



**Clean Water Act Section 401 Water Quality Certification Application**

Please refer to the “Clean Water Act Section 401 Water Quality Certification Application Guidance” document for assistance with completing this application.

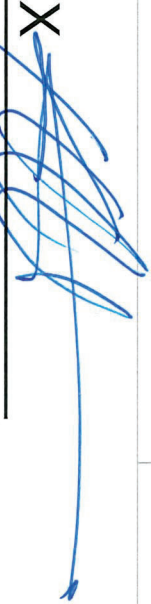
A. Pre-Filing Meeting	
Please provide the date that a pre-filing meeting was requested from Nevada Division of Environmental Protection (NDEP) Bureau of Water Quality Planning (BWQP).	April 1, 2024
<i>Note: If a pre-filing meeting has not been requested, please schedule a pre-filing meeting with NDEP BWQP.</i>	

B. Contact Information	
<b>Project Proponent Information</b>	
Company Name:	Address: Post Office Box 1307
Applicant Name: Christian P. Erdman, Trustee	City: Crystal Bay
Phone: (775) 741-4342 Fax:	State: NV
Email: cperdman@ix.netcom.com	Zip Code: 89402
<b>Agent Information</b>	
Company Name: Agan Consulting Corporation	Address: Post Office Box 9180
Agent Name: Kevin M. Agan	City: Incline Village
Phone: (775) 832-9300 Fax:	State: Nevada
Email: kevin@aganconsulting.com	Zip Code: 89450

C. Project General Information		
<b>Project Location</b>		
Project/Site Name: Erdman (Buck) Trust - New Buoys	Name of receiving waterbody: Lake Tahoe	
Address: 59 Somers Loop	Type of waterbody present at project location (select all that apply):	
City: Crystal Bay	<input type="checkbox"/> Perennial River or Stream <input type="checkbox"/> Intermittent River or Stream <input type="checkbox"/> Ephemeral River or Stream <input checked="" type="checkbox"/> Lake/Pond/Reservoir <input type="checkbox"/> Wetland <input type="checkbox"/> Other: _____	
County: Washoe		
State: NV		
Zip Code: 89402		
Latitude (UTM or Dec/Deg): 39.221776	Longitude (UTM or Dec/Deg): -120.003723	
Township: 16N	Range: 18E	Section: 30
		¼ Section: E

Project Details		
Project purpose:	Private Recreational Use.	
Describe current site conditions:	Sandy lakebed and shoreline with scattered boulders and cobbles lakeward of the upland property. Please refer to the attached site mapping and photographs.	
Attachments can include, but are not limited to, relevant site data, photographs that represent current site conditions, or other relevant documentation.		
Describe the proposed activity including methodology of each project element:	Installation of a new mooring buoys with one located with prime fish habitat. Please refer to the attached support documentation.	
Estimate the nature, specific location, and number of discharge(s) expected to be authorized by the proposed activity:	Two 12 SF (< 3 CY) of a new buoy concrete anchor blocks per attached buoy site mapping.	
Provide the date(s) on which the proposed activity is planned to begin and end and the approximate date(s) when any discharge(s) may commence:	June - July 2024.	
Provide a list of the federal permit(s) or license(s) required to conduct the activity which may result in a discharge into regulated waters (see mandatory attachments):	USACE NWP 10, Buoys and NWP 4, Fish Habitat Enhancement.	
Provide a list of all other federal, state, interstate, tribal, territorial, or local agency authorizations required for the proposed activity and the current status of each authorization:	TRPA Buoy Permit; NDSL Buoy Permit; NDEP 401 Certification/Waiver.	
Total area of impact to regulated waterbodies (acres):	24 SF of lakebed (buoy anchor coverage) total.	
Total distance of impact to regulated waterbodies (linear feet):	N/A	
Amount excavation and/or fill discharged within regulated waters (acres, linear feet, and cubic yards):	Temporary:	Permanent:
		36 SF (< 9 CY Fill)
Amount of dredge material discharged within regulated waters (acres, linear feet, and cubic yards):	Temporary:	Permanent:
		None
Describe the reason(s) why avoidance of temporary fill in regulated waters is not practicable (if applicable):	Placement of two 12 SF (< 3 CY) concrete buoy anchor blocks with one anchor block to be located in prime fish habitat and requiring fish habitat mitigation component of activity.	

