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 9/27/89
meeting.

CALENDAR ITEM

15

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09/27/89
PRC 3659
Garibay

TERMINATION OF RECREATIONAL PIER PERMIT AND
APPROVAL OF A GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Craig T. McFarland
P. O. Box 1150
Carmel, California 93921

AREA, TYPE LAND AND LOCATION:
A 0.146-acre parcel of submerged land in Lake Tahoe near Brockway, Placer County.

LAND USE: Continued use and maintenance of an existing pier and boathouse and partial reconstruction of pier and total reconstruction of boathouse.

TERMS OF PROPOSED PERMIT:
Initial period: Five-years beginning September 27, 1989.

Public liability insurance: Combined single limit coverage of $300,000.

CONSIDERATION: $1,270.40 per annum.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has 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: 06/05/90.

OTHER PERTINENT INFORMATION:

1. As to the termination of the existing Recreational Pier Permit, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

   Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

2. As to the isssuance of the new permit for the existing pier, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facility, 2 Cal. Code Regs 2905(a)(2).

   Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.

3. As to the partial reconstruction of the pier and reconstruction of the boathouse, 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 477, State Clearinghouse No. 89052217. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

CALENDAR PAGE 146
MINUTE PAGE 3335

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))

4. The Applicant has adjusted his property boundary lines and no longer qualifies for the rent free status.

5. In lieu of total reconstruction, the Applicant proposes to reconstruct only that portion of the pier and boathouse waterward of the low water mark (6,223' elevation). That portion of the pier located in the shorezone area shall remain as is. It has been determined that the portion of the pier within the shorezone area is in a safe and serviceable condition and is not in need of construction at this time.

6. 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.

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

8. The existing pier and boathouse are previously authorized structures.

PAGE 147
3335

9. 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.

10. This property was physically inspected by staff for purposes of evaluating the impact of the project on the public trust.

11. 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.

12. 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.

13. All permits issued at Lake Tahoe include special language in which the permittee/lessee agrees to protect and replace or restore, if required, the

PAGE 148
3287

habitat of Rorippa subumbellata, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species.

APPROVALS OBTAINED:

Placer County, Tahoe Regional Planning Agency, California Department of Fish and Game, and Lahontan 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. AS TO THE TERMINATION OF THE EXISTING RECREATIONAL PIER PERMIT, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

2. AS TO THE ISSUANCE OF A NEW PERMIT FOR THE EXISTING PIER, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITY, 2 CAL. CODE REGS. 2905(a)(2).

3. AS TO THE PARTIAL RECONSTRUCTION OF THE PIER AND RECONSTRUCTION OF THE BOATHOUSE, CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 477, STATE CLEARINGHOUSE NO. 89052217, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

4. DETERMINE THAT THE PROJECT (PARTIAL RECONSTRUCTION OF THE PIER AND RECONSTRUCTION OF THE BOATHOUSE), AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

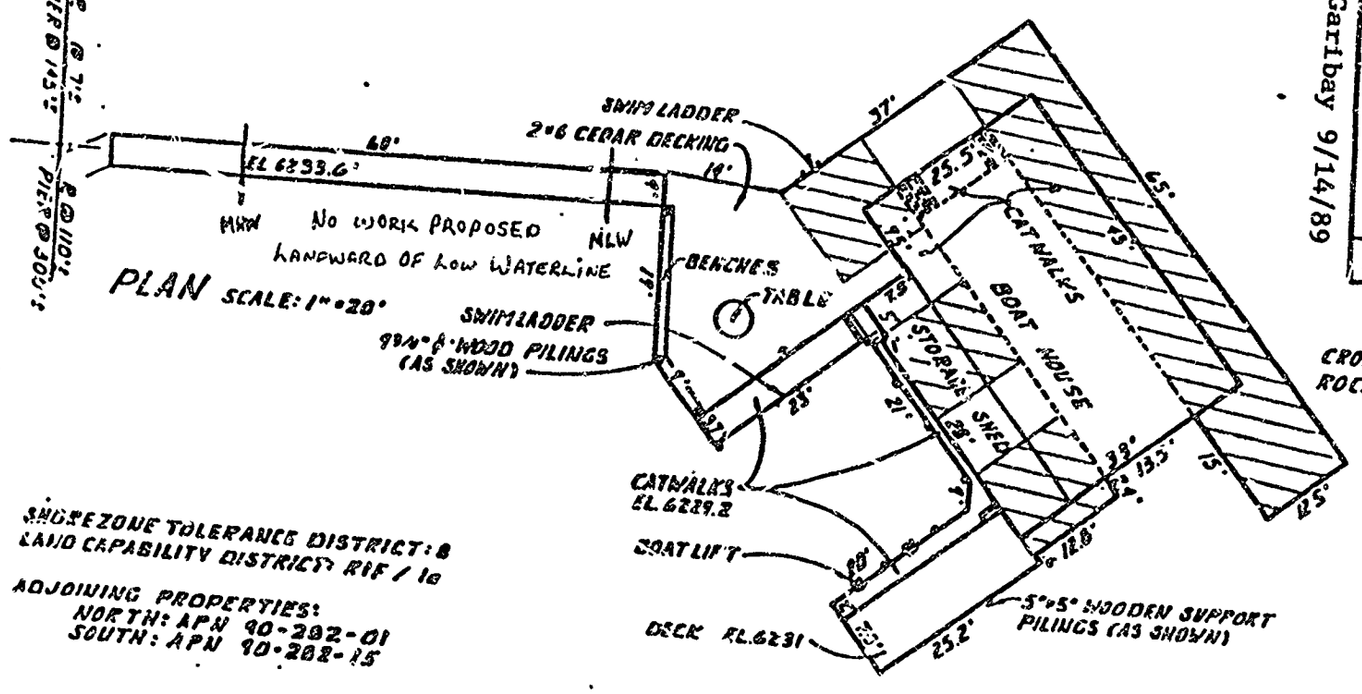
5. TERMINATE THE RECREATIONAL PIER PERMIT NO. PRC 3659, EFFECTIVE SEPTEMBER 26, 1989.

