:

- (a) Excavation is required by the Uniform Building Code (UBC) or local building code for minimum depth below natural ground for above ground structures;

Not applicable.

- (b) Retaining walls are necessary to stabilize an existing unstable cut or fill slope;

Not applicable.

- (c) Drainage structures are necessary to protect the structural

integrity of an existing structure;

Not applicable.

- (d) It is necessary for the public safety and health;

The purpose of the project is to replace the existing leaking, undersized waterlines that have exceeded their useful life. The existing waterlines are susceptible to contamination, and could have an adverse impact upon the health and safety of the District's customers.

- (e) It is a necessary measure for the protection or improvement of water quality;

See question d.

- (f) It is for a water well;

No.

- (g) There are no feasible alternatives for locating mechanical equipment, and measures are included in the project to prevent groundwater from leaving the project area as surface flow and groundwater, if any is interfered with, is rerouted in the ground water flow to avoid adverse impacts

to riparian vegetation, if any would be so affected;

The project requires the replacement of existing waterlines underneath existing paved roads. The existing waterlines within SR 207, Market Street, Chimney Rock, Hall Court, Pony Express Way, and Terrace View Drive cross SEZ areas. It is not feasible to move the water lines outside of the SEZ areas without modifying the entire water system for the area. Further, relocation of the waterlines would result in greater disturbance than that proposed for this project, as well as financially unfeasible for KGID. A Dewatering Plan is required for the potential interception and treatment of groundwater within SEZ areas, pursuant to Chapter 64 standards of TRPA Code.

- (h) It is necessary to provide two off-street parking spaces, there is no less environmentally harmful alternative, and measures are taken to prevent groundwater from leaving the project area as surface flow; or

Not applicable.

- (i) It is necessary to provide below grade parking for projects, qualifying for additional height under Subsection 22.4.D, to

achieve environmental goals including scenic improvements, land coverage reduction, and areawide drainage systems; and measures are included in the project to prevent ground water from leaving the project area as surface flow and that groundwater, if any is interfered with, is rerouted into the groundwater flow to avoid adverse impacts to hydrologic conditions, SEZ vegetation, and mature trees.

Not applicable.

- (j) It is necessary for a marina expansion approved pursuant to Chapter 16, and the environmental documentation demonstrates that there will be no adverse effect on water quality.

Not applicable.

64.7.B Excavations: Excavations in excess of 5 feet in depth or where there exists a reasonable possibility of interference or interception of a water table, shall be prohibited unless TRPA finds that:

(1) 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; and

A Soils/Hydrologic Report was prepared for the project area and approved by TRPA. Although some areas of proposed pipeline installation occur within SEZ areas, the Soils/Hydrologic Report for the project does not anticipate that groundwater will be intercepted at these locations, within the authorized depths of excavation. A Dewatering Plan is required for the project in the event that unexpected subsurface conditions are experienced.

(2) 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. To ensure the protection of vegetation necessary for screening, a special vegetation protection report shall be prepared by a qualified professional identifying measures necessary to ensure damage will not occur as a result of the excavation; and

No tree removal is authorized for this project. An Arborist Report is required for the area of new pipeline installation to ensure protection within the dripline and root zones of existing trees within proximity to the area disturbance.

(3) 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); or if groundwater interception or interference will occur as demonstrated by a soils/hydrologic report prepared by a qualified professional, the excavation can be made as an exception pursuant to Subparagraph 64.7.A(2) and measures are included in the project to maintain groundwater flows to avoid adverse impacts to SEZ vegetation, if any would be affected, and to prevent any groundwater or subsurface water flow from leaving the project area as surface flow.

If groundwater is intercepted, the excavation will stop, the dewatering system will be implemented immediately, and TRPA will be contacted. Measures will be implemented to maintain groundwater flows to avoid adverse impacts to SEZ vegetation and to prevent groundwater from leaving the project area as surface flow, as required by the Dewatering Plan.

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

- I. Approve the findings contained in this staff summary, and a mitigated finding of no significant environmental effect.
- II. Approve the project, based on the staff summary, subject to the conditions contained in the attached Draft TRPA Permit.