<p>Describe the Best Management Practices (BMPs) to be implemented to avoid and/or minimize impacts to regulated waters:</p> <p>Examples include sediment and erosion control measures, habitat preservation, flow diversions, dewatering, hazardous materials management, water quality monitoring, equipment or plans to treat, control, or manage discharges, etc.</p> <p>Describe how the activity has been designed to avoid and/or minimize adverse effects, both temporary and permanent, to regulated waters:</p>	<p>Barge or Buoy Boat with crane. Please refer to attached support documentation. Placement of dispersed cobble to be placed by hand via scuba.</p> <p>Immediate Installation (1 day, weather pending).</p>
<p>Describe any compensatory mitigation planned for this project (if applicable):</p>	<p>Fish habitat mitigation for placement of one of the two mooring buoys within prime fish habitat as required per agency permit action.</p>

D. Signature		
Name and Title (Print):	Phone Number:	Date:
Kevin M. Agan, Owner's Agent	(775) 832-9300	05/10/24
<p style="text-align: center;"></p> <p>_____            Signature of Responsible Official</p>		

**Mandatory Attachments:**

- **Federal Permit or License Identification:**
  - Project proponents seeking a federal general permit or license must include a copy of the draft federal license or permit and any readily available water quality-related materials that informed the development of the draft federal license or permit, or;
  - Project proponents seeking a federal individual permit or license must include a copy of the federal permit or license application and any readily available water quality-related materials that informed the development of the federal license or permit application.
- **Site Map** - A map or diagram of the proposed project site including project boundaries in relation to regulated waters, local streets, roads, and highways.
- **Engineered Drawings** - Engineered drawings are preferred to be submitted at the 70% design level. If only conceptual designs are available at the time of application, plans for construction should be submitted prior to the start of the project. Specific locations of the proposed activities and details of specific work elements planned

for the project should be identified (e.g., staging areas, concrete washouts, perimeter controls, water diversions, or other BMPs).

Submit the completed application materials to NDEP ([ndep401@ndep.nv.gov](mailto:ndep401@ndep.nv.gov)) with the appropriate U.S. Army Corps of Engineers Regulatory Office copied on the communication (<http://www.spk.usace.army.mil/Missions/Regulatory/Contacts/Contact-Your-Local-Office/>).

May 10, 2024

Mr. Zachary Carter, Environmental Scientist  
Nevada Division of Environmental Protection  
901 South Stewart Street, Suite 4001  
Carson City, NV 89701

**Subject: New Mooring Buoys – Erdman (Buck) Property**  
**53 Somers Loop, Crystal Bay, Nevada**  
**Washoe County APN: 123-221-03**

Dear Zack,

Attached please find for your review the support documentation pertaining to the installation of two (2) new mooring buoys to be located lakeward of the above-referenced property:

- Signed Nevada Division of Environmental Protection 401 Water Quality Certification Application;
- 2024 Tahoe Regional Planning Agency Buoy Permit/Approved Site Mapping (for reference purposes);
- 2022 Nevada Division of State Lands Buoy Permit/Approved Site Mapping (for reference purposes);
- 2022 U.S. Army Corps of Engineers Nationwide Permit 4 Document (Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities);
- 2022 U.S. Army Corps of Engineers Nationwide Permit 10 Document (Mooring Buoys);
- Project Description/Construction Methodology Documentation (for reference purposes);

Mr. Zachary Carter, Environmental Scientist  
Nevada Division of Environmental Protection  
May 10, 2024  
Page 2

- Current Washoe County Assessor Parcel Mapping;
- Recorded Grant Deeds (Current Ownership);
- Site Photograph (Existing Conditions).

