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STAFF REPORT

Date: May 20, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Gilmartin/Akatiff/Telfeian New Multiple-Parcel Pier, 8778/8780/8782/8796 Brockway Vista Avenue, Placer County, California, Assessor's Parcel Numbers (APNs) 090-231-047, 048, 049, 050, TRPA File Number ERSP2019-1326

Summary and Staff Recommendation:

A new multiple-parcel pier is proposed to serve four littoral parcels located at 8778, 8780, 8782, and 8796 Brockway Vista Avenue in Brockway Vista, Placer County, California. The proposed pier extends 345.1 feet from High Water elevation of 6,229.1 and includes one 15-foot long catwalk and four boatlifts to serve each of the four parcels associated with the pier. The proposed pier complies with development and location standards for multiple-parcel piers serving four littoral parcels. Staff recommends that the Governing Board make the required findings and approve the proposed project.

Required Motions:

In order to approve the proposed project, the Board must make the following motions, based on the staff summary and evidence in the required:

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

In order for motions to pass, an affirmative vote of 5-9 (5 California and 9 total) of the Board is required.

Shoreline Review Committee:

TRPA facilitates monthly Shoreline Review Committee (SRC) meetings for agencies with permitting jurisdiction along the shoreline and within Lake Tahoe to coordinate the permitting of projects. The subject project was reviewed and discussed at SRC on December 19, 2019. California State Lands Commission, U.S. Army Corps of Engineers, and California Department of Fish and Wildlife have not received applications for the proposed project and therefore provided no comments on the project.

Project Description/Background:

The project applicants received an allocation for a new multiple-parcel pier as a result of the multiple-parcel prioritization criteria. The project received a multiple-parcel pier allocation during the 2019 new pier allocation distribution. The new multiple-parcel pier will serve four littoral parcels located at 8778, 8780, 8782, 8796 Brockway Vista Avenue. There is a single family dwelling on each of the four parcels. Existing shorezone development for the project area includes a total of seven moorings:

AGENDA ITEM NO. VIII.B

APN 090-231-048 two mooring buoys
APN 090-231-047 one mooring buoy
APN 090-2231-050 two mooring buoys
APN 090-231-049 one mooring buoy and one lift

The proposed project involves constructing a new pier to extend 345.1 feet from the High Water Line elevation of 6,229.1, with a 3-foot by 15-foot catwalk at the pierhead. The pierhead will be 15 feet wide and will include four boatlifts. Existing moorings will be converted to boatlifts as a result of the project. The pier will straddle the property line between APN 090-231-047 and 090-231-050. The pier complies with all development and location standards for a multiple-parcel pier serving four parcels. The proposed project is located within the Placer County Tahoe Basin Area Plan – Brockway Subdistrict where piers are an allowed use.

Recognition of a Multiple-Parcel Pier:

New multiple-parcel piers are subject to the deed restriction requirements in TRPA code section 84.4.E which states “An additional multiple-parcel pier shall extinguish future pier development potential through deed restriction on all parcels served by the pier, including adjacent and non-adjacent parcels, with the exception of the littoral parcel on which the additional pier is permitted.” As a result of the project, the project area consisting of four parcels will be deed restricted to the following shorezone development:

APN 090-231-048: one mooring buoy and one lift
APN 090-231-047: one mooring lift
APN 090-231-050: one mooring buoy and one mooring lift
APN 090-231-049: one mooring buoy and one lift
All APNs: one multiple-parcel pier

The Governing Board may find the pier will be a multiple-parcel pier as it results in both the reduction of shorezone development potential and serves two or more primary residential littoral parcels, subject to deed restriction provisions.

2018 Shoreline Plan:

The TRPA Governing Board adopted a new Shoreline Plan in October 2018, which went into effect in December 2018. New single-parcel and multiple-parcel piers are allowed as a part of that plan. A maximum of 128 piers will be distributed over the life of the plan, and every two years TRPA will distribute allocations for single-parcel and multiple-parcel piers. In 2019, TRPA awarded five allocations for new single-parcel piers and seven allocations for new multiple-parcel piers. The allocations for multiple-parcel piers were awarded based on codified prioritization criteria. The seven applications that ranked highest per the prioritization criteria were awarded allocations and given six months to then submit complete project applications. Staff has analyzed the potential environmental impacts of the proposed pier and determined that it will not adversely affect the environment. An analysis of the impact areas is as follows:

A. Scenic Quality:

The proposed project is located within Scenic Shoreline Unit 22, Brockway, which is not in attainment with the TRPA Scenic Threshold. Up to 520 square feet of visible mass is allowed for multiple-parcel piers serving four or more primary residential littoral parcels. The allowable visible mass is not inclusive of accessory structures such as boatlifts, handrails, and ladders. The proposed pier has a total visible mass of 452.29 square feet which counts towards the 520

square feet of allowable visible mass. The project area is located in a Visually Modified scenic character type, requiring mitigation of all additional mass, including accessory structures associated with a pier, at a 1:2 ratio. There is a total visible mass, including accessory structures, of 966.29 square feet. This means that 1,932.58 square feet of visible mass will be mitigated within the project area. The project area must also demonstrate that it can meet a Composite Scenic Score of 25 within 6 months of project completion. The project area will achieve a Composite Scenic Score of 25 within 6 months of project completion by darkening some of the exterior materials. Existing vegetative screening will also contribute to the required mitigation.

B. Fish Habitat:

This property is located in mostly feed and cover fish habitat, with a small portion in marginal habitat. The new pier will have 54 new pilings for a total of 34.56 square feet of new lake bottom disturbance, to be mitigated at a 1:1 ratio. The proposed fish habitat mitigation consists of the construction of four (4) rock pyramids at 9 square feet each, resulting in 36 square feet of fish habitat mitigation. None of the proposed fender piles will create lake bottom disturbance because they do not extend to the lake bottom. The pier will be constructed using an open piling methodology, resulting in a pier that is 90 percent open.

As required by Chapter 36: *Mitigation Fee Requirements* of the TRPA Code of Ordinances, which requires \$60.00 per foot be paid for additional pier length to mitigate the impacts of pier development on fish habitat, the Draft Permit includes a condition requiring the permittee pay a shorezone mitigation fee of \$21,706.00 for the construction of 345.1 additional feet of pier length (refer to Attachment B – Draft Permit).

C. Deed Restriction:

The shorezone ordinances require that an additional multiple-parcel pier shall extinguish future pier development potential through deed restriction on all parcels served by the pier, including adjacent and non-adjacent parcels, with the exception of the littoral parcel on which the additional pier is permitted. The four parcels associated with the project area will be deed restricted against future shorezone development and limited to the following shorezone development:

APN 090-231-048: one mooring buoy and one lift
APN 090-231-047: one mooring lift
APN 090-231-050: one mooring buoy and one mooring lift
APN 090-231-049: two mooring lifts
All APNs: one multiple-parcel pier

Setbacks:

TRPA Code, Section 84.4.3.B, requires that new piers comply with a 40 foot setback from all other piers and 20 feet from the outer-most parcel boundary projection lines associated with the project area. The proposed pier complies with these setback requirements.

Pier Length:

TRPA Code, Section 84.4.3.C states “Piers shall extend no farther lakeward than 30 feet lakeward of elevation 6,219 Lake Tahoe Datum or 60 feet lakeward of the pierhead line, whichever is more limiting. Up to an additional 15 feet in length may be permitted for piers serving three or more residential littoral parcels.” The new pier, extends 45 feet beyond elevation 6,219 Lake Tahoe Datum, which is the limiting factor for determining pier length. The additional 15 feet is allowed because the new pier serves four residential littoral parcels.

Environmental Review:

The applicant completed an Initial Environmental Checklist (IEC) to assess the potential environmental impacts of the project. No significant long term environmental impacts were identified because the proposed pier complies with the existing Code and incorporates required mitigation (fisheries and scenic). Additionally, the property would be deed restricted limiting the four subject properties to one shared pier. The IEC is provided as Attachment D.

Public Comment:

Property owners within 300 feet of the subject site were provided notice of the proposed project. As of the posting of this staff report, no comments were received.

Regional Plan Compliance:

The proposed project is consistent with the Goal and Policies of the Regional Plan, Shorezone Subelement, in that it complies with the design standards and includes mitigation to ensure no negative impacts to the environmental thresholds. The proposed project is for a multiple-parcel pier, which are encouraged by the Regional Plan to reduce overall development potential along the shoreline of Lake Tahoe.

Contact Information:

For questions regarding this agenda item, please contact Tiffany Good, Principal Planner, at (775) 589-5283 or tgood@trpa.org.