Exhibits:

- A. Draft Permit
- B. Lower Kingsbury Project Area
- C. Middle Kingsbury Project Area
- D. Upper Kingsbury Project Area

TAHOE REGIONAL PLANNING AGENCY

128 Market Street
Stateline, Nevada
www.trpa.org

P.O. Box 5310
Stateline, Nevada 89449

(775) 588-4547
Fax (775) 588-4527
Email: trpa@trpa.org

Exhibit A Draft Permit

February 23, 2006

Angie Hueftle
AMEC Infrastructure, Inc.
9450 Double R Blvd.
Reno, NV 89521

SUBJECT: PIPELINE AND POWER TRANSMISSION PROEJCT, PIPELINE REPLACEMENT PROJECT, DOUGLAS COUNTY, LOWER, MIDDLE, AND UPPER KINGSBURY, APN 560-121-05, FILE NO. 20051663

Dear Ms. Hueftle,

Enclosed please find a Tahoe Regional Planning Agency (TRPA) permit and attachments for the project referenced above. **TRPA will acknowledge the permit only after all standard and special conditions of approval have been satisfied.** Failure to satisfy these conditions of approval will cause unnecessary time delays. TRPA acknowledgement is required prior to application to other reviewing agencies and commencement of construction.

Please schedule an appointment with me to finalize your project. **Due to time demands, TRPA cannot accept drop-in or unannounced arrivals to finalize plans.** I am usually available for telephone calls and appointments on Tuesdays, Wednesdays, and Fridays.

Please note that combined security and mitigation fee payments can be accepted. Acceptable ways to post a security are listed in the enclosed handout entitled "Attachment J."

Thank you very much for your patience in this matter. Please feel free to call me if you have any questions regarding this letter or your permit in general.

Sincerely,



Jason Ramos
Associate Planner
Environmental Review Services

Enclosures

CC: Candi Rohr
Kingsbury General Improvement District
P.O. Box 2220
Stateline, NV 89449

TAHOE REGIONAL PLANNING AGENCY

128 Market Street
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DRAFT PERMIT

PROJECT DESCRIPTION: KGID, Pipelines and Power Transmission/Rebuild APN: 560-121-05

PERMITTEE(S): Kingsbury General Improvement District FILE # 20051663

COUNTY/LOCATION: Douglas County / State Route 207

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on March 2, 2006, 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 2, 2009, 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 PREGRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee

Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) _____ Date _____

(PERMIT CONTINUED ON NEXT PAGE)

**APN 560-121-05
FILE NO. 20051663**

Security Posted (1): Amount \$ _____ 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 Kingsbury General Improvement District (KGID) to replace the existing 12-inch transmission water main located beneath State Route (SR) 207 in the Lower Kingsbury area, and adjacent streets within the vicinity of SR 207. Approximately 8,000 linear feet of 16-inch ductile iron and 160 linear feet of 10-inch PVC waterlines will be installed at these locations. The existing 12-inch transmission water main will be abandoned at these locations. The affected sections of SR 207 will be between Deer Run Court and Manor Drive, between Pine Ridge Drive and Meadow Lane, and the intersection between SR 207 and Chimney Rock Road. The affected residential streets include Deer Run Court, Market Street, Manor Drive, Hawthorne Way, Sequoia Drive, Woodland Way, Daggett Way, Cypress Lane, Cypress Way, Meadow Lane, Granite Springs Drive, Chimney Rock Road, Hall Court, Pony Express Way, Glen Court, and Terrace View Drive.

The project also includes the replacement of the existing 6-inch waterline along Andria Drive between Bradbury Way and Barrett Drive, with the installation of 3,783 linear feet of 8-inch C900 PVC waterlines. The existing 6-inch waterline will be abandoned at this location.

All existing water service connections will be reconnected to the new waterlines. The project does not propose any new water service connections associated with this project, with the exception that new fire hydrants or air release valves will be installed at pipeline high points for air release purposes. A new pressure reducing valve vault will be installed at the Market Street location of the project.

All construction will occur within the public right-of-way of the affected roadways, with the exception of approximately 350 linear feet of 16-inch water transmission main, to be located outside of public roadways. The exact pipeline alignment has not been established at this time, but will generally be established within existing paved roadways and shoulder areas. The areas of waterline installation outside of public roadways includes an area between Market Street and the corner of Hawthorne Way, which will traverse through the Lake Vista Apartments. New waterline installation is also proposed from Granite Springs Drive through the adjacent road cut to SR 207.

