MEMORANDUM

Date: April 21, 2011
To: TRPA Hearings Officer
From: TRPA Staff
Subject: Temporary Use Permit for Off-Ramp Boat Inspection Facility, Spooner Summit, Douglas County, Nevada, APN 560-201-00, TRPA File Number ERSP2011-0671

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

Staff Recommendation: Staff recommends that the Hearings Officer make the required findings and approve the proposed project based on this staff summary.

Project Description/Background: Tahoe Regional Planning Agency (TRPA) and Tahoe Resource Conservation District (Tahoe RCD) are seeking permission to operate a boat inspection and decontamination facility at Spooner Summit, within the Nevada Department of Transportation Right-of-Way. The same Temporary Use was approved previously by the TRPA Hearings Officer in April 2010. This proposed project is essentially the same proposal as previously approved.

The inspection program is for the prevention and detection of Aquatic Invasive Species (AIS), such as quagga and zebra mussels, and Eurasian water milfoil. The current inspection program conducts inspections of motorized and non-motorized watercraft at 16 ramps and other launch facilities around Lake Tahoe, in addition to 4 off-site locations. These off-site locations were located in Meyers, CA, at Northstar and Alpine Meadows ski resorts and at Spooner Summit. For the 2011 boating season, boat inspections and decontaminations will only take place at these off-site locations. The off-site inspection station proposed for Spooner Summit requires a TRPA Temporary Use permit and approval by the TRPA Hearings Officer.

AIS and clean boating inspections involve interviewing the watercraft operator and a visual and physical inspection of the exterior and bilge areas of each vessel. If the Tahoe RCD inspector finds that decontamination of the vessel is needed, decontamination would be performed on site. The decontamination system that is currently in use by the TRPA and Tahoe RCD is a self contained unit that recovers wash water for disposal off site. The system consists of a trailer equipped with a clean water and waste water container, high pressure pump, and water heater capable of heating to 140°F. The vessel to be decontaminated is rolled onto a containment mat that holds the contaminated wash water, which is then pumped back into the trailer and transported for proper disposal.

Temporary signs for both directions of travel will be placed on existing signs immediately before the inspection facility entrance. Temporary signs are also proposed for eastbound
US 50 and southbound SR 28, approximately 0.5 mile before the facility turn-off. Proposed inspection facility, decontamination facility, and sign locations are provided in Attachment E.

**Site Description:** The Spooner Summit facility is proposed for the snow park parking lot off of SR 28, approximately 0.25 mile north of the US 50 intersection (119°54″43″ W; 39°6′9″ N).

**Issues/Concerns:** The off-site boat inspections are categorized as a Local Public Heath and Safety land use. This is listed as a Special Use within the Spooner Lake Plan Area Statement (PAS -057) and therefore requires Hearings Officer review.

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

**Contact Information:** If you have any questions, please contact Dennis Zabaglo, Senior Environmental Specialist, at dzabaglo@trpa.org or (775) 589-5255.

**Attachments:**
A. Required Findings/Rationale
B. Draft Permit
C. Regional Plan Compliance Analysis
D. Proposed Off-Ramp Boat Inspection Location Map
E. Proposed Off-Ramp Boat Inspection Site Plan
Attachment A - Required Findings/Rationale

1. Chapter 6 – Required Findings:

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

(1) Land Use: The proposed project is to operate a temporary boat inspection facility under Local Public Health and Safety land use, which is a special use for this Plan Area. Surrounding land uses are Open Space and the Day Use Recreation at Spooner Lake.

(2) Transportation: The project will not result in additional trips to the site from the basin. This site is primarily to inspect boats as they enter into the Tahoe Basin. Therefore, no additional daily vehicle trip ends (dvte) will be created as a result of this project. The existing left and right turn lanes entering the site will reduce any traffic congestion associated with the use.

(3) Conservation: This project is visible from State Route 28 and US Highway 50, TRPA designated scenic travel routes. The only structures will be a temporary kiosk and bathroom facility. There are no known special interest species, sensitive or uncommon plants, or cultural or historic resources within the project area. Temporary Best Management Practices (BMPs) will be applied to the project area if necessary.

(4) Recreation: This project will reduce the number of delays at the boat ramp facilities, thereby improving recreational access.

(5) Public Service and Facilities: This project will help keep Lake Tahoe free of Aquatic Invasive Species (AIS).

(6) Implementation: This temporary project does not require any allocations of development and is consistent with the Implementation element of the Goals and Policies.

(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 in the checklist indicate compliance with the environmental threshold carrying capacities. Also, an Initial Environmental Checklist (IEC) has been prepared for the proposed project. There were no unmitigated significant impacts identified in the IEC. A copy of the
checklist and IEC will be made available at the Hearings Officer meeting and at 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 TPRA Compact, the project meets or exceeds such standards.

Refer to paragraph 1(b), above.

2. Chapter 18 – Special Use Findings:

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

The project is being proposed on a Nevada Department of Transportation Right-of-Way. The location of this project is appropriate in that Spooner Summit is a major entry point to the Tahoe Basin, is easily accessible to travelers entering with boats, and will not result in an increase to vehicle miles traveled in the basin. This project is temporary, operating from May 1 through September 20 2011. There will not be a long term impact on the project area.

(b) The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare in 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.

This temporary use will operate during the summer months within an area of the NDOT right of way that is already paved and away from main traffic areas, thereby ensuring that there will be no additional disturbance to the natural environment or impacts to traffic flow in and around the basin. All operations will occur during daylight hours, and will not require any night-time lighting that may otherwise cause distraction or disturbance to passing motorists. All necessary temporary BMPs will be installed to ensure there will be no detrimental impact to land, water and air resources. The project will help reduce the threat of the AIS that would negatively affect water quality and recreation should they be introduced to Lake Tahoe. The project will be evaluated monthly and should the project be injurious, changes to the project will be made or the project will be cancelled.

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

The proposed improvements are temporary and will not change the character of the neighborhood, and will not result in a change in use of the project area.
Attachment B – Draft Conditional Permit

Conditional Permit

PROJECT DESCRIPTION: Off-Ramp Boat Inspection  APN 560-201-00

PERMITTEE(S): Tahoe Regional Planning Agency  FILE # ERSP2011-0671

COUNTY/LOCATION: Douglas/ NDOT Right of Way at Spooner Summit

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on April 28, 2011, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on April 28, 2014 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 USE 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, IF NECESSARY. TRPA’S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
4. A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

__________________________________________________________________________________________
TRPA Executive Director/Designee D ate

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) ____________________________ D ate ____________________________
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 temporary use of a Nevada Department of Transportation Right of Way parking area at the intersection of Highway 28 and Highway 50 for off-ramp boat inspections of aquatic invasive species. The only temporary structures on site shall include a kiosk and one bathroom facility.

2. Prior to permit acknowledgement, the permittee shall submit three sets of final site plans to TRPA. The site plans shall include:
   
   A. Location of temporary structures and improvements.
   B. Location of temporary signs.
   C. Location of temporary erosion control or other containment measures around the decontamination unit.


4. Temporary BMPs shall be maintained around the decontamination unit.

5. No parking or driving is authorized on any unpaved surface in the project area.

END OF PERMIT
Attachment C - Regional Plan Compliance Analysis

A. **Environmental Documentation:** The applicant has completed an IEC to assess the potential environmental impacts of the project. The "Project Review Conformance Checklist and Article (V)g Findings" have also been completed to assess potential impacts of the project. No significant environmental impacts were identified and staff has concluded that the project, as conditioned, will not have a significant effect on the environment. A copy of the IEC and (V)g findings will be made available at the Hearings Officer meeting and at TRPA.

B. **Plan Area Statement/Community Plan:** The project is located within Plan Area 057 – Spooner Lake. The Land Use Classification is Recreation and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area Statement and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed use (Local Public Health and Safety) is a special use of the Plan Area.
Overview of Proposed Off-Ramp Boat Inspection Facility at Spooner Summit
MEMORANDUM

To: TRPA Hearings Officer
From: TRPA Staff
Date: April 21, 2011
Subject: Southwest Gas Corporation, Park Avenue, Lake Tahoe Blvd. and Pioneer Trail, City of South Lake Tahoe, California, Assessor’s Parcel Number 510-101-00, TRPA File #ERSP2011-0470

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 approval of the project based on this staff summary and the evidence contained in the project record. The recommended conditions of approval are contained in the attached Draft Permit.

