MEMORANDUM

Date: June 2, 2011

To: TRPA Hearings Officer

From: Heather Beckman, Senior Planner / Manager IPES & Land Capability Program


Proposed Action: The applicants, Mark & Dana Parrish, request that the Hearings Officer review and approve the proposed Land Capability Challenge on the subject parcel.

Staff Recommendation: The staff recommends that the TRPA Hearings Officer approve the land capability challenge for the subject parcel that changes the Bailey Land Capability from Classes 1a (RtF) and 1b/Backshore, to Classes 2 (XXX), 4 (XXX) and 1b/Backshore.

Background: The parcel being challenged is shown on TRPA Land Capability Overlay Maps as Bailey Land Capability Class 1a. The Soil Conservation Service Soil Survey of Tahoe Basin Area, California-Nevada (Rogers, 1974) places the subject parcel within the following map unit: Rock outcrop-Toem complex (RtF), 30 to 50 percent slopes. The RtF soil map unit is consistent with the C-1 (Granitic foothills) geomorphic unit classification; moderate hazard lands. The Toem soil formed from granitic material.

A land capability verification was conducted by TRPA on this parcel in 2008, and verified the parcel as Bailey land capability Classes 1a (RtF) and 1b/Backshore. A detailed soil investigation, in preparation of a land capability challenge, was conducted on July 23, 2009 by Davis2 Consulting Earth Scientists. A land capability challenge was filed with TRPA on September 14, 2009. Field conditions were examined by TRPA staff on October 12, 2009. Multiple soil auger attempts were unsuccessful due to cobble refusal and TRPA requested that soil test pits be excavated for review. A second site visit was conducted by TRPA staff and contractor Eco:Logic on August 11, 2010.

Findings: The subject parcel contains two landforms and associated soil types – colluvial hillslope and lacustrine terrace, both exhibiting Unnamed (XXX) soils. The data provided by the applicant’s consultant, and concurred by TRPA staff/contractor, indicate the soils are unlike the Toem soil series as the soils are deeper (i.e. greater than 20 inches typical of Toem) and generally speaking have gentler slopes than those associated with Toem series. The soils on the above-referenced property are most appropriately described as Unnamed (XXX). The soils are deep to very deep, well-drained and members of Hydrologic Soil Group A. The properties of this Unnamed soil map unit warrant land capability Class 2 for 30 to 50 percent slopes and Class 4 (9 to 30 percent slopes) under the Bailey land capability system. The backshore was also delineated based on wave run up and area of instability calculations.
It is important to note that there are a number of areas on the property where the slope has been over-steepened due to site development (e.g. fill slope directly below Highway 50, fill slopes associated with the two driveways on the parcel, and rock lined slope associated with the constructed fill pad upon which the single family dwelling was constructed). As these areas have clearly artificially steepened slopes, the land capability in these areas is assigned based on the best approximation of the natural grade prior to development. This determination is based upon: 1) adjacent natural or undisturbed slopes, 2) reconstructing natural slopes based natural or undisturbed elevation points that bookend either side of the disturbed areas and 3) aerial photographs demonstrating the grading resulting in the over-steepened slopes occurred prior to 1972. Most specifically this applies to the area from contour line 6284 to 6264 which is topographically down slope from access driveways and presumed to be over steepened due to the grading associated with the driveways. Although the slopes in this area are ~36 to 37 percent, natural slopes are presumed to be less than 30 percent, and therefore most appropriately designated Class 4.

Staff Resources: The field investigation was conducted by TRPA Principal Soil Scientist Scott Frazier and Senior Planner Heather Beckman on October 12, 2009. Follow up field work was conducted by Heather Beckman and Ecologic on August 11, 2010. The equipment used in the field investigation included: tape measure, Munsell soil color charts and water bottles (to moisten soil).

The following table represents the changes in soil type and land classifications as proposed in this Land Capability Challenge.

<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Class</th>
<th>2008 LCV (~ sq ft)</th>
<th>2010 LCC (sq ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>RTF</td>
<td>1a</td>
<td>27,251</td>
<td>NA</td>
</tr>
<tr>
<td>Backshore</td>
<td>1b</td>
<td>8,727</td>
<td>3,394</td>
</tr>
<tr>
<td>XXX</td>
<td>2</td>
<td>NA</td>
<td>4,778</td>
</tr>
<tr>
<td>XXX</td>
<td>4</td>
<td>NA</td>
<td>28,076</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>36,248</td>
<td>36,248</td>
</tr>
</tbody>
</table>

If you have questions on this hearings officer item, please contact Heather Beckman, at 775-589-5313.
BAILEY LAND CAPABILITY CHALLENGE FINDINGS

<table>
<thead>
<tr>
<th>Site Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessor’s Parcel Numbers: APN</td>
<td>1418-22-510-003</td>
</tr>
<tr>
<td>TRPA File No. / Submittal Date:</td>
<td>LCAP2009-0216 / September 14, 2009</td>
</tr>
<tr>
<td>Owner or Applicant:</td>
<td>Mark &amp; Dana Parrish</td>
</tr>
<tr>
<td>Address:</td>
<td>1692 Hwy 50, Douglas County, NV</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Environmental Setting</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1974 Bailey Geomorphic Class and Hazard Designation</td>
<td>C-1 (Granitic foothills, moderate hazard lands)</td>
</tr>
<tr>
<td>Landform and Geology</td>
<td>Granitic colluvial footslope and lacustrine terrace</td>
</tr>
<tr>
<td>Soil Parent Material</td>
<td>Granitic colluvium and reworked lacustrine terrace deposits</td>
</tr>
<tr>
<td>Slopes and Aspect</td>
<td>21 to ~60% (adjusting as best as possible for over-steepened areas.)</td>
</tr>
<tr>
<td>Elevation and Datum</td>
<td>6229.1 to 6300 feet msl (from Turner &amp; Assoc. Surveyors)</td>
</tr>
<tr>
<td>Rock Outcrops and Surface Configuration</td>
<td>Several small Rock outcrops and boulders are present on the parcel</td>
</tr>
<tr>
<td>SEZ and Hydrology Source</td>
<td>Backshore</td>
</tr>
<tr>
<td>Vegetation</td>
<td>Mixed Conifer - Jeffrey pine, incense cedar and manzanita</td>
</tr>
<tr>
<td>Ground Cover Condition</td>
<td>Fair to Good (some barren ground)</td>
</tr>
<tr>
<td>Site Features</td>
<td>SFD, parking pad, cut/fill slopes associated with Hwy 50 and driveways</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Field Investigation and Procedures</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultant and Address</td>
<td>Sidney W. Davis, CPSSc, Davis2 Consulting Earth Scientists P.O. Box 734, Georgetown, CA 95634</td>
</tr>
<tr>
<td>TRPA Staff Field Dates</td>
<td>October 12, 2009 and August 11, 2010</td>
</tr>
<tr>
<td>Bailey Land Capability Class(es)¹</td>
<td>Rock outcrop-Toem complex (RtF), 30 to 50 percent slopes</td>
</tr>
<tr>
<td>SEZ Mapping / NRCS Hydric Soil</td>
<td>None</td>
</tr>
</tbody>
</table>

¹ TRPA currently relies upon the Soil Survey of Tahoe Basin, California-Nevada (Rogers and Soil Conservation Service, 1974), which the Bailey Land Capability system is predicated upon. The 2006 soil survey update has not yet been formally adopted by TRPA for use with land capability matters.
### Number of Soil Pits or Auger - Consultant
1 test pit and 1 exposed hill cut

### Additional or Repetitive TRPA Sample Locations
2 test pits in vicinity of Consultant sample locations

### Representative Soil Profile Descriptions
Attached

### Notable Soil Features and Depth
Loamy sand textures, soil depth to 40 inches and greater

### Areas Not Examined
Buildings, paved surfaces and cut/fill slopes

## Specific Findings for Granitic Footslope & Lacustrine Terrace

<table>
<thead>
<tr>
<th>2006 Soil Survey Map Unit</th>
<th>Cassenai</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultant Soil Mapping Determination and Rationale</td>
<td>Unnamed (XXX) – Class 2 for 30 to 50 percent slopes and Class 4 for 9 to 30 percent slopes. Soil is deep, excessively drained, HSG A. Unlike Toem as depth exceeds 20 inches and unlike related Cagwin soils due to lack of paralithic contact within 40 inches.</td>
</tr>
<tr>
<td>Slope Determination</td>
<td>21 to 40 percent (actual) – some areas exceed 30% slopes but that is due to cut and fill on the site and are not considered in the slope analysis.</td>
</tr>
<tr>
<td>TRPA Observations</td>
<td>Although the soil profiles were slightly different for both the Granitic Footslope and the Lacustrine Terrace, the ultimate result for each area was the same. Therefore both landforms/soils are included in this section. TRPA concurred with consultant’s ultimate XXX finding. TRPA concurs that the soil on this property are Unnamed, deep, excessively drained and HSG A. Based on this criteria and slopes, the soil is XXX Classes 2 and 4.</td>
</tr>
<tr>
<td>TRPA Conclusion(s)</td>
<td>Classes 2 and 4</td>
</tr>
<tr>
<td>Applicable Area</td>
<td>Entire Parcel</td>
</tr>
</tbody>
</table>

### Attachments:
- A. Site Plan showing proposed land capability challenge recommendations
- B. Eco:Logic Soil Profile description field notes
<table>
<thead>
<tr>
<th>SYMBOL</th>
<th>COMMON NAME</th>
<th>% GO COVER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

### MISCELLANEOUS FIELD NOTES / SKETCH:

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**AGENDA ITEM VI A.**
MEMORANDUM

Date:       June 2, 2011
To:         TRPA Hearings Officer
From:       TRPA Staff
Subject:    Single Family Dwelling Addition, 3850 Pine Blvd., South Lake Tahoe, California, Assessor’s Parcel Number (APN) 029-105-10, TRPA File #ERSP2010-1022

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

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

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

I. Approve the findings contained in this staff summary.

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

Project Description/Background:  The proposed project is an addition to an existing cabin which is a contributing structure to the Tahoe Meadows National Register Historic District. The cabin was designed by Bernard Maybeck, a renowned California architect, and constructed in the 1930’s. It was originally designed as a 12 by 22 foot cabin with a sleeping loft over the kitchen. In the 1970’s, an addition was constructed which added a bathroom and bedroom to the back of the cabin. The addition has no special architectural value and diminished the historical value of the original cabin. Despite the addition, the cabin was subsequently noted as a contributing structure in the Tahoe Meadows National Register District. This is presumably because the Maybeck portion was so overwhelmingly significant the 1970’s addition did not disqualify the overall building.

The proposed project will retain the remaining Maybeck portion of the structure and construct a new one story addition in the area of the 1970’s addition which will extend to a new two story portion of the building to the rear, away from the original Maybeck cabin. In order to free coverage for the expanded addition, a separate shed on the property will be demolished and areas of compacted soil revegetated. The shed is not identified as a historic structure. The expanded cabin will be generally located within the footprints of the existing residence and shed. In addition to construction of the new addition, distinctive exterior features (winter shutters and ‘dragon’ rafter trails) of the Maybeck
cabin which were lost over time will be restored.

Parking is provided on a parking pad constructed under a previous TRPA BMP Retrofit Permit (APN 510-104-05 / file #20070227) for the neighborhood. A second small paved area will be removed. That area and existing compacted soil areas will be revegetated while the compacted dirt walkway between the parking pad and residence will be paved in conjunction with the proposed project. Best Management Practices (BMPs) will be provided throughout the project area as a result of this project.

The project was initiated with the City of South Lake Tahoe under the MOU with TRPA. The project was transferred to TRPA to allow TRPA staff to administer the provisions of Chapter 29 of the TRPA Code of Ordinances regarding historic resource preservation.