The affected sections of State Route 207 and the other affected roadways will be subject to controlled traffic conditions during certain times of project construction as conditioned with this permit. Two temporary project signs, approximately 4 feet by 8 feet, are proposed to be located at project locations during project construction. The signs are required for AB 198 Grant projects, and will display information including project name, owner, engineer, contractor, financier, and contract amount. The signs will be removed upon completion of construction.

The new waterline pipe will be established at a minimum depth of 42 inches. The depth of excavations is anticipated to be approximately 6 feet below existing grade. All construction staging area and parking locations will occur on existing land coverage areas. No new land coverage is authorized for this project.

2. The Standard Conditions of Approval listed in Attachment Q.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.
 - A. The site plans shall be revised to include:
 - (1) All locations for the installation of new fire hydrants shall be identified on the site plans.
 - (2) Sheet 6 of the site plans shall provide a detail of a written and schematic temporary BMP plan that identifies specific erosion control measures. Temporary BMPs shall include the use of 12" coir logs to stabilize filter fabric fence located downslope of the proposed construction, no more than 10 feet from the edge of construction area; notes indicating that there will be no storage of excavated material on site; and indication that the fill material will be disposed of in a TRPA approved location. Include a coir log detail on the detail sheet and vegetation fencing of chain link around vegetation within the construction site. *Please Note: Straw bales are no longer acceptable for temporary erosion control or mulch material in the Lake Tahoe Basin. The use of straw has contributed to the spread of noxious weeds throughout the Basin. The use of alternatives to straw bales, such as pine needle bales, filter fabric, coir logs and pine needle or wood mulches for erosion control purposes is required.*
 - (3) For Sheet 10 of the site plans, the location of the proposed staging area behind Faces Nightclub shall be identified on the site plans. No new areas of disturbance or land coverage shall be created for construction staging and parking areas, including the stockpiling of materials. Staging areas shall not occur within existing parking spaces.
 - (4) For the section of new pipeline installation between Market Street and Hawthorne Way (Sheet 12 of the site plans), the site plans shall identify the installation of all temporary BMPs as identified on Sheet 6 of the site plans. BMPs shall include silt fencing, perimeter vegetation fencing not more than 12 feet from the pipeline installation area, and tree dripline fencing.
 - (5) Sheet 21 of the site plans shall include notation for silt fencing not more than 10 feet from the downslope side of the construction staging area and area of new pipeline installation.

- (6) For Sheet 16 of the site plans, the location of the proposed staging area on Reinken Lane between Chimney Rock Road and Pine Drive shall be identified on the site plans. The staging area shall occur outside of the SEZ area and on an existing compacted dirt or hard coverage area. If this staging area requires relocation for compliance with this condition, then the relocated area shall be identified on the site plans. No new areas of disturbance or land coverage shall be created for construction staging and parking areas, including the stockpiling of materials.
- (7) The staging area on Sheet 21 of the site plans shall occur on an existing compacted dirt or hard coverage area. No new areas of disturbance or land coverage shall be created for construction staging and parking areas, including the stockpiling of materials.
- (8) A BMP Plan shall be provided for the installation of all permanent BMPs at KGID's Water Station located off Andria Drive (APNs 1319-18-401-004, and 005). BMPs shall include the installation of infiltration trenches below the dripline of existing structures, paving of dirt driveway and parking areas, slotted drain to capture driveway runoff, installation of detention and infiltration structures for stormwater runoff, snow storage location, and bollards to prevent vehicle encroachment on non-paved surfaces (see Condition 3.C.). Permanent BMPs shall be installed for these properties by October 15, 2006, unless an extended deadline is authorized by TRPA in advance.

If an extended deadline is authorized, then temporary BMPs for erosion control as conditioned with this permit, shall be maintained on these properties until the extended authorized deadline for permanent BMP installation. A Temporary BMP Plan shall be provided prior to permit acknowledgement of this permit for TRPA review and approval. The properties shall be further subject to a TRPA winterization inspection prior to October 15, 2006, and shall be subject to this condition until the extended authorized deadline for permanent BMP installation. The installation of permanent BMPs shall not be extended beyond October 15, 2008, pursuant to Chapter 25 of TRPA Code.

