

MINUTE ITEM

This Calendar Item No. 15
was approved as Minute Item
No. 15 by the State Lands
Commission by a vote of 3
to 0 at its 08/30/89
meeting.

CALENDAR ITEM

A 7

15

08/30/89

PRC 5401

S 1

J. Ludlow

APPROVAL OF A RECREATIONAL PIER PERMIT

APPLICANT: Beverly Bone
3981 Robler Avenue
Santa Ynez, California 93460

AREA, TYPE LAND AND LOCATION:
A parcel of submerged land in Lake Tahoe at
Agate Bay, Placer County.

LAND USE: Partial reconstruction, use, and maintenance of
an existing pier.

TERMS OF PROPOSED PERMIT:
Initial period: Five-years beginning
August 30, 1989.

CONSIDERATION: Rent-free, pursuant to Section 6503.5 of the
P.R.C.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs have been
received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884: 01/13/90.

CALENDAR ITEM NO. 15 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15025), the staff has prepared a Proposed Negative Declaration identified as EIR ND 466, State Clearinghouse No. 89031312. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

Based upon the Initial Study, the Proposed Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment. (14 Cal. Code Regs. 15074(b))

2. In lieu of total reconstruction, the applicant proposes to reconstruct only that portion of the pier waterward of the low water mark (6223' elevation). That portion of the pier located in the shorezone area shall remain as is. It has been found that that portion of the pier within the shorezone area is in a safe and serviceable condition and is not in need of reconstruction at this time.
3. The work, as proposed, will be done from a barge that will be located in the lake. First, the existing sections of the pier to be replaced will be removed, placed on the barge, and hauled away. Once the barge is unloaded, the new materials to construct the new sections of the pier will be placed on the barge and taken to the construction site. The new portion of the pier and boathouse will be constructed entirely from the barge with a crane and a pile driver that are located on the floating platform.
4. Materials will be neither stored or placed, nor will any activity associated with construction, be conducted above the low water line on the subject property. This

CALENDAR ITEM NO. 15 (CONT'D)

will prevent any disturbance to what may be considered a Tahoe Yellow Cress (*Rorippa*) habitat.

5. The existing pier is a previously authorized structure.
6. In order to determine the other potential trust uses in the area of the proposed project, the staff contacted representatives of the following agencies: TRPA, Department of Fish and Game, County of Placer, and the Tahoe Conservancy. None of these agencies expressed a concern that the proposed project would have a significant effect on trust uses in the area. The agencies did not identify any trust needs which were not being met by existing facilities in the area. Identified trust uses in this area would include swimming, boating, walking along the beach, and views of the lake.
7. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
8. All permits covering structures in Lake Tahoe will include a condition subsequent that if any structure authorized is found to be in nonconformance with the Tahoe Regional Planning Agency's shorezone ordinance, and if any alterations, repairs, or removal required pursuant to said ordinance are not accomplished within the designated time period, then the permit will be automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof.

CALENDAR ITEM NO. 15 (CONT'D)

APPROVALS OBTAINED:

Placer County, Tahoe Regional Planning Agency,
California Department of Fish and Game, and
Lanham Regional Water Quality Control Board.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

EXHIBITS:

- A. Site Map.
- B. Location Map.
- C. Placer County Letter of Approval.
- D. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR NO 466, STATE CLEARINGHOUSE NO. 89031312, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE ISSUANCE TO BEVERLY BONE OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING AUGUST 30, 1989; FOR THE PARTIAL RECONSTRUCTION OF AN EXISTING PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

VICINITY MAP

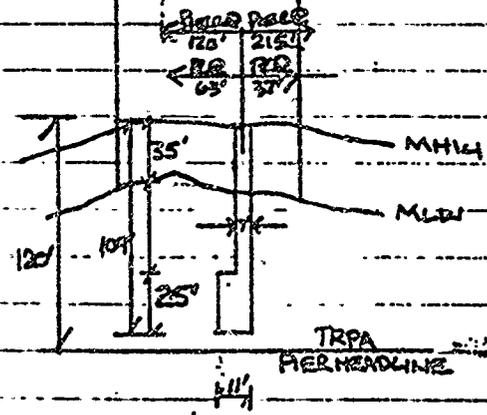
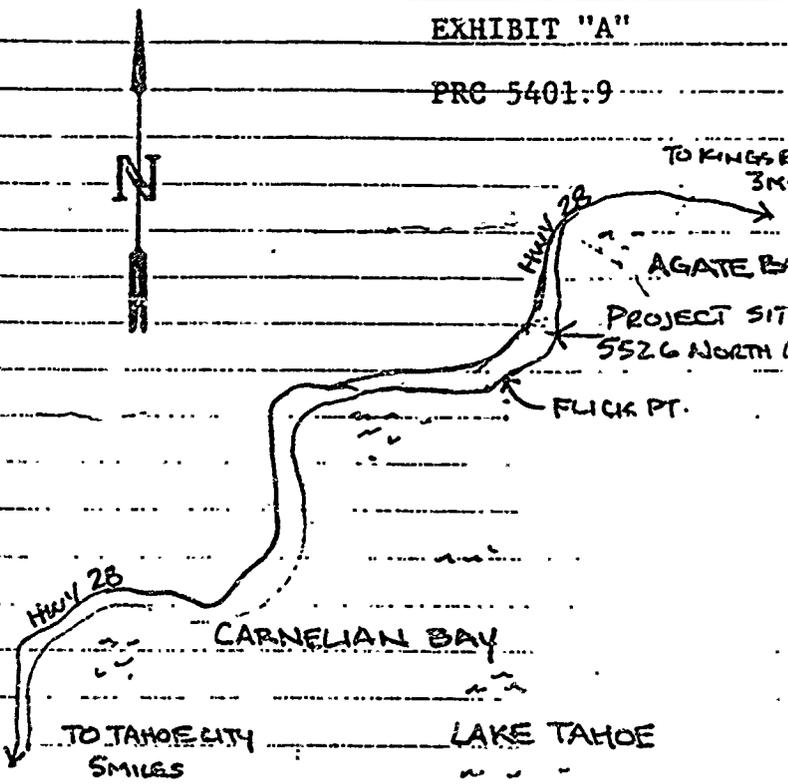
LAND DESCRIPTION