Project Description: The proposed project consists of replacing 14,125 linear feet of existing gas lines (8 inch steel gas lines) with 12” (twelve inch) steel gas lines using the open trench and directional boring methods of installation. Southwest Gas is required to abandon the existing facilities as part of a CALTRANS improvement project. All installation of new pipe will be in previously disturbed areas, inside existing roadways and right-of-way. There is no coverage associated with this project.

Site Description: The proposed project area is located in the Heavenly area of the City of South Lake Tahoe, CA. The project area encompasses Park Avenue, Lake Tahoe Blvd. and Pioneer Trail, and is within Land Capability Classes 1a, 1b, 4, 5, 6 and 7.

Issues: According to the Stateline/Ski Run Community Plan, Plan Area Statements 092-Pioneer/ Ski Run, 094-Glenwood, 101-Bijou Meadow, 095-Trout/Cold Creel, and 085-Lakeview Heights, Pipelines and Power Transmissions are a special use and therefore require Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code.

Staff Analysis:

A. Environmental Documentation: TRPA staff has completed the Initial Environmental Checklist (IEC) and “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 checklists indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklists will be made available at the Hearings Officer hearing and at TRPA.
B. **Plan Area Statement:** The project is located within the Stateline/Ski Run Community Plan and Plan Area Statements 092-Pioneer/Ski Run, 094-Glenwood, 101-Bijou Meadow, 095-Trout Creek, 095- Lakeview Heights. The Land Use Classification is Tourist and the Management Strategy is Redirection for the Stateline/Ski Run Community Plan. The Land Use Classification is Residential and the Management Strategy is Mitigation for Plan Area Statements 094 and 085. The Land Use Classification is Residential and the Management Strategy is Redirection for Plan Area Statement 092. The Land Use Classification is Recreation and the Management Strategy is Mitigation for Plan Area Statement 101. The Land Use Classification is Conservation and the Mitigation Strategy is Redirection for Plan Area Statement 095. Agency Staff has reviewed the subject Community Plan and Plan Area Statements and has determined that the project is consistent with the applicable planning statement, planning considerations, and special policies. The proposed use (pipelines) is listed as a special use.

C. **Required Findings:** The following is a list of the required findings as set forth in Chapters 6 and 18 of the TRPA Code of Ordinances. Following each finding, Agency staff has 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 – Required Findings:**

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

   (1) **Land Use:** There are no new land uses associated with this project. The proposed use is the replacement of gas lines. The project is consistent with the Land Use element of TRPA’s Goals and Policies, the Regional Plan, and other applicable TRPA plans and programs.

   (2) **Transportation:** The project does not create and daily vehicle trip ends (dvte). No significant impacts to Level of Service or Regional or Sub-Regional air quality are anticipated based on the Initial Environmental Checklist.

   (3) **Conservation:** The project is not visible from any scenic resources. The project is entirely in the road way and right-of-way. The project does not involve any additional coverage and temporary Best Management Practices are included as part of the project.

   (4) **Recreation:** The project is located in the roadway and will have no effect on the public recreation opportunities in the Lake Tahoe Basin.

   (5) **Public Services Facilities:** The project does not require additional public services facilities and will not adversely affect implementation of the Public Service Element of TRPA’s plans and program.
(6) **Implementation:** The project requires no additional development allocations and is consistent with the Implementation Element of the Goals and Policies of the Regional Plan

2. **Chapter 18 – Special Use Findings:**

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

   The proposed gas line replacement project, replacement of 14,125 linear feet, is consistent with the project area and required for public health and safety. The gas mains are the same type of facility that is currently existing in the project area and surrounding areas.

   (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.**

   This public health and safety project will directly enhance the health, safety and enjoyment of the property, and general welfare of the persons in the neighborhood. This project will improve gas reliability for the neighborhoods by replacing aging and undersized gas lines.

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

   The project will not adversely affect the Community Plan or plan area statements or change the character of the neighborhood as it is the replacement of gas lines in roadway and included temporary Best Management Practice.

**Required Actions:** Agency staff recommends that the Hearings Officer approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. Approve the findings contained in this staff summary, and a finding of no significant environmental effect.

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

**Attachments:**

1. Draft Permit
2. Site Plan
PROJECT DESCRIPTION: Gas Line Replacement/Pioneer Trail

PERMITTEE(S): Southwest Gas Corporation

COUNTY/LOCATION: City of South Lake Tahoe/ Park Ave, Lake Tahoe Ave, Pioneer Trail

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on April 28, 2011, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on April 28, 2014 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 HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
2. ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS PERMIT;
3. THE PERMITTEE OBTAINS A CITY BUILDING PERMIT. TRPA’S ACKNOWLEDGEMENT MAY BE NECESSARY TO OBTAIN A CITY PERMIT. THE CITY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS.
4. A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR CONTRACTOR.

TRPA Executive Director/Designee Date

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

Signature of Permittee(s) __________________________ Date ________________

PERMIT CONTINUED ON NEXT PAGE
D-R-A-F-T

APN: 510-101-00
FILE NO. ERSP2011-0470

Security Posted (1): Amount $5000.00 Posted ______Type______ Receipt No.______

Security Administrative Fee (2): Amount $________ Paid_____ Receipt No. ______

Notes:
(1) See Special Condition 3.B, below.
(2) $152 if a cash security is posted, or $135 if a non-cash security is posted.

Required plans determined to be in conformance with approval: Date: __________

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

___________________________________________________________________

TRPA Executive Director/Designee    Date

SPECIAL CONDITIONS

1. This permit specifically authorizes the installation of 14,125 linear feet of 12 inch steel gas lines. There is no coverage associated with this project.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.

3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.

A. The site plan shall be revised to include:

   (1) 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 mulch may enhance vegetative establishment.”

   (2) A note indicating: “All project related vehicles shall park on existing paved surfaces or existing compacted road shoulders.”

   (3) Identify all temporary stockpile areas, equipment and machinery staging areas, and material storage locations. Please note - The permittee must have authorization and approval for any staging areas outside the project area prior to permit acknowledgement. No staging areas are allowed in undisturbed or low capability lands.
(4) Temporary erosion control measures located downslope of the proposed construction areas.

B. Condition A.I of Attachment Q shall be $5,000.00. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

C. The permittee shall submit a dewatering plan to TRPA for review and approval in the event that ground or surface water is intercepted during excavations. No excavation shall occur until TRPA has reviewed and approved the dewatering plan.

D. 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.

E. The permittee will submit a traffic control plan approved by Caltrans and/or the City of South Lake Tahoe.

F. The permittee will submit a Storm Water Pollution Prevention Plan.

G. The permittee shall submit three sets of final construction drawings and site plans to TRPA.

4. All work associated with this permit requiring use of heavy equipment or vehicles shall take place within existing paved roadways or along existing compacted dirt shoulders.

5. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, or implementation of this permit; (2) any failure to comply 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.

6. 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.

7. Soil stockpiles shall not be placed on top of existing vegetation. All excavated material shall be placed uphill of trench locations. All temporary stockpiles shall be contained by temporary erosion control fences or fiber roll logs (12" minimum diameter) and covered with non-permeable material at the end of the work day and/or during periods of precipitation of high winds.

8. Drop inlets and storm water conveyance and treatment facilities located downslope of excavated material shall be protected by temporary erosion control fences or fiber roll logs (minimum 12 inch diameter).

9. The establishment of equipment and/or vehicle storage areas outside of previously disturbed road shoulder is prohibited unless specifically authorized by TRPA.

10. All temporary erosion control and vegetation protection fencing shall be maintained in a functioning condition during construction staging activities and until the site is revegetated, if applicable.

11. Asphalt cuttings and soil tracked onto pavement shall be removed through regular sweeping at the end of each business day.

