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Errata
Consent Calendar Item No. 4
Spoooner Frontcountry Improvement Project Phase Three

The following changes have been made to the draft permit (Attachment B). The changes are underlined and in track changes.

A shorezone mitigation fee was added.

Special condition 3.D was deleted because there are no existing boat ramps at the site.

Special condition 3.H was deleted and replaced with special condition 5.

A new Condition 3.H was added to reflect the shorezone mitigation fee.

PROJECT DESCRIPTION: Spooner Front County Improvement Project Phase Three

APNs: 1418-00-001-007

FILE #: EIPC2024-0003

PERMITTEES: Nevada Division of State Parks COUNTY/LOCATION: Douglas /Spooner State Park

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on **June 26, 2024**, subject to the standard conditions of approval attached hereto (Attachment S) and the special conditions found in this permit.

This permit shall expire on **June 26, 2027**, 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 DEMOLITION, 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 THE APPROPRIATE COUNTY PERMIT. TRPA'S ACKNOWLEDGEMENT MAY BE NECESSARY TO OBTAIN A COUNTY 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

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 _____

APN: 1418-00-001-007
FILE NO. EIPC2024-0003

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

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

TRPA Executive Director/Designee Date

SPECIAL CONDITIONS

1. This permit specifically authorizes the installation of a non-motorized personal watercraft launch and a wildlife viewing pier. The watercraft launch shall be constructed by placing a steel grid foundation onto piles and cross members, and by placing pre-cast concrete sections onto the grid or other environmentally protective method. Modification to temporary BMPs (Best Management Practices) may be required depending on the lake level at the time of construction. No modification or expansion of any additional shorezone structure or additional disturbance outside of the scope of this permit is approved. It should be noted that any periodic maintenance may require further review and approval by TRPA. Motorized watercraft are not permitted on Spooner Lake.
2. The Standard Conditions of Approval listed in Attachment S shall apply to this permit.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied:
 - A. The Permittee shall submit the 100% construction plans with the following revisions:
 - (1) Notes indicating that there will be no storage of containers of fuel, paint, or other hazardous materials, or construction materials or equipment on any of the beach areas.
 - (2) Notes indicating that there will be no permanent storage of any excavated material on site.
 - (3) A note stating that any and all exposed metal structures (piling, etc.) shall be painted a dark non-reflective color consistent with the TRPA Code of Ordinances Subsection 83.11.
 - B. Submit a restoration plan for the staging area. The staging area shall be

restored prior to close out of the permit.

C. In order to prevent the spread of invasive aquatic species, the Permittee shall develop an AIS plan to manage non-motorized watercraft entering into the lake. The program shall emphasize and enforce the Tahoe Keepers program.

~~D. The permittee shall submit a cross section of the existing boat ramp including the square footage of each constituent part.~~

E. The permittee shall submit a projected construction completion schedule to TRPA prior to acknowledgment. Said schedule shall include completion dates for each item of demolition, construction, and dredging.

F. The permittee shall provide a detailed plan describing how public access will be managed within and adjacent to the construction site during all phases of the proposed work. The plan shall include detailed measures on how public safety will be maintained during all the periods of construction activity.

G. The permittee shall provide a Spill Prevention Plan for the use of any hazardous materials or equipment (i.e. fuel, epoxy glue, paint, other volatile substances, welding and torch equipment, etc.) for construction activities. A contact list of all emergency response agencies shall be available at the project site during the period of construction.

H. The Permittee shall obtain any and all permits required permits. Change this to prior to the first pregrade inspection.

4. Prior to the commencement of construction all wildlife surveys shall be conducted, and the appropriate buffer shall be installed around any perching or nesting sites.
5. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or the 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. The 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.

6. Final construction drawings shall conform to all the applicable design standards set forth in Section 84.5.2. of the TRPA Code of Ordinances, as well as all other applicable TRPA design standards.
7. ~~Any and 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.~~
8. The use of wood preservatives on wood in contact with the water is prohibited and extreme care shall be taken to ensure that wood preservatives are not introduced into Lake Tahoe. Spray painting and the use of tributyltin is prohibited.
9. All temporary erosion control structures must be maintained until any disturbed areas are stabilized. Temporary erosion control structures shall be removed once the site has been stabilized.
10. Best practical control technology shall be employed to prevent earthen or other materials from being re-suspended as a result of construction activities.
11. Disturbance of lakebed materials shall be the minimum necessary. The removal of rock materials from Spooner is prohibited outside of the proposed boat ramp construction areas. Gravel, cobble, or small boulders shall not be disturbed or removed to leave exposed sandy areas before, during, or after construction.
12. 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.
13. Any normal construction activity creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M.

END OF PERMIT