Attachments:

- A. Required Findings/Rationale
- B. Draft Permit
- C. 2018 Shorezone Code Conformance Table
- D. Initial Environmental Checklist
- E. Proposed Site Plan and Elevations

Attachment A

Required Findings/Rationale

Attachment A

Required Findings/Rationale Gilmartin/Akatiff/Telfeian New Multiple-Parcel Pier Construction

Required Findings:

The following is a list of the required findings as set forth in Chapter 4, 80, 82, and 84 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 4 – 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.

Based on the information provided in this staff report, the project application, the Initial Environmental Checklist (IEC), and Article V(g) Findings Checklist, there is sufficient evidence demonstrating that the proposed project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Placer County Tahoe Basin Area Plan – Tahoe Estates Subdistrict, the Code and other TRPA plans and programs.

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

TRPA staff has completed the “Article V(g) Findings” in accordance with Chapter 4, Subsection 4.3 of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. Also, the applicant has completed an IEC. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed V(g) Findings are available at TRPA and will be made available at the Governing Board hearing.

- (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.

TRPA is requiring that all potential environmental effects be mitigated through Best Management Practices, including the use of turbidity curtains during construction. The applicant is also required to obtain separate approval for the project from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, California State Lands Commission, and Placer County to ensure the project will meet or exceed all federal, state, or local standards. As a result, upon completion of construction, the project should have no impact upon air or water quality standards.

2. Chapter 80 – Shorezone Findings:

- (a) Significant Harm: The project will not adversely impact littoral processes, fish spawning habitat, backshore stability, or on-shore wildlife habitat, including waterfowl nesting areas.

There is no evidence in the project file that indicates the proposed project will adversely impact littoral processes (the pier will be constructed on pilings to allow for the free flow of water), fish habitat (as conditioned), backshore stability, or on-shore wildlife habitat, including waterfowl nesting areas.

- (b) Accessory Facilities: There are sufficient accessory facilities to accommodate the project.

The proposed multiple-parcel pier will be accessory to the primary upland residential uses located at 8778, 8780, 8782, and 8796 Brockway Vista Avenue.

- (c) Compatibility: The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modifications of such existing uses or structures will be undertaken to assure compatibility.

There are a number of private multiple-parcel and single-parcel piers within the immediate vicinity of the subject site. The proposed pier will not extend beyond the length limitations placed on multiple-parcel piers serving three or more residential littoral parcels and will therefore be compatible with the surrounding shorezone facilities.

- (d) Use: The use proposed in the foreshore or nearshore is water dependent.

The pier is located in the shorezone of Lake Tahoe and is therefore a water dependent structure.

- (e) Hazardous Materials: Measures will be taken to prevent spills or discharges of hazardous materials.

This approval prohibits the use of spray painting and the use of tributyltin (TBT). In addition, the special conditions of approval prohibit the discharge of petroleum products, construction waste and litter or earthen materials to the surface waters of Lake Tahoe. All surplus construction waste materials shall be removed from the project and deposited only at TRPA approved points of disposal. No containers of fuel, paint, or other hazardous materials may be stored on the pier or shoreline.

- (f) Construction: Construction and access techniques will be used to minimize disturbance to the ground and vegetation.

The new pier will be constructed and the project area accessed via barge/amphibious vehicle in order to avoid unnecessary disturbance of the shorezone/backshore. All of the pilings will be driven with a vibratory hammer from the barge/amphibious vehicle. Once all of the pilings have been installed, the joists and decking will be constructed from the barge/amphibious vehicle. All steel pilings and accessories will be painted prior to being transported to the project site. All material storage will be on the barge/amphibious vehicle. Any upland access required would be fitted with temporary Best Management Practices (BMPs). The Draft Permit (Attachment B) includes conditions to ensure construction and access techniques will be used to minimize disturbance to the ground and vegetation, including Tahoe Yellow Cress.

- (g) Navigation and Safety: The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.

The pierhead line was established for the purpose of protecting navigation and safety. The southern corner of the proposed pier will extend beyond the pierhead by approximately 10 feet, but in accordance with the length limitations provided in TRPA code, Section 84.4.3.C. The project was taken to the Shoreline Review Committee on December 19, 2019, which includes agencies with jurisdiction over the lake's navigable waters and no concerns regarding navigation and safety were raised.

- (h) Other Agency Comments: TRPA has solicited comments from those public agencies having jurisdiction over the nearshore and foreshore and all such comments received were considered by TRPA, prior to action being taken on the project.

The project was taken to the Shoreline Review Committee on December 19, 2019 and no negative comments were received. The applicant is required to get approval for the project from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, California State Lands Commission, and Placer County.

- (i) Additional Findings for Coverage or Disturbance in the Backshore: The amount of land coverage is the minimum necessary when all Thresholds are taken into consideration to provide access to an approved or an existing structure or use in the nearshore or foreshore.

A granite access path is proposed, and will require 83 square feet of coverage in land capability 1b, lakeward of the backshore boundary. The granite access path is necessary for connection of the upland residences, down the moderately steep rock slope to the new pier. The permittee will be required to obtain restoration credits from the California Tahoe Conservancy at a ratio of 1.5 to 1 times the amount of coverage required for the proposed granite access path.

3. Chapter 83 Shorezone Tolerance Districts and Development Standards:

- (a) Vehicular access to the shoreline shall not be permitted except where TRPA finds that such access will not cause environmental harm.

The proposed project is located in Shorezone Tolerance District 7, where vehicular access to the shoreline shall not be permitted except where TRPA finds that such access will not cause environmental harm. The pier will be constructed entirely from a barge/ amphibious vehicle on the lake. Access to the project area from the upland is prohibited except for necessary access paths for construction workers, and construction staging of equipment and material will not occur anywhere on the shoreline or on the upland portion of the property.

Attachment B

Draft Permit

Attachment B
Conditional Permit

PROJECT DESCRIPTION: New Multiple-Parcel Pier

APNs: 090-231-047, 048, 049, & 050

PERMITTEES: Mark Gilmartin, Henry Telfeian, Elizabeth Stage, and the Michael G. Akatiff and Christie D. Akatiff Revocable Living Trust

FILE #: ERSP2019-1326

COUNTY/LOCATION: Placer/ 8778/8780/8782/8796 Brockway Vista Avenue

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on **May 27th, 2020**, subject to the standard conditions of approval attached hereto (Attachments Q and S) and the special conditions found in this permit.

This permit shall expire on **May 27th, 2023**, 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 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 _____

Signature of Permittee(s) _____ Date _____

Signature of Permittee(s) _____ Date _____

Signature of Permittee(s) _____ Date _____

(PERMIT CONTINUED ON NEXT PAGE)

APNs 090-231-047, 048, 049, & 050

FILE NO. ERSP2019-1326

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

Excess Coverage Mitigation Fee (2): Amount \$ _____ Type Paid _____ Receipt No. _____

Excess Coverage Mitigation Fee (3): Amount \$ _____ Type Paid _____ Receipt No. _____

Project Security Posted (4): Amount \$ 10,000 Type Paid _____ Receipt No. _____

Security Administrative Fee (5): Amount \$ _____ Paid _____ Receipt No. _____

Shorezone Mitigation Fee (6): Amount \$ 20,706 Type Paid _____ Receipt No. _____

Notes:

- (1) Amount to be determined. See Special Condition 3.H, below.
- (2) Amount to be determined. See Special Condition 3.I, below.
- (3) Amount to be determined. See Special Condition 3.J, below.
- (4) See Special Condition 3.K, below.
- (5) Consult the TRPA filing fee schedule for the current security administration fee.
- (6) See Special Condition 3.L, 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 authorizes a new multiple-parcel pier to serve four littoral parcels located at 8778, 8780, 8782, and 8796 Brockway Vista Avenue in Brockway Vista, Placer County, California. The proposed pier extends 345.1' from High Water elevation of 6,229.1 and includes one 15-foot long catwalk and four boatlifts to serve each of the four parcels associated with the pier. The pierhead is 15 feet wide and 75 feet long and extends 45 feet from lake bottom elevation 6,219. The new pier complies with all development and location standards on the TRPA Code of Ordinances Chapters 80 through 85. Approval of this project also serves as TRPA recognition of the new pier as a multiple-parcel pier. The pier will be located on the joint property line between APN 090-231-050 and 090-231-047. The project includes granite stairs to serve as

access from the upland parcels to the pier. As a part of this project, the applicants will purchase and retire restoration credits from the California Tahoe Conservancy to allow for 40 square feet of Class 1b coverage associated with APN 090-231-047 and 43 square feet of coverage associated with APN 090-231-050, in accordance with TRPA Code Section 85.5.4 *Access to Structures or Uses in the Nearshore or Foreshore*. Existing shorezone development includes a total of seven moorings:

APN 090-231-048 two mooring buoys
APN 090-231-047 one mooring buoy
APN 090-231-050 two mooring buoys
APN 090-231-049 one mooring buoy and one lift

The four parcels associated with the project area will be deed restricted against future shorezone development and limited to the following shorezone development, reflective of four existing moorings to be converted to four boatlifts (See Special Condition 3.C, below):

APN 090-231-048: one mooring buoy and one lift
APN 090-231-047: one mooring lift
APN 090-231-050: one mooring buoy and one lift
APN 090-231-049: one mooring buoy and one lift
All APNs: one multiple-parcel pier

The four parcels associated with this project shall be considered a project area for scenic mitigation purposes. The proposed contrast rating scores for the parcels are as follows:

APN 090-231-047: Composite Contrast Rating Score of 25
APN 090-231-048: Composite Contrast Rating Score of 25
APN 090-231-049/050: Composite Contrast Rating Score of 26

The project area has a total allowable visible mass of 3,745 square feet. The existing visible area is 1,238.25 square feet. There is 2,506.75 square feet of remaining allowable visible area. The project is located in a Visually Modified area and therefore requires mitigation of scenic impacts at a 1:2 ratio. The pier will create 966.29 square feet of visible mass. A total 452.29 square feet counts towards the 520 square feet of allowable visible mass for a multiple-parcel pier serving four parcels, and the accessory structures that don't count toward the total allowable visible mass (boatlifts, handrails, ladders) equal 514 square feet of visible mass. Total scenic mitigation required equals 1,932.58 square feet. Mitigation will occur by permanently retiring 1,932.58 square feet of allowable visible area, leaving a remaining balance of 574.17 square feet of visible area for the project area.

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 site plan (Sheet T1) for the project area shall be revised to include the following:
 1. Include the location of temporary BMPs, if necessary, for access pathways from the upland to the pier.

2. Delineate the location of the turbidity curtain and include allowance for barge access.
 3. Include a plan notation indicating that there will be no staging activity on the shoreline, and that all access associated with pier demolition and construction activities shall occur from the lake by barge; and that delivery, removal, and staging of all construction equipment and materials shall occur on the barge.
 4. Add a note stating no containers of fuel, paint, or other hazardous materials may be stored on the pier or shoreline.
 5. Include a plan notation that indicates pile driving operations and other piling installation methods (i.e. pinning, etc.) shall require the installation of caissons for turbidity control **upon the discretion of the TRPA inspector upon a pre-grade inspection**. A floating fine mesh fabric screen or other material approved by TRPA shall be installed underneath the pier decking to capture any fallen materials during pier demolition and reconstruction. The floating screen and caissons may be removed upon project completion and after a satisfactory inspection by TRPA to ensure that all suspended materials have settled.
 6. A notation that no new buoys are authorized as a part of this pier modification project.
 7. Indicate the total length of the pier as measured from the High Water Line 6,229.1 Lake Tahoe Datum. Note that the catwalk shall be included in the total allowable length and shall not extend further lakeward than 45 feet past lake bottom elevation 6,219'.
 8. Identify the area where fish habitat mitigation will occur. Impacts to feed and cover fish habitat shall be fully mitigated.
- B. The Permittee shall submit a projected construction completion schedule to TRPA prior to acknowledgment. Said schedule shall include completion dates for each item of construction.
- C. The permittees shall record a deed restriction to be prepared by TRPA that will create a project area of the subject APNs (090-231-047, 048, 049, and 050) for the purpose of limiting potential future shorezone development, to allow for only one pier between the subject parcels. The deed restriction shall also create a project area for the purposes of scenic review. The permittee shall record the deed restriction with the Placer County Recorder's Office, and provide either the original recorded deed restriction or a certified copy of the recorded deed restriction to TRPA prior to permit acknowledgement.
- D. The permittees shall transfer 124.5 square feet of restoration credits for minimum access to the pier in accordance with TRPA Code Sections, 85.5.4, 85.5.1.E, and 30.5.3; 64.5 square feet to APN 090-231-047 and 60 square feet to APN 090-231-050. Note that all coverage transfers must be in compliance with Chapter 30 of the TRPA Code of Ordinances, and the TRPA Rules of Procedure.

- E. The Permittee shall conduct a Tahoe Yellow Cress survey for the subject property. Surveys shall be conducted during the growing season of June 15th through September 30th prior to commencement of proposed work. If TYC or TYC habitat are present, the Permittee shall submit a TYC avoidance and protection plan to TRPA prior to acknowledgement of this permit.
- F. The permittee shall identify proposed Best Management Practices for the new pier access and shall provide corresponding BMP calculations demonstrating conformance with TRPA infiltration requirements. The security for this project (Special Condition 3.H) shall not be released until the property owner has passed a final inspection for the project, including permanent BMPs.
- G. The Permittee shall provide a Spill Prevention Plan for the use of any hazardous materials or equipment (i.e., fuel, epoxy glue, other volatile substances, welding and torch equipment, etc.), for construction activities occurring from a barge and/or amphibious vehicle and within the lake. The Plan shall require absorbent sheets/pads to be retained on the barge at all times. A contact list of all emergency response agencies shall be available at the project site at all times during construction.
- H. The subject property, APN 090-231-047, has 360 square feet of unmitigated excess land coverage. The Permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within the Hydrologic Transfer Area 9 (Agate Bay - California), or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed (in square feet), use the following formula:

Estimated project construction cost multiplied by 0.0006, divided by 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:

Square footage of required coverage reduction (as determined by formula above) multiplied by the excess coverage mitigation fee of \$8.50 per square foot for projects located within the Hydrologic Transfer Area 9 (Agate Bay - California).

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.

- I. The subject property, APN 090-231-048, has 370 square feet of unmitigated excess land coverage. The Permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within the Hydrologic Transfer Area 9 (Agate Bay - California), or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed (in square feet), use the following formula:

Estimated project construction cost multiplied by 0.0006, divided by 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:

Square footage of required coverage reduction (as determined by formula above) multiplied by the excess coverage mitigation fee of \$8.50 per square foot for projects located within the Hydrologic Transfer Area 9 (Agate Bay - California).

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.

- J. The subject property, APN 090-231-049, has 2,133 square feet of unmitigated excess land coverage. The Permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within the Hydrologic Transfer Area 9 (Agate Bay - California), or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed (in square feet), use the following formula:

Estimated project construction cost multiplied by 0.01, divided by 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:

Square footage of required coverage reduction (as determined by formula above) multiplied by the excess coverage mitigation fee of \$8.50 per square foot for projects located within the Hydrologic Transfer Area 9 (Agate Bay - California).

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.

- K. The project security required under Standard Condition A.3 of Attachment S shall be \$10,000. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

- L. Pursuant to Section 10.8.5.E.4.a.i of the TRPA Rules of Procedure, the permittee shall submit a shorezone mitigation fee of \$20,706 for the construction of 345.1 feet of pier length for a new pier (assessed at \$60.00 per linear foot).
 - M. The Permittee shall provide an electronic set of final construction drawings and site plans for TRPA Acknowledgement.
4. 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. TRPA will have the sole and exclusive control (including the right to be represented by attorneys of TRPA's choosing) over the defense of any claims against TRPA and over this settlement, compromise or other disposition. 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.
- 5. It is the Permittee's responsibility to receive authorization, and obtain any necessary permits from other responsible agencies for the proposed project.
 - 6. No pier demolition or construction shall occur between May 1 and October 1 (spawning season) unless prior approval is obtained from the California Department of Fish and Wildlife, the U.S. Army Corps of Engineers, or the U.S. Fish and Wildlife Service.
 - 7. Disturbance of lake bed materials shall be the minimum necessary. The removal of rock materials from Lake Tahoe is prohibited. Gravel, cobble, or small boulders shall not be disturbed or removed to leave exposed sandy areas before, during, or after construction.
 - 8. Best practical control technology shall be employed to prevent earthen materials to be re-suspended as a result of construction activities and from being transported to adjacent lake waters.
 - 9. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal.