Site Description: The site of the proposed project is an 18,018 square foot lot at 3850 Pine Boulevard within the Tahoe Meadows community in the City of South Lake Tahoe. The site is relatively flat and sparsely treed with small lodge pole and Jeffery pines. The existing structures are the cabin and shed located in the central portion of the lot. The paved parking pads and compacted dirt areas are located on the property frontage along Pine Boulevard. TRPA has verified the majority of the site, including the building site and parking areas, as low capability soils, Class 1b SEZ. An area of high capability soil, Class 7, is located along the back of the lot, towards US Hwy 50/Lake Tahoe Blvd. The base allowable coverage for the lot is calculated to be 1,225 square feet. TRPA has verified 1,999 square feet of existing coverage, all in Class 1b SEZ.

Issues/Concerns: Additions to eligible or designated historic resources require Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code.

The primary project related issues are historic resource protection and SEZ coverage relocation. The historic resource issue is analyzed in Attachment C – Regional Plan Compliance while the SEZ coverage relocation is discussed with the required TRPA Code Chapter 20 findings in Attachment A.

Regional Plan Compliance: The proposed project, as conditioned in the Draft Permit, complies with all requirements of the TRPA Goals and Policies, Plan Area Statement 090, and Code of Ordinances, including all required findings in Chapters 6, 20, 29 and 64 of the TRPA Code of Ordinances (see Attachment A for details).

Contact Information: If you have any questions, please contact Wendy Jepson at (775) 589-5269 or wjepson@trpa.org.

Attachments:
A. Required Findings/Rationale
B. Draft Permit
C. Regional Plan Compliance Analysis
D. Proposed Plans
E. Letter from Tahoe Meadows Association
F. Historic Resources Assessment Summary
G. Letter from CA Office of Historic Preservation

WJ/JK

AGENDA ITEM V.B
Attachment A - Required Findings/Rationale

A. The following is a list of the required findings as set forth in Chapters 6, 20, 29 and 64 of the TRPA Code of Ordinances. Following each finding, agency staff has briefly summarized the evidence on which the finding can be made.

1. Chapter 6 Findings:

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

   (1) Land Use: There is no change in use associated with the project. Single family dwellings are an allowed use within Plan Area Statement 090 – Tahoe Meadows, and this property will retain its residential land use classification. Temporary Best Management Practices (BMPs) will be installed as erosion control measures during construction. Permanent BMPs will be installed and designed to capture and infiltrate runoff volumes from a 20 year/1 hour storm. The new addition has a design, bulk and scale, and exterior colors and materials consistent with surrounding uses and the historic district. The project is consistent with TRPA’s Regional Plans including the Land Use Element of TRPA’s Goals and Policies.

   (2) Transportation: Traffic generated during construction will be temporary in nature. No additional permanent daily vehicle trip ends (dvte) are associated with the project. No significant impacts to Level of Service or Regional or Sub-Regional air quality are anticipated based on the TRPA Initial Environmental Checklist (IEC).

   (3) Conservation: This project will not adversely affect implementation of the Conservation Element of the Goals and Policies. There are no known special interest species at the project site. The proposed project has been evaluated with respect to TRPA’s historic resource protection requirements and been found consistent. Areas of existing coverage removal for relocation will be restored and revegetated with project completion.

   (4) Recreation: The proposed project is not within a recreation area and will have no affect on the recreational opportunities in the Lake Tahoe Basin.

   (5) Public Service Facilities: The project does not require additional public services and facilities because it is an
addition to an existing single family residence.

(6) Implementation: The project requires no additional development allocations 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 6.3.8 of the TRPA Code of Ordinances, and the TRPA Initial Environmental Checklist (IEC). All responses contained on said checklists indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklists will be made available at the Hearings Officer meeting and at the TRPA offices.

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

(Refer to paragraph 1.b, above.)

2. Chapter 20.5.C – Coverage Relocation Findings:

a. The relocation is to an equal or superior portion of the parcel or project area, as determined by reference to the following factors:

(1) Whether the area of relocation already has been disturbed;

(2) The slope of and natural vegetation on the area of relocation;

(3) The fragility of the soil on the area of relocation;

(4) Whether the area of relocation appropriately fits the scheme of use of the property;

(5) The relocation does not further encroach into a steam environment zone, backshore, or the setbacks established in the Code for protection of stream environment zones or backshore;

(6) The project otherwise complies with the land coverage mitigation program set forth in Section 20.5.

The areas from which coverage will be removed and where new
coverage will be placed are equivalent in terms of slope and natural vegetation, and fragility. The largest areas of removed coverage/revegetation are adjacent to Pine Boulevard where two areas of compacted soil will be eliminated and revegetated. Vehicle barriers will be placed to protect the restored areas. Relocation of coverage adjacent to areas surrounding the existing cabin and shed to accommodate the proposed addition is appropriate to the scheme of use for the property. These areas are also partially disturbed from existing use of the buildings. The relocation does not further encroach into the SEZ. The project has been conditioned to comply with the mitigation program in Section 20.5.

b. The area from which the land coverage was removed for relocation is restored in accordance with Subsection 20.4.C. The areas from which coverage is removed will be revegetated consistent with this requirement.

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

d. If the relocation is from one portion of a steam environment zone to another portion, there is a net environmental benefit to the stream environment zone. Net environmental benefit to a steam environment zone is defined as an improvement in the functioning of the stream environment zone and includes, but is not limited to:

(1) Relocation of coverage from a less disturbed area to a more disturbed area or an area further away from the stream channel;

There is no defined water course or stream channel adjacent to the property. The coverage relocation will concentrate coverage in the central portion of the site where buildings have long been located allowing disturbed areas at the perimeter of the lot to be revegetated and function naturally.

(2) Retirement of land coverage in the affected stream environment zone in the amount of 1.5:1 of the amount of land coverage being relocated within a stream environment zone; or

The project provides retirement of land coverage at a ratio 1.5:1 for relocated SEZ coverage consistent with this standard for environmental benefit within the SEZ.
(3) For projects involving the relocation of more than 1,000 square feet of land coverage within a stream environment zone, a finding, based on a report prepared by a qualified professional, that the relocation will improve the functioning of the stream environment zone and will not negatively affect the quality of existing habitats.

Not applicable as the amount of relocated SEZ coverage is less than 1,000 square feet.

3. Chapter 29.6 – Projects Relating to Historic Resources:

(a) Historic resources shall not be demolished, disturbed, or removed, unless TRPA finds that:

(1) The action will not be detrimental to the historic significance of the resource;

(2) The action is pursuant to a recovery plan approved by the applicable state historic preservation officer; OR

(3) It is the only feasible alternative to protect the health and safety of the public.

The applicant has provided a historic property assessment prepared by a qualified architectural historian which demonstrates the proposed project will not be detrimental to the historic significance of the resource (see Summary in Attachment E). Staff concurs with the reasoning and analysis in the assessment as detailed in the Historic Resource Protection section of the Regional Plan Compliance Analysis (Attachment C). The recommended mitigation measures from the historic resource assessment (retention/reinstatement of original exterior features and documentation of remaining interior craftsmanship and artisan work) have been incorporated into the draft permit.

4. Chapter 64.7.A(2) – Excavation Limitations: TRPA may approve exceptions to the prohibition of groundwater interception or interference if TRPA finds that:

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

The NRCS BMP Calculation Spreadsheet indicates groundwater may be located at 20 inches below grade at the project site. Excavation to 18 inches is required by code for the foundation required for the new structures and may intercept groundwater. These excavations are permitted because they are the minimum required by the building code for above ground structures.
Attachment B - Draft Permit

PROJECT DESCRIPTION: Single Family Dwelling Addition

PERMITTEE: Ronald & Adrienne Yank    FILE: #ERSP2010-0664

COUNTY/LOCATION: El Dorado County / 3850 Pine Boulevard, South Lake Tahoe

Having made the findings required by Agency ordinances and rules, TRPA Hearings Officer approved the project on June 9, 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 June 9, 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(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
(2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
(3) THE PERMITTEE OBTAINS A CITY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A CITY BUILDING PERMIT. THE CITY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
(4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

_____________________________________   ______________________
TRPA Executive Director/Designee    Date

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

Signature of Permittee(s)___________________________ Date___________________

(PERMIT CONTINUED ON NEXT PAGE)
Excess Coverage Mitigation Fee (1): Amount $________  Paid Receipt No.______

Additional Application Fee: (2): Amount

Security Posted (3): Amount $2,750  Type_______  Paid Receipt No.______

Security Administrative Fee (4): Amount $_________  Paid Receipt No.______

Notes:
(1) Amount to be determined. See Special Condition 3.E, below.
(2) See Special Condition 3.J, below.
(3) See Special Condition 3.I, below.
(4) $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 city building permit:

_____________________________________   ______________________
TRPA Executive Director/Designee    Date

SPECIAL CONDITIONS

1. This permit specifically authorizes the demolition of the shed and rear addition to the original historic cabin located at 3850 Pine Boulevard in Tahoe Meadows and the construction of a new addition with a two story component to the rear of the historic cabin. The foundation and wall of the addition shall be offset one foot from the plane of the original cabin wall to help distinguish the addition from the original structure. Historic exterior features including winter shutters and dragon rafter tails documented with the original construction shall be installed to restore the exterior appearance of the historic cabin. The distinctive window on the north elevation of the original cabin shall be preserved. Construction of decks and a paved walkway between the existing paved parking area and front deck are also authorized.

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

3. Prior to final permit acknowledgement the following conditions of approval shall be satisfied.

   A. The BMP/site plan (sheet C-2) shall be revised to include:

(2) Revise BMP structure dimensions for parking area to correspond to high groundwater depth limitations. Indicate slope on paved surface and conveyance to reach infiltration location.

(3) Parking barriers to restrict parking to approved parking surfaces only.

(4) Include off-site portions of paved and/or compacted soil areas designated for revegetation along with on-site portions. Provide vehicle barriers to prevent encroachment from road into restored areas.

(5) Accurate calculation of off-site coverage associated with the parking pad (198 SF).

(6) Modify existing site plan (sheet C-1) to indicate existing paving and coverage statistics consistent with TRPA verification (file #LCAP2008-0072).

B. The permittee shall submit calculations demonstrating that the proposed infiltration trenches are sized accordingly for the groundwater conditions, slope and soil type of the property and will capture and infiltrate a 20 year/1 hour storm event.

C. The permittee shall submit a record of the remaining distinctive interior features in the kitchen of the original cabin prepared by a qualified architectural historian documenting the interior craftsmanship and artisan work (consistent with recommendation on page 17 of Alpengroup report). Copies of this record shall be submitted to the archives at the University of California, Berkeley, Maybeck Foundation and Tahoe Meadows Association.

D. The permittee shall submit a dewatering plan for TRPA review and approval for implementation in the event ground water is intercepted during excavation.

E. The affected property has 582 square feet of excess land coverage. The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area 4 or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed, use the following formula:
Estimated project construction cost multiplied by the fee percentage of 0.12% (as identified in Table A of Subsection 20.5.A.(3), Chapter 20 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:

Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of $8.50 for projects within Hydrologic Transfer Area 4 – South State Line (CA side). Please provide a construction cost estimate by your licensed contractor, architect or engineer. In no case shall the mitigation fee be less than $200.00.

F. The steps/landings to the exterior decks shown on the floor plans shall be modified to be consistent with those shown on the site plan and coverage calculations.

G. The permittee shall submit final exterior color and material samples for TRPA approval to confirm that they are compatible with the original materials.

H. The permittee shall provide a landscape plan and fertilizer management plan in accordance with the standards required in Sections 30.7 and 81.7 of the TRPA Code of Ordinances for TRPA review and approval. Landscaping shall be specified in all areas where coverage is being removed and restored for relocation.

I. The security required under Standard Condition A.3 of Attachment R shall be $2,750.00. The project security will not be released until all areas disturbed by construction have been stabilized and/or restored. Please see Attachment J, Security Procedures for appropriate methods to post a security and for calculation of the required Security Administrative fee.