END OF PERMIT
SOUTHWEST GAS CONTRACTOR TO INSTALL NEW FACILITIES WITH PROPER CLEARANCE FROM EXISTING SUBSTRUCTURES AT COMPANY APPROVED DEPTH (SEE SPECIAL TERMS AND CONDITIONS)

Southwest Gas Corporation

For Reference Only

THE FOLLOWING INFORMATION MUST BE DOCUMENTED FOR EXISTING PIPE BEING TIED INTO:

<table>
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<tr>
<th>PIPE TYPE</th>
<th>LOCATION</th>
<th>PIPE LENGTH</th>
<th>TEST PRES. (PSIG)</th>
<th>AS-BUILTS ACCPETED BY</th>
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SOUTHWEST GAS CONTRACTOR TO UTILIZE OPEN TRENCH INSTALLATION UNLESS OTHERWISE NOTED ON DRAWING

See Sheet 1 of 15

For Pipe Information

property units

South Lake Tahoe, CA

SOUTHWEST GAS CORPORATION

5x S/LT HP REINFORCEMENT - PIONEER TRAIL
INSTALL 12" HP MAIN

1253906

5041 SULLIVAN RD
Tahoe City, CA

DATE: 9/16

Jepson

09/08/18

closed
SOUTHWEST GAS CONTRACTOR TO INSTALL NEW FACILITIES WITH PROPER CLEARANCE FROM EXISTING SUBSTRUCTURES AT COMPANY APPROVED DEPTH (SEE SPECIAL TERMS AND CONDITIONS).
Southwest Gas Contractor to install new facilities with proper clearance from existing substructures at company approved depth (See Special Terms and Conditions).

Southwest Gas Contractor to utilize open trench installation unless otherwise noted on drawing.

The following information must be documented for existing pipe being tied into:

- Pipe Type: AA_____ MDPE_____ HDPE_____ STEEL_____ OTHER (INDICATE TYPE)_____
- Pipe Depth: ______________________________________________________
- Print Line (if available): ___________________________________________
- Location: ________________________________________________________
- Other Relevant Info: ____________________________________________

Know what's BY DESCRIPTION

For Reference Only - Not Valid for Line Locating Purposes. No representation or warranty is made for the adequacy, accuracy or completeness of the information or depictions shown. This information is protected from further disclosure under the federal Freedom of Information Act and the Critical Infrastructure Information Act of 2002. Please see reference below. Call Us Before Excavating.

State law requires you to call the local One-Call Center (Dial 8-1-1) at least 2 days before excavating.

For Southwest Gas Corporation Confidential and Proprietary Information
SOUTHWEST GAS CONTRACTOR TO INSTALL NEW FACILITIES WITH PROPER CLEARANCE FROM EXISTING SUBSTRUCTURES AT COMPANY APPROVED DEPTH (SEE SPECIAL TERMS AND CONDITIONS)

SOUTHWEST GAS CONTRACTOR TO UTILIZE OPEN TRENCH INSTALLATION UNLESS OTHERWISE NOTED ON DRAWING

THE FOLLOWING INFORMATION MUST BE DOCUMENTED FOR EXISTING PIPE BEING TIED INTO:

- PIPE DEPTH: ______________________________________________________
- PIPE TYPE:     AA_____    MDPE_____   HDPE_____   STEEL_____   OTHER (INDICATE TYPE)_____

For Reference Only - Not Valid for Line Locating

Purposes. No representation or warranty is made for the adequacy, accuracy or completeness of the Confidential and Proprietary Southwest Gas Corporation Information.

REVISIONS

DATENO. PRINT LINE (IF AVAILABLE): ___________________________________________

PIPE DEPTH : ______________________________________________________
PIPE TYPE:     AA_____    MDPE_____   HDPE_____   STEEL_____   OTHER (INDICATE TYPE)_____

THE FOLLOWING INFORMATION MUST BE DOCUMENTED FOR EXISTING PIPE BEING TIED INTO:
MATCHLINE CODES

SHOW TIE-IN LOCATIONS ON DRAWING

T13N R18E SEC 34T12N R18E SEC 2

64 R/W 00 CHARLESWORTH CT
SHOW TIE-IN LOCATIONS ON DRAWING

T13N R18E SEC 34T12N R18E SEC 2

60 R/W 45' SEZ 5

PROPERTY UNITS

INSTALL 750' OF 12" STL HP MAIN

INSTALL 12" STL HP MAIN

66 8" STL '84 00

SEE SHEET 8 OF 15 FOR FOOTAGE UTILIZING DIRECTIONAL BORE

2814125

2814124

2814123

2814122

END DIRECTIONAL BORE (STA. 68+00)

SEZ 4

SEZ 1B

2" AA '87 (REF: UNK)

2" AA '78 (REF: UNK)

END

45'R/W

1/2" AA '87

3469

2" MPE '95 (REF: UNK)

2" AA '80

3480

SOUTH LAKE TAHOE, CA

10'

2528217

2528218

CITY OF SLT

CONTINUATION PAGE 15 JEPSON
SOUTHWEST GAS CONTRACTOR TO INSTALL NEW FACILITIES WITH PROPER CLEARANCE FROM EXISTING SUBSTRUCTURES AT COMPANY APPROVED DEPTH (SEE SPECIAL TERMS AND CONDITIONS)

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>PIPE TYPE</th>
<th>PIPE LENGTH</th>
<th>PIPE DIA.</th>
<th>TEST PRES. (PSIG)</th>
<th>AS-BUILT ACCEPTED BY</th>
<th>PERFORMED BY</th>
</tr>
</thead>
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<tr>
<td>SEZ 1A</td>
<td>8&quot; STL '84 (REF: UNK)</td>
<td>2814 feet</td>
<td>8&quot;</td>
<td>80</td>
<td>I HAVE VISUALLY INSPECTED ALL HEATED FUSIONS, SOLVENT CEMENT, MECHANICAL JOINTS, AND WELDS THAT I HAVE PERFORMED</td>
<td>BRANDON JONES</td>
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</tbody>
</table>

**NOT VALID FOR LINE LOCATING** (Dial 8-1-1) at least 2 days before excavating. This information is protected from further disclosure under the federal Information Act of 2002.

Southwest Gas Corporation

Confidential and Proprietary

For Reference Only: Not Valid for Line Locating

Pursuant to Nondisclosure Agreements, any report for use in engineering, surveying or mapping is subject to the following restrictions:

- The information contained herein is confidential and proprietary information of Southwest Gas Corporation and is not to be reproduced or used for any purpose other than the stated purpose.
- The information provided is subject to change and should be confirmed by contacting the appropriate Southwest Gas Corporation representative.

SOUTHWEST GAS CONTRACTOR TO UTILIZE OPEN TRENCH INSTALLATION UNLESS OTHERWISE NOTED ON DRAWING

**SITE LOCATION:**

**PROPERTY UNITS:**

**SITE INFORMATION:**

**PERMIT INFORMATION:**

**DATE:**

**TIME:**

**TEST MEDIUM:**

**DATE**

**TEST METHOD**

**END DIRECTIONAL BORE (STA. 79+50)**

**12" STL HP MAIN**

**INSTALL 2,750' OF**

**NEW FACILITIES WITH PROPER CLEARANCE**
SOUTHWEST GAS CONTRACTOR TO INSTALL NEW FACILITIES WITH PROPER CLEARANCE FROM EXISTING SUBSTRUCTURES AT COMPANY APPROVED DEPTH (SEE SPECIAL TERMS AND CONDITIONS).
SOUTHWEST GAS CONTRACTOR TO INSTALL NEW FACILITIES WITH PROPER CLEARANCE FROM EXISTING SUBSTRUCTURES AT COMPANY APPROVED DEPTH (SEE SPECIAL TERMS AND CONDITIONS).

PILOT LIGHT TEST MEDIUM
- NITROGEN
- WATER

Location: ________________________________________________________
Print Line (If Available): ___________________________________________
Pipe Depth: ______________________________________________________
Pipe Type: AA_____ MDPE_____ HDPE_____ STEEL_____ OTHER (Indicate Type)_____
Other Relevant Info: ______________________________________________

The following information must be documented for existing pipe being tied into:

For Footage
See Sheet 13 of 15

For Reference Only - Not Valid for Line Locating
(Dial 8-1-1) at least 2 days before excavating.