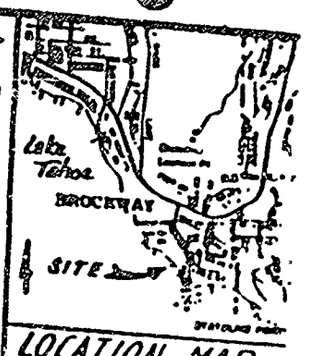
CALENDAR PAGE 149
MINUTE PAGE 3333

CALENDAR ITEM NO. 15 (CONT'D)

6. AUTHORIZE ISSUANCE TO CRAIG T. MCFARLAND OF A FIVE-YEAR GENERAL PERMIT - RECREATIONAL USE, BEGINNING SEPTEMBER 27, 1989; FOR THE PARTIAL RECONSTRUCTION OF AN EXISTING PIER AND RECONSTRUCTION OF AN EXISTING BOATHOUSE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

CALENDAR PAGE 150
MINUTE PAGE 3289

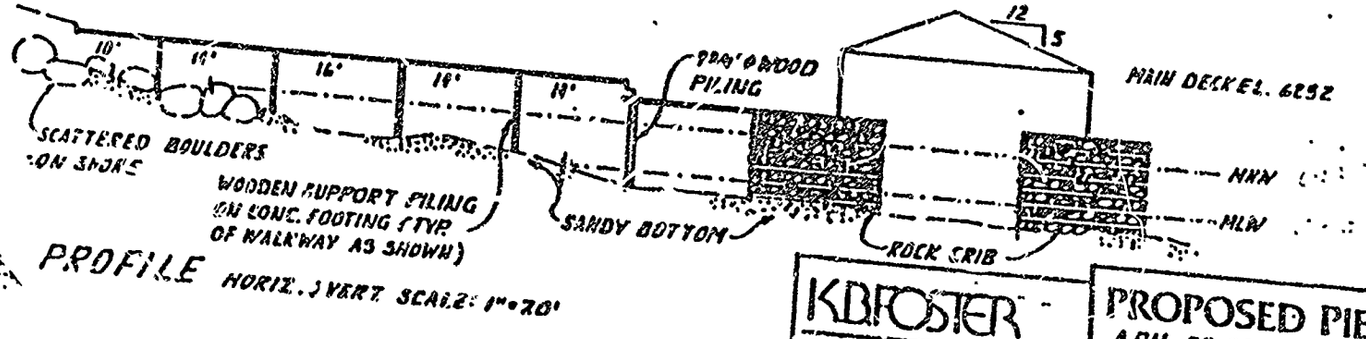




CROSS HATCHING INDICATES ROCK CRIB

A. Garibay 9/14/89

EXHIBIT A
Site Map

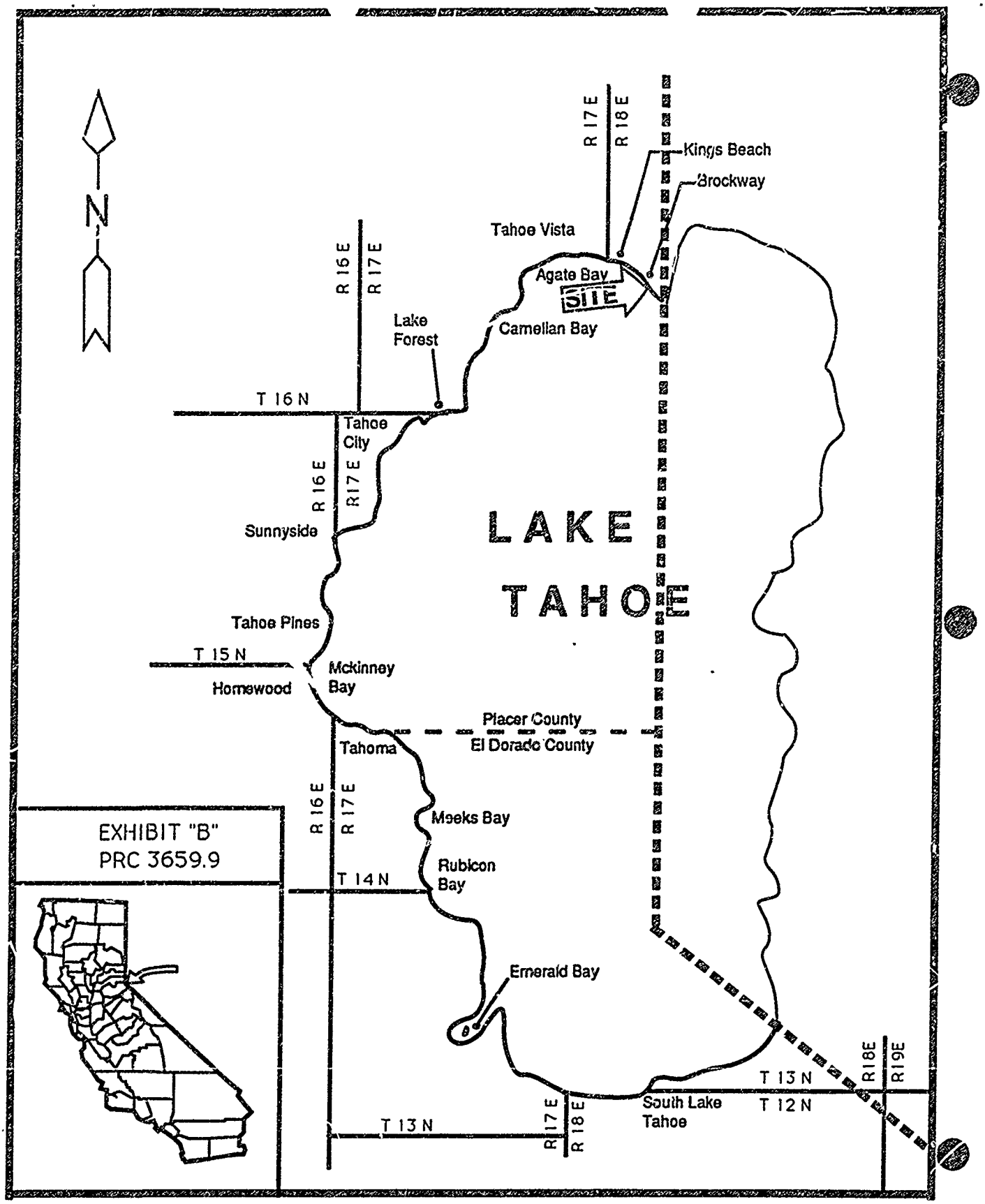


KB FOSTER
CIVIL ENGINEERING, INC.

PROPOSED PIER REPAIR

A.P.N. 90-282-15, 90-282-08
BROCKWAY AREA PLACER COUNTY
CALIFORNIA

PRC 3659.9



CALENDAR PAGE 152
MINUTE PAGE 3391

EXHIBIT "C"

PLACER COUNTY

DEPARTMENT OF PUBLIC WORKS

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

March 3, 1989

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

RE: PIER - SHOREZONE CONSTRUCTION

The County of Placer has reviewed the below referenced requests for construction activities within the Shorezone of Lake Tahoe. We have no objection to the construction activities described in the below applications contingent upon approval by your office.

1.	E.S. Bertagnolli	PRC 3209.9
2.	Charlotte and Robert Angell	W 24144
3.	Sweet/Avanessian	PRC 5022
4.	Wickland	PRC 3599
5.	Lyons/Hawkins	WP 5884
6.	Mein - 83-162-28	PRC 6714
7.	Mein - 83-162-31	W 24134
8.	[illegible]	[illegible]
9.	Gibb	WP 3652
10.	Crabtree	W 21445
11.	English	W 1124.38
12.	Wallis	PRC 4314
13.	Metas	W 24103
14.	Barrow	PRC 7167.9
15.	Nahas	PRC 4066
16.	Hicks	W 21665

Should you have any questions or if I can be of further assistance, please call at your convenience.