EXHIBIT "A"

PRC 5401-9

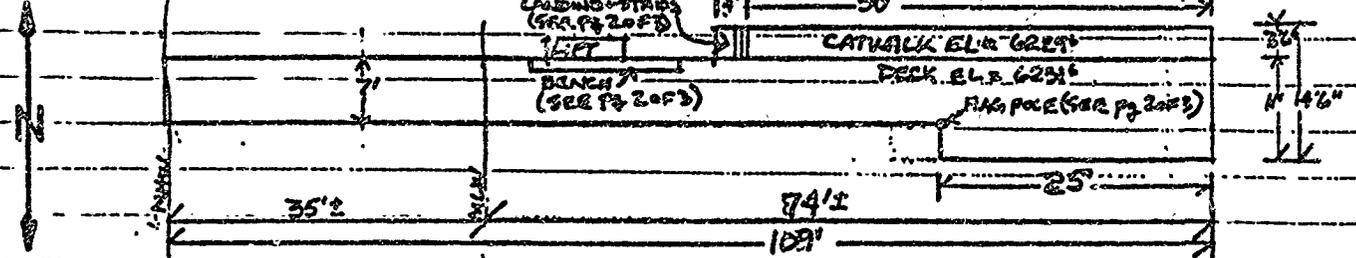
Prepared on 8/1/79 by Judy Ludlow

5526 NORTH LAKE BLVD, AGATE BAY
 PLACER COUNTY, CA
 APN 116-220-52
 BEVERLY BONE
 LOT SIZE = 1.9 ACRES = 60000 sq ft



EXISTING PIER PLAN 1" = 1000'

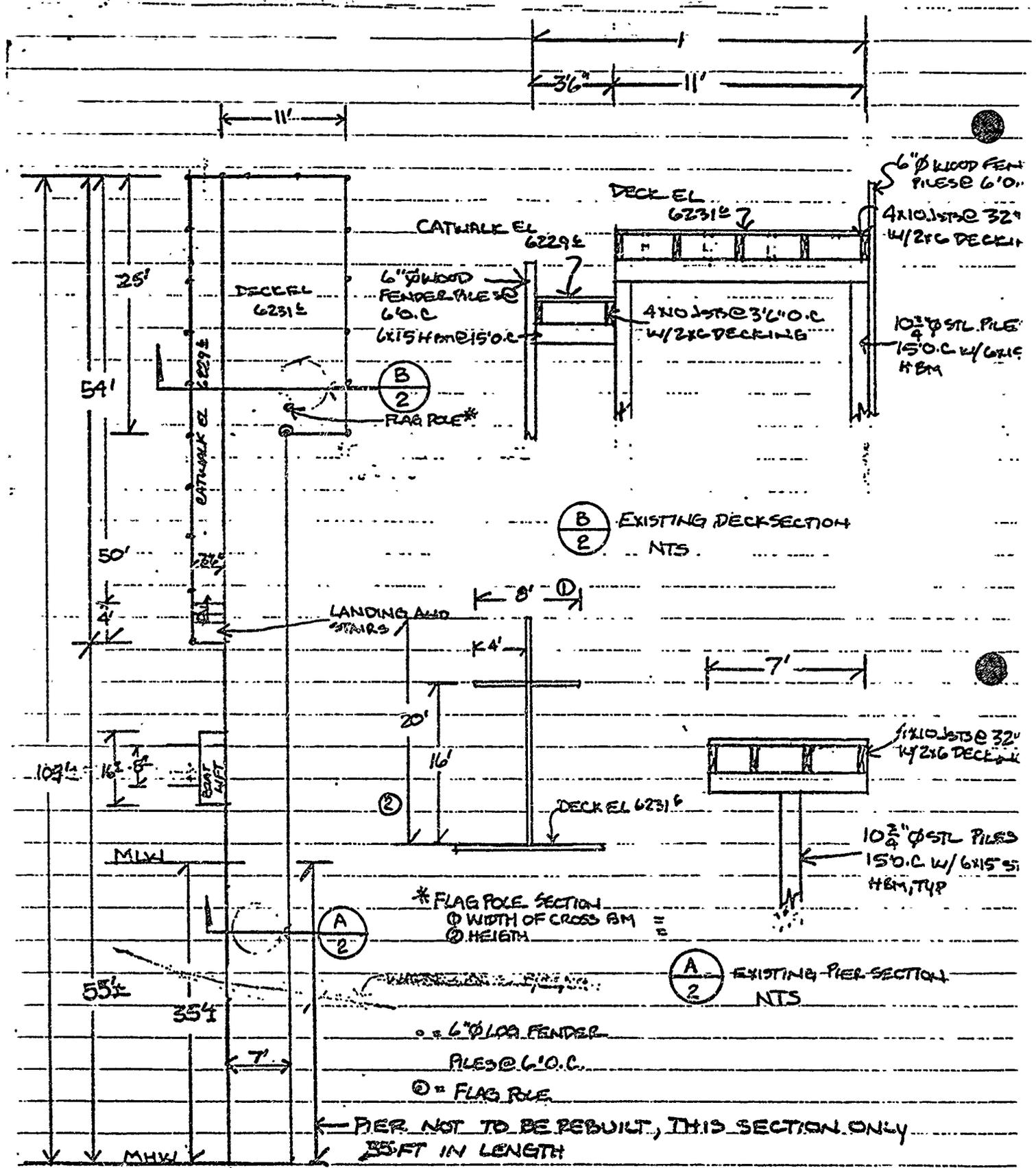
EXISTING PIER PLAN VIEW 1" = 20'0"