10. 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

Attachment C

2018 Shorezone Code Conformance Table

Attachment C

Gilmartin/Telfeian/Akatiff Multiple Use Pier Conformance Review Table

Table 1: Pier Conformance Review Under 2018 Shorezone Code

Standard	2018 Shzne Code	Proposed Pier	Conformance
Streams	Outside of Stream Mouth Protection Zone (SMPZ)	1.5 miles away from the nearest SMPZ located at Kings Beach	In conformance
Fish Habitat	Mitigation at 1:1 for Feed/Cover fish habitat	Replaced fish habitat adjacent to project, mitigation of \$20,706 for additional 345.1 linear feet	In conformance
Length	Pierhead may extend 30 feet past 6219 or 60 feet past pierhead line, whichever is more limiting. An additional 15 feet may be permitted for piers serving three or more primary residential parcels.	345'-1" , extends 45 feet past lake bottom elevation 6,219.	In conformance
Setbacks	20' for new piers from outermost property boundary projection lines, & 40' from existing piers as measured from the pierhead	Conforms with external projection line setbacks	In conformance
Width	Maximum 15' wide excluding catwalks	15' with two (2) boatlifts on either side of the pier.	In conformance
Catwalk	Maximum of 3' by 30'	3' x 15'	In conformance
Boatlift	One boat lift per littoral parcel (max. 4)	Four boatlifts	In conformance
Pier Height	6,232' maximum	6,232'	In conformance
Free Flowing Water	Piers required to be floating or have an open piling foundation	Open piling foundation (90%)	In conformance
Superstructures (Boat House)	Prohibited	NA	In conformance
Colors &	Dark colors that blend	Brown decking, flat	In conformance

Materials	with background	black structural components	
Visual Mass Limitation	520 sf of visible mass allowed for piers serving 4 or more primary residential littoral parcels (does not include accessory structures such as boatlifts, boats, handrails, and ladders).	452.29 square feet	In conformance
Visual Mass Mitigation	In Visually Modified Character Types mitigation required at a 1:2 ratio	Additional visible mass, including accessory structures, will be mitigated at a 1:2 ratio through retiring allowable visible area.	In conformance
Retirement of Shorezone Development Potential	An additional multiple-parcel pier shall extinguish future pier development potential through deed restriction on all parcels served by the pier, including adjacent and non-adjacent parcels, with the exception of the littoral parcel on which the additional pier is permitted.	Deed restriction to be recorded prior to permit acknowledgement.	In conformance

Attachment D

Initial Environmental Checklist



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HOURS
 Mon. Wed. Thurs. Fri
 9 am-12 pm/1 pm-4 pm
 Closed Tuesday
 New Applications Until 3:00 pm

**INITIAL ENVIRONMENTAL CHECKLIST
 FOR DETERMINATION OF ENVIRONMENTAL IMPACT**

I. Assessor's Parcel Number (APN)/Project Location 090-231-047, 048, 049 & 050

Project Name Gilmartin-Akatiff-Telfeian New Multi Use Pier County/City Placer

Brief Description of Project:

New multiple use pier shared by four littoral parcels. Please refer to enclosed project description for details.

The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments. Use the blank boxes to add any additional information. If more space is required for additional information, please attach separate sheets and reference the question number and letter.

II. ENVIRONMENTAL IMPACTS:

1. Land

Will the proposal result in:

a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

- Yes No
 No, With Mitigation Data Insufficient

b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

- Yes No
 No, With Mitigation Data Insufficient

c. Unstable soil conditions during or after completion of the proposal?

- Yes No
 No, With Mitigation Data Insufficient

d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

- Yes No
 No, With Mitigation Data Insufficient

e. The continuation of or increase in wind or water erosion of soils, either on or off the site?

- Yes No
 No, With Mitigation Data Insufficient

f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?

- Yes No
 No, With Mitigation Data Insufficient

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

- Yes No
 No, With Mitigation Data Insufficient

2. Air Quality

Will the proposal result in:

a. Substantial air pollutant emissions?

- Yes No
 No, With Mitigation Data Insufficient

b. Deterioration of ambient (existing) air quality?

- Yes No
 No, With Mitigation Data Insufficient

c. The creation of objectionable odors?

- Yes No
 No, With Mitigation Data Insufficient

d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

- Yes No
 No, With Mitigation Data Insufficient

e. Increased use of diesel fuel?

- Yes No
 No, With Mitigation Data Insufficient

3. Water Quality

Will the proposal result in:

a. Changes in currents, or the course or direction of water movements?

- Yes No
 No, With Mitigation Data Insufficient

b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?

- Yes No
 No, With Mitigation Data Insufficient

c. Alterations to the course or flow of 100-yearflood waters?

- Yes No
 No, With Mitigation Data Insufficient

d. Change in the amount of surface water in any water body?

- Yes No
 No, With Mitigation Data Insufficient

e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

- Yes No
 No, With Mitigation Data Insufficient

f. Alteration of the direction or rate of flow of ground water?

- Yes
- No
- No, With Mitigation
- Data Insufficient

g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

- Yes
- No
- No, With Mitigation
- Data Insufficient

h. Substantial reduction in the amount of water otherwise available for public water supplies?

- Yes
- No
- No, With Mitigation
- Data Insufficient

i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

- Yes
- No
- No, With Mitigation
- Data Insufficient

j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

- Yes
- No
- No, With Mitigation
- Data Insufficient

k. Is the project located within 600 feet of a drinking water source?

- Yes
- No
- No, With Mitigation
- Data Insufficient

4. Vegetation

Will the proposal result in:

a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

- Yes
- No
- No, With Mitigation
- Data Insufficient

c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

- Yes
- No
- No, With Mitigation
- Data Insufficient

d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)?

- Yes
- No
- No, With Mitigation
- Data Insufficient

e. Reduction of the numbers of any unique, rare or endangered species of plants?

- Yes
- No
- No, With Mitigation
- Data Insufficient

f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?

[Empty response box for question f]

- Yes
- No
- No, With Mitigation
- Data Insufficient

g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?

[Empty response box for question g]

- Yes
- No
- No, With Mitigation
- Data Insufficient

h. A change in the natural functioning of an old growth ecosystem?

[Empty response box for question h]

- Yes
- No
- No, With Mitigation
- Data Insufficient

5. Wildlife

Will the proposal result in:

a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?

[Empty response box for question a]

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Reduction of the number of any unique, rare or endangered species of animals?

[Empty response box for question b]

- Yes
- No
- No, With Mitigation
- Data Insufficient

c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

- Yes
- No
- No, With Mitigation
- Data Insufficient

d. Deterioration of existing fish or wildlife habitat quantity or quality?

- Yes
- No
- No, With Mitigation
- Data Insufficient

6. Noise

Will the proposal result in:

a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan?

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Exposure of people to severe noise levels?

- Yes
- No
- No, With Mitigation
- Data Insufficient

c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

- Yes
- No
- No, With Mitigation
- Data Insufficient

d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?

- Yes
- No
- No, With Mitigation
- Data Insufficient

e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?

- Yes
- No
- No, With Mitigation
- Data Insufficient

f. Exposure of existing structures to levels of ground vibration that could result in structural damage?

- Yes
- No
- No, With Mitigation
- Data Insufficient

7. Light and Glare

Will the proposal:

a. Include new or modified sources of exterior lighting?

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?

- Yes
- No
- No, With Mitigation
- Data Insufficient

c. Cause light from exterior sources to be cast off -site or onto public lands?

- Yes
- No
- No, With Mitigation
- Data Insufficient

d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?

- Yes
- No
- No, With Mitigation
- Data Insufficient

8. Land Use

Will the proposal:

a. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Expand or intensify an existing non-conforming use?

- Yes No
 No, With Mitigation Data Insufficient

9. Natural Resources

Will the proposal result in:

a. A substantial increase in the rate of use of any natural resources?

- Yes No
 No, With Mitigation Data Insufficient

b. Substantial depletion of any non-renewable natural resource?

- Yes No
 No, With Mitigation Data Insufficient

10. Risk of Upset

Will the proposal:

a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?

- Yes No
 No, With Mitigation Data Insufficient

b. Involve possible interference with an emergency evacuation plan?

- Yes No
 No, With Mitigation Data Insufficient

11. Population

Will the proposal:

a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Include or result in the temporary or permanent displacement of residents?

- Yes
- No
- No, With Mitigation
- Data Insufficient

12. Housing

Will the proposal:

a. Affect existing housing, or create a demand for additional housing?

To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:

(1) Will the proposal decrease the amount of housing in the Tahoe Region?

- Yes
- No
- No, With Mitigation
- Data Insufficient

(2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?

- Yes
- No
- No, With Mitigation
- Data Insufficient

Number of Existing Dwelling Units: 4

Number of Proposed Dwelling Units: 4

b. Will the proposal result in the loss of housing for lower-income and very-low-income households?

- Yes No
 No, With Mitigation Data Insufficient

13. Transportation/Circulation

Will the proposal result in:

a. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

- Yes No
 No, With Mitigation Data Insufficient

b. Changes to existing parking facilities, or demand for new parking?

- Yes No
 No, With Mitigation Data Insufficient

c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

- Yes No
 No, With Mitigation Data Insufficient

d. Alterations to present patterns of circulation or movement of people and/or goods?

- Yes No
 No, With Mitigation Data Insufficient

e. Alterations to waterborne, rail or air traffic?

