

APN 1318-00-002-007

APN 1318-00-002-008

APN \_\_\_\_\_

DOC # 750035  
09/02/2009 09:52AM Deputy: DW  
**OFFICIAL RECORD**  
Requested By:  
FIRST AMERICAN TITLE MIN  
Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 of 9 Fee: 0.00  
BK-909 PG-278 RPTT: 0.00



FOR RECORDER'S USE ONLY

TITLE OF DOCUMENT: Revised Permit

This instrument is being recorded as an "Accommodation Only" by First American Title Insurance Company and has not been examined as to its validity, execution or its effect upon title, if any.

WHEN RECORDED MAIL TO:

Nevada Division of State Lands

901 S Stewart St #503

Carson City NV 89701



**TAHOE  
REGIONAL  
PLANNING  
AGENCY**

**Mail**  
PO Box 5310  
Stateline, NV 89449-5310

**Location**  
128 Market Street  
Stateline, NV 89449

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

**REVISED PERMIT**

**PROJECT DESCRIPTION:** Bi-State Park with access road, parking spaces, day use area, and restrooms

**APNS:** 1318-00-002-007, 1318-00-002-008, 029-441-20, 029-441-19, 029-260-32, 029-260-25, 028-021-02, 028-021-03

**PERMITTEES:** California Tahoe Conservancy/Nevada Division State Parks

**FILE #** EICP2007-0009

**COUNTY/LOCATION:** Douglas County/El Dorado County/City of South Lake Tahoe

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on April 22, 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 April 22, 2012 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 the restroom and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

**NO TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:**

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) THE PERMITTEE OBTAINS A COUNTY/CITY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY/CITY BUILDING PERMIT. THE COUNTY/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 Gerson  
TRPA Executive Director/Designee

7-2-09  
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) [Signature] Date 7/7/09

Signature of Permittee(s) [Signature] Date 7/7/09

imagine plan achieve.

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PG-279  
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**APNs**

1318-00-002-007, 1318-00-002-008, 029-441-20, 029-441-19,  
029-260-32, 029-260-25, 028-021-02, 028-021-03

PC

**FILE NO. EISP2007-0009**

Air Quality Mitigation Fee (1): Amount \$ 6624.60 Paid P.O. Receipt No. 103082

Water Quality Mitigation Fee (2): Amount \$ sewerno Paid n/a Receipt No. \_\_\_\_\_  
from state of nevada

Excess Coverage Mitigation Fee (3): Amount \$ N/A Paid n/a Receipt No. \_\_\_\_\_  
33600 will be retired.

**Notes:**

- (1) See Special Condition 3. D, below.
- (2) See Special Condition 3. C, below.
- (3) Amount to be determined. See Special Condition 3. J, below.

Required plans determined to be in conformance with approval: Date: 7-8-09

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:

*[Signature]* 7-8-09  
 TRPA Executive Director/Designee Date

**SPECIAL CONDITIONS**

1. This permit specifically authorizes the construction of Phase 1 of the Van Sickle Bi-State Park which includes an access road, day use areas, parking areas with ADA access, equestrian parking, trail heads and restroom facilities. The project area includes lands on both sides of the California-Nevada state line. The project area includes 145 acres on the California side and 254 acres on the Nevada side for a total of 399 acres. The project area has 400,043 square feet of existing coverage in Class 1a, 1b, 2 and 4. The proposed coverage is 508,076 square feet. This project includes the assignment of 138 summer day use PAOTs (Persons At One Time) from the summer day use pool.
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) The following revised land coverage calculations:



- (a) Coverage table to reflect current existing and proposed coverage calculations for each parcel and the total project area.
  - (b) New off-site land coverage being created in the public right-of-way.
  - (2) Identify all temporary stockpile areas, equipment and machinery staging areas, and material storage locations.
  - (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 in 30 feet of structures."
  - (5) Provide elevations and details of proposed restrooms.
  - (6) Provide details of site furnishings.
  - (7) Indicate the quantities on the plant legends on all landscape sheets.
  - (8) Location of all recorded or proposed easements in the project area.
  - (9) The permittee shall submit calculations prior to acknowledgement demonstrating that the proposed permanent Best Management Practices are sized accordingly for the slopes and soil types of the project area and will capture and infiltrate a 20 year/1 hour storm event using the updated spread sheet available at [www.tahoebmp.org](http://www.tahoebmp.org).
- B. The permittee shall provide construction methodology for construction activities in the Stream Environment Zone.
- C. The required water quality offset for the creation of 154,197 square feet of new Class 4 coverage may be mitigated one of two ways, or a combination of both per TRPA Code of Ordinances, Section 82.2 (Required offsets). The applicant may propose a water quality mitigation project or pay a water quality mitigation fee at a rate of \$1.86/sq ft., or a combination of the two. The mitigation plan or water quality fees shall be submitted to TRPA within six months of permit acknowledgment. By acceptance of this permit, the permittee agrees that no subsequent applications for the project area will be submitted to TRPA until the water quality mitigation requirements of the TRPA Code are satisfied.
- D. The permittee shall submit a \$6,624.60 air quality mitigation fee. This fee is based on the addition of 183 daily vehicle trip ends at \$32.60/trip.
- E. The permittee shall record a TRPA approved project area deed restriction for land coverage purposes against APNs 029-20-25, 029-441-20, 029-20-32, 028-



021-03, 028-021-02, 029-441-19, 1318-00-002-007, and 1318-00-002-008.  
Evidence of document recording is required prior to final acknowledgement of this permit.

- F. The permittee shall submit copies of all recorded easements affecting the project area. ✓
- G. The affected property has 92,049 square feet of excess land coverage. The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area 4 (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 0.04% (as identified in Table A of Subsection 20.5.A.(3), Chapter 20 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

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

Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of \$15.00 for the portion of excess coverage in Nevada and \$8.50 for the portion of the excess coverage in California for projects within Hydrologic Transfer Area 4 (South Stateline). 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.

*16,290 10,860 ex 447 7/8/09*

- H. Permittee shall transfer ~~19,173~~ <sup>16,290</sup> (12,782 x 1.5) square feet of Class 2 coverage to the project area (Note all coverage transfers must be in compliance with Chapter 20 of the TRPA Code of Ordinances, and the TRPA Rules of Procedure.)
- I. Upon permit acknowledgment, the project shall be granted an allocation of 138 summer-day use PAOTs, from the available summer-day use PAOT pool identified in Subsection 33.6.C(3)(b) of the TRPA Code of Ordinances.
- J. The permittee shall submit a copy of the Storm Water Pollution Prevention Plan for TRPA review.
- K. The permittee shall submit a projected construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction, as well as BMP installation for the entire project area.



- L. The permittee shall revise the site plans, construction drawings and coverage tables to reflect a reduction in road shoulders from 4 feet to 2 feet as discussed at the April 22, 2009 Governing Board meeting.
- M. The permittee shall submit three sets of final construction drawings and site plans to TRPA.
- 4. The permittee shall submit a dewatering plan to TRPA for review and approval in the event of ground or surface water is intercepted during excavations. No excavation shall occur until TRPA has reviewed and approved the dewatering plan
- 5. Temporary and permanent BMPs may be field fit by the Environmental Compliance Inspector where appropriate.
- 6. Soil tracked onto pavement shall be removed through regular sweeping at the end of each business day.
- 7. 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.
- 8. 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.