SCALE
 TBA
 DATE:
 10/1/79

BEVERLY BONE'S PIER REPAIR
 5526 NORTH LAKE BLVD, AGATE BAY
 PLACER COUNTY, CA.
 APN 116-220-52

DRAWN BY
 G.F. 188
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 SHEET PAGE
 1 OF 3

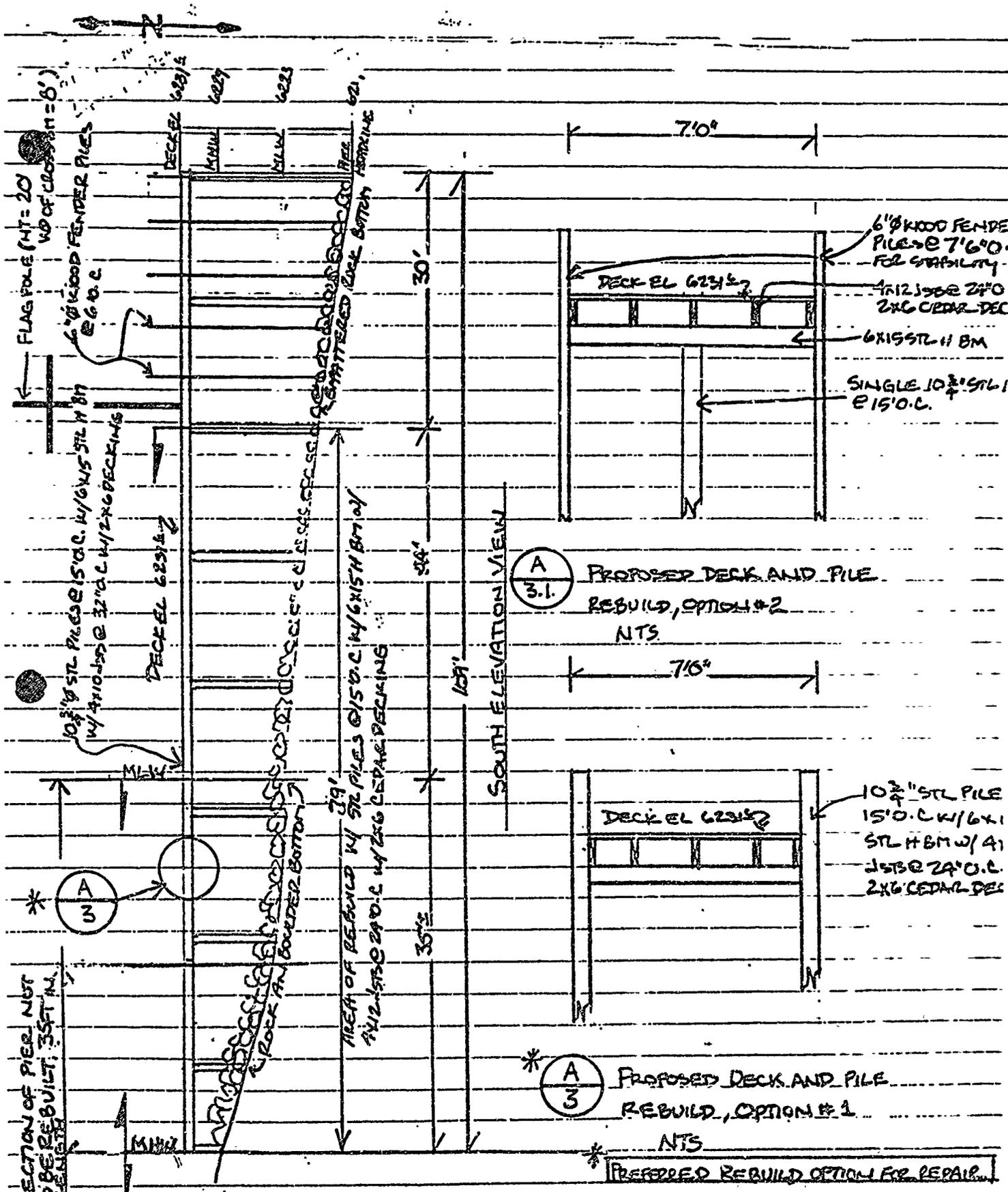


EXISTING PIER PLAN VIEW
1" = 15' 0"

SCALE
T.B.A.
DATE:
10/4/08

BEVERLY BONE'S PIER REPAIR
5526 NORTH LAKE BLVD, AGATE BAY
PLACER COUNTY, CA
APN 116-770-52

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GT
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SCALE: LENGTH = 1" = 15'0"
 HEIGHT = 1" = 10'0"

SCALE
 T.B.A.
 DATE
 10/4/88

BEVERLY BONE'S PIER REPAIR
 5526 NORTH LAKE BLVD, AGATE BAY
 PLACER COUNTY, CA

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 G.T.
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 JOB 5