- Yes No
 No, With Mitigation Data Insufficient

f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

- Yes No
 No, With Mitigation Data Insufficient

14. Public Services

Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?

a. Fire protection?

- Yes No
 No, With Mitigation Data Insufficient

b. Police protection?

- Yes No
 No, With Mitigation Data Insufficient

c. Schools?

- Yes No
 No, With Mitigation Data Insufficient

d. Parks or other recreational facilities?

- Yes No
 No, With Mitigation Data Insufficient

e. Maintenance of public facilities, including roads?

- Yes No
 No, With Mitigation Data Insufficient

f. Other governmental services?

- Yes No
 No, With Mitigation Data Insufficient

15. Energy

Will the proposal result in:

a. Use of substantial amounts of fuel or energy?

- Yes No
 No, With Mitigation Data Insufficient

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

- Yes No
 No, With Mitigation Data Insufficient

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

a. Power or natural gas?

- Yes No
 No, With Mitigation Data Insufficient

b. Communication systems?

- Yes No
 No, With Mitigation Data Insufficient

c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?

- Yes No
 No, With Mitigation Data Insufficient

d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?

- Yes No
 No, With Mitigation Data Insufficient

e. Storm water drainage?

- Yes No
 No, With Mitigation Data Insufficient

f. Solid waste and disposal?

- Yes No
 No, With Mitigation Data Insufficient

17. Human Health

Will the proposal result in:

a. Creation of any health hazard or potential health hazard (excluding mental health)?

- Yes No
 No, With Mitigation Data Insufficient

b. Exposure of people to potential health hazards?

- Yes No
 No, With Mitigation Data Insufficient

18. Scenic Resources/Community Design

Will the proposal:

a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Be visible from any public recreation area or TRPA designated bicycle trail?

- Yes
- No
- No, With Mitigation
- Data Insufficient

c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

- Yes
- No
- No, With Mitigation
- Data Insufficient

d. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

- Yes
- No
- No, With Mitigation
- Data Insufficient

e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

- Yes
- No
- No, With Mitigation
- Data Insufficient

19. Recreation

Does the proposal:

a. Create additional demand for recreation facilities?

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Create additional recreation capacity?

- Yes
- No
- No, With Mitigation
- Data Insufficient

c. Have the potential to create conflicts between recreation uses, either existing or proposed?

- Yes
- No
- No, With Mitigation
- Data Insufficient

d. Result in a decrease or loss of public access to any lake, waterway, or public lands?

- Yes
- No
- No, With Mitigation
- Data Insufficient

20. Archaeological/Historical

a. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?

- Yes No
 No, With Mitigation Data Insufficient

c. Is the property associated with any historically significant events and/or sites or persons?

- Yes No
 No, With Mitigation Data Insufficient

d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

- Yes No
 No, With Mitigation Data Insufficient

e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

- Yes No
 No, With Mitigation Data Insufficient

21. Findings of Significance.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

- Yes No
 No, With Mitigation Data Insufficient

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)

- Yes
- No
- No, With Mitigation
- Data Insufficient

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)

- Yes
- No
- No, With Mitigation
- Data Insufficient


d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

- Yes
- No
- No, With Mitigation
- Data Insufficient

DECLARATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature: (Original signature required.)

 _____ At Placer Date: 2/12/19
Person Preparing Application County

Applicant Written Comments: (Attach additional sheets if necessary)

Please refer to attached IEC response.

FOR OFFICE USE ONLY

Date Received: _____ By: _____

Determination:

On the basis of this evaluation:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

Yes

No

- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures.

Yes

No

- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with Chapter 3 of the TRPA Code of Ordinances and the Rules of Procedure.

Yes

No

Signature of Evaluator

Date: _____

Title of Evaluator

**Response to IEC
Gilmartin-Akatiff-Telfeian New Multiple Use Pier
8778, 8780, 8782 and 8796 Brockway Vista Avenue
APNs 090-231-047, 048, 049 & 050**

- 1c. Cassions and/or sleeves will be installed if there is any turbidity created during the installation of the new pilings for the pier modification to prevent any discharge of sediment to Lake Tahoe.
- 1e & 1f. All areas disturbed by construction will be revegetated in accordance to the TRPA Guide to Best Management Practices. The proposed construction access and material storage will be by amphibian/barge to minimize the disturbance on site. All properties have received their BMP certificates to prevent sediment from entering Lake Tahoe and temporary BMPs will be in place during construction and will remain in place until all areas are stabilized.
- 2a & 2c. All construction vehicles will be in good working order as to not have any impacts on air quality during construction.
- 3a. The proposed pier will be open piled to prevent the disturbance to littoral processes. The pier will be double piled.
- 3b. All permanent BMPs have been installed on site that are sized to capture and treat the 20 year, 1-hour storm event. Any areas disturbed by construction will be revegetated in accordance with the TRPA Guide to Best Management Practices.
- 3e. All permanent BMPs have been installed on site that are sized to capture and treat the 20 year, 1-hour storm event. Any areas disturbed by construction will be revegetated in accordance with the TRPA Guide to Best Management Practices. Cassions and/or sleeves will be installed if there is any turbidity created during the installation of the new pilings for the pier modification to prevent any discharge of sediment to Lake Tahoe.
- 5d. The proposed pier will be open piled to prevent the disturbance to minimize disturbance to the lake bottom. (the property is located in feed and cover habitat). The pier will be single piled with double pilings at the proposed pier head.
- 7a – 7c. Lighting is proposed on the new pier. The lights proposed on the new pier will be low-level turtle-type lights to prevent any light from being cast off into the surrounding area.

Attachment E

Proposed Site Plan and Elevations

GILMARTIN, TELFEIAN, AKATIFF FOUR PARCELS MULTIPLE-USE PIER STRUCTURAL PLANS

PROJECT INFORMATION:

OWNERS: MARK GILMARTIN - (8778 BROCKWAY VISTA AVE.)
6195 RIDGEVIEW COURT, SUITE A
RENO, NV 89519

HENRY TELFEIAN - (8780 BROCKWAY VISTA AVE.)
1247 ALVARADO ROAD
BERKELEY, CA 94705

MIKE AKATIFF - (8782 & 8796 BROCKWAY VISTA AVE.)
22002 LINDY LANE
CUPERTINO, CA 95014

PLANNER: KAUFMAN EDWARDS PLANNING & CONSULTING
ATTN: ADIGAIL EDWARDS
P.O. BOX 1253
CARNELIAN BAY, CA 96140
(530) 546-4402

ENGINEER: FERRELL CIVIL ENGINEERING
ATTN: TIM FERRELL
P.O. BOX 361
TAHOE VISTA, CA 96148
(530) 546-2752

PROJECT LOCATION: 8778, 8780, 8782 & 8796 BROCKWAY VISTA AVE.
KINGS BEACH, CALIFORNIA

SHEET INDEX:

T1 - TITLE SHEET & SITE PLAN
T2 - ALLOWABLE, EXISTING & PROPOSED COVERAGE
C1 - (P) PIER LAYOUT & FRAMING PLANS
C2 - (P) PIER FRAMING PLAN & ELEVATION
D1 - STRUCTURAL & BMP DETAILS
D2 - BUOY EXHIBIT

CUT / FILL VOLUMES:

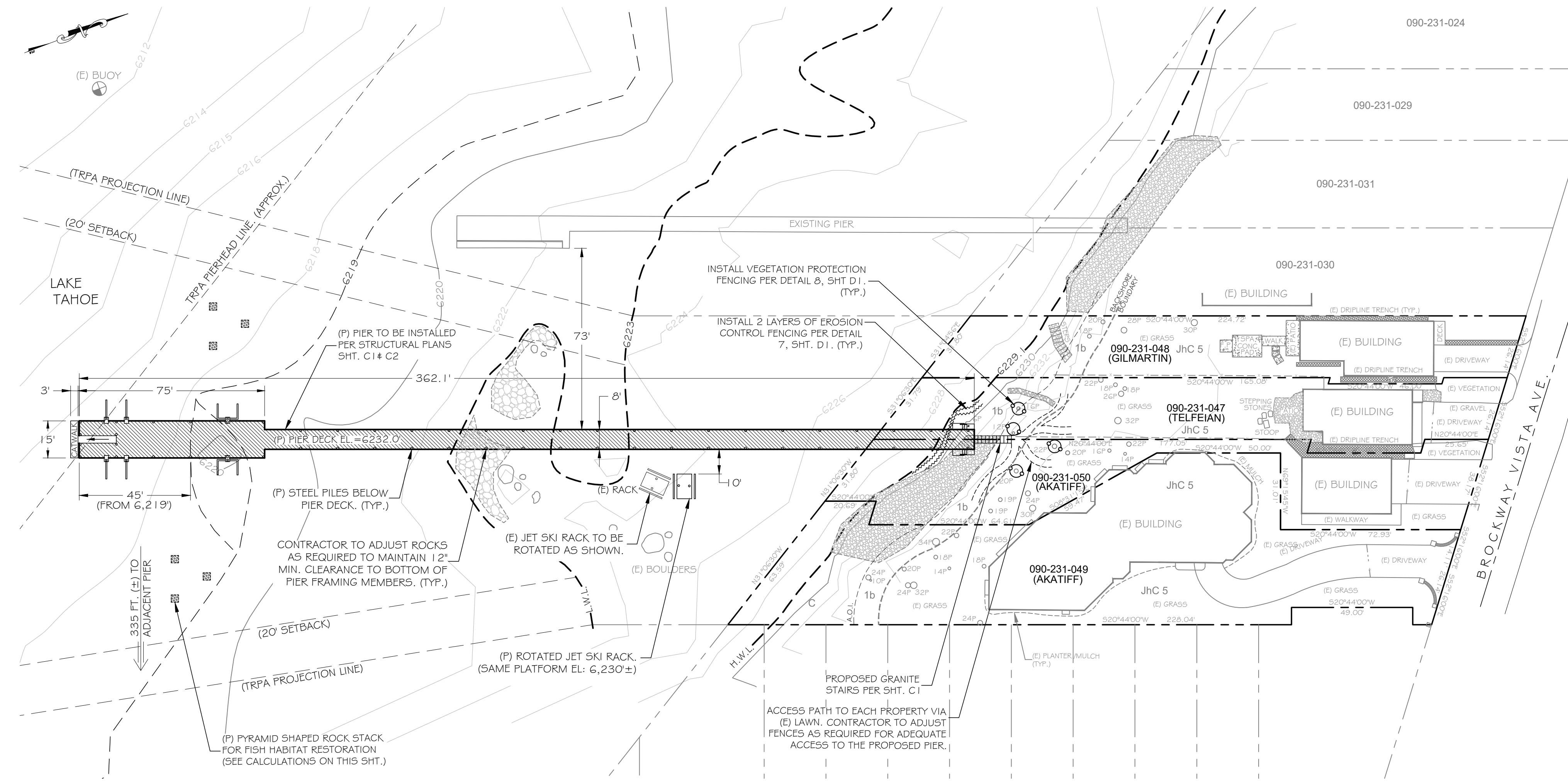
PROPOSED CUT = 2.5 C.Y.
PROPOSED FILL = 2.5 C.Y.

PIER MASSING CALCULATIONS		
PROPOSED PIER DIMENSIONS	(feet/in.)	(feet)
Pier length	362'-08"	362.10
Width of pier head	15'-0"	15.00
Decking height with joists	9"	0.75
Girders depth	8- 1/4"	0.70
Pile height (visible at 6.226' lake level)	4'-6.75"	4.56
Pile width	10 3/4"	0.90
PROPOSED PIER VISUAL MASS		
		(sq. ft.)
Decking/framing: (362.1'+3') x 0.75' (side) =		273.83
Decking/framing: 15' x 0.75' (front) =		11.25
Steel piles: 0.90' x 4.56' x 25 piles (side) =		102.60
Steel Piles: 0.90' x 4.56' x 4 piles (front) =		16.42
Steel Girders: 0.08 SF x 25 (side) =		2.00
Steel Girders: 0.70' x 15' (front) =		10.50
Catwalk guardrail & ramp: ((9.99)+(5.25' x 3' + 1.5' x 2) =		28.74
New fender piles: (0.29' x 6' x 1)+(0.29' x 6' x 3) =		6.96
Total Proposed Visual Massing:		452.29
Allowed Visual Massing:		520.00

FISH HABITAT MITIGATION CALCULATIONS		
AREA OF DISTURBANCE RESULTING FROM INSTALLATION OF 54 NEW PILING (0.64 X 54)		34.56 SQ. FT.
TOTAL FISH HABITAT RESTORATION REQUIRED (1:1.5 MITIGATION)		51.84 SQ. FT.
TOTAL PROPOSED FISH HABITAT MITIGATION (6-ROCK PYRAMIDS AT 9 SQ.FT./EACH)		54.00 SQ. FT.

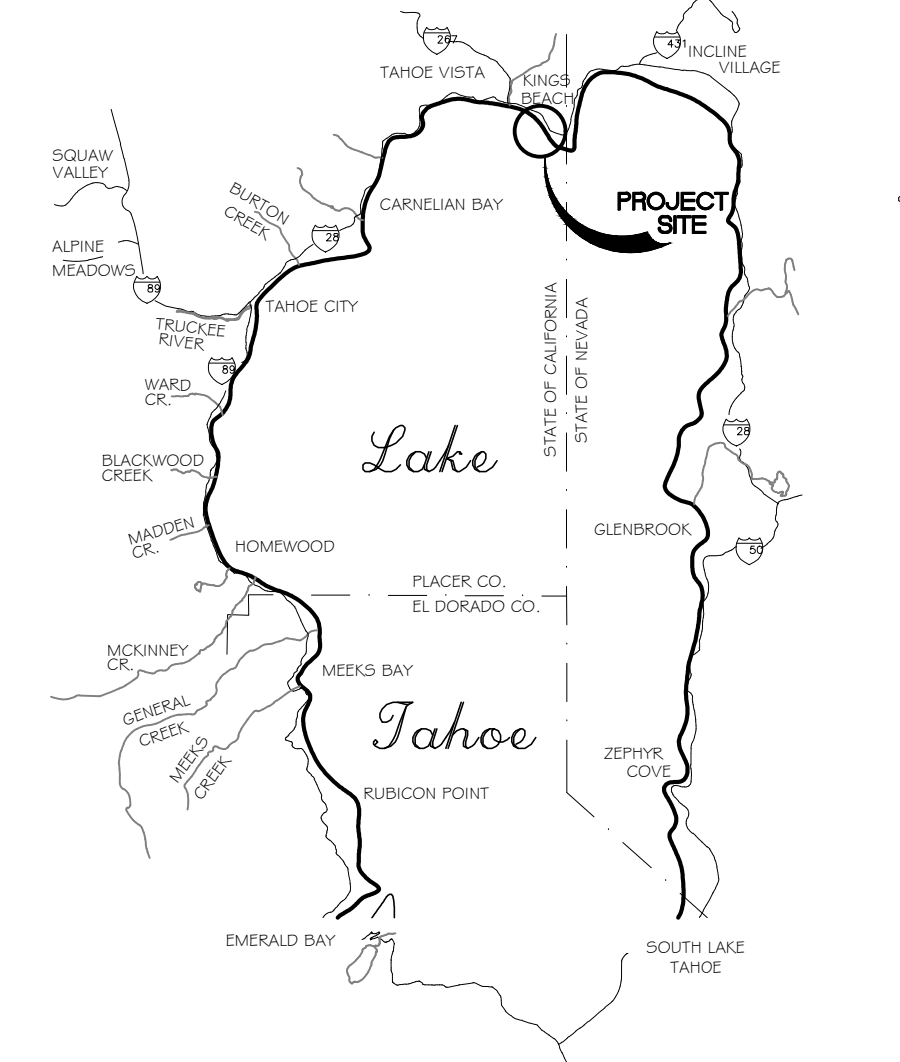


Know what's below.
Call before you dig.



SITE OVERVIEW

SCALE: 1"=30'-0"



VICINITY MAP

NOT TO SCALE

SURVEY NOTES:

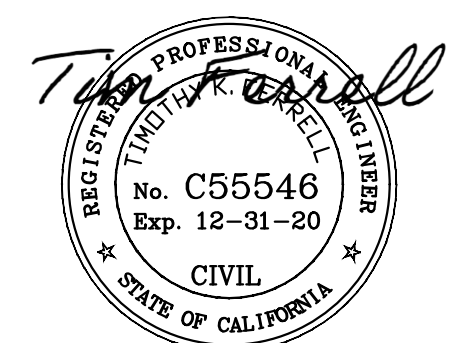
- THE BOUNDARY SHOWN HEREON IS FROM A FIELD SURVEY COMPILED FROM BROCKWAY VISTA SUBDIVISION. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE & CURRENT TITLE SEARCH MAY DISCLOSE.
- NO INVESTIGATION CONCERNING ENVIRONMENTAL & SUBSURFACE CONDITIONS, OR THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
- NO INVESTIGATION CONCERNING THE LOCATION OF OR EXISTENCE OF UTILITY SERVICE LINES TO THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
- ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION.
- DATE OF FIELD WORK JANUARY 15, 2009.
- THE TOPOGRAPHY SHOWN HEREON MEETS THE STANDARDS OF THE AMERICAN CONGRESS OF SURVEYING & MAPPING WITH 90% OF THE CONTOURS TO BE WITHIN PLUS OR MINUS ONE HALF OF A CONTOUR INTERVAL.
- VERTICAL DATUM IS BASED ON LAKE TAHOE DATUM.
- T.B.M.=(LAKE TAHOE ON 1/15/2009), ELEV=6223.18'
- BUILDING SETBACKS SHOULD BE VERIFIED PRIOR TO ANY DESIGN.
- LAND CAPABILITY CLASSIFICATION IS FROM THE TAHOE LAND GUIDE, DATED SEPTEMBER 1981 & MUST BE VERIFIED BY THE T.R.P.A.
- ALL PROPERTIES HAVE TRPA BMP CERTIFICATES. PERMANENT BMP'S ARE SHOWN FOR GRAPHICAL REPRESENTATION, BASED ON SITE INSPECTION.