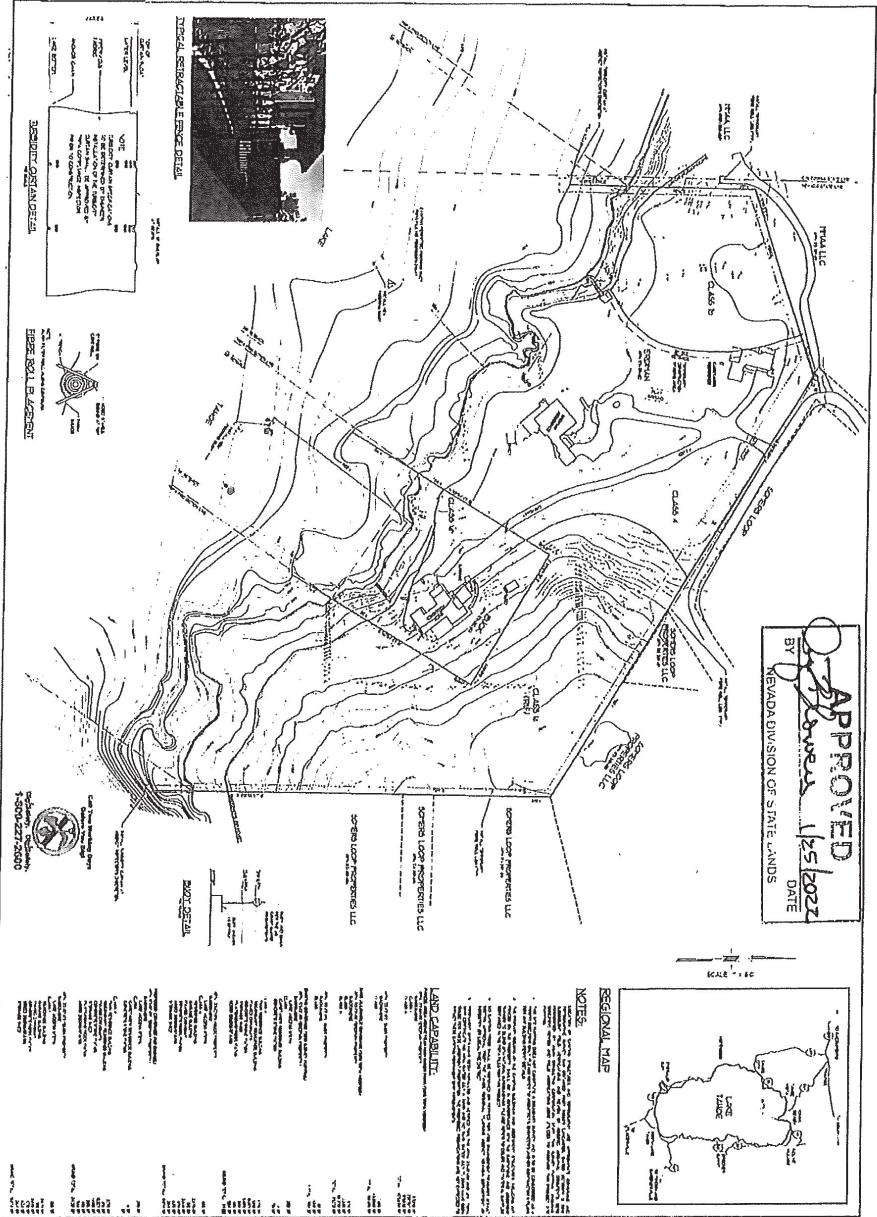
We hope the attached information allows you to process the required 401 Certification at your earliest opportunity. Should you have any comments or questions, please feel free to contact me directly at [kevin@agancounseling.com](mailto:kevin@agancounseling.com).  
Thank you.