Southwest Gas Corporation
Confidential and Proprietary

STATE LAW REQUIRES YOU TO CALL THE LOCAL ONE-CALL CENTER (DIAL 8-1-1) AT LEAST 2 DAYS BEFORE EXCAVATING.

Know what's below CallSetters you dig.
MEMORANDUM

Date: April 21, 2011
To: TRPA Hearings Officer
From: TRPA Staff

Requested Action: Hearings Officer action on the proposed project and a finding of no significant environmental effect.

Staff Recommendation: Staff recommends that the Hearings Officer make the required findings and approve the plan revision as conditioned in the Draft Permit.

Project Description/Background: On September 18, 2008, Verizon Wireless received approval to construct a wireless communications transmission and receiving facility at the Round Hill General Improvement District (RHGID) office/maintenance yard, located at 343 Ute Way, Zephyr Cove, Nevada. Following construction of the wireless facility, TRPA determined that pre-project photo simulations submitted during review of the application incorrectly depicted the height of the “monopine” communications tower in relation to its surroundings. TRPA has required Verizon Wireless and RHGID to submit a plan revision application for the existing “as built” facility to update the project record and make the required findings supporting approval of the wireless communications facility as constructed. No construction or modifications to the facility are proposed at this time.

Site Description: The 1.6 acre parcel is located in the rear of the Round Hill Residential Subdivision and was developed in approximately 1960 to provide public services to the surrounding community. The parcel includes RHGID modular office buildings and sheds, a 250,000 gallon concrete water tank, and the Verizon Wireless facility including a 97-foot tall monopine communications tower. The property is gated to prevent unauthorized access. Previous storage of GID vehicles, equipment, and materials has created areas of unauthorized coverage and disturbance. BMPs have not been completed. TRPA has verified Land Capability Classes 1a, 2, and 4, with 7,621 square feet of base allowable coverage (File #LLAD2009-0239). The project area has 27,430 square feet of approved coverage (File #ERSP2010-1243).

Issues/Concerns:

- Monopine Tower Visibility Along TRPA Scenic Roadway Unit #30; and
- BMP Installation
Construction of the Verizon Wireless monopole has not decreased the TRPA scenic quality, or travel route rating of Scenic Roadway Unit #30. The Roadway Unit remains in Attainment for TRPA’s Scenic Threshold, and is located in an identified transition scenic highway corridor, where the built environment should appear integrated into and in balance with the natural elements of the landscape. The tower was initially proposed as a simulated tree (monopine), as opposed to a monopole or other type of tower, to help with such integration. Given the distance of the monopine from Road Unit #30 and the brief period that the structure is visible, the negative visual impact is minor. The monopine manufacturer explained that the amount of work and cost associated with a small height reduction modification would be similar to the investment made when the tower was originally constructed. Feasible opportunities to reduce the height and help the tower integrate with surroundings include, removal of the top 5-feet of the monopine which serves no function but to give the ‘tree’ a conical top, retracting the antenna array so that it does not extend beyond the branch structure, and adding “antenna socks”, or covers, with simulated pine needles to help camouflage the antennas. TRPA has received no formal complaints regarding post-project conditions.

BMPs have not been installed and TRPA still holds a $5,000.00 security from acknowledgement of the original Verizon approval for project area compliance, including the TRPA BMP retrofit program. BMPs for the project area are now scheduled to be installed in conjunction with construction of the 500,000 gallon water storage tank, slated for this grading season. RHGID will post an additional project security for the water tank project and TRPA will not require an additional security from Verizon Wireless, but will continue to hold the posted security until the project area BMPs are completed and all other permit conditions have been satisfied.

Regional Plan Compliance: The proposed project complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances, including all required findings in Chapters 6, 18, 22, and 33 of the TRPA Code of Ordinances (see attachment C for details).

Contact Information: If you have any questions, please contact Patrick Dobbs, Associate Planner II, at pdobbs@trpa.org or (775) 589-5215.

Attachments:
A. Required Findings/Rationale
B. Draft Permit
C. Regional Plan Compliance Analysis
D. Photo-Simulation from Highway 50 Viewpoint
Required Findings/Rationale

Chapter 6.3 – Threshold-Related 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.

Construction of the transmission and receiving facility has not adversely affected implementation of the Regional Plan. TRPA’s Public Service Goals and Policies support expanding and upgrading public health and safety facilities consistent with projected growth levels. Public reliance on wireless communication devices continues to increase, with all indications that demand will continue in the foreseeable future. These wireless communication devices require transmission and receiving facilities for operation. Plan Area Statement 074 recognizes RHGID property within the Plan Area as areas where Planning Considerations, for uses other than residential, are appropriate. The stealth-like design of the monopine and the resulting conditions are consistent with TRPA’s design standards and guidelines and the Scenic Quality Improvement Program (SQIP). This project is consistent with all applicable TRPA plans and program standards.

(2) The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for this finding is provided on the “TRPA Initial Environmental Checklist” and “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 checklists indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklists will be made available at the Hearings Officer public 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 TPRA Compact, the project meets or exceeds such standards.

(Refer to paragraph 2, above.)

Chapter 18.1 – Special Use Findings:

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

The primary use and function of the parcel is to provide public services for the surrounding community. It is appropriate to consolidate public service uses together in an attempt to buffer the uses from the (sometimes incompatible) surrounding residential character. The location of the project area, with an elevated topography and proximity to existing development and the Highway 50 corridor, provides Verizon...
with a large service area, and integrates with the existing network of surrounding Verizon facilities. The station is located away from existing development to the greatest extent possible, is sited on the property to not interfere with RHGID operations or expansion plans, and is of a scale and intensity which integrates with surrounding area and achieves Verizon service objectives, thereby making the transmission and receiving facility an appropriate use for the parcel and surrounding area.

(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.

Entrance to the project area is gated and not open to the public without authorization. The communication facility is also fenced and signed to detour trespassing and warn of the dangers of radio frequency emissions. The Permittee has completed a noise monitoring study which demonstrated that the noise generating elements of the project, specifically the standby generator and air conditioning units, do not violate the 50 decibel Maximum Community Equivalent Noise Level (CNEL) established for the Plan Area. Manufacturer emissions data for the generator complies with TRPA air quality stationery source limitations. The Draft Permit requires completion of BMPs for the entire project area to protect water quality resources. TRPA has received no formal post-project complaints, and as reasoned above, the project will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood and region, and Verizon and RHGID have taken reasonable steps to protect against such injury and to protect the land, water, and air resources on the property and surrounding areas.

(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 character of the neighborhood is residential, however this parcel was specifically developed to provide the public services to support the neighborhood basic requirements such as water and wastewater systems. Maintaining and preserving the character of the surrounding area is the purpose of the PAS and construction of the transmission and receiving facility has not changed that residential character.

Chapter 22.7 – Additional Height Findings:

(4) The function of the structure requires a greater maximum height than otherwise provided for in the chapter.

The telecom structure was designed to provide the required line of sight communication capabilities with the existing Verizon Wireless network. Land
masses (terrain), trees, structures (i.e. water tanks), and other obstacles cause signal attenuation. Lake Tahoe’s mountain topography and forests frequently require that communication towers are constructed at a greater maximum height that provided for in Chapter 22 of the TRPA Code of Ordinances. Locating antennas above surrounding objects, thereby minimizing signal attenuation, is the most effective way to balance the service area objectives of the wireless provider(s) and minimize the need for multiple communication towers in a given area by accommodating and encouraging multiple wireless carriers to co-locate communication facilities together at one site.

(7) The additional height is the minimum necessary to feasibly implement the project and there are no feasible alternatives requiring less additional height.

See Issues and Concerns section above for rationale. The height of the monopine was designed to achieve Verizon Wireless project objectives of service area and network integration. Lowering the height of the existing antennas would cause signal attenuation, resulting in patchy connections and dropped calls/data exchange. The monopine structure incorporates a 5-foot “crown” at the top, which can be removed to reduce the height. The pole sections that when connected form the trunk of the monopine cannot be easily modified. The 97-foot tall monopine is the minimum height necessary to feasibly implement the project, and it is unfeasible to lessen the existing height.