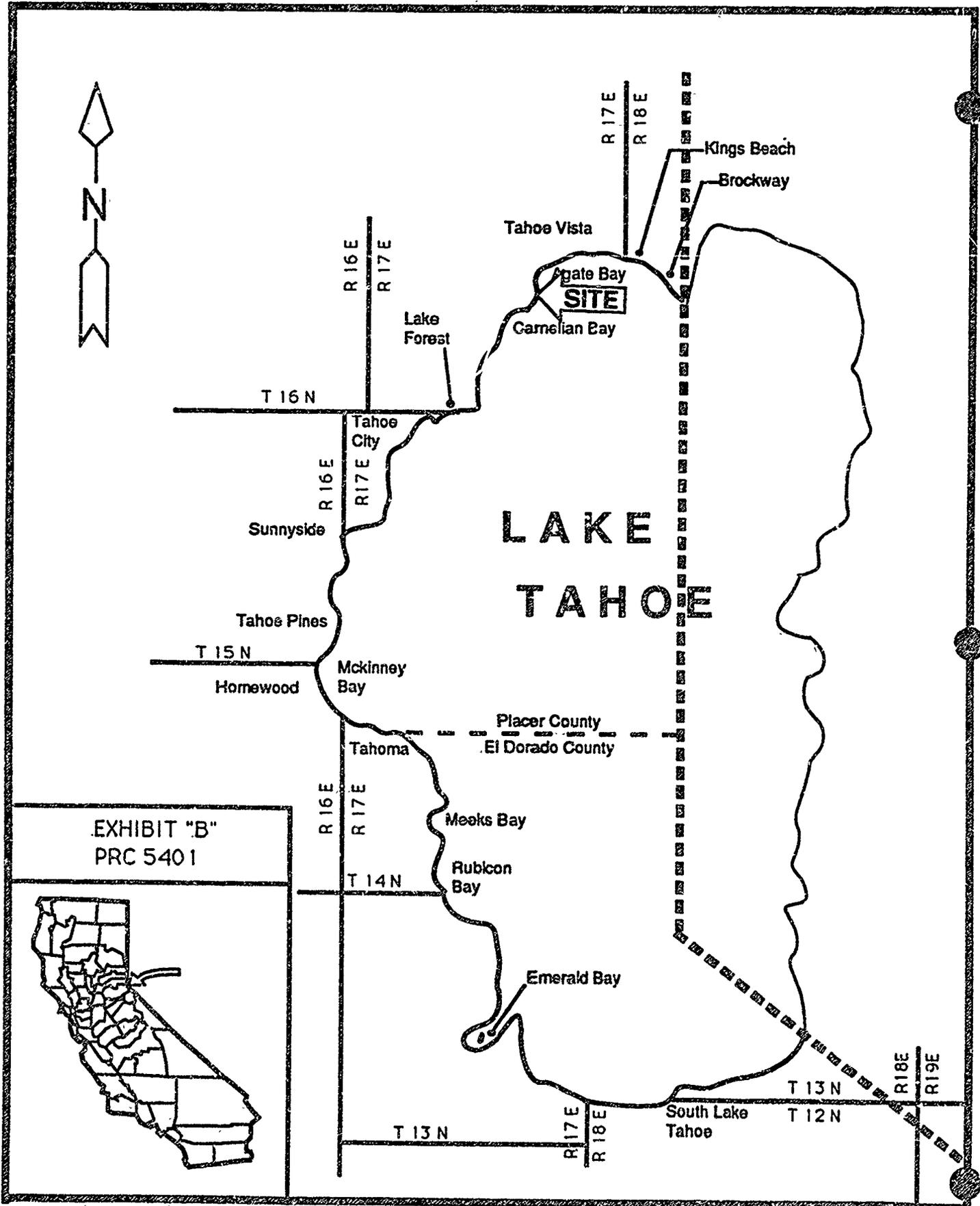


EXHIBIT "B"
PRC 5401





PLACER COUNTY

DEPARTMENT OF PUBLIC WORKS

EXHIBIT "C"

PRC 5401

JACK WARREN, Director
JAN WITTER, Assistant Director
LARRY ODDO, Deputy Director
ALAN ROY, Deputy Director

OPERATING DIVISION
Administration
Engineering
Equipment Maintenance
Road Maintenance
Special Districts
Surveying
Transportation

November 17, 1988

Ms. Judy Ludlow
California State Lands Commission
1807 - 13th Street
Sacramento, CA 95814

RE: PLACER COUNTY PUBLIC WORKS NOTIFICATION

Dear Ms. Ludlow:

The County of Placer has received notice of the below referenced projects in Lake Tahoe and has no objection to the pier repair/construction or the issuance of the State Lands Commission's permit.

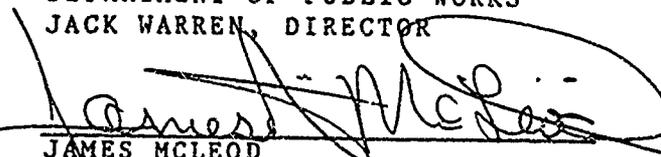
NAME: Beverly Bone
ADDRESS: 5526 North Lake Blvd.
Agate Bay
COUNTY A.P.N. #116-220-52

NAME: Pat and Paula Pearson
ADDRESS: 4210 North Lake Blvd.
Cedar Flat
COUNTY A.P.N. #92-200-08

NAME: Gail C. High
ADDRESS: 9872 Pilot Circle
Brockway
COUNTY A.P.N. #90-321-19

If you have any questions, you may reach me at 916-823-4511.

COUNTY OF PLACER
DEPARTMENT OF PUBLIC WORKS
JACK WARREN, DIRECTOR


JAMES MCLEOD
ASSISTANT CIVIL ENGINEER

JM:ms

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89031312

STATE OF CALIFORNIA--STATE LANDS COMMISSION

GEORGE DEUKMEJIAN, Governor

STATE LANDS COMMISSION

1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

EXHIBIT "D"

PRC 5401



PROPOSED NEGATIVE DECLARATION

EIR ND 466

File Ref.: PRC ~~5401~~ ⁵⁴⁰¹

SCH#: 89031312

Project Title: BONE PIER REPAIR

Project Proponent: Beverly Bone

Project Location: In Lake Tahoe adjacent to 5526 North Lake Blvd. - Agate Bay, Placer County.

Project Description: Reconstruction of an existing pier.

Contact Person: TED T. FUKUSHIMA Telephone: (916)322-7813

This document is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, California Code Regulations), and the State Lands Commission regulations (Section 2901 et seq., Title 2, California Code Regulations).