Sincerely yours,

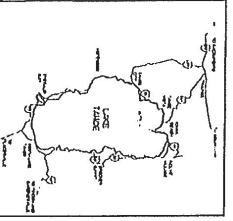
Kevin M. Agan  
Principal Consultant

KMA:  
Attachments





**APPROVED**  
*[Signature]*  
 ST. LOURIS 1/25/2022  
 DATE  
 NEVADA DIVISION OF STATE LANDS



**NOTES**  
 1. THIS PROJECT IS SUBJECT TO THE NEVADA DIVISION OF STATE LANDS REVIEW AND APPROVAL.  
 2. THE PROJECT AREA IS LOCATED WITHIN THE BUCK / ERDMAN PROPERTIES LLC AND SOPHIA LOPAN PROPERTIES LLC TRACTS.  
 3. THE PROJECT AREA IS BOUND BY THE NEVADA DIVISION OF STATE LANDS TO THE NORTH AND WEST.  
 4. THE PROJECT AREA IS BOUND BY THE BUCK / ERDMAN PROPERTIES LLC TRACT TO THE EAST AND SOUTH.  
 5. THE PROJECT AREA IS BOUND BY THE SOPHIA LOPAN PROPERTIES LLC TRACT TO THE SOUTH.  
 6. THE PROJECT AREA IS BOUND BY THE NEVADA DIVISION OF STATE LANDS TO THE WEST.  
 7. THE PROJECT AREA IS BOUND BY THE BUCK / ERDMAN PROPERTIES LLC TRACT TO THE EAST.  
 8. THE PROJECT AREA IS BOUND BY THE SOPHIA LOPAN PROPERTIES LLC TRACT TO THE SOUTH.  
 9. THE PROJECT AREA IS BOUND BY THE NEVADA DIVISION OF STATE LANDS TO THE WEST.  
 10. THE PROJECT AREA IS BOUND BY THE BUCK / ERDMAN PROPERTIES LLC TRACT TO THE EAST.  
 11. THE PROJECT AREA IS BOUND BY THE SOPHIA LOPAN PROPERTIES LLC TRACT TO THE SOUTH.  
 12. THE PROJECT AREA IS BOUND BY THE NEVADA DIVISION OF STATE LANDS TO THE WEST.  
 13. THE PROJECT AREA IS BOUND BY THE BUCK / ERDMAN PROPERTIES LLC TRACT TO THE EAST.  
 14. THE PROJECT AREA IS BOUND BY THE SOPHIA LOPAN PROPERTIES LLC TRACT TO THE SOUTH.  
 15. THE PROJECT AREA IS BOUND BY THE NEVADA DIVISION OF STATE LANDS TO THE WEST.  
 16. THE PROJECT AREA IS BOUND BY THE BUCK / ERDMAN PROPERTIES LLC TRACT TO THE EAST.  
 17. THE PROJECT AREA IS BOUND BY THE SOPHIA LOPAN PROPERTIES LLC TRACT TO THE SOUTH.  
 18. THE PROJECT AREA IS BOUND BY THE NEVADA DIVISION OF STATE LANDS TO THE WEST.  
 19. THE PROJECT AREA IS BOUND BY THE BUCK / ERDMAN PROPERTIES LLC TRACT TO THE EAST.  
 20. THE PROJECT AREA IS BOUND BY THE SOPHIA LOPAN PROPERTIES LLC TRACT TO THE SOUTH.

RESIDENTIAL FENCE PROJECT <b>BUCK / ERDMAN PROPERTIES</b> 53 / 59 SCHMERS LOOP CRYSTAL BAY WASHOE COUNTY NEVADA	APR: 123-221-01 03 HIGH WEST LAND & SHOREZONE CONSULTANTS 1400 S. RENO AVENUE, SUITE 100 RENO, NV 89502 (775) 784-1111 WWW.HIGHWESTLAND.COM	<b>AGAN CONSULTING CORPORATION</b> LAND & SHOREZONE CONSULTANTS 1400 S. RENO AVENUE, SUITE 100 RENO, NV 89502 (775) 784-1111 WWW.AGANCONSULTING.COM
--	---	--



**ERDMAN (BUCK) TRUST PROPERTY  
MOORING BUOY INSTALLATION  
WASHOE COUNTY APN: 123-221-03  
TRPA FILE NO. MOOR2021-1915**

**Project Description**

**Existing Conditions:** The subject lakefront property is located at 59 Somers Loop, Crystal Bay, Nevada. This property has a single-family residence, as well as related recreation facilities (i.e. picnic, swimming, shoreline access, etc.). This property currently has no mooring buoys and the owner is seeking agency authorization for two new mooring buoys in accordance with the available agency regulatory provisions.

**Proposed Activity:** Based a recent TRPA buoy permit being issued for these mooring buoys, the property owner is seeking the remaining agency authorizations to have it installed for the 2024 Lake Tahoe Boating Season. The installation of these buoys will comply with the two (2) TRPA mooring maximum capacity for this property within the prescribed setback and spacing regulations per the attached project site mapping.

**Fish Habitat Mitigation:** The shoreline area of this development is located within a mapped "Feeding and Escape Cover Habitat" per the official TRPA Fish Habitat Mapping. Since one of two new buoy anchor blocks may be located within the cobble lakebottom substrate, cobbles and small boulders of similar size of the natural lakebed will be placed in a dispersed fashion in sandy areas to match the size and characteristics of the adjacent boulder and cobble areas to create and/or enhance the affected fish habitat area and demonstrate the buoy anchor block has been mitigated at a 1:1 ratio minimum (i.e. 12 square feet minimum, etc.).