- (9) Sheets 9 through 21 of the site plans shall include notation for reference to Sheet 6 for BMP details.
- (10) Sheets 9 through 21 of the site plans shall include 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."
- (11) Sheets 9 through 21 of the site plans shall include a note indicating: "All barren areas and areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices. Application of a mulch may enhance vegetative establishment."
- (12) Sheets 9 through 21 of the site plans shall include notation for temporary erosion control structures located downslope of the proposed construction areas. *Please Note: Straw bales are no longer preferred for temporary erosion control and straw is no longer a recommended mulch material in the Lake Tahoe Basin. The use of straw has*

contributed to the spread of noxious weeds throughout the Basin. The use of alternatives to straw bales, such as pine needle bales, filter fabric, coir logs, and pine needle or wood mulches for erosion control purposes is required.

- (13) Sheets 9 through 21 of the site plans shall include notation for vegetation protective fencing around the entire construction site. The fencing shall be no more than 12 feet from the pipeline installation areas.
 - (14) Sheets 9 through 21 of the site plans shall include notation that the establishment of equipment and/or vehicle storage areas is prohibited.
 - (15) Sheets 9 through 21 of the site plans shall include notation that all project related vehicles shall park on existing paved surfaces or existing compacted road shoulders.
 - (16) Sheets 9 through 21 of the site plans shall include notation that tree removal is prohibited.
 - (17) Sheets 9 through 21 of the site plans shall include notation that weighted fiber coir rolls shall be used to control sediment on paved surfaces, and specifically within curb and gutters.
 - (18) Notation shall be provided on the site plans, specifically Sheet D5, identifying reconstruction of curb and gutter areas in conformance with Douglas County standards.
 - (19) If reconstruction of sidewalk areas is proposed for the project, a detail shall be provided on the site plans identifying the reconstructed sidewalks in conformance with Douglas County standards.
- B. The security required under Standard Condition I.2 of Attachment Q shall be determined upon the permittee's submittal of required Best Management Practices plan and related cost estimate. In no case shall the security be less than \$5,000.00. Please see Attachment J, Security Procedures for appropriate methods to post a security and for calculation of the required Security Administrative fee. The security shall be equal to 110 percent of this cost estimate.
- C. Pending TRPA review of Permit No. 19790230 for verification of authorized land coverage, a land coverage verification may be required for the KGID Water Station property located off Andria Drive (APNs 1319-18-401-004, and 005), to verify all legally existing land coverage for these properties. The Water Station properties may be further subject to the following requirements for any land coverage created after February 10, 1972, that cannot be legally verified:
- (1) Conformance with the Excess Land Coverage Mitigation Program pursuant to chapter 20 of TRPA Code, for existing unmitigated excess land coverage.
 - (2) In order to keep all existing land coverage on-site, the permittee shall demonstrate that the findings pursuant to Section 20.3.B (4) of TRPA Code can be made for the Water Station properties.