Based upon the attached Initial Study, it has been found that:

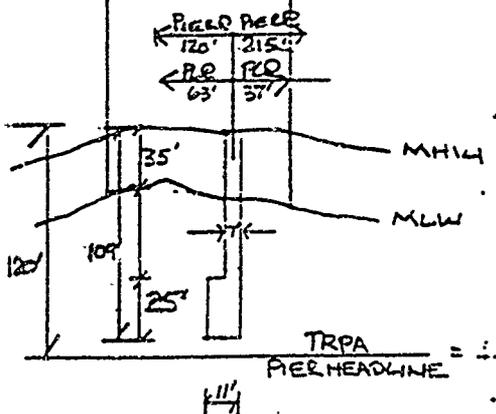
the project will not have a significant effect on the environment.

mitigation measures included in the project will avoid potentially significant effects.

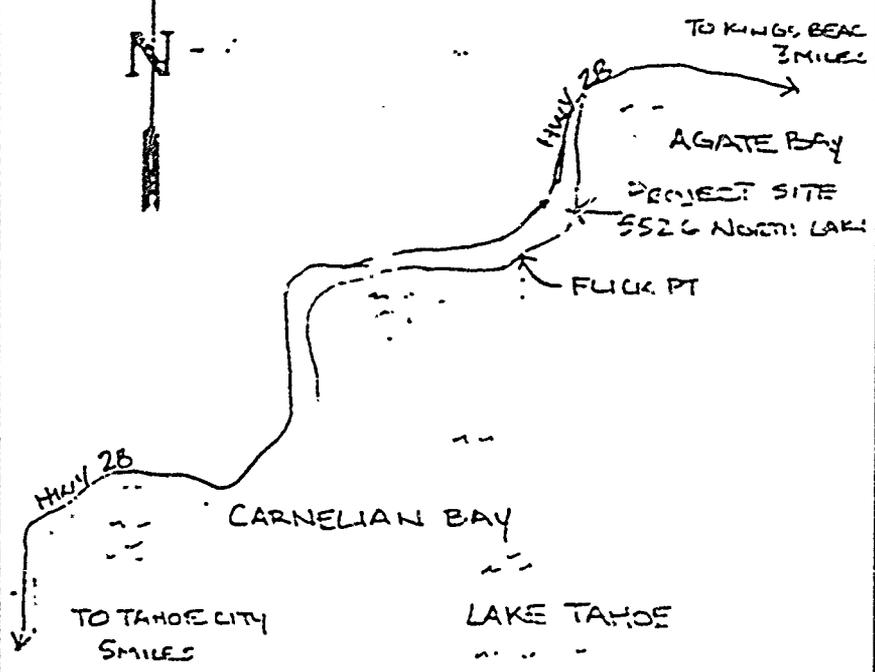
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FORM 13-17 (2/89)
MINUTE PAGE 2135



5526 NORTH LAKE BLD, AGATE BAY
 PLACER COUNTY, CA
 APN 116-220-52
 BEVERLY BONE
 LOT SIZE = 1.4 ACRES = 60000 SF



EXISTING PLOT PLAN 1" = 1000"

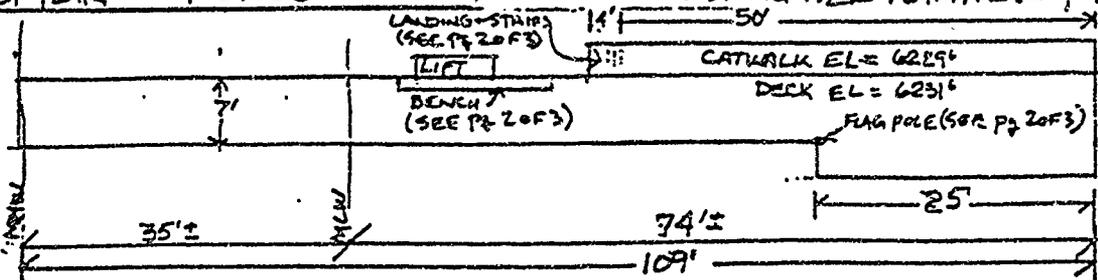


RECEIVED

JAN 04 1989

TAHOE REGIONAL
 PLANNING AGENCY

EXISTING PIER PLANVIEW 1" = 20'0"



SCALE

TBA

DATE:

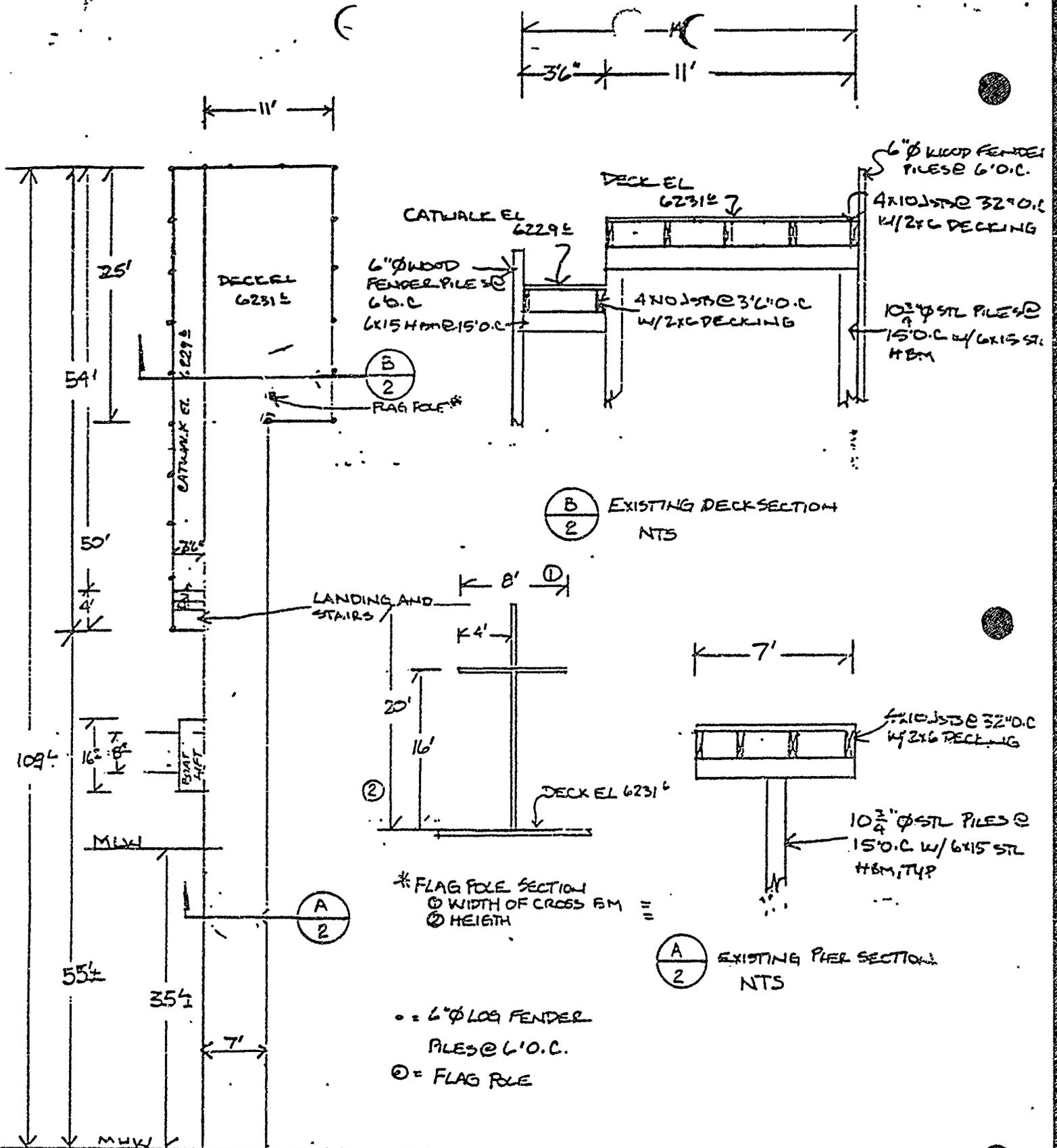
10/7/89

BEVERLY BONE'S PIER REPAIR
 5526 NORTH LAKE BLD, AGATE BAY
 PLACER COUNTY, CA.

DRAWN BY

G.T.

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EXISTING PIER PLAN VIEW
1" = 15'0"

SCALE

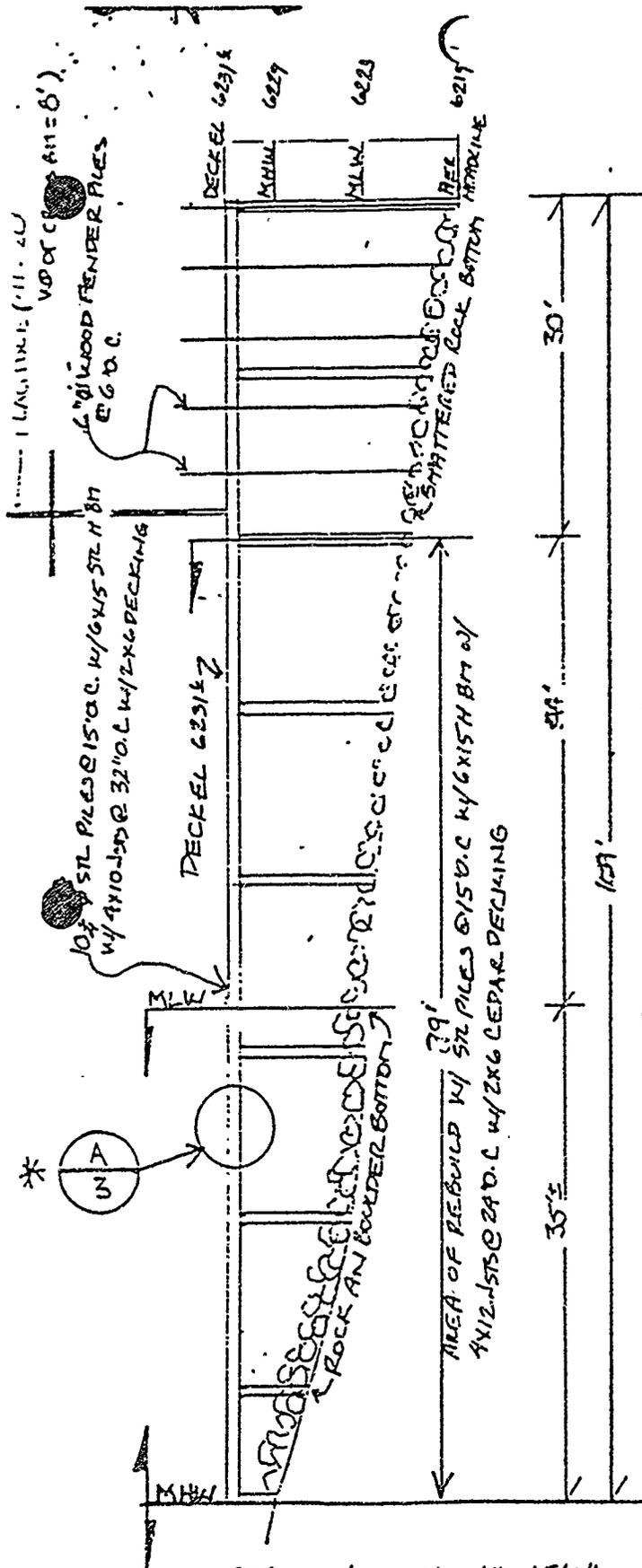
T.B.A.