J. The permittee shall submit an additional $894.74 application fee based on floor area modified plus the addition.

K. The permittee shall provide three (3) sets of the proposed final plans for TRPA acknowledgement.

4. All exterior lighting shall be consistent with TRPA Code of Ordinances, Chapter 30 Design Standards.

5. Temporary erosion control structures must be maintained until disturbed areas

WJ/JK
are stabilized. Temporary erosion control structures shall be removed once the site has been stabilized.

6. Excavation equipment shall be limited to the building foundation footprint and parking footprint to minimize site disturbance. No grading or excavation shall be permitted outside of the building footprint and parking footprint as shown on the approved plans.

END OF PERMIT
Attachment C – Regional Plan Compliance Analysis

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

B. Plan Area Statement: The project area is located within the Tahoe Meadows Plan Area Statement – PAS 090. The Land Use Classification is Residential and the Management Strategy is Mitigation. Agency staff has reviewed PAS 090 and has determined that the proposed project is consistent with the applicable planning statement and planning considerations.

C. Land Coverage:

1. Land Capability District: The project area contains verified Land capability Class 1b and 7 (TRPA File #STD2007-0240). The total project area is 18,018 square feet.

2. Existing Coverage: TRPA File #LCAP2008-0072 verified 1,999 square feet of existing onsite coverage, all within Class 1b.

3. Base Allowable Coverage: The total base allowable coverage for the project area is 1,225 square feet. Base allowable coverage for the Class 7 portion of the project area is 1,081 square feet (3,602 square feet area multiplied by 30 percent). Base allowable coverage for the Class 1b portion of the project area is 144 square feet (14,416 square feet multiplied by 1 percent).

4. Proposed Coverage: Proposed coverage is 1,807 square feet. The proposed project involves 380 square feet of coverage relocation within Class 1b and will provide 190 square feet of coverage retirement as mitigation consistent with Subsection 20.5.C of the TRPA Code of Ordinances.

5. Excess Coverage: Based on the above coverage statistics, the project area will contain 582 square feet of excess land coverage (1,807 – 1,225). Pursuant to Subsection 20.5 of the TRPA Code of Ordinances, the applicant shall be required to either pay a mitigation fee or reduce existing coverage to mitigate the excess land coverage.

D. Historic Resource Protection: The proposed project affects a historic structure within a historic district and is thus subject to the provisions of Chapter 29 of the TRPA Code of Ordinances. Section 29.6 governs projects relating to historic resources.
29.6 Projects Relating to Historic Resources: As part of the application for a project affecting designated historic resources, TRPA may require a report documenting compliance with the standards in this chapter. The report may be submitted to the applicable state's historic preservation office for review. Projects and activities affecting designated resources shall comply with the following standards:

29.6.A Additions: Additions to historic structures, adjacent to a historic structure, within a historic district, or on a historic site, shall be in compliance with subsection 29.6.D. Additions shall be eligible for the exceptions in section 29.7, if such construction is required to attain the objectives of that section. Provisions from the Design Review Guidelines may be required as conditions of approval.

29.6.D Construction, Reconstruction, Repair, and Maintenance Standards: Construction, reconstruction, repair, and maintenance of historic resources shall be in accordance with the U.S. Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

The proposed project has been reviewed and approved by the Tahoe Meadows Association (see Attachment E). The association uses the U.S. Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings in its review process, consistent with the TRPA Code standards for the proposed project. In addition, a report consistent with Section 29.6 of the TRPA Code was prepared by the Alpengroup (see Summary in Attachment F). The report also concludes that the proposed project is consistent with the U.S. Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as required by the TRPA Code. The report was subsequently reviewed by the California State Historic Preservation Office (SHPO) which disagreed with the report’s conclusion of consistency (see Attachment G).

As noted in the SHPO letter, there are ten standards for a rehabilitation project and the project’s consistency with seven of them is not in question. The three standards with potential inconsistencies are quoted below:

Standard 1: A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Standard 2: The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 9: New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall...
be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

In applying these standards, two other statements from the Standards and Guidelines must be kept in mind:

"Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."

The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

When the current owners acquired this historic structure, it was in a state of significant disrepair. Without some “rehabilitation,” continued deterioration and eventual demolition is the fate of old buildings. This has been the fate of at least two contributing cabins in the Tahoe Meadows Historic District. The proposed project is intended to provide “an efficient contemporary use” which would support the preservation of those portions which are historically significant. Based on the reasoning below, staff agrees with the Alpengroup report and the Tahoe Meadows Association that the proposed project is consistent with U.S. Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as required by the TRPA Code.

With respect to Standard 1, the proposed and historic use is residential. SHPO notes that the original use was “intermittent habitation for recreational purposes” which was subsequently changed, with the previous addition, “to minimally habitable year round for occupancy of 2-3 people at most.” It appears that the SHPO objection is more properly related to building scale than use. The original “summer cabin” style of residential use was modified with the previous addition which established year round residential capability. Staff concurs with the Alpengroup analysis that the use is and will remain residential consistent with Standard 1.

Standard 2, regarding preservation of historic materials and features, applies to what remains of the original cabin. The previous addition is acknowledged to have no historical value. SHPO suggests that a larger or detached single story addition would be more appropriate than the proposed addition with a two story component. The concern is that the two story component does not appear subordinate to the original cabin. Requiring a single story does not take into account the coverage limitations which the TRPA Code also imposes. The TRPA Code requires a more compact footprint and reduced coverage with the addition rather than an expanded footprint. TRPA coverage restrictions must be recognized as technical feasibility considerations when applying this standard and determining what is reasonable. It does not appear that SHPO included this factor in their opinion. Staff concludes that the historic character of the original single story cabin will be preserved because it will be separated from the two story portion of the addition by a one story component which will be constructed in place of the previous (existing) addition to the historic cabin. And more to the point of this standard,
no existing materials or features which distinguish the original cabin will be removed. In fact, the proposed project will replace significant exterior features on the historic cabin (winter shutters and dragon rafter tails) which will restore the historic character of the cabin. Inclusion of such detail makes the original cabin much more visually interesting and the center of attention.

Standard 9 addresses the compatibility of the addition with the historic structure. Again, SHPO’s concern is primarily with the two story design of a portion of the addition without consideration of the coverage required to implement a single story addition which would achieve comparable utility for the owners. When TRPA environmental requirements are considered in the assessment, the appropriateness of the design proposed with a two story component at the far end is apparent. The new addition will also have wall offsets where it connects to the original building, clearly delineating the original from the addition. Staff concurs with the Tahoe Meadows Association overall assessment which found the addition to be “homage” to the original cabin with similar shape and distinctive windows but also differentiated from the original, consistent with this standard.
Attachment D – Proposed Project Plans
Attachment E – Tahoe Meadows Association Letter of Support/Approval
July 28, 2009

Hilary Hodges, Planning Manager
Planning Division
City of South Lake Tahoe
1052 Tata Lane
South Lake Tahoe, Ca. 96150-6251

Re.: Letter of support for the Yank’s addition to the Maybeck Cabin at 3850 Pine Blvd., in Tahoe Meadows and how the Tahoe Meadows Association approval process relates to the Standards of the Secretary of the Interior

Dear Ms. Hodges,

I write in my capacity as President of the Tahoe Meadows Association. I write expressing the strong support of the Association for the above addition.

As I think you know, the Tahoe Meadows Association utilizes in its own “Building and Design Standards”. Those standards set Design Goals “...to maintain the beautiful rustic character of woods, meadows and lake shore ...”. In addition they state “That the historic designation has served to further define the unique character of Tahoe Meadows...”. Under the Plan Approval Process of our standards, an historic statement is required. That statement among other things shall “...include a clear description of how existing historical Buildings are incorporated into the planned architectural design. Actions contrary to the U S Secretary of the Interior Standards and Guidelines must be addressed and justified with mitigation implementations detailed”. Under Architectural Design of our standards “The design shall be harmonious with existing historical Buildings... The U S Secretary of the Interior Standards and Guidelines for Rehabilitating Historic Buildings should be used as a guide...

It was within this framework that the Plan Package for the addition to the Yank’s cabin was reviewed and approved.

I think we probably would all agree that the Yank addition does not present an issue with regard to nine of the ten guidelines of the Secretary of the Interior. That is, there is no problem with the property not being used for its historic purpose, historic materials are not going to be removed, chemical materials or sandblasting is not going to occur, et cetera. The key guideline in question is number nine, which reads as follows:
“9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”

We noted that the two-story addition is well back from the original cabin. Changes that we requested were made, to reduce any tendency that the portion of the addition that is two-story would “loom” over the original cabin.

Second, and most important in our consideration, was the somewhat creative move by the Yanks to have that portion of the addition be, as they characterized it and we found, a “homage” to the original cabin. The addition with its shape (distinctively pitched roof) and distinctive windows invites one’s eyes to turn to the shape and window of the original cabin, if they had not alighted there first. Because the two-story portion of the addition takes off from the rear of the 1978 addition, we found both differentiation from the original and that the size and scale were appropriate to the size and scale of the original Maybeck.

The Tahoe Meadows Building and Design Committee concluded that the Yank’s design met the ten guidelines including number nine plus met the other standards of Tahoe Meadows and unanimously recommended approval to the Tahoe Meadows Board of Directors. The Board of Directors after their own review and with the recommendation from the Committee also unanimously approved the addition.

We believe that the historic integrity of the Maybeck cabin is being preserved and we urge you to approve the addition.

Very truly yours,

Gerald H. Trautman, Jr.
President, Tahoe Meadows Association

Cc.: Melinda Adams, Planning Technician
Ron and Adrienne Yank
Jim McDonnell, Tahoe Meadows Association Building Committee
Executive Summary

Alpengroup was retained by Mr. & Mrs. Ronald Yank to review their proposal for an addition to their property at 3850 Pine Road, Lot 8, Block F, located in Tahoe Meadows, El Dorado County, California.

The report took considerably longer to compile than anticipated in my original conversation with City staff in September. The budget cuts in California to various agencies, organizations and State government offices that housed or have access to materials, achieves and resources were either curtailed or had their staff and hours severely restricted causing a backlog of requests for research materials and access to historical or architectural archives.

This summary will commence with an analysis of whether the proposed addition comports with the Standards of the Secretary of the Interior. It will then move on to deal with the City's letter of August 12 and the contention that, somehow, the proposed addition would be a substantial adverse change to or degrade the classification of Tahoe Meadows as a Historic District. The report includes several appendices analyzing and describing several of the noteworthy structures that Bernard Maybeck designed for
Alpine communities or environments. The appendices also include documents you have referenced and letters you previously have sent to the Yanks.

Standards of the Secretary of the Interior

Turning now to the Secretary of the Interior's Standards for Rehabilitation, it appears that there are only two that are relevant, given the plans and proposed materials for construction. Those would be Standards number one and number nine. Standard number one states as follows:

"1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment."

The undisputed historic purpose of the cabin was and is residential. It has been used for preparing meals, eating, sleeping, talking and relaxing, and the like. The structure has included bathroom facilities since the early 1970s. The Yanks' planned use remains and is zoned by the City of South Lake Tahoe and the Tahoe Regional Planning Agency to be exclusively residential. If the Yanks planned to enlarge a kitchen and shrink a living room, or were to add two more bathrooms and eliminate a dining area, it would not matter; the historic use remains residential.
The second Standard of the Secretary of the Interior that is relevant is Standard number nine, which reads as follows:

"9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."

Here we start by noting that the 1970s addition has not been in place for 50 years and is of pedestrian design. It deserves no consideration in terms of the Standards of the Secretary of the Interior. The City staff, of course, originally seemed to recognize that condition, because your letter from June 17, 2009 does not reference the changes to the 1970s’ addition in the Yanks’ original plans and which continue in the three options presently before you. Obviously, the addition is differentiated from the original cabin, because it is separated from it by the non-historic 1970s structure.