GENERAL NOTES:

- CONTRACTOR TO HAVE THE APPROVED TRPA PERMIT AND STAMPED PLANS ON SITE AT ALL TIMES DURING CONSTRUCTION.
- CONTRACTOR SHALL COMPLY WITH THE TRPA SPECIAL AND STANDARD CONDITIONS OF APPROVAL SET FORTH IN THE PERMIT.
- LOCATION OF UNDERGROUND UTILITIES WAS NOT APART OF THIS DESIGN. CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION. EVEN ON PRIVATE PROPERTY.
- ALL STEEL PILES TO HAVE A MINIMUM EMBEDMENT OF 8'. IF CONFLICT ARISES IMMEDIATELY CONTACT F.C.E. FOR RE-DESIGN.

DISCLAIMER:

- FERRELL CIVIL ENGINEERING WILL NOT BE RESPONSIBLE FOR THE ACCURACY OF THIS SURVEY. CONTRACTOR TO VERIFY ON SITE ALL ASPECTS OF PROPOSED DESIGN PRIOR TO BEGINNING OF WORK. IF CONFLICT ARISES IMMEDIATELY CONTACT F.C.E. FOR RE-DESIGN.
- COVERAGE SHOWN HERE REPRESENTS INFORMATION DIRECTLY DERIVED FROM THESE SURVEYS. F.C.E. PERFORMED NO FIELD VERIFICATION OF ANY TYPE REGARDING COVERAGE ON THESE PROPERTIES.



5-6-20

DRAWN BY: HBG DESIGN BY: HBG
CHECKED BY: TKF DWG: P:\PIERS\Gilmartin\kgw\FCE-CIVIL

REVISION	DATE	DESCRIPTION	APPROVED	DATE



CA #C 55546 NV #12927
P.O. Box 361, Tahoe Vista, CA 96148

ferrell@fcivil.com

ph: 530.546.2752
fax: 530.546.4469

KINGS BEACH

PLACER COUNTY

TITLE SHEET/SITE PLAN

A.P.N.: 090-231-047
090-231-048
090-231-049
090-231-050

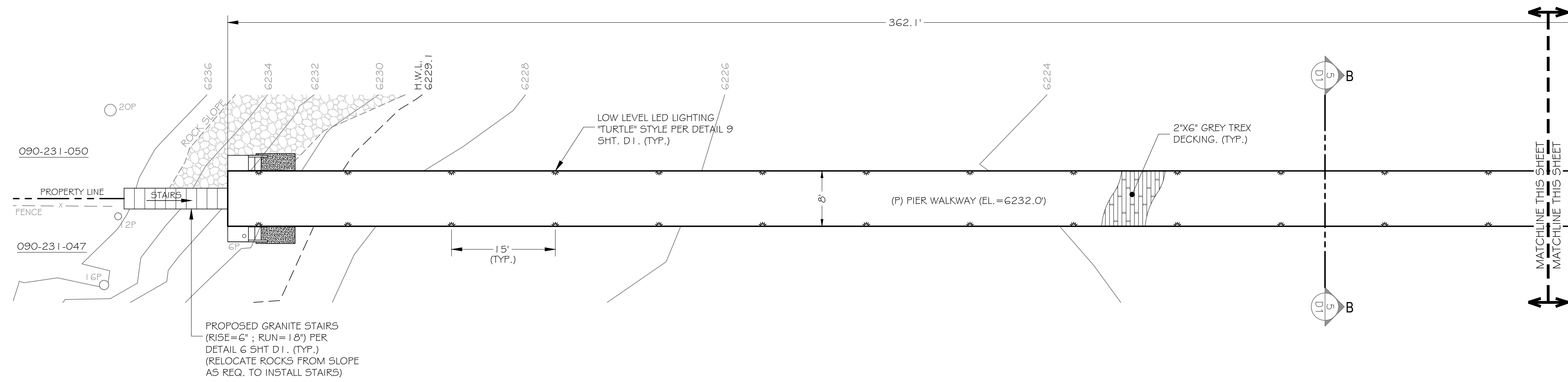
DATE: MAY 6, 2020

SCALE: 1"=30'-0"

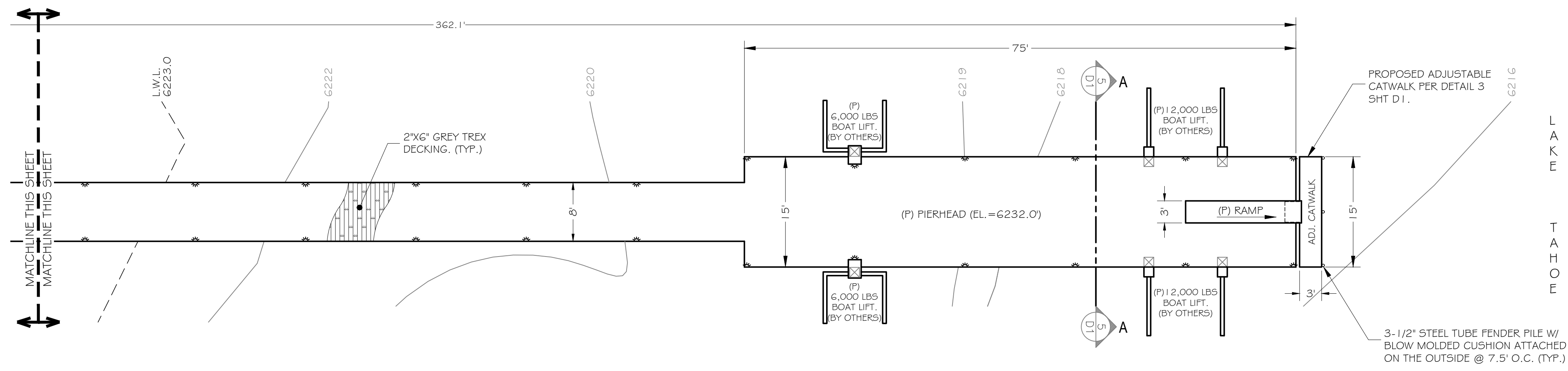
CALIFORNIA W.O. NO. G416A PIER

SHEET

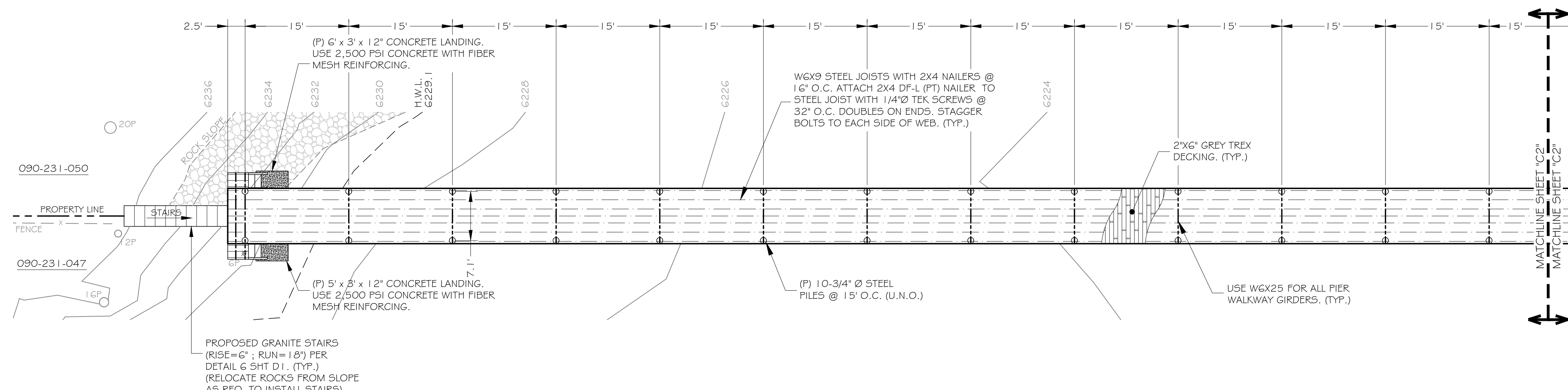
T1
OF
6



PLAN VIEW
SCALE: 1" = 10'-0"