DATE:

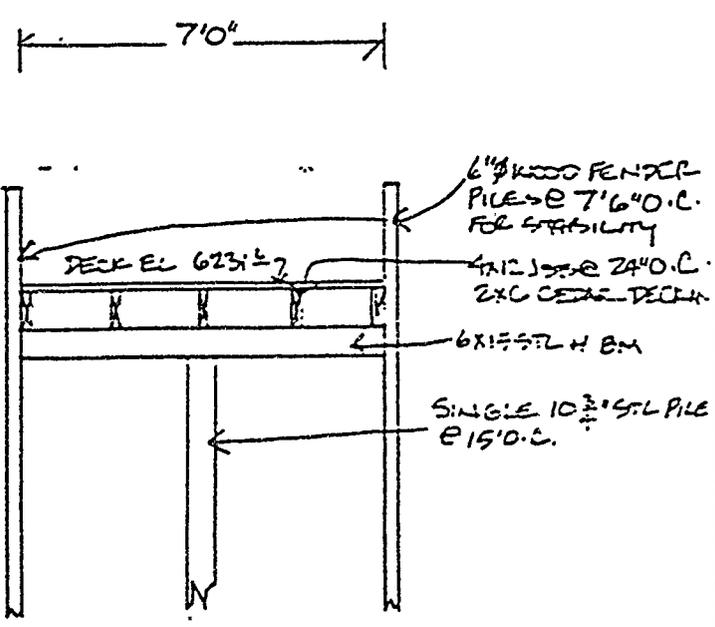
BEVERLY BONE'S PIER REPAIR
5526 NORTH LAKE BLVD, AGATE BAY

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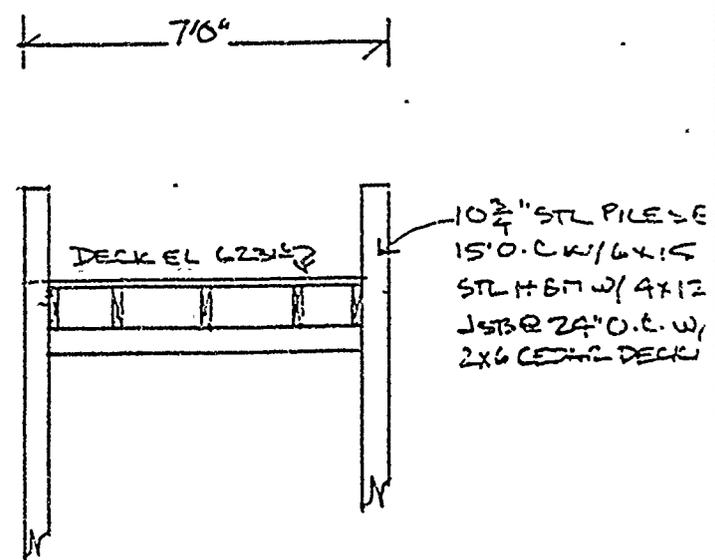
CALENDAR PAGE	T. 195
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SOUTH ELEVATION VIEW



A
3.1
PROPOSED DECK AND PILE
REBUILD, OPTION #2
NTS



A
3
PROPOSED DECK AND PILE
REBUILD, OPTION #1
NTS

PROPOSED REBUILD OPTION FOR REPAIR

SCALE: LENGTH = 1" = 15'0"
HEIGHT = 1" = 10'0"

SCALE

T.B.A.

DATE

10/4/88

BEVERLY BONK'S PIER REPAIR
5526 NORTH LAKE BLVD, AGATE BAY
PLACER COUNTY, CA

DRAWN BY

G.T.

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ENVIRONMENTAL IMPACT ASSESSMENT FORM – Part I
(To be completed by applicant)
FORM 69.3(11/82)

A. GENERAL INFORMATION

1. Name, address, and telephone number:

a. Applicant

Beverly Bone

3981 Roblar Ave.

Santa Ynez, Ca. 93460

805 1688-9991

b. Contact person if other than applicant:

Gary Taylor

P.O. Box 1715

Crystal Bay, Nv. 89402

(702) 831-8626

2. a. Project location: (Please reference to nearest town or community and include county)

5526 North Lake Blvd.

Agate Bay, Placer County

b. Assessor's parcel number: 116-220-52

3. Existing zoning of project site: TR-1

4. Existing land use of project site: existing single family residence and existing pier

5. Proposed use of site: same

6. Other permits required: TRPA, Lahontan, Army Corps of Engineers

B. PROJECT DESCRIPTION

1. For building construction projects, complete "ATTACHMENT A".

2. For non-building construction projects: Describe fully, the proposed activity, its purpose and intended use, e.g. for proposed mineral prospecting permits, include the number of test holes, size of holes, amount of material to be excavated, maximum surface area of disturbance, hole locations, depth of holes, etc. Attach plans or other drawings as necessary.

C. ENVIRONMENTAL SETTING

1. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical, or scenic aspects. Describe any existing structures on the site, and the use of the structures.
2. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.).

D. ENVIRONMENTAL IMPACT ASSESSMENT

Answer the following questions by placing a check in the appropriate box. Discuss all items checked "yes" or "maybe". (Attach additional sheets as necessary)

Will the project involve:	YES	MAYBE	NO
1. a change in existing features of any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. a change in scenic views or vistas from existing residential areas or public lands or roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a change in pattern, scale, or character of the general area of project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. a significant effect on plant or animal life?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. significant amounts of solid waste or litter?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. a change in dust, ash, smoke, fumes, or odors in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. a change in ocean, bay, lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. a change in existing noise or vibration levels in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. construction on filled land or on slope of 10 percent or more?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. use or disposal of potentially hazardous materials, such as toxic or radioactive substances, flammables, or explosives?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. a change in demand for municipal services (police, fire, water, sewage, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. an increase in fossil fuel consumption (electricity, oil, natural gas, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. a larger project or a series of projects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E. CERTIFICATION

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.