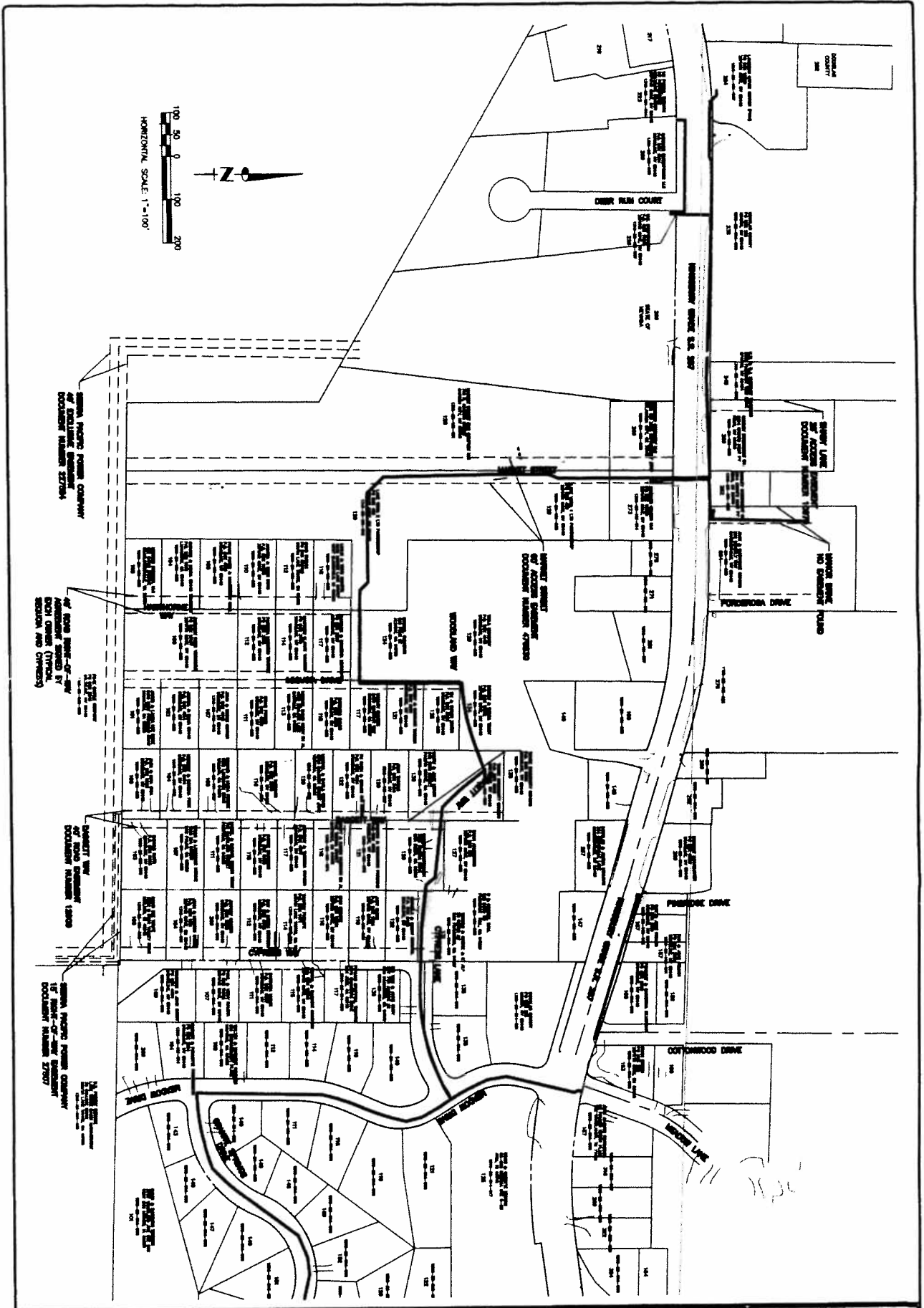
- (3) A project area deed restriction may need to be recorded for APNs 1319-18-401-004 and 005 for purposes of determining allowable and existing land coverage for both parcels as one project area.
- D. The permittee shall submit a site Restoration and Revegetation Plan for areas of new disturbance for pipeline installation construction activity. The Plan shall apply to the areas of new disturbance as identified on Sheets 9, 10, 11, 12, 16, 21, and any other areas of new disturbance for pipeline installation construction activity. The Plan shall identify the type of plant species proposed for revegetation, as consistent with the TRPA Handbook of Best Management Practices Approved Plant List. The Plan shall include elements that will restrict vehicle access to these areas after construction has finished to ensure revegetation and restoration of these areas.
- E. The permittee shall submit a Traffic Control Plan for road construction within the right-of-way of SR 207 for TRPA review and approval. The Plan shall be consistent with Nevada Department of Transportation (NDOT) requirements. The permittee shall also submit a copy of the approved Traffic Control Plan required by KGID and Douglas County for road construction within the affected residential roadways. The Plans shall include, but not be limited to the following information:
- (1) Proposed number of days for lane closures;
 - (2) Proposed dates and times for lane closures;
 - (3) Average Daily Traffic and Peak Hour Traffic for those days;
 - (4) Details of any proposed detour routes;
 - (5) Proposed Emergency Vehicle Access Plan;
 - (6) Proposed Public Outreach Plan. The Plan shall outline the proposed methods for notifying property owners of proposed lane closures for State Route 207 prior to construction.
 - (7) Prior to permit acknowledgement of this permit, the permittee shall demonstrate that the Traffic Control Plans have been reviewed and approved by NDOT, KGID, and Douglas County as applicable.
- F. An Arborist Report shall be provided for grading activities for the section of new pipeline installation between Market Street and Hawthorne Way. The Report shall provide direction for avoiding disturbance to the root zones of all trees within the areas of excavation. The Report shall also provide direction for protection of the dripline of all trees within 12 feet from the areas of pipeline installation.
- G. A Dust Control Plan shall be required to minimize air quality impacts associated with overall grading activities, including stockpiling of earthen materials, transport and disposal of earthen materials. The Plan shall include methods for routine sweeping of roads, watering of roads and exposed dirt areas, and the covering of stockpiled and transported materials. The Plan shall also prescribe methods for minimizing construction related vehicle and equipment emissions during the construction phases of this project.