**Scenic Mitigation:** These mooring buoys will be subject to the annual TRPA buoy scenic mitigation fees in addition to the annual mooring registration fees in accordance with TRPA Code Section 84.3.3.G.

**ERDMAN (BUCK) TRUST PROPERTY  
MOORING BUOY INSTALLATION  
WASHOE COUNTY APN: 123-221-03  
TRPA FILE NO. MOOR2021-1915**

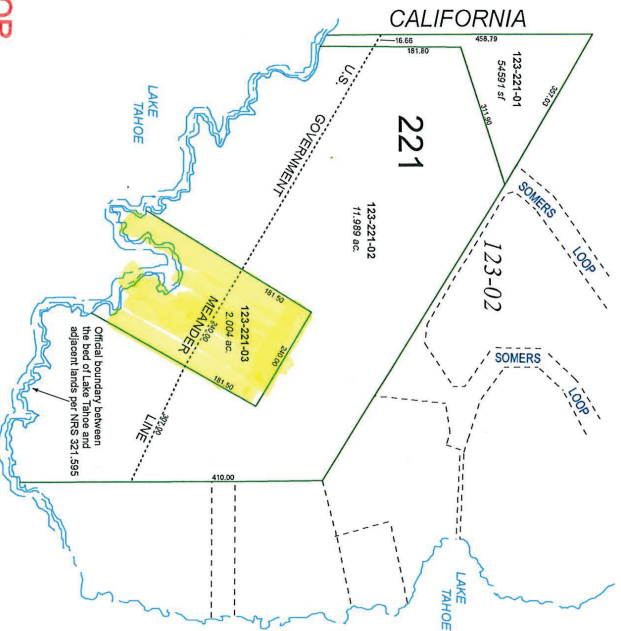
**Construction Methodology**

**Construction Methodology:** Besides the regular maintenance, placement, and servicing of the mooring buoy(s), they will be serviced and positioned as necessary by a crane mounted on a barge or "buoy boat" to maintain proper buoy spacing. The primary color of the buoy floats will comply with the U.S. Coast Guard and Nevada Revised Statutes, Section 488.257 (2013) regulations. The fabrication and placement of buoy(s) will be primarily on the barge or boat and cleanly placed onto the lakebed by crane to the approved location.

The placement of any fish habitat mitigation (i.e. boulders and cobbles) will be provided from an agency approved source, cleaned, and placed in the general location shown on the attached project site mapping in the square footage specified and dispersed evenly on the lakebed to mimic the natural boulder and cobble characteristics of the lakebed unless otherwise specified by the approved project plan or agency inspector.

**Spill Prevention:** At the agency inspector's discretion, a turbidity curtain or other acceptable containment system will be placed surrounding the fish habitat mitigation activity (cobble placement) area. No containers of fuel, paint, stain, or other hazardous materials may be stored on the barge, boat or shoreline. All equipment, tools, or other materials will be properly stored on the barge or boat in order to avoid any discharge into the lake or onto shoreline during the buoy installation and/or fish habitat mitigation activity. All construction waste will be collected and disposed of at the nearest approved dumpster or sanitary landfill site. The catchment and confinement systems, if employed, will be removed upon project completion. A spill response kit will be located on the barge or boat at all times.

PORTION OF THE E 1/2 SECTION 30  
T16N - R18E



FOR  
REFERENCE

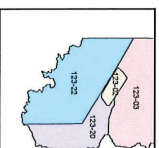
Assessor's Map Number  
**123-22**

STATE OF NEVADA  
**WASHOE COUNTY**  
ASSESSOR'S OFFICE  
Joshua G. Wilson, Assessor

1001 East Main Street  
Reno, Nevada 89502  
(775) 326-2231



1 inch = 200 feet



created by: **CFB 05/28/2010**  
last updated: **CFB 09/22/2014**  
area previously shown on map(s):  
**123-22**

NOTE: This map was prepared for the use of the Washoe County Assessor or assessors and is not intended for any other purpose. No liability is assumed by the Assessor or assessors for any errors or omissions of any kind or for any consequences of any kind that may result from the use of this map.