END OF PERMIT

## CALIFORNIA TAHOE CONSERVANCY

1061 THIRD STREET  
SOUTH LAKE TAHOE, CA 96150  
(530) 542-5580



June 30, 2009

RECEIVED

JUL 01 2009

TAHOE REGIONAL  
PLANNING AGENCY

Joanne S. Marchetta  
Tahoe Regional Planning Agency  
P. O. Box 5310  
Stateline, NV 89449

Attn: Wendy Jepson

Re: Assignment of Restoration Credit to  
**Van Sickle Bi-State Park Project**  
**TRPA File Number EIPC2007-0009**

The California Tahoe Conservancy has agreed to provide **18,890 square feet of Class 1-3 Restoration Credit** ("the Restoration Credit") to the project area that encompasses the Van Sickle Bi-State Park Project. The Restoration Credit will be used in meeting the restoration requirements of TRPA file number EIPC2007-0009, a joint project between the Conservancy and the Nevada Division of State Parks.

Class 1-3 Restoration Credit - The restoration credit is to be assigned to the project site, and originates from a sending parcel owned by the Conservancy, and identified as Placer County Assessor Parcel Number 84-010-29. The parcel's class 1-3 area had been historically used as a borrow pit. More recently, Placer County construction plans have been approved by TRPA to revegetate the area and use much of the disturbed portion for treatment of stormwater runoff (TRPA file number EIPC2008-0004). Placer County's intentions to bid and construct this field season are currently on hold pending the Conservancy's ability to release bond funds. The Conservancy is prepared to permanently retire the Restoration Credit from this parcel, as soon as the area is successfully restored.

Substitute 1b Restoration Credit as Security - In the event the Class 1-3 restoration credit cannot be generated, the Conservancy is prepared to substitute existing Class 1b restoration credit. The Class 1b restoration credit originates from sending parcels owned by the Conservancy, and identified as Placer County Assessor Parcel Numbers 93-440-01, 02, & 58 (Lake Forest Glen SEZ restoration credit). There is at least 20,000 sf of Class 1b credit available from this restoration project that could secure our obligation to meet the restoration requirements for the Van Sickle Bi-State Park Project.

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We ask that you confirm below that the Conservancy's assignment of restoration credit to the Van Sickle Bi-State Park Project will: (1) meet all applicable requirements of Chapter 20 of the TRPA Code of Ordinances; and (2) be deemed by TRPA to fulfill, in whole or in part, the restoration requirements of the permit.

This assignment of restoration credit will be considered complete when TRPA's final permit is issued for the project. Should any circumstances arise, prior to issuance of the permit, which would reduce the amount of restoration credit that the receiver project is eligible to receive by assignment please immediately contact Gerry Willmett of our staff at (530) 543-6042.

Sincerely,

Bruce A. Eisner  
Program Manager

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APPROVED BY THE TAHOE REGIONAL PLANNING AGENCY

Joanne S. Marchetta  
Executive Director

Date: 7/8/09





**TAHOE  
REGIONAL  
PLANNING  
AGENCY**

128 Market Street  
PO Box 5310 3080 N. Lake Blvd.  
Stateline, NV 89449 Tahoe City, CA 96145  
(775) 588-4547

**TAHOE REGIONAL PLANNING AGENCY  
PERMITS AND INSPECTIONS RECEIPT**

**THIS IS NOT A PERMIT**

This document serves only as a record of payment received for application fee.  
There is a minimum \$25.00 charge on all Insufficient Funds.

**APPLICATION DETAILS**

Date: 07/08/2009

Receipt Number: 103082

Permit Application Type: EIP Construction

Description of Work: 127 - All Other Matters

Payment received from:

Payee address:

APN: 1318-00-002-007

Application number: EIPC2007-0009

Payment Method	Status	Check#	Comment	Amount
Billed	Paid	0850	PO Received from dept of conservation and natural resources	\$6,624.60

Cashier ID: Bellotti, Linda

**PAYMENT DETAILS**

Invoice No.	Assessed Fees	Fee Category	Fee Amount	Applied Amount
64231	\$3,312.30	CSLT Air Quality Mitigation - Other	\$3,312.30	\$3,312.30
64231	\$3,312.30	Douglas County Air Quality Mitigation - Other	\$3,312.30	\$3,312.30

Total Paid: \$6,624.60