



Mail
PO Box 5310
Stateline, NV 89449-5310

RECEIVED JUL - 1 2009

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

June 30, 2009

Teri Jamin
City of South Lake Tahoe
1052 Tata Lane
South Lake Tahoe, CA 96150

EL DORADO BEACH IMPROVEMENT PROJECT, 1004 LAKEVIEW AVE., CITY OF SOUTH LAKE TAHOE, EL DORADO COUNTY, CA, ASSESSOR'S PARCEL NUMBER (APN) 026-050-06, TRPA FILE NUMBER ERSP2008-0474

Dear Ms. Jamin:

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

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

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

Pursuant to Rule 11.2 of the TRPA Rules of Procedure, this permit may be appealed within twenty-one (21) days of the date of this correspondence.

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

Sincerely,

A handwritten signature in cursive script that reads "Wendy Jepson".

Wendy Jepson
Senior Planner
Environmental Review Services

Enclosures

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PERMIT

PROJECT DESCRIPTION: Day-use beach access with picnic amenities, food and non-motorized watercraft concessions, ADA lake access, lake viewing terraces, pedestrian and bicycle facilities, backshore restoration, and scenic quality improvements.

APN: 026-050-06

PERMITTEE(S): City of South Lake Tahoe

FILE # ERSP2008-0474

COUNTY/LOCATION: El Dorado County/City of South Lake Tahoe/1004 Lakeview Avenue

Having made the findings required by Agency ordinances and rules, TRPA Governing Board approved the project on June 24, 2009, 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 24, 2012 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of grading for the new facilities and does not include 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 DEMOLITION, TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) THE PERMITTEE OBTAINS 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.

Wendy Gypson

6-24-09

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

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APN 026-050-06
FILE NO. ERSP2008-0474

Excess Coverage Mitigation Fee (1): Amount \$_____ Paid _____ Receipt No. _____

Notes:

(1) Amount to be determined. See Special Condition 3. F, below.

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

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

TRPA Executive Director/Designee

Date

SPECIAL CONDITIONS

1. This permit specifically authorizes the construction of ADA-compliant day use facilities including picnic tables, barbecue pits, improved food and beverage concessions and restrooms. The bi-level concession/restroom building will house on the bottom floor, a non-motorized watercraft storage and concession. The area will be replanted with native vegetation complementing the improved circulation paths for both pedestrians and bicyclists. Accessibility to the beach will be improved by constructing terraces, seating areas and an ADA pathway, in addition to rock rip-rap and native vegetative planting areas from the top of the bluff to near the beach along the Lake Tahoe shoreline. A cantilevered deck for pedestrian use and lake viewing opportunities will replace the existing mixture of wood and steel retaining structures. This permit may be acknowledged in phases.
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) Existing, allowable and proposed land coverage calculations, by land capability district.
 - (2) Identify all stockpile areas, equipment and machinery staging areas, and materials storage areas.
 - (3) A note indicating "All areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices and Living With Fire, Lake Tahoe Basin, Second Edition."

- (4) A note indicating "Dust control measures shall be in place during construction. Broadcast mulch shall not be permitted as a dust control measure within 30 feet of structures."
 - (5) Provide elevations and materials samples for the boathouse/restroom building.
 - (6) Provide details of site furnishings.
 - (7) Location of all recorded or proposed easements in the project area.
 - (8) Temporary BMPs, including vegetation protection fencing.
 - (9) Temporary pedestrian and bicycle detour routes during construction.
- B. Permittee shall transfer 23,925 square feet of SEZ Restoration Credits (15,950 sf new backshore coverage x 1.5 mitigation = 23,925 sf) consistent with Chapter 20. The amount of SEZ Credit may be amended if less than the full project scope is acknowledged. Appropriate documentation must be submitted by permittee and agreed upon by TRPA, to determine the lesser amount of Restoration Credits required. Also see #8 below.
- C. Lighting Plan consistent with the Bijou/Al Tahoe Community Plan and Design Guidelines and TRPA Code section 30.8, Exterior Lighting Standards including cut off shields to prevent lights on the bluff from being visible from the lake.
- D. The permittee shall submit a Construction Schedule consistent with Chapter 61. A phased acknowledgement of this permit should be indicated within the schedule.
- E. The permittee shall submit copies of all recorded easements affecting the project area.
- F. The affected project area has 55,463 square feet of excess land coverage. The permittee shall mitigate a portion or all of the excess land coverage within this project area by removing coverage within Hydrologic Transfer Area 4 (South Stateline) 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 0.0350 (Table A, subsection 20.5.A (3), Chapter 20, TRPA Code of Ordinances) divided by the mitigation factor of 8. If the permittee elects this option, verify final site plans and land coverage calculations to account for the permanent coverage removal.

An excess 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 Stateline). Please provide a construction cost estimate from by your licensed contractor, architect or engineer. In no case shall the mitigation fee be less than \$200.00.

- G. The permittee shall submit a copy of the final Storm Water Pollution Prevention Plan prepared for the project.
 - H. The permittee shall submit a fertilizer management plan consistent with Section 81.7 of the TRPA Code of Ordinances.
 - I. The permittee shall submit a final restoration and restoration plan for all areas approved for restoration.
 - J. The permittee shall submit a snow management plan including identification of snow storage areas and snow removal methods for TRPA approval.
 - K. The permittee shall submit a Site Operations Plan for TRPA review and approval. The plan shall include, but not be limited to concession operations, public health and safety concerns, graffiti abatement, law enforcement, and park maintenance.
 - L. The permittee shall submit calculations prior to acknowledgement demonstrating that the proposed permanent Best Management Practices are sized accordingly for the slopes and soils types of the project area and will capture and infiltrate the 20 year/ 1 hour storm event using the updated spreadsheet available at www.tahoebmp.org
 - M. The permittee shall submit a Best Management Practices maintenance plan to be reviewed and approved by TRPA.
 - N. The permittee shall submit three sets of final construction drawings and site plans to TRPA.
4. Temporary and permanent BMPs may be field fitted by the Environmental Compliance Inspector where appropriate.
 5. Soil and construction debris tracked onto pavement shall be removed through regular sweeping at the end of each business day.
 6. All temporary erosion control and vegetation protection fencing shall be maintained in a functioning condition during construction staging activities and until the site is revegetated, if applicable.
 7. Temporary erosion control structures must be maintained until disturbed areas are stabilized or sufficiently revegetated. Temporary erosion control structures shall be removed once the site has been stabilized or revegetated.
 8. The permittee shall submit a revegetation monitoring plan. Said plan will be used to determine success of revegetation efforts, including but not limited to the Backshore Restoration elements. Should the Backshore restoration be deemed successful, the

appropriate amount (square feet) of SEZ Restoraion Credit may be accrued by the Permittee. It is the permittees responsibility to follow-up with TRPA to determine if the backshore restoration credit can be obtained.

9. Any trees identified to be preserved but which die due to construction impacts shall be replaced in the same location with comparable native species in the same location at a ratio of 3:1.
10. All waste resulting from saw cutting of pavement or similar demolition shall be removed by vacuum (or other TRPA approved method) during or immediately after the actual cutting. Discharge of waste material to surface drainage features is prohibited and constitutes a violation of this permit.
11. No signs are approved with this permit.

END OF PERMIT