The Yanks appreciate the fact that in paragraph number two, page 2 of your letter of August 12 you now have allowed the addition to be two stories. But had you not, I still would be making the following comment: after reviewing the proposed changes to the addition built in the 1970s and the three sets of plans that the Yanks have submitted to
you, having previously been familiar with the works of Bernard Maybeck, and having reviewed many of the structures that Maybeck designed in Alpine settings, it is my professional opinion that the proposed addition is compatible with the massing, size, scale, and architectural features of the original Maybeck cabin and that the addition does protect the historic integrity of the property and its environment.

Response to Concerns Relative to Historic District

My conclusion is based on my recent review of the structures described and sometimes pictured in part in the appendices to this report. As I describe later in this report a section that deals with your concerns about the cabin being part of a Historic District, the architect that the Yanks used to design their proposed addition inadvertently came close to the design that Bernard Maybeck created himself for his residence at Twain Harte, with a larger cabin or living area to the rear of a smaller and similar forward section.

I was pleased to learn that the Tahoe Meadows Association reached the same conclusion. The Association, of course, utilizes the same standards in determining the propriety of a structural addition that your office and I are tasked with. That is, the Association utilizes in its reviews the Standards of the Secretary of the Interior. It is also a factor to be taken into consideration that Tahoe Meadows is a gated community, and that members of the Tahoe Meadows Association have the same interests as a government
oversight body, such as yours, in protecting the historic integrity of the cabin and its environment.

That observation serves as a segue into my discussion relative to the points you made in your August 12 letter about the Historic District.

I will directly address point by point the Planning Division staff’s outline of acceptable revisions in the subject letter of August 12th.

"The three different sets of revised plans you submitted for review showed minor changes to address our request to have the proposed addition appear to be distinct from, and subordinate to the original cabin. We appreciate the proposal to re-install the winter shutters and rafter ails to restore some of the original cabin design. The plans also indicate a 6’ offset in the foundations of the original cabin footprint and the proposed two story structure in "Option B and C" and a small separation between the original cabin and the new construction in "Option A". Unfortunately we have not found that these changes are enough for us to make the finding required by CEQA and the US Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."
Section 5020.1 under CEQA establishes the threshold of "substantial adverse change" as alteration activities that would impair the significance of the historic resource. One example might be the removal of a historic structure from a Historical District, thereby affecting the cohesiveness of the Historical District. Remodeling a historic structure in such a way that its distinctive nature is altered would be another way affecting the cohesiveness of a Historical District. The proposed Options A, B, & C are not a "substantial adverse change" to the Historical District since the original Maybeck structure remains intact and the cohesiveness of the Historical District remains intact. The proposed Options are also in compliance with TRPA's Code of Ordinances, Chapter 29, 29.6.A, Subsection 29.6.D, and 29.7.

Our analysis of the proposed addition concludes that the project will have no significant environmental effect and when there is no substantial evidence of an adverse change, the relevant sections of CEQA have been met. *Citizen's for Responsible Development in West Hollywood v. City of West Hollywood* (1995) 39 Cal.App.4th 925

The proposed Options also fulfill the findings required by CEQA and the US Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Chapter 29 of the TRPA Code of Ordinances was designed to grant exceptions to provisions of the Code to encourage the protection and maintenance of structures in an Historical District and therefore discourage demolition of historic structures. Chapter 29 of the TRPA Code of Ordinances 29.6.D & 29.7.
"In further study of the National Register of Historic Places, your original cabin along with the addition in the 1970’s era is listed as part of the contributing structures in Tahoe Meadows. Due to this new reference we recommend that the 1970’s addition be included in the front portion of the cabin and the proposed addition be either attached to the rear of the 1970’s addition by a breezeway or be built as stand alone sleeping quarters, as is referred to the use of many of the other contributing cabins in the Tahoe Meadows."

The nomination of the structure with the 1970’s addition was not considered because the addition was not a contributing design factor nor did it meet any of the prerequisite requirements of resources “Embodying Distinctive Characteristics”:

“Resources that embody the distinctive characteristics of a type, period, or method of construction, that possess high artistic values, or that represent a significant and distinguishable entity. Works of a master builder, designer or architect or resources may be classified as significant if they are a prototype of, or a representative example of, a period style, architectural movement, or method of construction unique in the Region.”
It was the Maybeck structure that was so overwhelmingly significant as a contributor to the Historical District that the 1970's addition did not diminish its addition to the Historical District. The 1970's addition's alteration will only enhance the contribution to the Historical District if it is incorporated with one of the Options proposed.

There is not "substantial evidence" in the administrative record or the nomination to support a finding of significant effect of the 1970's addition. Substantial evidence is defined in Public Resources Code Section 21080(e) as including "facts, reasonable assumptions predicated upon facts. “Citizen’s Committee to Save Our Village v. City of Claremont” (1995) 37 Cal.App.4th 1157.

It should also be noted that while there is reference in the nomination that a "common practice {in Tahoe Meadows} was the building of separate structures for sleeping," it was not contained in the Protective Covenant of June 27, 1937 or reconfirmed in the Design Standards adopted April 4, 1973 and in reviewing the sites contained in the Historical District only twelve (12) contain sleeping cabins, (one of which is connected to the main cabin) out of eighty-nine (89) contributing resources in the Historical District. By no means an overwhelming design criteria to use as condition of approval for additions or modifications to structures within the Historical District. Chapter 29 of the TRPA Code of Ordinances 29.6.D & 29.7.
To retain the previous addition as much as possible but allowing you to raise the floor, the Planning Division is recommending you only add a small area on the northeast side to the previous addition to straighten out the indent on that side; thus giving you a more useable area for your living room. Planning Division is also recommending that you offset the two story addition by approximately 4'.

While this seems to be a site design issue that the Planning Division is concerned with, I do not concur that an offset would be beneficial to the site design or help the proposed project significantly contribute additional value to the Historical District. I would reiterate that the nomination of the structure with the 1970’s addition was not because the addition was a contributing design factor nor did it meet any of the prerequisite requirements of resources “Embodying Distinctive Characteristics”:

“Resources that embody the distinctive characteristics of a type, period, or method of construction, that possess high artistic values, or that represent a significant and distinguishable entity. Works of a master builder, designer or architect or resources may be classified as significant if they are a prototype of, or a representative example of, a period style, architectural movement, or method of construction unique in the Region.”
In keeping with the US Secretary of Interior's Standards for Rehabilitation #1, the proposed addition is being used for more that it's historic purpose and is more than minimal change to the site and environment. Tahoe Meadows was developed as summer cabin community and reference is also made that the common practice was to build separate structures for sleeping. The walk-in closet, two sink master bathroom, powder room and enlarged living room do not retain the historic propose of the site.

It is clearly stated in the Department of Interior regulation, 36 CFR 67, that the Secretary of the Interior's Standards for Rehabilitation are to be applied to specific projects in a reasonable manner, taking into consideration economic and technical feasibility and encourages the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

While the proposed addition is more than a minimal change to the site it does not change the defining characteristics of the building that is deemed contributing to the Historical District. If it can meet the Tahoe Regional Planning Agency's strict environmental code it certainly does not affect the sites environment and would not exceed CEQA's Section 5020.1 threshold of "substantial adverse change".
I would reiterate that it while there is reference in the nomination that a “common practice (in Tahoe Meadows) was the building of separate structures for sleeping”, it was not contained in the Protective Covenant of June 27, 1937 or reconfirmed in the Design Standards adopted April 4, 1973 and in reviewing the site’s contained in the Historical District only twelve (12) contain sleeping cabins, (one of which is connected to the main cabin) out of eighty-nine (89) contributing resources in the Historical District. By no means an overwhelming design criteria to use as condition of approval for additions or modifications to structures within the Historical District. It would not meet the standards nor be required in TRPA’s Code of Ordinances, Chapter 29, 29.6.C.

In addition the Secretary of the Interior’s Standards does not propose guidelines for residential interiors and does not discriminate to whether having one or two sinks, or bathrooms, will impact the integrity of the Historical District.

*Based on our further review City staff is recommending some acceptable revisions as follows:*

*Maintain the original cabin and 1970’s addition intact with minimal addition to the 1970’s addition as described above.*

None of the ten standards of the US Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings would be applicable in maintaining
the integrity of the 1970's addition. The nomination of the structure with the 1970's addition was not because the addition was a contributing design factor nor did it meet any of the prerequisite requirements of resources “Embodying Distinctive Characteristics”:

“Resources that embody the distinctive characteristics of a type, period, or method of construction, that possess high artistic values, or that represent a significant and distinguishable entity. Works of a master builder, designer or architect or resources may be classified as significant if they are a prototype of, or a representative example of, a period style, architectural movement, or method of construction unique in the Region.”

I will be repeating verbatim the above comments as I discuss the remaining points of the letter. It was the Maybeck structure that was so overwhelmingly significant as a contributor to the Historical District that the 1970’s addition did not diminish it’s addition to the Historical District. The 1970’s addition’s alteration will only enhance the contribution to the Historical District if it is incorporated with one of the options proposed.

*Separate the proposed two story addition from the cabin and 1970’s addition or connect it to the back of the 1970’s era addition by a breezeway or enclosed porch.*
None of the ten standards of the US Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings would be applicable in separating the addition or connecting it to the back of addition to maintain the integrity of the 1970’s addition. The nomination of the structure with the 1970’s addition was not because the addition was a contributing design factor nor did it meet any of the prerequisite requirements of resources “Embodying Distinctive Characteristics”:

“Resources that embody the distinctive characteristics of a type, period, or method of construction, that possess high artistic values, or that represent a significant and distinguishable entity. Works of a master builder, designer or architect or resources may be classified as significant if they are a prototype of, or a representative example of, a period style, architectural movement, or method of construction unique in the Region.”

It was the Maybeck structure that was so overwhelmingly significant as a contributor to the Historical District that the 1970’s addition did not diminish it’s addition to the Historical District. The 1970’s addition’s alteration will only enhance the contribution to the Historical District if it is incorporated with one of the options proposed.

Reduce the size of the addition in length by at least 4 feet by removing one of the bathrooms, reducing the size of the bathrooms and possibly replacing the walk-in closet with a standard closet.
None of the ten standards of the US Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings or the TRPA Code of Ordinances, Chapter 29, would be applicable in reducing the allowable coverage nor would there be an enhancement of the integrity of the Historical District by reducing 4 (four) feet of the addition. Neither the TRPA or the Secretary of the Interior’s Standards propose guidelines for residential interiors.

*Offset the foundation of the two story portion by at least four feet from the alignment with the original cabin foundation.*

None of the ten standards of the US Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings the TRPA Code of Ordinances, Chapter 29, would be applicable in reducing the allowable coverage nor would there be an enhancement of the integrity of the Historical District by reducing 4 (four) feet of the addition. Neither the TRPA or the Secretary of the Interior’s Standards propose guidelines for residential interiors.

*The 1970’s addition/footings that were added at a later date may be raised to match the original cabin.*
The addition as proposed would be more in line with the Secretary of the Interior’s Standards than trying to hodgepodge several dissimilar vernaculars. The distinctive features, finishes, and construction techniques and examples of craftsman and design (dragon-tail rafters) that characterize the original structure would be diminished by keeping the 1970’s addition in the design.

*The proposed kitchen appears to be a complete remodel. The distinctive features of the pine cabins, stenciling and carvings should be preserved.*

While the Secretary of the Interior’s Standards does not propose guidelines for residential interiors nor would the kitchen remodel come under any historical requirements as listed as a contributing element in the Historical District, I would strongly urge that the Planning Division encourage the applicants to allow documentation of the interior craftsmanship and artisan work to be added to the historical record and/or archives at the University of California, Berkeley and the Maybeck Foundation.

*The original shutters that had been removed from the original cabin are being proposed to be added back to the existing cabin. The plans show them much larger than the original shutters. The shutters should be reduced in size to match the original size.*
Secretary of the Interior’s Standards Number 2 speaks directly to this issue and there is ample documentation of the original shutters and dragon-tail rafters to be able to retain these elements in the proposed design. I would strongly urge the Planning Division to condition the permit to have these elements incorporated in the final building plans.