Chapter 33.5 – Required Findings for Approval of Additional Public Service Facilities:

(1) There is a need for the project:

Verizon Wireless is undertaking a large expansion project to add and improve service in the Lake Tahoe basin. Verizon maintains a strong customer base throughout Nevada and strives to improve coverage for both current and potential customers. This particular site has greatly improved cellular coverage along Highway 50 providing increased public safety through enhanced coverage in areas that previously had poor service.

(2) The project complies with the Goals and Policies, applicable plan area statements, and Code:

See Findings 6.3, above.

(3) The project is consistent with the TRPA Environmental Improvement Program:

The Lake Tahoe EIP was developed to implement water quality and environmental projects in the Lake Tahoe Basin specifically to enhance water quality, and other aspects of the natural environment, improve cultural aspects, and improve recreational opportunities. The project has not produced any negative impacts in these areas and is therefore not inconsistent with the Environmental Improvement Program.
(4) The project meets the findings adopted pursuant to Article V(g) of the Compact as set forth in Chapter 6 as they are applicable to the project’s service capacity:

The project was developed to meet existing and projected future Verizon transmission and receiving requirements. Wireless devices today transmit and receive much more data than previous cellular phones which were primarily used for voice communication. As technology changes, the infrastructure to support that technology will be upgraded. TRPA’s Public Service Goals and Policies relating to environmental protection pursuant to Article V(g) of the Compact are primarily related to water supply and wastewater transport and treatment. The capacity of this transmission and receiving facility does not adversely affect implementation of the regional plan and has not caused the adopted environmental threshold carrying capacities to be exceeded.
DRAFT PERMIT

PROJECT DESCRIPTION: Linear Public Service – Wireless Transmission and Receiving Facility
Addition/Modification Plan Revision

APN: 1318-15-601-004

FILE #ERSP2010-1158

PERMITTEE: Round Hill General Improvement District and Verizon Wireless

COUNTY/LOCATION: Douglas County/343 Ute Way, Zephyr Cove, Nevada

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer
approved the plan revision on April 28, 2011 subject to the standard conditions of approval attached
hereto (Attachment Q) and the special conditions found in this permit.

This permit will expire on September 19, 2011 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.

_____________________________________   ______________________
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_________________________ Date ______________

Signature of Permittee_________________________ Date ______________

______________________________________________________________

PERMIT CONTINUED ON NEXT PAGE
Security Posted: Amount $5,000.00    Posted 09/30/2008    Type Check    Receipt No. 101343

Notes:
See Special Condition 4, below.

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 is a plan revision to TRPA File #ERSP2008-0124 for modifications to the existing transmission and receiving communications located on APN 1318-15-601-004. The 5-foot “crown” on top of the monopine shall be removed, with adjacent branches re-positioned if necessary to maintain the tree-like appearance. The existing 12-panel antenna array shall be reduced in diameter so as to pull-back all antennas within the monopine branch structure as shown on the approved elevation plans. Panel “antenna socks” (covers) shall be installed on existing and future antennas. The only ground disturbance authorized with this plan revision is for installation of required project area BMPs. All other applicable permit conditions from TRPA File #ERSP2008-0124 remain in effect.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.

3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.

A. The site plan shall be revised to include:
   
   (1) Revised existing and proposed land coverage calculations to correspond with the most recent approved project area calculations for construction of the 500,000 gallon water tank (File ERSP-2010-1243).

   (2) A signed wet stamp from a Nevada licensed professional surveyor.

B. The elevation plan shall be revised to include:
(1) Removal of the top 5-foot “crown” of the monopine. The overall height of the monopine shall not exceed 92-feet above ground level.

(2) A note stating: “Antenna array and antennas shall remain entirely within the monopine branch structure as shown on this plan.”

(3) Depict antenna covers on all existing antennas and add a note stating: “Antenna covers which match the surrounding forest color and pine needle density shall be installed on all Verizon Wireless antennas and maintained and/or replaced as required.”

C. A final BMP Plan shall be submitted for the entire project area, for TRPA review and approval. The plan shall include recommendations and approvals from TRPA File #BMP2008-0021 and be updated to reflect site changes authorized with this permit, including changes to land coverage, storm water runoff, and snow storage. The plan shall further include landscape and restoration details demonstrating proposed vegetation and soil stabilization complies with the TRPA Handbook of Best Management Practices Approved Plant List. Include parking barriers or other similar provisions to protect areas of unauthorized coverage from future disturbance.

D. The Permittee shall submit final antenna cover sample which demonstrates compatibility with surrounding forest pine needle color and density.

E. The Permittee shall submit three sets of final construction drawings and site plans.

4. The Security required under Standard Condition 1.2 of Attachment Q which was posted during acknowledgement of TRPA File #ERSP2008-0124 shall be applied to this permit to ensure all conditions of this plan revision are completed. Said conditions include, but are not limited to the removal of the 5-foot monopine “crown”, retracting the antenna array so that it does not extend beyond the branch structure, installing antenna covers, and completion of project area BMPs.

5. The Permittee shall notify the TRPA Compliance Inspector for this project at least 48-hours prior to the date scheduled for removal of the 5-foot monopine crown. The TRPA Inspector shall be on-site during removal of the crown and has the ability to direct the Permittee to field-fit and reinstall/reposition monopine branches to best integrate the tower with the surrounding environment.

6. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside,
attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, or implementation of this permit; (2) any failure to comply 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.

END OF PERMIT
Regional Plan Compliance 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 is located within Plan Area Statement 074 – Round Hill Residential where transmission and Receiving facilities are a special use. Agency staff has reviewed Plan Area Statement 074 and has determined that the project, as conditioned in the attached permit, is consistent with the applicable planning statement, planning considerations, and special policies. Plan Area Statement 074 – Round Hill Residential, identifies transmission and receiving facilities as a special use, therefore requiring Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code.

C. **Land Coverage**:

1. **Land Capability District**: The project area has been verified with areas of Land Capability Classes 1a, 2, and 4 (File #LCAP 2008-0259).

2. **Total Existing Land Coverage**: 27,430 square feet (File #ERSP2010-1243).

3. **Total Allowable Land Coverage**: The base allowable land coverage for the 69,696 square foot project area is 7,261 square feet pursuant to TRPA File #LLAD2009-0239.

4. **Total Proposed Land Coverage**: There are no changes to land coverage with this plan revision.

D. **Transportation**: The transmission and receiving facility is unmanned and does not generate additional permanent daily vehicle trip ends (dvte). There have been no measurable impacts to transportation, including area traffic or to regional air quality, as a result of this project.

E. **Height**: The monopine communications tower is 97-feet tall. The maximum height for structures specified in Section 22.5 of TRPA Code may be increased for communication towers subject to findings 4 and 7 of Section 22.7. See the Findings section of this staff summary for further discussion.
Photosimulation of view looking southeast along Hwy 50 at the Pine Cone Resort.
MEMORANDUM

Date: April 21, 2011
To: TRPA Hearings Officer
From: TRPA Staff
Subject: Temporary Activity Permit for a Road Bike Event Circumnavigating Lake Tahoe, AMGEN Tour of California, AEG Cycling LLC, Highway 50, Highway 89, Highway 28, Highway 267, Mont Bleu and Horizon Parking Areas, California and Nevada, Assessor’s Parcel Numbers (APNs) 520-201-00, TRPA File Number ENVR2011-0646

Requested Action: Hearings Officer action on the proposed project and a finding of no significant environmental effect.

Staff Recommendation: Staff recommends that the Hearings Officer make the required findings and approve the proposed project.

Required Motions: In order to approve the proposed project, the Hearings Officer must make the following motions, based on this staff summary and the evidence in the record:

1) A motion to approve the required findings (see Attachment A), including a finding of no significant effect; and 2) A motion to approve the proposed subject to the conditions contained in the draft permit (see Attachment B).

Project Description/Background: This Applicant proposes to conduct a temporary event centered around a one-day bicycle race that will be held on May 15, 2011. Up to 18 professional cycling teams with 8 riders each will compete in Stage 1 of the AMGEN Tour of California within the Lake Tahoe Basin. The race begins at Mont Bleu in Stateline, Nevada, and will circumnavigate Lake Tahoe on Highways 50, 89, and 28 one and one-half times, approximately 118 miles, and leave the Lake Tahoe Basin over State Route 267 (Brockway Summit) to end at Northstar at Tahoe Ski Resort. The event also includes a “Lake Tahoe Legends” participation bicycle ride around Lake Tahoe on Saturday, May 14, 2011, and a Bicycle Expo and Festival to be located within the parking areas of Mont Bleu and Horizon Casinos on Saturday, May 14 and Sunday, May 15, 2011.