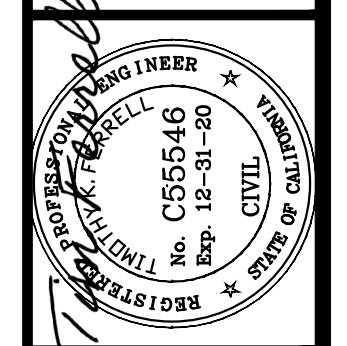
PLAN VIEW
SCALE: 1" = 10'-0"



FRAMING PLAN VIEW
SCALE: 1" = 10'-0"

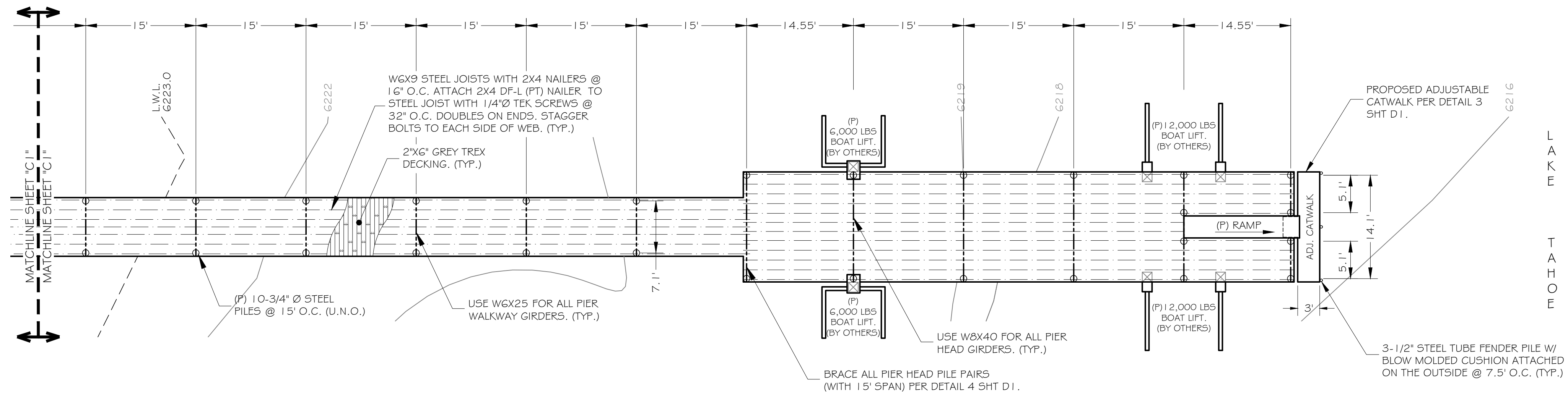
REV.	DATE	DESCRIPTION	APPROVED DATE
1			
2			
3			
4			
5			

COMP. DATE: HBG
 DESIGN: HBG
 PRJ. ENG.: TKF
 WORK ORDER: HBG
 SCALE: 1" = 10'-0"
 HORIZONTAL:
 VERTICAL:
 CAD:
 DATE: MAY 6, 2020



(P) PIER LAYOUT & FRAMING PLANS
GILMARTIN, TELEFAN & AKATIFF-PIER PROJECT
 BROCKWAY VISTA AVE. A.P.N.: 090-231-047/48/49/50 KINGS BEACH, CA

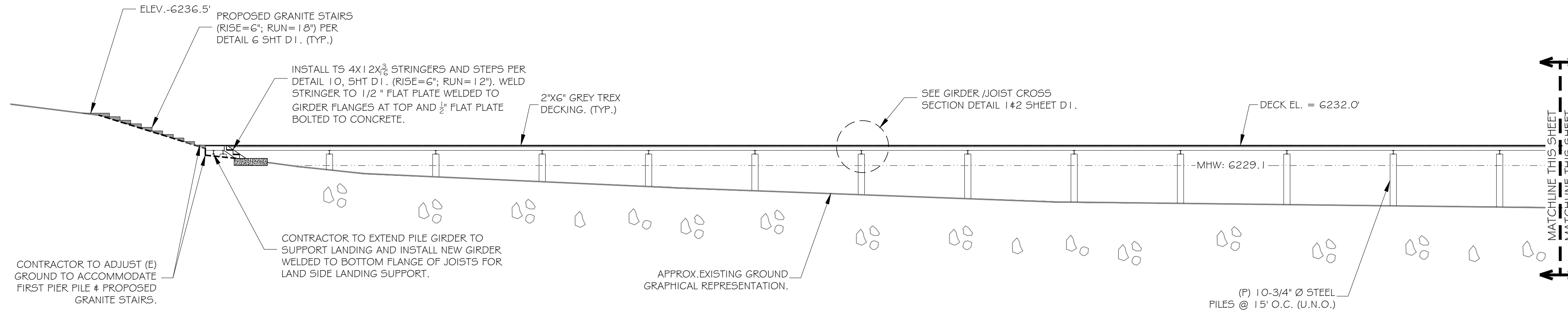
C1



FRAMING PLAN VIEW

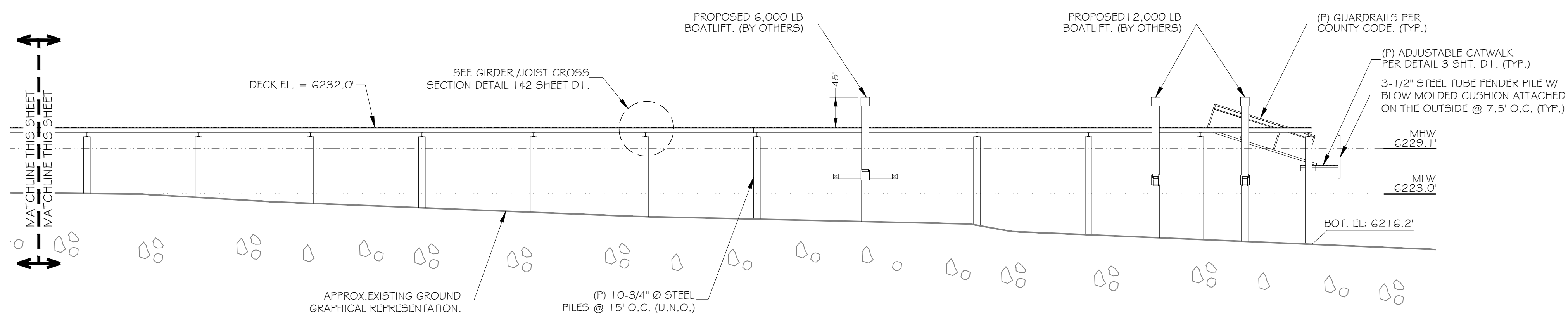
SCALE: 1"=10'-0"

NOTE:
THE PRIMARY COLOR OF THE PIER AND CATWALK SHALL REMAIN IN CONFORMANCE W/
THE EARTHTONE & WOODTONE RANGES TO BLEND W/ THE NATURAL SURROUNDINGS.
PILING WILL BE PAINTED FLAT BLACK OR A COLOR APPROVED BY TRPA.



EAST ELEVATION

SCALE: 1"=10'-0"

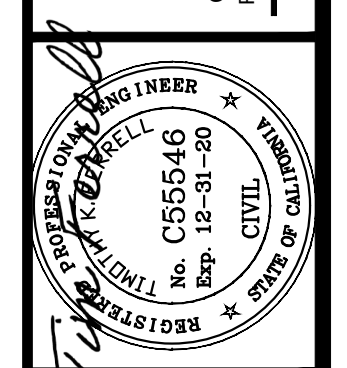


EAST ELEVATION

SCALE: 1"=10'-0"

REV.	DATE	DESCRIPTION	APPROVED DATE

COMP. _ FCE _ DESIGN: _ HBG _
 DRWN: _ HBG _ PROJ. ENG.: _ TKF _
 WORK ORDER: _
 SCALE: 1"=10'-0"
 HORIZONTAL:
 VERTICAL:
 CAD:
 DATE: MAY 6, 2020



(P) PIER FRAMING PLAN & ELEVATION
GILMARTIN, TELEFAN & AKATIFF-PIER PROJECT
 BROCKWAY VISTA AVE. A.P.N.: 090-231-047/48/49/50 KINGS BEACH, CA

C2