In summary, our analysis of the proposed Options presented to the Planning Division by the applicant would lead us to recommend either Option B or Option C as the having the least impact to the contributing elements of the overall Historical District.

This would be an example for future considerations by Tahoe Meadows in hope that they may influence and encourage preservation of the Historical District by encouraging a review process that considers proposals in a reasonable manner, taking into consideration economic and technical feasibility and encourages the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

Report Overview

The Yank’s have proposed an addition to their cabin which has been attributed to being designed by Bernard Maybeck in the Registration Form that was submitted to the United States Department of the Interior, National Register of Historic Places to nominate Tahoe Meadows as an Historic District.
This report was prepared to make several determinations:

- Review and address the concerns of the City of South Lake Tahoe’s Planning staff as addressed in the letter of August 12, 2009.

- Determine if the proposed addition is in compliance with the intent of the Secretary of the Interior’s Standards for Rehabilitation.

- Determine if the cabin was in fact designed by Bernard Maybeck.

- Review Bernard Maybeck’s scope of work in the Lake Tahoe Basin and the Sierra Nevada.

There is an important overriding consideration to take into any account on any historic property within the Tahoe Basin. It is the Code of Ordinance restrictions in place with the Tahoe Regional Planning Agency. The other consideration that is most frustrating for Architectural Historians is the lack of consistent review process for demolition of historic structures in the Lake Tahoe Basin. While there are no regulatory mechanisms in either Nevada or California to prevent an historic structure from being demolished, there are requirements for documentation. We are losing the opportunity to capture Lake Tahoe’s fleeting history. Not just the structures and their architectural history but the history of the habitants, the families who spent lives in the area, the daily record of life in the Tahoe Sierra.
As seen in the past decades there has been a premium placed on the property at Lake Tahoe less so than the structure. The first phase was to remodel the existing structure to increase the value, the second phase was to tear down the existing structure and consolidate the coverage to build a larger structure to the third phase of consolidating several lots, tearing down several houses to build yet a larger structure. This can take place even in an Historic District.

What was once considered a common usage of structures, houses, or way of life has changed in contemporary times. And to encourage and allow those residents who chose to keep an historic structure while also returning the property to a state of utility which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values is the charge of the reviewing offices in their duties of enforcement.

This is stated in the Secretary of the Interior’s Standards for Rehabilitation:

"The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

"Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."
In regards to the 7 (seven) items outlined in the letter of August 12, 2009 from the City of South Lake Tahoe Community Development Department, as acceptable revisions requested by the department to the Yank’s to modify their proposal; there are no standards, guidelines, nor statutory requirements, nor precedence in requiring an applicant to modify the interior of a residential dwelling or structure, number of bathrooms, sinks, or other interior features, as outlined in the letter.

Reference by staff that the proposal does not retain the historic purpose of the site is an inaccurate interpretation of the guidelines, in that this is a residential dwelling not a museum, other commercial or accessory use. The historic purpose is a dwelling and as a residential dwelling the Secretary’s guidelines do not discriminate whether rehabilitation contains one or two sinks in the master bedroom or number of bathrooms in the interior.

While distinctive interior features should be documented, they are not required to be preserved. It is the facade and the elements of setting, such as the relationship of buildings to each other, setbacks, fence patterns, views, driveways and walkways, and street trees that together create the character of a district or neighborhood, that is important in preserving. While located in an historic district in which everything, including new surrounding contemporary homes, have an impact on the historic district to some extent, it is the overall integrity of this district of the many existing historic individual buildings that form the neighborhood or setting environment.
Of those items listed, only item 7, regarding the size of the original shutters should be considered in their proposal.

The proposal by the Yank's clearly uses the coverage constraints under the code to allow a reasonable use of the property while still convening the overall character of the Tahoe Meadows Historic District and echoes the philosophy stated in the protective covenant dated June 27, 1937, which was reconfirmed in the Building and Design Standards adopted April 4, 1973:

The object of the owners of land in Tahoe Meadows is to maintain the beautiful rustic character of the woods, meadows and the lake shore and to insure that it shall not be spoiled by overcrowding of lots, fire, insanitary condition, or other damage to the natural lands.

The Yank's proposed addition is designed with sensitivity to the original Maybeck plan.

Thus, research for this report revealed that Maybeck himself designed a larger addition to his own cabin in Twain Harte that is uncannily similar to the Yanks design, even though their architect was unaware of the previous design at the time he drew the plans.

Similar to the design used for the Thunderbird Lodge on the East Shore of Lake Tahoe, the proposal has a connection to the old cabin that minimized the intrusion and the
proposal does not enlarge the allowable coverage for the site. With a nod towards preservation of the site, it also does not include a garage on the parking pad.

The overall addition is a complement rather than an incompatible intrusion and meets the findings required by the Secretary of the Interior’s Standards.

It is this author’s opinion that there is no doubt this is a structure designed by and bearing the trademarks of Bernard Maybeck.

Two of the most telling references to Maybeck’s hand in the Yank structure come from his design of his own cabin at Twain Harte and the dragon design of the rafter tails. The Twain Harte cabin was one story with a two story addition, gable roofed with wood shingles, shingled siding and large steel-sash 20 panel windows on the front of the single story and 9 panel windows used on the other sections of the cabin. Winter shutters and French doors. The design elements are so similar to the structures attributed to Maybeck at Tahoe Meadows that it cannot be a coincidence.

The other design element that is a signature of Maybeck is the design of the dragon rafter tails. These designs are the exact same element used by Maybeck on interior of the Faculty Club at the University of California, Berkeley. Again this is tantamount to an artist’s signature on a portrait.
Attachment G – Comment Letter from CA Office of Historic Preservation
March 1, 2010

Melinda Adams
City of South Lake Tahoe
1052 Tata Lane
South Lake Tahoe, CA 96150-0323

RE: 3850 Pine Road, South Lake Tahoe, California

Dear Ms. Adams:

Pursuant to Tahoe Regional Planning Agency Ordinance, you have requested my comments and recommendation regarding the proposed addition to the above cited historical resource. As previously noted, this small cottage was designed by Bernard Maybeck and is a contributor to the Tahoe Meadows National Register District.

On June 8, 2009, I made the following recommendations to guide development of architectural plans for an addition to the building:

- Retain and reuse the original building.
- All building expansion be constructed to the rear of the existing cottage and not directly attached, but a connecting porch or breezeway would be acceptable.
- All new construction remains at one story and appears subordinate to the original Maybeck cottage.
- New exterior materials are compatible with the original materials.


It is my understanding from the documentation you have provided that the City then issued comments to the property owners on June 17, 2009 that incorporated many of my recommendations and added those of the City. In a letter from the City dated August 12, 2009 it once again responded to the property owners’ request for review of the revised plans. Since that time, the property owners contracted with the Alpengroup who prepared a report entitled Historic Property Report for Ronald & Adrienne Yank: Bernard Maybeck, Designs in the Sierra Nevada (December 14, 2009). The City has requested my review of this report and a consideration of the project’s plans.

OHP does not play a regulatory role in the TRPA process. It does not issue permits or any other type of approvals. Comments are offered on the historic significance of a resource and
recommendations to avoid significant adverse effects to historical resources are given when requested.

The Alpengroup report responds to the City's August 12, 2009 letter to the owner. In doing so it provides an evaluation of application of the Secretary of the Interior's Standards. It indicates only two of the Standards apply to the project (1 and 9).

We disagree with Alpengroup's conclusion. All ten Standards must be satisfied for a rehabilitation project. Given the reduced, single sheet plans which were appended to the report that were to be used for our review, we are not prepared to offer specific comments. However, all three alternatives as proposed are not consistent with our recommendations and we do not believe they meet the Standards.

While there clearly is room for interpretation in the Standards, our interpretation of the Standards regarding the proposed project is offered here:

Standard 1: Although the use of the Maybeck house can be said to be residential, it was originally designed for intermittent habitation for recreational purposes, and expanded later to be minimally habitable year round for occupancy of 2-3 people at the most. Expanding the capacity of the residence to include accommodation of an extended family of several adults and several children stretches the claim of compatible use to just beyond its limit. While the City and the homeowners association may choose to grant such an expansion, it should not do so by citing conformance with the Standards.

Standard 2: The historic character of a property shall be retained and preserved. Removal of alterations of features and spaces that characterize a property shall be avoided. A large structure to the back is proposed for demolition, while an addition of nearly the same mass and location is proposed in its place which is taller. An appropriate and more sustainable solution compatible with Standard 2 would be the rehabilitation of this structure for additional family, or new construction of a one story structure as originally recommended.

Standard 3: Each property shall be recognized as a physical record of its time, place, and use. While the large addition to the rear changes the scale of the built portion of the property, the project could be said to remain as a physical record with the retention of the original Maybeck cabin.

Standard 4: Most properties change over time. We agree that the 1970s addition has not acquired significance over time and may be modified.

Standard 5: Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property must be preserved. This Standard may be satisfied with the retention and repair of the Maybeck cabin on the exterior and Interior, but is less satisfied with the removal of the structure to the rear which retains its own sense of craftsmanship and construction technique.

Standard 6: Repair historic features rather than replace. The repair of the Maybeck cabin would conform to this Standard.

The proposed project appears to conform to Standards 7 and 8.
Standard 9: New additions, exterior alterations, or related new construction shall not destroy historic materials, and the new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. The proposed addition is not compatible with the massing, size and scale of the property and its environment. It would appear too dominant to the cabin and not subordinate. The project as proposed.

Standard 10: The new addition appears to be attached in such a way as to retain the original Maybeck cabin.

OHP’s conclusion is that the project as proposed does not meet the Secretary of the Interior’s Standard 1, with additional nonconformance to Standards 2 and 9 resulting directly. The proposed project is too large, because the scale of habitation exceeds the historic use of the property.

The recommendations we originally proposed were an attempt to guide the development of an addition that met the Standards, and is sympathetic to the original Maybeck design, while addressing the goal of the owners for more space. I am aware of the restriction already placed on the owners in trying to develop these plans. I am also very familiar with the historic significance of the Tahoe Meadow National Register nomination and designation as a listed historic district that was originally processed through my Office.

The Alpengroup’s report provides a discussion of substantial adverse change under the California Environmental Quality Act. Since my Office has not been asked nor have we conducted such an evaluation as to whether the options for constructing an addition would rise to a level of adverse change, we will not comment as to the conclusion offered in the report. Such an evaluation would require more information then we currently have in our files.

The Alpengroup’s report also provides a discussion of Maybeck’s work as an architect. However, the current project should be evaluated not within the context of his entire portfolio but within the context of his design for this recreational residence located within the Tahoe Meadow Historic District. Maybeck and his clients succeeded in the realization of a design harmonious with its specific Tahoe environment.

In summary, the Alpengroup’s report attempts to provide justification as to why the current plans would meet the Secretary of the Interior’s Standards and the regulatory framework for project approval. I disagree and stand by my previous recommendations.

Sincerely,

[Signature]

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer
MEMORANDUM

To: TRPA Hearings Officer
From: Charlene Parish, MCP
Date: June 09, 2011
Subject: Miller Residence Construction Project to: Remove the Existing Deck and Rebuild a Larger Deck to Create a Carport/Parking Pad to an Existing Single Family Dwelling Located at, 955 Jennifer St., Incline Village, NV.

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

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

Project Description: The applicant proposes to remove the existing deck and rebuild a larger deck therefore creating a carport/parking pad below the new deck.

Site Description: The existing residence is located at 955 Jennifer St., Incline Village, NV., Washoe County. The parcel size is 13,566 square feet with a verified land capability of Class 1a (MsE). The base allowable coverage for this parcel is 136 square feet per a Site Assessment dated September 17, 2010. The verified land coverage for this parcel is 2273 square feet. The verified coverage will be relocated to allow for the addition of the new garage.