Date: 10-25-88

Signed: *[Signature]*

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 5120

I. BACKGROUND INFORMATION

A. Applicant: Beverly Bone
3981 Roblar Ave.
Santa Ynez, CA 93460

B. Checklist Date: 3 / 16 / 89

C. Contact Person: TED T. FUKUSHIMA
Telephone: (916) 322-7813

D. Purpose: Pier repair

E. Location: In Lake Tahoe adjacent to 5520 North Lake Blvd. - Agate Bay, Placer County.

F. Description: Repair and the continued use and maintenance of an existing pier.

G. Persons Contacted:

II. ENVIRONMENTAL IMPACTS. (Explain all "yes" and "maybe" answers)

A. Earth. Will the proposal result in:

- 1. Unstable earth conditions or changes in geologic substructures?
2. Disruptions, displacements, compaction, or overcovering of the soil?
3. Change in topography or ground surface relief features?
4. The destruction, covering, or modification of any unique geologic or physical features?
5. Any increase in wind or water erosion of soils, either on or off the site?
6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake?
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?

Yes Maybe No

Response grid for items 1-7 with checkboxes for Yes, Maybe, and No.

199
[Stamp]

	Yes	Maybe	No
B. Air. Will the proposal result in:			
1. Substantial air emissions or deterioration of ambient air quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. The creation of objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water. Will the proposal result in:			
1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Alterations to the course or flow of flood waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Change in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Alteration of the direction or rate of flow of ground waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Substantial reduction in the amount of water otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Exposure of people or property to water-related hazards such as flooding or tidal waves?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Significant changes in the temperature, flow or chemical content of surface thermal springs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Plant Life. Will the proposal result in:			
1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Reduction of the numbers of any unique, rare or endangered species of plants?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Reduction in acreage of any agricultural crop?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Animal Life. Will the proposal result in:			
1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Reduction of the numbers of any unique, rare or endangered species of animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Deterioration to existing fish or wildlife habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Noise. Will the proposal result in:			
1. Increase in existing noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G. Light and Glare. Will the proposal result in:			
1. The production of new light or glare?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
H. Land Use. Will the proposal result in:			
1. A substantial alteration of the present or planned land use of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I. Natural Resources. Will the proposal result in:			
1. Increase in the rate of use of any natural resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Substantial depletion of any nonrenewable resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

J. *Risk of Upset.* Does the proposal result in:

Yes Maybe No

- 1. 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?
- 2. Possible interference with emergency response plan or an emergency evacuation plan?

K. *Population.* Will the proposal result in:

- 1. The alteration, distribution, density, or growth rate of the human population of the area?

L. *Housing.* Will the proposal result in:

- 1. Affecting existing housing, or create a demand for additional housing?

M. *Transportation/Circulation.* Will the proposal result in:

- 1. Generation of substantial additional vehicular movement?
- 2. Affecting existing parking facilities, or create a demand for new parking?
- 3. Substantial impact upon existing transportation systems?
- 4. Alterations to present patterns of circulation or movement of people and/or goods?
- 5. Alterations to waterborne, rail, or air traffic?
- 6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

N. *Public Services.* Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:

- 1. Fire protection?
- 2. Police protection?
- 3. Schools?
- 4. Parks and other recreational facilities?
- 5. Maintenance of public facilities, including roads?
- 6. Other governmental services?

O. *Energy.* Will the proposal result in:

- 1. Use of substantial amounts of fuel or energy?
- 2. Substantial increase in demand upon existing sources of energy, or require the development of new sources?

P. *Utilities.* Will the proposal result in a need for new systems, or substantial alterations to the following utilities.

- 1. Power or natural gas?
- 2. Communication systems?
- 3. Water?
- 4. Sewer or septic tanks?
- 5. Storm water drainage?
- 6. Solid waste and disposal?

Q. *Human Health.* Will the proposal result in:

- 1. Creation of any health hazard or potential health hazard (excluding mental health)?
- 2. Exposure of people to potential health hazards?

R. *Aesthetics.* Will the proposal result in:

- 1. The obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?

S. *Recreation.* Will the proposal result in:

- 1. An impact upon the quality or quantity of existing recreational opportunities?

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T. Cultural Resources.

Yes Maybe No

- 1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area?

U. Mandatory Findings of Significance.

- 1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife 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 history or prehistory?
- 2. Does the project have the potential to achieve short term, to the disadvantage of long term, environmental goals?
- 3. Does the project have impacts which are individually limited, but cumulatively considerable?
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

- C5 - There could be a slight rise in the turbidity level during the construction however, compliance with water quality control requirements should this impact to a minimum.
- F1 - There could be a rise in the ambient noise levels during construction however, this should be of relatively short term duration.

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date: 3 / 16 / 89

John J. Fukushima
 For the State Lands Commission
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 MINUTE PAGE 2794
 Form 2020 (7/82)

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
LAHONTAN REGION**

2092 LAKE TAHOE BOULEVARD
P.O. BOX 9428
SOUTH LAKE TAHOE, CALIFORNIA 95731-2428
(916) 544-3481



November 16, 1988

Ms. Beverly Bone
3981 Roblar Ave.
Santa Ynez, CA 93460

**CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR THE PROPOSED PIER
RECONSTRUCTION PROJECT, AGATE BAY, PLACER COUNTY APN 116-220-52**

Dear Ms. Bone:

We have received and reviewed your Report of Waste Discharge which describes your proposed project.

Based on the information submitted it is not against the public interest to waive the adoption of waste discharge requirements for this project, conditional upon the following:

- 1) Tahoe Regional Planning Agency's determination that the project is not subject to pier prohibitions specified in the Lake Tahoe Basin Water Quality Plan (208 Plan).
- 2) The disturbance of lake bed materials shall be kept to a minimum during construction. Best practicable control technology shall be used to keep suspended earthen materials out of Lake Tahoe.
- 3) No petroleum products, construction wastes, litter, or earthen materials will enter any surface waters in the Lake Tahoe Basin. Any mechanical equipment operating within the lake will be cleaned and maintained prior to use.
- 4) All construction waste products will be removed from the project site and dumped at a legal point of disposal.
- 5) The use of wood preservatives on wood in contact with the lake water is prohibited.
- 6) Regional Board staff shall be notified at least 48 hours prior to the start of the project.
- 7) Each pier owner is responsible for compliance with the waiver conditions and for ensuring that the project contractor is provided with a copy of these conditions.

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