The staging area/start line within the Lake Tahoe Basin will be located at the Mont Bleu parking area and adjacent Lake Parkway. This area will serve as the start line and primary event Expo and Festival site. Twenty-eight portable toilets and drinking water facilities will be provided by the event organizers at various locations around the Lake. Portable toilets will be provided at Vikingsholm parking lot, Commons Beach in Tahoe City, Cal Neva in Crystal Bay and the Snow Park at the junction of Highways 28 and 50 on Spooner summit as well as Mont Bleu and the Horizon in Stateline.
Issues/Concerns: This proposed Temporary Activity (Bicycle Race) is not a listed use in the TRPA Code of Ordinances Chapter 18 List of Primary Uses. However, Subsection 7.3 of the TRPA Code of Ordinances allows that a temporary use not listed in a plan area statement be reviewed as a special use. Therefore, as a special use, the proposal requires Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code of Ordinances.

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

Contact Information: If you have any questions, please contact Mike Cavanaugh, Principal Planner at mcavanaugh@trpa.org or 775-589-5209.

Attachments:
A. Required Findings/Rationale
B. Draft Permit
C. Regional Plan Compliance Analysis
D. Site Plan
Attachment A: Required Findings/Rationale

The following is a list of the required findings as set forth in Chapters 6 and 18 of the TRPA Code of Ordinances. Following each finding, Agency staff has 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 – Required Findings:

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

      The activity is a one day, 10 to 12 hour activity and does not require any allocations of development or transfers of use. Based on staff analysis of the project and the findings provided on the V(g) Findings and Initial Environmental Checklist, staff has concluded that the project is consistent with and will not adversely affect implementation of the Regional Plan.

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

      TRPA staff has completed the “Project Review Conformance Checklist and Article V(g) Findings” in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on the checklist indicate compliance with the environmental threshold carrying capacities. The applicant has also completed an Initial Environmental Checklist (IEC) in accordance with the TRPA Code of Ordinances. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed checklist and IEC will be made available at the Hearings Officer meeting 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 Uses:

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

      The project is a one day, one time activity to be conducted on regional highways, Highways 50, 28 and 89, throughout the Tahoe Basin. The scale and density of the activity, bike race, is appropriate for and can be accommodated by these
roadways. All activities during the race will be monitored and controlled by the appropriate law enforcement agency.

(b) The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant’s property and that of surrounding property owners.

The project will not be injurious to the health, safety or general welfare of any person or property. All activities associated with the race will be monitored by law enforcement and race officials. The applicant has taken reasonable steps to ensure that any disruption associated with the event is minimal and limited in duration. Impacts to the road network and intersections will be limited to the minimum time necessary to provide for the safety of the riders and the general public. It is anticipated that no intersection will be closed or impacted for more than 20 minutes.

There are four traffic elements related and reviewed in the traffic management plan. Traffic that flows across the course at an intersection, traffic that is traveling ahead of the race and in the same direction, traffic traveling behind the race and in the same direction and traffic moving toward the race. Law enforcement will allow traffic turning on to the course and traveling away from the race to continue until 5 to 10 minutes before the race arrives at any particular intersection. Traffic heading into the race will be stopped approximately 20 minutes before the race arrives. Traffic following the race will not be stopped but will not be allowed to pass.

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

The project (bicycle race) is a temporary, one day, activity and will have no impact on the character of any neighborhood, community or master plan or plan area. The associated Bike Expo and vendor stations will be located in an area, Mont Bleu and Horizon Parking lots, appropriate for the activity.
ATTACHMENT B: TEMPORARY PERMIT

PROJECT DESCRIPTION: Temporary Activity – AMGEN Tour of California Bike Race

APN: 520-201-00          FILE # ERSP2011-0646

PERMITTEE(S): AEG Cycling, LLC

COUNTY/LOCATION: El Dorado, Placer, Washoe, and Douglas Counties, and the City of South Lake Tahoe. See details in file referenced above for specific race route and staging. Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on April 28, 2011, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on May 21, 2011 without further notice.

NO TEMPORARY ACTIVITY 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; AND

(2) ALL PRE-EVENT CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS 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

PERMIT CONTINUED ON NEXT PAGE
Security Posted (1): Amount $ 5,000 Type ___ Paid _____ Receipt No.______

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

Notes:
(1) See Special Condition 3.D., below.
(2) $152 if a cash security is posted, or $135 if a non-cash security is posted.

Required plans determined to be in conformance with approval: Date:______________

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

__________________________________          ________________________________
TRPA Executive Director/Designee                      Date

----------------------------------------------------------------------------------------------------------------------

SPECIAL CONDITIONS

1. This permit specifically authorizes the permittee to conduct a temporary event centered around a one-day bicycle race that will be held on May 15, 2011. Up to 18 professional cycling teams with 8 riders each will compete in Stage 1 of the AMGEN Tour of California within the Lake Tahoe Basin. The race begins at Mont Bleu in Stateline, Nevada, and will circumnavigate Lake Tahoe on Highways 50, 89, and 28 one and one-half times, and leave the Lake Tahoe Basin over State Route 267 (Brockway Summit) to end at Northstar at Tahoe Ski Resort. The event also includes a “Lake Tahoe Legends” participation bicycle ride around Lake Tahoe on May 14, 2011, and a Bicycle Expo and Festival to be located within the parking areas of Mont Bleu and Horizon Casinos on Saturday, May 14 and Sunday, May 15, 2011.

The staging/start line within the Lake Tahoe Basin will be located at the Mont Bleu parking area and adjacent Lake Parkway. This area will serve as the start line and primary event Expo and Festival site. Twenty-eight portable toilets and drinking water will be provided by the event organizers at various locations. These facilities will be serviced regularly during the event. Portable toilets will be provided at Vikingsholm parking lot, Commons Beach in Tahoe City, Cal Neva in Crystal Bay and the Snow Park at the junction of Highways 28 and 50 on Spooner summit as well as Mont Bleu and the Horizon in Stateline.

The race is a self-contained event and includes a variety of support vehicles including team vehicles, race officials and marshals, medical support, TV crews and law enforcement. The total length of the race procession is approximately 1.5 miles. Time required to pass any given point on the course is approximately 20 minutes. Total time the race procession will be in the Tahoe Basin is approximately 6 hours.

2. Prior to permit acknowledgement, the following conditions of approval must be satisfied.
A. The site plan for the staging area shall be revised to include:

(1) Specific number and general location of all portable toilets and trash receptacles in the Festival/Expo area and spectator viewing areas.

B. The route map shall be revised to include:

(1) Locations and dimensions of all temporary signage. All temporary signage shall be in conformance with Ch. 26 of the TRPA Code of Ordinances.

C. The permittee shall provide a final traffic control and parking plan for the entire race route within the Lake Tahoe Basin. The final traffic control plan shall include evidence of approval from both the California Highway Patrol and the Nevada Highway Patrol.

D. A refundable security of $5,000 and a non-refundable Security Administration Fee shall be submitted to TRPA. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee. Release of the project security shall be based on successful restoration of race staging areas, Expo/Festival locations, and other race locations to pre-race conditions.

E. The permittee shall submit three sets of final route plans and Expo/Festival site plans to TRPA.

3. Specific “Race Day” Conditions are as follows:

A. All spectators parking will be within public parking areas as found on the event website (http://tinyurl.com/6zsrmup). Areas designated as “No Parking” shall be enforced. The permittee shall work with the appropriate public transit entity, BlueGo, TART, to provide shuttle service to and from parking areas to designated spectator viewpoints.

B. Helicopter flight altitudes shall not be less than 750 feet except during takeoffs, landings and for emergency purposes.

4. The permittee shall provide photographs of all major event/staging areas and the most likely spectator locations 24 hours prior to the opening of race activities. Photographed locations shall be indicated on a copy of the route map.