Issues: According to Plan Area Statement 042, Incline Village No 5, single family dwellings are considered a special use due to avalanche danger and therefore require Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code of Ordinances.
1. **Avalanche Hazard Area:** An Avalanche Hazard Evaluation was conducted for the subject parcel by Dick Penniman (Attachment D). The evaluation concluded that the subject parcel is at risk for an avalanche. As a condition of approval the applicant will be required to record a deed restriction that indemnifies Washoe County and TRPA harmless if any property on this parcel is damaged or destroyed as a result of an avalanche.

**Staff Analysis:**

A. **Environmental Documentation:** Washoe County 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. A copy of the completed checklist will be made available at the Hearings Officer hearing and at TRPA and Washoe County.

B. **Community Plan Area:** The project is located within Plan Area Statement 042, Incline Village #5. The Land Use Classification is Residential and the Management Strategy is Mitigation. Washoe County staff has reviewed the subject Plan Statement Area and has determined that the project is consistent with applicable planning statement, planning considerations, and special policies. The proposed use (single family dwelling) is listed as a special use.

C. **Required Findings:** The following is a list of the required findings as set forth in Chapters 6, 18, 20, 22 of the TRPA Code of Ordinances. Following each finding, Washoe County 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 program.

The proposed project is approvable under the Code of Ordinances and applicable Plan Area Statement. The project will not 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.

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 6.3B of
the TRPA Code of Ordinances. All responses contained on
said checklist indicate compliance with the environmental
thresholds carrying capacities. A copy of the completed
checklist will be made available at the Hearings Officer
hearing, TRPA and at Washoe County.

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

All potential effects are temporary and shall be mitigated
through temporary and permanent Best Management
Practices. The applicant will meet or exceed all federal, state
or local air and water quality standards. Upon completion of
construction, the project will have no impact upon the water
quality standards.

2. Chapter 18 – Special Use:

(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 project consists of a single car carport that will be
constructed under an existing exterior deck and is connected to
the existing home. The residential modification is located within an
existing residential neighborhood with homes of similar size, scale
and function

(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 apply both temporary and
permanent Best Management Practices to protect the land,
water, and air resources of the subject property and that of
the surrounding property owners. An Avalanche Hazard
Evaluation was prepared by Dick Penniman for the
subject parcel. The evaluation concluded that this property
is not threatened by snow avalanches. As a condition of
approval, the applicant will be required to record a deed
restriction that indemnifies and holds Washoe County and
TRPA harmless if any property on this parcel is damaged
or destroyed as a result of an avalanche.
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 to which the use pertains will not change the character of the neighborhood since the addition of a single-story carport is consistent with the character of the neighborhood. Similar homes in the area have carports or garages. The project to which the use pertains will not detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan since the Planning Statement for Plan Area 042 Incline Village #5 state that “This area should continue as residential, maintaining the existing character of the neighborhood. The proposed project will not affect the existing character of the neighborhood.

3. Chapter 20.5.C – Relocation of Existing Land Coverage: Existing land coverage may be relocated on the same parcel or project if TRPA finds that:

(1) The relocation is to an equal or superior portion of the parcel or project area, as determined by reference to the following factors:

(a) Whether the area of relocation already has been disturbed;
(b) The slope of and natural vegetation on the area of relocation;
(c) The fragility of the soil on the area of relocation;
(d) Whether the area of relocation appropriately fits the scheme of use of the property;
(e) The relocation does not further encroach into a stream environment zone, backshore, or the setbacks established in the Code for the protection of stream environment zones or backshore;

The relocation is to an equal or superior portion of the parcel or project area.

(a) The area where coverage is relocated to has been disturbed.
(b) The slope and natural vegetation of the area is similar to the area of origin.
(c) The fragility of the soil is similar for both areas.
(d) The area of relocation appropriately fits the scheme of use of the property.
(e) There is no SEZ on the property. The relocation does not further encroach into the backshore or any other setbacks.

(f) The project complies with the land coverage mitigation program set forth in Section 20.5.

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

The area from which the land coverage will be removed will be restored in accordance with Subsection 20.4.C.

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

The relocation area and the area from which the land coverage was removed is within Land Capability 1a.

4) 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. Net environmental benefit to a stream environment zone is defined as an improvement in the functioning of the stream environment zone and includes, but is not limited to:

(a) Relocation of coverage from a less disturbed area to a more disturbed area or to an area further away from the stream channel;
(b) Retirement of land coverage in the affected stream environment zone in the amount of 1.5:1 of the amount of land coverage being relocated within a stream environment zone; or
(c) For projects involving the relocation of more than 1000 square feet of land coverage within a stream environment zone, a finding, based on a report prepared by a qualified professional, that the relocation will improve the functioning of the stream environment zone and will not negatively affect the quality of existing habitats.

There is no SEZ on property.

4. **Chapter 22 – Height:**

(a) When viewed from major arterials, scenic turnouts, public recreation areas or the waters of Lake Tahoe, from a distance of
300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline.

The project is not visible from major arterials, turnouts, public recreation areas or the waters of Lake Tahoe. The additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline. The project will not increase the visual magnitude beyond that permitted for structures in the shoreland as set forth in Section 30.15.G, Additional Visual Magnitude, or Appendix H§§, Visual Assessment Tool, of the Design Review Guidelines.

(b) When outside a community plan, the additional height is consistent with the surrounding uses.

The proposed addition and remodel of the residence will not increase the overall height of the building and is consistent in scale with the surrounding residences.

(c) The maximum building height at any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height. The maximum height at the corner of two exterior walls is the difference between the point of lowest natural ground elevation along an exterior wall of the building, and point at which the corner of the same exterior wall meets the roof.

The maximum height at any corner of the two exterior walls of the building is not greater than 90 percent of the building height.

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

I. Approve a finding of no significant environmental effect, based on this staff summary and evidence contained in the project file and record, and the findings contained in this staff summary.

II. Approve the project, based on the staff summary and record evidence, subject to the special conditions set forth in the attached Draft Permit.

**Contact Information:** if you have any questions, please contact Charlene Parish at Washoe County, 775-328-2029, cparish@washoeCounty.us

**Attachments:**

A. Draft Permit  
B. Deed Restriction  
C. Site Plan, Elevations, BMP Plan and Floor/Roof Plans  
D. Avalanche Hazard Evaluation Letter
TRPA Permit

PROJECT DESCRIPTION: Remove the Existing Deck and Rebuild a Larger Deck to Create a Carport/Parking Pad

APN: 125-386-03

PERMITTEE(S): John & Johanna Miller FILE # 10T0052

COUNTY/LOCATION: Washoe County, 955ennifer St. Incline Village, NV.

Having made the findings required by Agency ordinances and rules, TRPA Hearings Officer approved the project on June 09, 2011, subject to the standard conditions of approval attached hereto (Attachment R) and the special conditions found in this permit.

This permit shall expire on June 09, 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. WASHOE COUNTY RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
2. ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
3. THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
4. A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

Washoe County 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 Washoe County in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to Washoe County. 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 ______________________
John Miller

Signature of Permittee(s) ___________________________ Date ______________________
Johanna Miller
**SPECIAL CONDITIONS**

1. This permit specifically authorizes demolition and reconstruction of a new deck which will create a carport/parking pad under the newly constructed deck located at 955 Jennifer St. in Incline Village, NV, Washoe County.

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

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

   A. The security required under Standard Condition A.3 of Attachment R shall be $960.00. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

   B. Permittee shall submit evidence of recordation of the attached “Hold Harmless Deed Restriction”.

4. Excavation equipment shall be limited to the foundation footprint to minimize site disturbance. No grading or excavation shall be permitted outside of the building footprint.

5. All waste resulting from the saw-cutting of pavement shall be removed using a vacuum (or other TRPA approved method) during the cutting process or immediately thereafter. Discharge of waste material to surface drainage features is prohibited and constitutes a violation of this permit.
6. Borrowing of fill is prohibited unless approved by TRPA. Approved borrow sites shall be subject to Subsection 64.6.A. of TRPA Code. The location of the imported fill material shall be identified on the site plans, and shall be from a TRPA approved location.

7. By acceptance of this permit, the permittee agrees that the views provided and/or created as a result of this project will remain open, as shown on the approved plans. Any additional structures or landscaping that may be proposed for this area shall require written TRPA approval.

8. 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 conditions of the Landscape and Revegetation Plan.

9. 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.

10. All exterior lighting shall be consistent with TRPA Code of Ordinances, Chapter 30, Section 30.8, Exterior Lighting Standards.

11. All excavated material shall be hauled away from the site to a legally acceptable location.

12. All trash storage and enclosures shall be screened from public view in accordance with Subsection 30.5.B (4) of the TRPA Code of Ordinances.

13. 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.

14. 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.

15. Temporary and permanent BMPs may be field fit by the Environmental Compliance Inspector where appropriate. During the Pre-Grade Inspection, the TRPA inspector may require additional Temporary BMP’s.

16. Construction use, access, staging of materials etc. is prohibited on Forest Service lands without a valid authorization from the Forest Service.

17. This site shall be winterized in accordance with the provisions of Attachment R by October 15th of each construction season.

END OF PERMIT
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
TO HOLD HARMLESS AND INDEMNIFY (“DEED RESTRICTION”)
TO BE RECORDED AGAINST APN 125-386-03

This Deed Restriction is made this ______ day of ___________, 2011, by John Miller and Johanna Miller, (hereinafter “Declarants”).

RECITALS

1. Whereas Declarants applied to the Washoe County for a permit to construct a new deck and create a carport/parking structure to an existing single family dwelling at 955 Jennifer St, County of Washoe, State of Nevada, and described as follows:

   Lot 7, in Block L, Incline Village Unit No. 1-A, according to the map thereof, filed in the office of the County Recorder of Washoe County, State of Nevada, on August 26, 1969.

2. Whereas, the Property is located within a TRPA Plan Area that has been identified as an avalanche danger area.

3. Whereas, a report prepared by a consultant with expertise on the subject of avalanches and design techniques to avoid or mitigate avalanche impacts was completed, which included this parcel.

4. Whereas, based on said report, and subject to certain conditions, the Declarant has received approval from the Washoe County on June 09, 2011 to construct a new deck and create a carport/parking structure to an existing single family dwelling on the property.

5. The Property is located in the Tahoe Region as described in the Tahoe Regional Planning Compact (P.L. 96-551, Stat. 3233, 1980), which region is subject to the regional plan and the ordinances adopted by the TRPA pursuant to the Tahoe Regional Planning Compact.
6. As a condition of the above approval, Washoe County and TRPA required that appropriate deed restrictions be recorded documenting the Declarant's agreement on behalf of Declarant and Declarants' heirs, successors and assigns, to hold harmless and indemnify Washoe County and TRPA and to record a deed restriction identifying said agreement.

DECLARATIONS

1. Therefore, in consideration of Washoe County and issuance of a permit to construct new deck and create a carport/parking structure to an existing single family dwelling, Declarants hereby assume any and all risk associated with the construction, maintenance, ownership and use of the Property and the single family dwelling and garage, and further agrees to indemnify, defend, hold harmless and release Washoe County, TRPA, the members of its Governing Board, its successors, agents and employees as follows:

   A. Declarants hereby hold Washoe County, TRPA, the members of the Governing Board, its successors, agents and employees, harmless from all actions, causes of action, damages, claims or demands which they, their heirs, executors, successors, assigns, administrators, agents, grantees, lessees, sublessees, guests or invitees, may have or may acquire against Washoe County, TRPA, the members of its Governing Board, its successors agents and employees for any and all liabilities, damages, injuries or losses, known or unknown, which the Declarant or the above-described parties may incur or sustain by reason of construction, maintenance, use or ownership of the Property or of the existing single family dwelling and an addition and remodel to the single family dwelling.