- H. The permittee shall submit a projected construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction, as well as BMP installation for the entire project area.
 - I. The permittee shall submit three (3) sets of final construction drawings and site plans to TRPA.
4. The permittee shall not excavate more than 10 feet below ground surface.
 5. In accordance with the Dewatering Plan for the project, should groundwater or surface water be intercepted, the excavation will stop, and the dewatering system will be implemented immediately and TRPA will be contacted. Dewatering will occur as follows:
 - A. Install dewatering system complete with pump equipment, valves, appurtenances, and water disposal piping.
 - B. Dispose of water removed during dewatering activities by either:
 - (1) Hauling water off-site.
 - (2) Filter the water through a dirt bag to remove sediment. The dirt bag shall discharge sediment free water onto an approved vegetated area. The dirt bag shall be adequately sized to remove sediment. All Best Management Practices shall be in accordance with the TRPA "Handbook of Best Management Practices".
 - C. Remove dewatering system from site upon completion of dewatering.
 6. Blasting of rocks should be kept to an absolute minimum to avoid damage to surrounding rocks and vegetation.
 7. The temporary construction signs shall comply with the requirements of Section 26.13 of TRPA Code.
 8. All utility companies with existing underground utility lines in the project area shall be notified in advance with sufficient notice to locate existing utility lines, prior to grading for this project. The CALL USA phone number to locate existing utilities shall be identified on Sheets 9 through 21 of the site plans.
 9. All work associated with this permit requiring the use of heavy equipment or vehicles shall take place within existing paved roadway, along existing compacted dirt shoulders, and at the identified locations on the project site plans.
 10. The construction staging areas shall be limited to the staging areas identified on sheets 10, 16, and 21 of the project site plans. The construction staging areas shall be operated for consistency with Conditions 3.A.(14) and (15) of this permit.
 11. The temporary stockpiling of earth materials shall be limited to the construction staging areas, or to an authorized location outside of the Tahoe Basin.
 12. Temporary erosion control structures must be maintained until disturbed areas are stabilized or sufficiently revegetated. Temporary erosion control structures shall be removed once the site has been stabilized or revegetated.

13. 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.
14. Any normal construction activities creating noise in excess to 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.
15. It is the permittees responsibility to receive authorization and obtain any necessary permits from any other responsible agencies, for the proposed project.
16. This site shall be winterized in accordance with the provisions of Attachment Q 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.