5. The permittee shall provide photographs of all the same major event/staging areas and the most likely spectator locations 24 hours after the conclusion of all race activities within the Lake Tahoe Basin to ensure that all areas have been returned to their previous conditions.

6. The permittee or the permittee’s designated contractor is responsible for servicing all solid and human waste facilities along the race course to ensure the capacity of those facilities is not exceeded.
7. The permittee shall obtain all required permits/agreements from other entities that have jurisdiction over any aspect of the race including, but not limited to, the City of South Lake Tahoe, El Dorado County, Placer County, Washoe County and Douglas County.

END OF PERMIT
Attachment C: Regional Plan Compliance Analysis

A. Environmental Documentation: An Initial Environmental Checklist (IEC) has been completed 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/Community Plan: Agency staff has reviewed the Community Plan’s Plan Area Statements for the course of the bike race and has determined that the project, as conditioned in the attached permit, is consistent with the applicable planning statement, planning considerations, and special policies, and is considered a permissible use.

C. Land Coverage: All temporary structures, facilities and vendor stations will be placed within an existing disturbed area, and no new land coverage or disturbance will result from this temporary activity. Land coverage calculations were not a consideration of this review.
Amgen Tour of California Parking Areas
Click on any of the "Ps" to see the parking available in that area.
13 views - Unlisted
Created on Feb 24 - Updated 4 days ago
By TJ

California State Park Vikingsholm
8:00AM-5:00PM
$8 fee
90 spaces

California State Park Sugar Pine West
Open
80 spaces
California State Park Sugar Pine East
Open
$8 fee
250 spaces

64 Acres
Open
100 spaces

Jackpine Street
Placer County
Open
Free
45 spaces

Commons Beach
TCPUD
Open
Free
60 spaces

Carnelian Bay
Conservancy
Open
Free
100 spaces

North Tahoe Beach
NTPUD
Open
Free
60 spaces

Kings Beach "Beach"
NTPUD
Open
$7
300 spaces

Kings Beach Public
Placer County
Open
Free
35 spaces

Village Green
IVGID
Open
Free
100 spaces

East Shore Visitors Center
50 spaces

Nevada State Park Sand Harbor
8AM-7PM
$12 parking fee
400 spaces

East Shore Visitors Center #2
35 spaces

Nevada State Park Spooner Lake
8AM-7PM
$10 fee
200 spaces

NDOT Snow Park
Open no fee
100 spaces

Tahoe Rim Trail Access
USDA
Free
Open
50 spaces

Zephyr Cove
Opens in May
$8
200 spaces

Harrah’s
Open
Free
2078 Spaces

Community College
Open
Free
700 spaces

South Tahoe High School
Open
Free
280 spaces

Baldwin Beach
California Land Management
$8
165 spaces

Taylor Creek Visitor Center & Snow Park
Taylor Creek Visitor Center
Free
140 spaces

Taylor Creek Snow Park
$8
50 spaces

Cathedral Snow Park
California Land Management
$8
70 spaces

Kiya Beach
California Land Management
120 spaces

Hospital

Montbleu
1585 Spaces

Horizon
2060 Spaces
Harvey’s
2894 Spaces
including parking structure

South Lake Tahoe Parking Garage
421 Spaces
Paid

Douglas County Parking
200 Spaces

Eagle Falls Parking
Open
90 Spaces

Tahoe Rim Trail 267
Tahoe Rim Trail parking
Free
Open
30 spaces

Fiberboard Freeway
USDA Road
30 spaces available if gate is locked
many more spaces available if gate is open

Martis Peak Road
USDA Road
30 spaces available if gate is locked
many more of gate is open
Project Name: Sawmill 2A Bike Path and Erosion Control Project

Application Type: Public Service

Applicant: El Dorado County Department of Transportation

Applicant’s Representative: Brendan Ferry, El Dorado County

Agency Planner: Brian R. Judge, Principal Environmental Specialist

Location: Sawmill Road from Lake Tahoe Boulevard to Echo View Drive, El Dorado County, California

TRPA Project Number / File Number: 520-101-00/ EIPC2011-0012

Staff Recommendation: Staff recommends approval of the project based on this staff summary and the evidence contained in the project record. The recommended conditions of approval are contained in the attached Draft Permit.

Project Description: Sawmill 2A Bike Path and Erosion Control Project. El Dorado County will construct a Class I bike path along the south side of Sawmill Road from Lake Tahoe Boulevard to Echo View Drive. Associated drainage, water quality, and erosion control improvement BMPs will also be installed to stabilize eroding soils and to enhance storm water quality. Issues with this project include crossing stream environment zones and possible contact with cultural resources.

The purpose of the project is to complete an important link in the bicycle and pedestrian path network, contributing to safe multi-modal travel options and reducing emissions from automobiles.

Site Description: The Project site is located primarily within and adjacent to the El Dorado County right-of-way. The proposed eight foot wide asphalt path crosses through California Tahoe Conservancy (CTC) property, Washoe Meadows State Park property and private property. The proposed path crosses several ephemeral drainages classified as Stream Environment Zones (SEZs) that are mainly active during spring runoff, and cross under Sawmill Road through culverts first. The Project also will construct erosion control and water quality improvement measures that will reduce the discharge of sediment and pollutants to Lake Tahoe from County administered rights of way and easement areas. The project crosses three Washoe Tribe archaeological sites. The proposed Project will not change the use of the site or surrounding area. The Project will provide benefits to the natural environment through the
improvements proposed as part of the Project. After Project completion, less sediment will enter Angora Creek from the Project area, thereby improving water quality.

Issues: The proposed bicycle path portion of the project involves a special use determination and therefore requires Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project-related issues are:

1. Historic Resources: The proposed path crosses through three known Washoe Tribe cultural sites. Chapter 29 of the TRPA Code of Ordinances provides for the recognition, protection, and preservation of the Region's significant historical, archaeological, and paleontological resources and outlines standards for projects and activities affecting designated historic resources. An archeological survey has been completed, and a resource protection plan is a condition of the proposed project permit. The project file contains a letter from the Washoe Tribe stating no objections to the project if done according to the proposed plans.

2. SEZ Disturbance: The proposed path crosses several SEZs which are classified as land capability district 1b. During the planning phase of this project several alternatives were evaluated and the chosen alternative contains the least amount of SEZ disturbance and land coverage. The project area contains 19,090 square feet of existing coverage in 1b areas and proposes 25,112 square feet of total 1b coverage for an increase of 6,022 square feet of coverage in 1b. Coverage needed for this project shall be transferred and mitigated in conformance with chapter 20 of the TRPA Code of Ordinances. El Dorado County has several pending Land Banking Applications related to Water Quality Control Projects on file with TRPA. The banking applications will result in an adequate supply of transferrable coverage for the proposed project.

Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18 and 20 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 – Required Findings:

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

   There is no evidence in the file and record showing that the proposed project will have an adverse effect on the Land Use, Transportation, Conservation, Recreation, Public Service and Facilities, or Implementation sub-elements of the Regional Plan.

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

   TRPA staff has completed the “Project Review Conformance Checklist and Article V(g) Findings” in accordance with 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. Also, the applicant has submitted an Initial Environmental Checklist (IEC). No significant environmental impacts were
identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed checklist and IEC will be made available at the Hearings Officer hearing and at TRPA.

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

(Refer to paragraph 1.b, above.)

2. Chapter 18 – Special Use. 18.1. B

(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 Sawmill 2A Bike Path Project is located in Plan Area Statements 118 and 119, which has Conservation and Recreation Land Use Classifications. The project area is generally the right-of-way of the existing roadway. Surrounding land uses include open space, a state park, and residential uses. This project is listed as EIP Project #706 and 10034 for Air Quality and Recreation and is being funded by the CTC, the USDA Forest Service, Caltrans, TRPA mitigation funds. This project is Phase 2A of a larger bike path project to be completed later. This next phase will connect the Highway 50 path this one.

(b) The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant’s property and that of surrounding property owners.

The applicant will be required to install temporary and permanent Best Management Practices (BMPs) on site as a part of project approval. The project meets all the conditions of the “Project Review Conformance Checklist and Article V(g) Findings”.