   B. Declarants hereby agree to indemnify, defend and hold harmless Washoe County, TRPA, the members of its Governing Board, its successors, agents and employees (collectively referred to hereafter as “Indemnitee”) from any and all liabilities, losses or damages, including court costs and attorney fees, Indemnitee may suffer or incur as a result of claims, suits, actions, demands, damages, expenses, costs of judgments against it as a result of an avalanche arising from or related to Washoe County and TRPA’s issuance of a permit to construct a new deck and create a carport/parking structure to an existing single family dwelling on the above-described Property, whether or not the liability, loss or damage is caused by or arises out of, the negligence of permittee, his heirs, executors, successors, assigns, administrators, agents, grantees, lessees, sublessees, guests or invitees.

   C. Declarants agree that Indemnitee may employ attorneys of its own selection to appear and defend the claim, action or suit on behalf of the Indemnitee, at the expense of permittee. Indemnitee, at its option, shall have the sole authority for the direction and conduct of its defense, and shall be the sole judge of the acceptability of any compromise or settlement of any claims or actions against Indemnitee.

   D. Declarants expressly assume full responsibility for all damages, losses and injuries which may result to any person or persons or adjoining property by
reason of the construction, maintenance, use or ownership of the Property and agree to indemnify Indemnitee against any and all claims, actions, demands, suits, causes of action, damages, injuries or losses which arise from or are related to Washoe County and TRPA’s issuance of a permit to construct a new deck and create a carport/parking structure to an existing single family dwelling on the above-described Property.

2. This Deed Restriction shall be deemed a covenant running with the land or an equitable servitude, as the case may be, and shall be binding on the Declarants, their heirs, successors and assigns and all persons hereafter acquiring or owning any interest in the above-described Property.

3. This Deed Restriction shall not be modified or revoked without the prior express written and recorded consent of Washoe County and TRPA or its successor agency, if any.

4. Declarants have read this Deed Restriction and understand all its terms. Declarants have executed this Deed Restriction voluntarily and with full knowledge of its significance. Declarants have been offered the opportunity to review the terms of this Deed Restriction with an attorney prior to executing this Deed Restriction.

IN WITNESS WHEREOF, Declarant has executed this Deed Restriction on the day and year written above.

Declarants’ Signatures:

__________________________________  Dated: _________________________
John Miller

STATE OF NEVADA           )
)    SS.
COUNTY OF WASHOE      )

On this _____ day of ___________, 2011, before me, __________________, Notary Public, personally appeared __________________ personally known to me, or proved to me to be on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon their behalf of which the person(s) acted executed the instrument.

__________________________________  Dated ___________________________

NOTARY PUBLIC
Declarants’ Signatures:

__________________________________  Dated: __________________________
Johanna Miller

STATE OF NEVADA  )
  ) SS.
COUNTY OF WASHOE  )

On this _____ day of ___________, 2011, before me, __________________, Notary Public, personally appeared ________________________ personally known to me, or proved to me to be on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon their behalf of which the person(s) acted executed the instrument.

______________________________   Dated __________________________
NOTARY PUBLIC

APPROVED AS TO FORM:

_____________________________
Charlene Parish Gaworski, MCP, Washoe County

STATE OF NEVADA  )
  ) SS.
COUNTY OF WASHOE  )

On this _____ day of ___________, 2011, before me, __________________, Notary Public, personally appeared ________________________ personally known to me, or proved to me to be on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon their behalf of which the person(s) acted executed the instrument.

______________________________
NOTARY PUBLIC
I have been requested by the owner of the residence at 955 Jennifer Court, Incline Village, NV (APN 125-386-03) to conduct an avalanche hazard survey for the property. After an on-site inspection of the terrain and vegetation above the property and an examination of the U. S. Geological Survey topographic map for the area (Kings Beach Quadrangle, 7.5 Minute Series), I have concluded that this property may be threatened by snow avalanches.

Damage to vegetation suggests that a large avalanche event may have occurred in this area several decades ago; most likely in the winter of 1958 when an enormous avalanche cycle affected much of the northern Sierra, and before any houses or development had taken place in this area. It is also possible, though unlikely, that the damage to vegetation was caused by development and construction in the area. No eye witnesses or documentation could be found to confirm the cause.

Because recent, observed avalanches on this terrain have been relatively small and have not reached the property to date, formal mapping of the area was not considered for the Washoe County Avalanche Study conducted in 1993. In any case, it is very likely that an avalanche initiating on the terrain above and reaching to this property would occur very rarely (less than a 100 year return event).

If you have any questions, please feel free to contact me.

Yours Truly,

Dick Penniman

cc: Jason Hummel
    Jack Miller
MEMORANDUM

Date: June 2, 2011
To: TRPA Hearings Officer
From: TRPA Staff
Subject: Water Line Improvements, McKinney Tract, Tahoma, California. Portions of APNs 098-032-002, 003, 004 and 005, 098-022-004, 005, 006, 007, 008, 009, 010 and 011, and within the right-of ways of Tahoe Ski Bowl Way, West Lake Boulevard (Hwy 89), McKinney Drive, Meadow Road, Quail Creek Road and Ellis Road. TRPA Parcel Number 530-301-00, TRPA File Number ERSP2011-0686

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 project subject to the conditions contained in the draft permit (see Attachment B).

Project Description/Background: The Tahoe City Public Utility District (TCPUD) proposes to improve the water distribution system in the McKinney Tract of Tahoma, California. The project includes constructing approximately 1,679 lineal feet of 8-inch waterline, 143 lineal feet of 4-inch waterline, 532 lineal feet of 2-inch waterline, 5 fire hydrants and 23 water service laterals. The waterline will be constructed within Placer County right-of-ways and within APNs 098-032-002, 003, 004 and 005, 098-022-004, 005, 006, 007, 008, 009, 010 and 011. The project is necessary to improve fire hydrant spacing and fire flow rates within the McKinney Tract and the Placer County right-of-ways.

Issues/Concerns: The proposed project (pipeline and power transmission) is a special use within Plan Area Statements 156 – Chambers Landing and 158 – McKinney Tract, and therefore 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, 18, and 64 of the TRPA Code of Ordinances (see Attachments A and C for details).
Contact Information: If you have any questions, please contact Theresa Avance, AICP, Senior Planner at tavance@trpa.org or 775-589-5224.

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, 18, and 64 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

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.**

   TRPA staff has reviewed the proposal and confirmed that the proposed project is consistent with the Regional Plan, and determined that the project 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. A copy of the completed checklist 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 TPRA 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 includes constructing approximately 1,679 linear feet (LF) of 8-inch waterline, 143 LF of 4-inch waterline, 532 LF of 2-inch waterline, 5 fire hydrants and relocating 6 water service laterals. The project replaces existing aging waterlines and is necessary to meet minimum fire protection standards within the McKinney Tract. No additional capacity will be provided.

   (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 Lower McKinney Water System Improvement Project’s purpose is to improve delivery of fire flows throughout the service area, thus improving the health and safety of the public.

The proposed project will incorporate best management practices (BMPs) to mitigate potential environmental impacts created by project construction. The temporary BMP installation includes: silt fencing, gravel bag check dams and fiber rolls to prevent erosion. Erosion control for the project will be provided in accordance with technical specifications for “Erosion Control” as prescribed in the TCPUD’s Technical Specifications for Grading, Excavation, Embankment, Trenching and Backfilling. Dewatering activities are expected to be necessary during the excavations for construction of the pipeline, and a dewatering plan will be in place in the event groundwater is intercepted. During construction, individual access to private property will be maintained, traffic control will be in place per Caltrans standards and the latest OSHA guidelines will be followed to ensure the highest level of safety.

(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 is a replacement of existing water lines that serve an existing, established neighborhood. The project and land use are consistent with the Plan Area Statement, and will not detrimentally affect the existing neighborhood or application of the Regional Plan.

3. Chapter 64 – Groundwater Interception:

(a) TRPA may approve exceptions to the prohibition of groundwater interception or interference if TRPA finds that it is necessary for the public safety and health.

The project replaces existing aging waterlines and is necessary to meet minimum fire protection standards within the McKinney Tract.
Attachment B: DRAFT PERMIT

PROJECT DESCRIPTION: Water Line Replacement

PERMITTEE(S): Tahoe City Public Utility District

CONTRACTORS: McKinney Tract, Tahoma, Placer County, California. Includes APNS 098-032-002, 003, 004 and 005, 098-022-004, 005, 006, 007, 008, 009, 010 and 011. Also includes portions of West Lake Boulevard (Hwy 89), Tahoe Ski Bowl Way, McKinney Way, Meadow Road, Ellis Road and Quail Creek Road.

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on June 9, 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 June 9, 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(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
(2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS PERMIT;
(3) THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. TRPA’S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
(4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee Date

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 permit:

_____________________________________             ______________________________
TRPA Executive Director/Designee                               Date

SPECIAL CONDITIONS

1. The project includes constructing approximately 1,679 lineal feet of 8-inch waterline, 143 lineal feet of 4-inch waterline, 532 lineal feet of 2-inch waterline, 5 fire hydrants and 23 water service laterals. The waterline will be constructed within Placer County right-of-ways and within APNs 098-032-002, 003, 004 and 005, 098-022-004, 005, 006, 007, 008, 009, 010 and 011. The project is necessary to improve fire hydrant spacing and fire flow rates within the McKinney Tract and the Placer County right-of-ways and is not proposed to increase capacity of the overall water system or service new areas. No new land coverage is proposed.

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) Revegetation details for the areas disturbed by construction that are not covered by pavement.

      (2) Identification of temporary Best Management Practices surrounding the proposed construction staging area.
B. A traffic control plan for the work associated within West Lake Boulevard (Highway 89) right-of-way shall be provided.

C. The permittee shall provide to TRPA for review and approval a dewatering plan for any potential interception of groundwater during excavation activities.

D. The security required under Standard Condition I.B of Attachment Q shall be $5,000. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

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

4. This permit does not authorize the removal of any trees.

5. The construction staging area shall be placed over existing pavement or existing disturbed areas only.

6. The permittee shall submit a projected construction completion schedule to TRPA prior to or at the TRPA pre-grade inspection. Said schedule shall include completion dates for each item of construction, as well as BMP installation for the entire project area.

7. 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.
Attachment C: Regional Plan Compliance Analysis

A. **Environmental Documentation:** The applicant has completed an Initial Environmental Checklist (IEC) to assess the potential environmental impacts of the project and Vg findings have been completed in order to assess the 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 Vg findings will be made available at the Hearings Officer hearing and at TRPA.

B. **Plan Area Statement/Community Plan:** The project is located within Plan Area Statements 156 – Chambers Landing, and 158 – McKinney Tract. The Land Use Classification for both Plan Area Statements is Residential, with a Management Strategy of Mitigation. Pipelines and Power Transmissions are a special use for both Plan Area Statements. Agency staff has reviewed the Plan Area Statements and has determined that the project, as conditioned in the attached permit, is consistent with the applicable planning statements, planning considerations, and special policies, and is considered a permissible use.