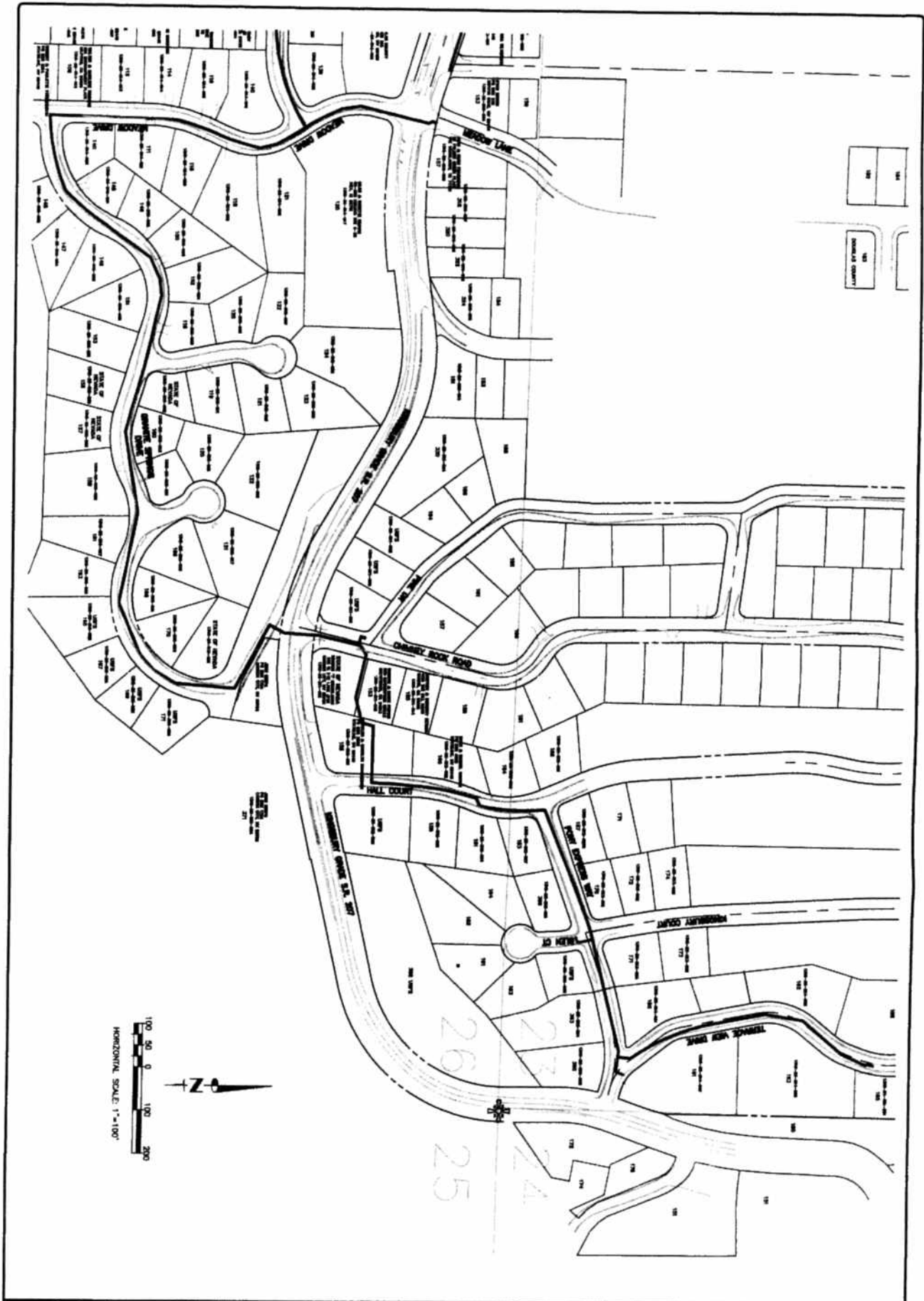
END OF PERMIT

Exhibit B



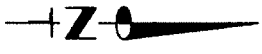
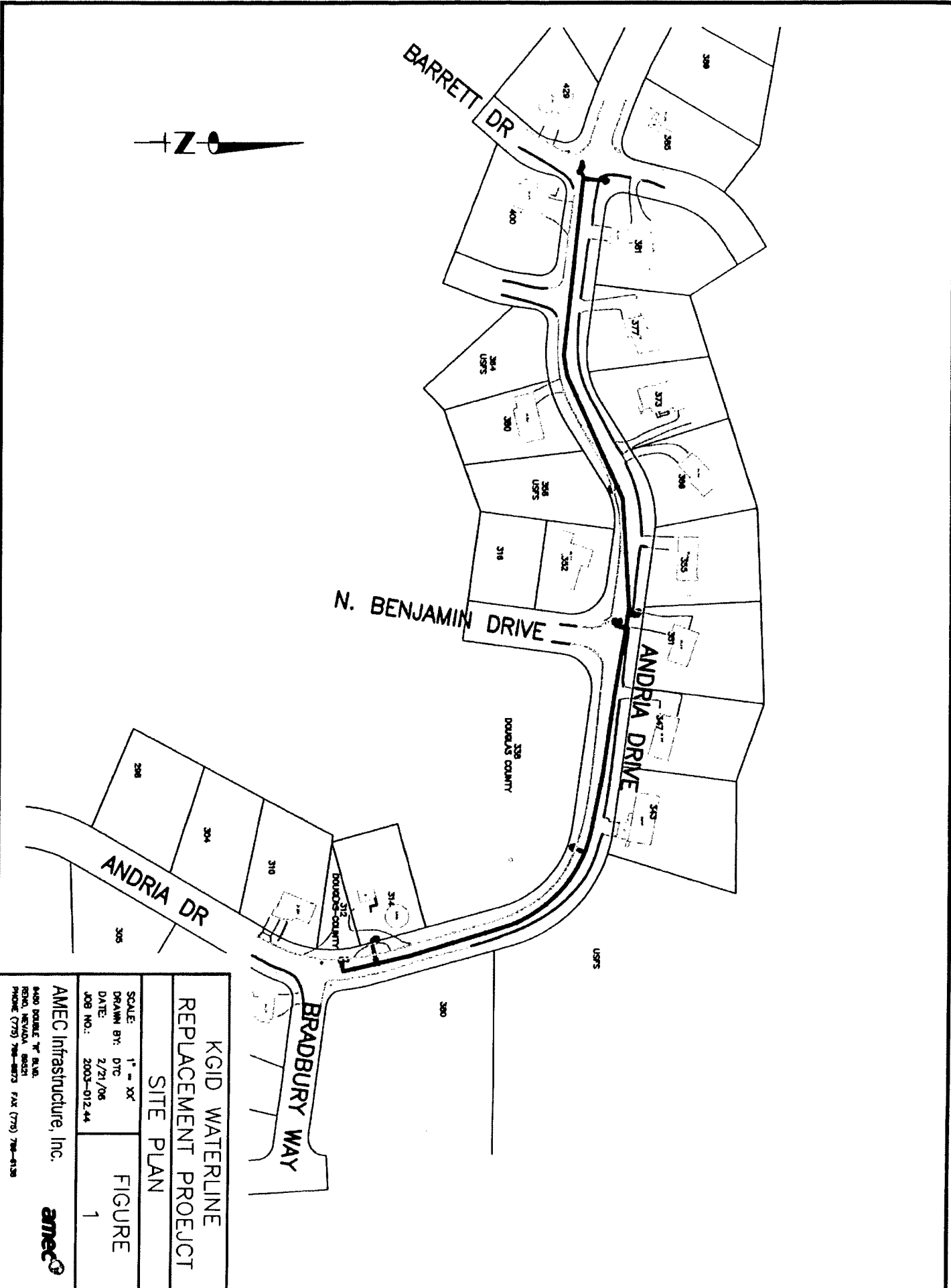
PROJECT NO. 05-2003-012 SHEET NO. 1 of 2	PRELIMINARY NOT FOR CONSTRUCTION OR RECORDING	DATE 05/11/05	DRAWN BY DCC	CHECKED BY DCC	PROJECT KGID PHASE 1D WATERLINE REPLACEMENT PROJECT DOUBLAKE COUNTY, NEBRASKA	AMEC Infrastructure, Inc. 8400 DOUBLE R BOULEVARD NEBO, NEBRASKA 68601 PHONE (773) 796-5073 FAX (773) 796-4136		REVISIONS
								NO.

Exhibit C



SHEET NO. 2 of 2	PROJECT NO. 05-2003-012	PRELIMINARY NOT FOR CONSTRUCTION OR RECORDING	DATE 11/28/08	DRAWN BY JAC	CHECKED BY JAC	PROJECT ROAD PHASE 1D WATERLINE REPLACEMENT PROJECT DOUGLAS COUNTY, NEBRASKA	AMEC Infrastructure, Inc. 6400 DOUBLE R BOULEVARD NEBO, NEBRASKA 68621 PHONE (778) 798-6873 FAX (778) 798-6136		REVISIONS
									NO.

Exhibit D



KGID WATERLINE REPLACEMENT PROJECT SITE PLAN		SCALE: 1" = 30' DRAWN BY: DTC DATE: 2/21/06 JOB NO.: 2003-012.44	FIGURE 1
AMEC Infrastructure, Inc.		AMEC	
4400 BOULEVARD "A" BLVD. RENO, NEVADA 89521 PHONE (775) 786-8873 FAX (775) 786-6138			