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

The proposed project is consistent with the applicable plan area statement and is a permissible use in the plan area. The project is not located within an approved community, specific, or master plan area. This project will link to an existing bike path.

3. Chapter 20 – Relocation of Land Coverage and SEZ Disturbance 20.5.C.

(a) Existing Land coverage may be relocated on the same parcel or project area if TRPA finds that: The relocation is to an equal or superior portion of the parcel or
Coverage in Land Capability District 1b will be relocated to Land Capability District 1b. Much of the current project will be on the site of previously disturbed land. Coverage will be relocated at the ratio of 1:1.5 in Land Capability District 1b.

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

All areas where land coverage is removed shall be revegetated and restored in accordance with section 20.4.C of the TRPA Code. The applicant has submitted a revegetation plan which indicates that all areas where land coverage will be removed will be revegetated.

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

All relocated land coverage will be within Class 1b.

(d) If the relocation is from one portion of a stream environment zone to another portion, there is a net environmental benefit to the stream environment zone.

Land coverage to be relocated within a SEZ will be relocated at a ratio of 1:1.5 which will result in a net environmental benefit to the SEZ.

Required Actions: Agency staff recommends that the Hearings Officer approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. Approve the findings contained in this staff summary, and a finding of no significant environmental effect.

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

Attachments:

1. Draft Permit
2. Project Plans
PROJECT DESCRIPTION: Sawmill 2A Bike Path and Erosion Control Project

TRPA Project Number 520-101-00

PERMITTEE(S): El Dorado County Department of Transportation  FILE # EIPC2001-0012

COUNTY/LOCATION: El Dorado County/Sawmill Road from Lake Tahoe Boulevard to Echo View Drive

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on April 28, 2011, subject to the Standard Conditions of Approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on April 28, 2014 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 TREE REMOVAL, 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) A TRPA PRE-GRADING 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______________________
SPECIAL CONDITIONS

1. This permit specifically authorizes the construction of a Class I bike trail and water quality improvements near Sawmill Road from Lake Tahoe Boulevard to Echo View Drive.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.

3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.

   A. The project plans and/or specifications shall be revised to include:

      (1) The following revised land coverage calculations:

         (a) The coverage sheet and table shall be revised to show only the 2A portion of the path. The sheet shall show the final amount of 1b coverage to be relocated or transferred at a 1 to 1.5 ratio, and coverage to be relocated at a 1 to 1 ratio.

      (2) The following revisions to the Access, Staging, and Temporary Erosion Control Plan:

         (a) Identification of construction equipment staging, material storage areas, and employee parking areas. These areas shall be restricted to paved surfaces and previously disturbed areas.

      (3) The following note shall be placed on any plan sheets that contain grading or construction activity within SEZ areas: “This project is located in an environmentally sensitive area. The Contractor shall
exercise utmost care to protect and maintain existing vegetation and minimize soil compaction within construction areas."

B. A resource protection plan shall be prepared by a qualified professional and may provide for surface or subsurface recovery of data and artifacts and recordation of structural and other data.

C. Grading, operation of equipment or other soil disturbance is prohibited in areas where a designated historic resource is present or could be damaged, except in accordance with a TRPA-approved resource protection plan. The resource protection plan shall indicate all such known areas on the site and shall indicate the measures that shall be taken to protect them.

D. Submit a de-watering plan.

E. Submit 3 sets of final revised plans to TRPA.

4. Prior to commencement of construction:

A. The permittee shall submit an updated construction schedule to TRPA prior to commencement of construction. This schedule shall identify dates for the following:

- When installation of temporary erosion control structures will occur;
- When each stage of construction will start;
- When construction spoils and debris will be removed;
- When installation of all permanent erosion control structures will occur;
- When construction will be completed;
- When restoration of staging areas will occur (within 30 days of project finish, staging areas shall be fully restored, mulched, and re-seeded);
- The estimated date for when the final inspection by TRPA Environmental Compliance staff will take place to ensure that all conditions of project approval have been satisfied.

5. **An onsite inspection by TRPA staff is required prior to any construction or grading activity.** TRPA staff shall determine if the onsite improvements required by Attachment Q (Standard Conditions of Approval) have been properly installed. No grading or construction shall commence until TRPA pre-grade conditions of approval are met.

6. The adequacy of all required BMPs, as shown on the final construction plans, shall be confirmed at the time of the TRPA pre-grading or pre-construction inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time. Adequate BMPs must be
installed prior to construction, regardless of the amount or type of BMPs shown on final construction plans.

7. All construction equipment working in or near Stream Environment Zones (SEZ) areas must be steam cleaned prior to mobilization at the project site and maintained in clean and good working order with maintenance logs made available to TRPA at their request.

8. All material obtained from any excavation work that is not contained within foundations, retaining walls, or by other methods approved by TRPA shall be removed from the subject parcel and disposed of at a site approved by TRPA.

9. If artifacts, archaeological soils, or unusual amounts of bone or shell are uncovered during the construction activities, all work in the area will be stopped and a qualified archeologist will be immediately contacted for on-site consultation.

10. The roots of trees (adjacent to the pathway) over four inches in diameter shall not be severed, if avoidable, pursuant to Subsection 65.2F of the TRPA Code of Ordinances.

11. Although not expected, if groundwater is intercepted during construction, the permittee shall immediately notify the TRPA Environmental Compliance Division. All activities in the vicinity of the intercepted groundwater shall cease until permission to recommence work has been granted by TRPA, based on an approved dewatering plan.

12. No trees shall be removed (other than those shown on the approved site plan) or trimmed for view enhancement purposes without prior TRPA written approval as per the Landscape and Revegetation Plan.

13. The trail and revegetated areas will be maintained over time consistent with the approved plans. Modifications to this facility, including improvements constructed in association with this project, shall be subject to TRPA review and approval.

14. 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.

15. Any modifications to the TRPA approved plans shall be submitted to TRPA for review and approval.

16. 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.

17. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The
approved land coverage figures shall supersede scaled drawings when discrepancies occur.

18. Grading is prohibited any time of the year during periods of precipitation and for the resulting period of time when the site is covered with snow, or is in a saturated, muddy, or instable conditions (pursuant to Subsection 64.2.C of the TRPA Code of Ordinances).

19. 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.

20. The permittee will not access private property without prior approval from the land owner.

21. Coverage required for completion of the project (Special Condition 3.A.1.a above) shall be transferred to the project area no later than April 28, 2013.

END OF PERMIT
MITIGATED STATEMENT OF NO SIGNIFICANT EFFECT

PROJECT DESCRIPTION: Sawmill 2A Bike Path and Erosion Control Project

TRPA PROJECT NUMBER: 520-101-00

FILE #EIPC2011-0012

PERMITTEE(S): El Dorado County Department of Transportation

COUNTY/LOCATION: El Dorado County/ Sawmill Road from Lake Tahoe Boulevard to Echo View Drive

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/Designee  Date
DEPARTMENT OF TRANSPORTATION
COUNTY OF EL DORADO, CA

PROJECT PLANS FOR THE CONSTRUCTION OF

SAWWIILL 2A BIKE PATH AND
EROSION CONTROL PROJECT

IN THE COUNTY OF EL DORADO, DISTRICT 5,
PORTION OF EAST 1/2 SEC 18, PORTION OF EAST 1/2 SEC 19,
PORTION OF NORTH 1/2 SEC 20, T12N, R18E, MDM

To be supplemented with Standard Plans and Specifications dated May 2006, including the amendments to the May 2006 Standard Specifications of the California Department of Transportation, unless otherwise noted.
36° SEDIMENT TRAP
AT 14+40.04 (SHEET P-1)

48° DOUBLE SEDIMENT TRAP
AT 21+76.39 (SHEET P-3)

36° SEDIMENT TRAP
AT 27+02.96 (SHEET P-6)

36° SEDIMENT TRAP
AT 41+82.11 (SHEET P-6)

36° TRIPLE SEDIMENT TRAP
AT 17+83.98 (SHEET P-2)

48° DOUBLE SEDIMENT TRAP
AT 26+91.85 (SHEET P-4)

36° TRIPLE SEDIMENT TRAP
AT 34+77.94 (SHEET P-5)

48° SEDIMENT TRAP
AT 43+42.86 (SHEET P-6)