C. **Land Coverage:** No modifications to land coverage are proposed. All waterlines will be placed underground and the proposed five fire hydrants will be placed in existing disturbed areas.
WATER SYSTEM MAP

LEGEND

PROPOSED WATER MAIN
PROPOSED GATE VALVE
PROPOSED FIRE HYDRANT
PROPOSED SERVICE LATERAL
EXISTING WATER MAIN
EXISTING GATE VALVE
EXISTING FIRE HYDRANT
WATER SERVICE POINT RELOCATION

NOTE:
WATER SYSTEM MAP INTENDED TO PROVIDE SCHEMATIC OVERVIEW OF THE EXISTING AND PROPOSED LOWER TAHOE TAVERN HEIGHTS WATER DISTRIBUTION SYSTEM. WATER SYSTEM MAP TO AID CONSTRUCTION SEQUENCING, INTERIM OPERATION, AND ULTIMATE CONFIGURATION.
NOTES:
1. CONTRACTOR TO FIELD VERIFY LOCATION OF GAS MAIN IN ELLIS ROAD. LOCATION OF PROPOSED WATER MAIN TO BE ADJUSTED TO ELIMINATE POTENTIAL CONFLICT WITH GAS MAIN. 18" MINIMUM CLEARANCE AROUND ALL GAS LINES AND 12" CLEARANCE AT GAS CROSSINGS SHALL BE MAINTAINED. ALL WATER LATERALS CROSSING THE GAS MAIN SHALL HAVE A MINIMUM OF 8" OF VERTICAL CLEARANCE.
LINE "A" PLAN

SCALE 1"=30'

PROFILE

SCALE 1"=30'

NOTES:
1. CONTRACTOR TO FIELD VERIFY LOCATION OF GAS MAINS AND LATERALS CROSSING LINE "A".
LOCATION OF PROPOSED WATER MAIN TO BE ADJUSTED TO ELIMINATE POTENTIAL CONFLICT WITH GAS MAIN. 18" MINIMUM CLEARANCE AROUND ALL GAS LINES AND 12" CLEARANCE AT GAS CROSSINGS SHALL BE MAINTAINED.
NOTES:
1. CONTRACTOR TO FIELD VERIFY LOCATION OF GAS MAIN IN QUAIL CREEK ROAD. LOCATION OF PROPOSED WATER MAIN TO BE ADJUSTED TO ELIMINATE POTENTIAL CONFLICT WITH GAS MAIN/LATERAL. 18" MINIMUM CLEARANCE AROUND ALL GAS LINES AND 12" CLEARANCE AT GAS CROSSINGS SHALL BE MAINTAINED. ALL WATER LATERALS CROSSING THE GAS MAIN SHALL HAVE A MINIMUM OF 8" OF VERTICAL CLEARANCE.
CONTRACTOR TO FIELD VERIFY LOCATION OF GAS MAIN IN MEADOW ROAD. LOCATION OF PROPOSED WATER MAIN TO BE ADJUSTED TO ELIMINATE POTENTIAL CONFLICT WITH GAS MAIN. 18" MINIMUM CLEARANCE AROUND ALL GAS LINES AND 12" CLEARANCE AT GAS CROSSINGS SHALL BE MAINTAINED. ALL WATER LATERALS CROSSING THE GAS MAIN SHALL HAVE A MINIMUM OF 8" OF VERTICAL CLEARANCE.
1. CONTRACTOR TO FIELD VERIFY LOCATION OF GAS MAIN IN HIGHWAY 89 AND MCKINNEY DRIVE. LOCATION OF PROPOSED WATER MAIN TO BE ADJUSTED TO ELIMINATE POTENTIAL CONFLICT WITH GAS MAIN. 18" MINIMUM CLEARANCE AROUND ALL GAS LINES AND 12" CLEARANCE AT GAS CROSSINGS SHALL BE MAINTAINED. ALL WATER LATERALS CROSSING THE GAS MAIN SHALL HAVE A MINIMUM OF 8" OF VERTICAL CLEARANCE.

2. POTHOLE (E) SS, (E) GAS, AND (E) TELE IN HIGHWAY 89 PRIOR TO CONSTRUCTION TO CONFIRM MINIMUM SEPARATION WILL BE MAINTAINED.
MEMORANDUM

Date: June 2, 2011
To: TRPA Hearings Officer
From: TRPA Staff
Subject: Temporary Use Permit for Off-Ramp Boat Inspection Facility, Diamond Peak Ski Resort, Washoe County, Nevada, APN 126-010-60, TRPA File Number ERSP2011-0731

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: The Tahoe Regional Planning Agency (TRPA) and Tahoe Resource Conservation District (Tahoe RCD) are seeking permission to operate a boat inspection and decontamination facility at the Diamond Peak Ski Resort parking lot. TRPA and Tahoe RCD operate similar inspection stations at Spooner Summit (Hearings Officer approval 4/28/11), Northstar, Alpine Meadows and Homewood Ski Resorts, and in Meyers, CA.

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 inspection program conducts inspections of motorized and non-motorized watercraft at five off-site locations. In previous seasons, inspections were conducted at the launch ramps and at 4 off-site locations. To reduce the wait time that was being experienced at launch ramps and have a better ability to perform decontaminations, all inspections are being conducted at the off-ramp locations only. The off-site inspection station proposed for Diamond Peak 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 a waste water tank, high pressure pump, and a diesel burner capable of heating water 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 will be necessary, and permits are being applied for through the Nevada Department of Transportation and Washoe County. These signs are being...
The proposed inspection and decontamination facility layout, as well as use projections are provided in Attachment D.

Site Description: The Diamond Peak Ski Resort parking lot is located at the top of Ski Way in Incline Village, NV.

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 Incline Ski Plan Area Statement (PAS -052) 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 Detail
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 Residential, Open Space and the Day Use Recreation at Diamond Peak Ski Resort.

(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.

(3) **Conservation:** This project is not visible from any 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.
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 at a ski resort parking lot, not typically used in the summer time. The location of this project is the only area where permission from the land owner was granted, it is also accessible to boaters, and will not result in an increase to vehicle miles traveled in the basin. This project is temporary, operating from early June through September 2011. There will not be a long term impact on the project area. Other areas identified as being suitable locations were removed from consideration when permission from the land owner was not granted.

(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 Diamond Peak parking lot 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.
Conditional Permit

PROJECT DESCRIPTION: Off-Ramp Boat Inspection APN 126-010-60

PERMITTEE(S): Tahoe Resource Conservation District FILE # ERSP2011-0731

COUNTY/LOCATION: Washoe/Diamond Peak Ski Resort Parking Lot

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on June 9, 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 June 9, 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 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

AGENDA ITEM V.E.
APN 126-010-06
FILE NO. ERSP2011-0731

Security Required  N/A

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 the Diamond Peak Ski Resort parking area 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 052 – Incline Ski. 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.
Incline Village Watercraft Inspection Station

The Incline Village Watercraft Inspection Station is a seasonal station scheduled to operate from 8:00am to 8:00pm from May 1 to September 30, 2011. The station is composed of a mobile decontamination machine with a water recycling unit, a water containment decontamination mat, a mobile office, and a portable toilet. It is projected that a total of 426 boat inspections will be performed by this station during its months of operation. July and August are expected to be the months with the highest user levels. The busiest day will be Saturday. Table 1 includes expected inspections for an average week. Projected decontaminations for an average week are included in Table 2. Total projected inspection values are included in Table 3. Figure 1 presents total inspections by month and day. Figure 2, 3, and 4 illustrate a proposed station layout and a mobile decontamination machine and decontamination containment mat.

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<th>May</th>
<th>June</th>
<th>July</th>
<th>August</th>
<th>September</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friday</td>
<td>0.9</td>
<td>3.5</td>
<td>10.0</td>
<td>5.2</td>
<td>2.3</td>
</tr>
<tr>
<td>Saturday</td>
<td>1.0</td>
<td>4.0</td>
<td>11.4</td>
<td>5.9</td>
<td>2.6</td>
</tr>
<tr>
<td>Sunday</td>
<td>0.7</td>
<td>2.7</td>
<td>7.6</td>
<td>4.0</td>
<td>1.8</td>
</tr>
<tr>
<td>Monday</td>
<td>0.3</td>
<td>1.0</td>
<td>2.9</td>
<td>1.5</td>
<td>0.7</td>
</tr>
<tr>
<td>Tuesday</td>
<td>0.4</td>
<td>1.5</td>
<td>4.3</td>
<td>2.2</td>
<td>1.0</td>
</tr>
<tr>
<td>Wednesday</td>
<td>0.4</td>
<td>1.7</td>
<td>4.8</td>
<td>2.5</td>
<td>1.1</td>
</tr>
<tr>
<td>Thursday</td>
<td>0.7</td>
<td>2.6</td>
<td>7.4</td>
<td>3.9</td>
<td>1.7</td>
</tr>
<tr>
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<td>17.2</td>
<td>48.6</td>
<td>25.2</td>
<td>11.2</td>
</tr>
<tr>
<td>Average</td>
<td>0.6</td>
<td>2.5</td>
<td>6.9</td>
<td>3.6</td>
<td>1.6</td>
</tr>
</tbody>
</table>

Table 1. Incline Village Station projected inspections for an average week

<table>
<thead>
<tr>
<th></th>
<th>May</th>
<th>June</th>
<th>July</th>
<th>August</th>
<th>September</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friday</td>
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<td>1.18</td>
<td>3.34</td>
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<td>0.77</td>
</tr>
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<td>1.29</td>
<td>0.67</td>
<td>0.30</td>
</tr>
<tr>
<td>Tuesday</td>
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<td>0.66</td>
<td>1.87</td>
<td>0.97</td>
<td>0.43</td>
</tr>
<tr>
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<td>0.75</td>
<td>2.12</td>
<td>1.10</td>
<td>0.49</td>
</tr>
<tr>
<td>Thursday</td>
<td>0.29</td>
<td>1.15</td>
<td>3.25</td>
<td>1.69</td>
<td>0.75</td>
</tr>
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<td>Total</td>
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<td>7.51</td>
<td>21.25</td>
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<td>4.89</td>
</tr>
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<td>1.1</td>
<td>3.0</td>
<td>1.6</td>
<td>0.7</td>
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</tbody>
</table>

Table 2. Incline Village Station projected decontaminations for an average week

<table>
<thead>
<tr>
<th></th>
<th>May</th>
<th>June</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>Total</th>
</tr>
</thead>
<tbody>
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<td>14</td>
<td>40</td>
<td>21</td>
<td>9</td>
<td>88</td>
</tr>
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<td>16</td>
<td>46</td>
<td>24</td>
<td>11</td>
<td>100</td>
</tr>
<tr>
<td>Sunday</td>
<td>3</td>
<td>11</td>
<td>31</td>
<td>16</td>
<td>7</td>
<td>67</td>
</tr>
<tr>
<td>Monday</td>
<td>1</td>
<td>4</td>
<td>12</td>
<td>6</td>
<td>3</td>
<td>26</td>
</tr>
<tr>
<td>Tuesday</td>
<td>2</td>
<td>6</td>
<td>17</td>
<td>9</td>
<td>4</td>
<td>37</td>
</tr>
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<td>Wednesday</td>
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<td>7</td>
<td>19</td>
<td>10</td>
<td>4</td>
<td>42</td>
</tr>
<tr>
<td>Thursday</td>
<td>3</td>
<td>11</td>
<td>30</td>
<td>15</td>
<td>7</td>
<td>65</td>
</tr>
<tr>
<td>Total</td>
<td>17</td>
<td>69</td>
<td>194</td>
<td>101</td>
<td>45</td>
<td>426</td>
</tr>
</tbody>
</table>

Table 3. Incline Village Station total projected inspections for the 2011 season by month and day
Figure 1. Incline Station total inspections by day and month
Incline Village Site Layout
(Diamond Peak Proposed Site)

Figure 2. Incline Village Station proposed layout at Diamond Peak

Station Summary:

Operating season: May 1 to September 30, 2011
Total inspections expected for 2011: 426
Busiest month: July
Busiest day: Saturday

Average daily inspections for the season: 3
Average range of daily inspections: 1 to 7
Range of number of daily inspections for the season: 0.3 to 12

Average number of Inspections requiring decontaminations per day for the season: 1.3
Average range of daily decontaminations: 0.3 to 3
Range of daily decontaminations for the season: 0.1 to 5

The time decontamination machines will run to satisfy stations requirements will vary according to day and time of year. The average time it takes for a decontamination to be done is 15 minutes. At peak times (Saturday in July), decontamination machines will operate for approximately 1.5 hours. During low user periods, the machines will rarely be operated.

Decontamination machines noise Level: 70dB at 50 ft. (Conducted By The Noise Program Manager for TRPA). ¹ Electricity sources for the station will be a Honda EU2000i ultra quiet generator or hard line power

¹Feedback from 2010 Watercraft Inspection Stations at Alpine Meadows Ski Resort (Transportation Station parking lot) and Northstar-at-Tahoe (Castle Peak parking lot) indicate that noise produced from these activities was not disturbing to neighbors within 250 ft.
Figure 3: Decontamination trailer unit

Figure 4: Decontamination trailer unit