COUNTY OF PLACER
DEPARTMENT OF PUBLIC WORKS
JACK WARREN, DIRECTOR

James McLeod

JAMES MCLEOD
ASSISTANT CIVIL ENGINEER

JM:ms

153

11444 B Avenue / B-Witt Center / Auburn, California 95603 / (916) 823-4611

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

89052217

EXHIBIT D

PROPOSED NEGATIVE DECLARATION

EIR ND 477

File Ref.: PRC 3659

SCH#:

Project Title: McFARLAND PIER & BOATHOUSE RECONSTRUCTION

Project Proponent: Craig T. McFarland

Project Location: In Lake Tahoe adjacent to Lot 10, Block E, Lakevista Subdivision, approximately 1 mile east of Kings Beach, Placer County.

Project Description: Reconstruction of an existing pier and boathouse.

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

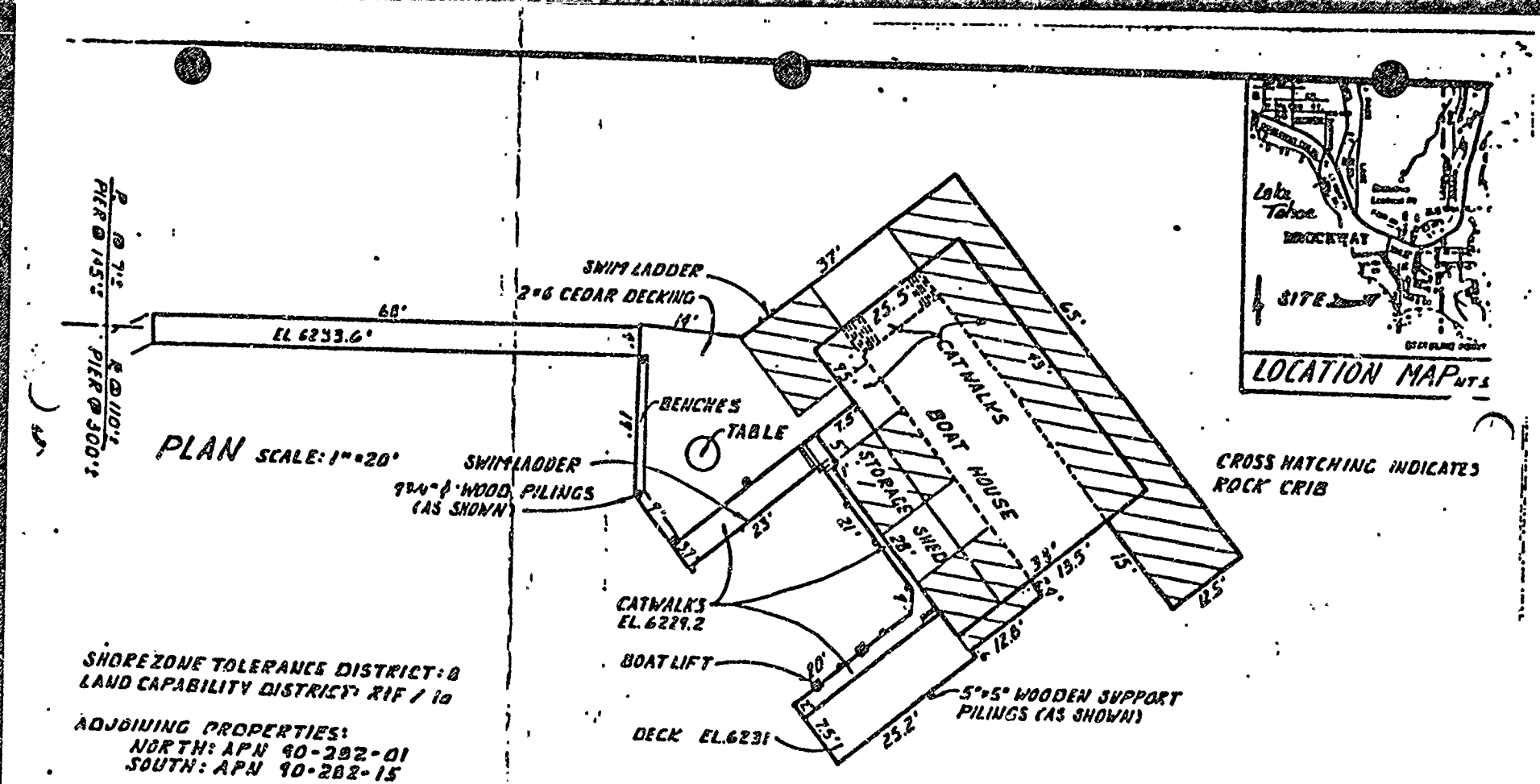
This document is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, California Code Regulations), and the State Lands Commission regulations (Section 2901 et seq.,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

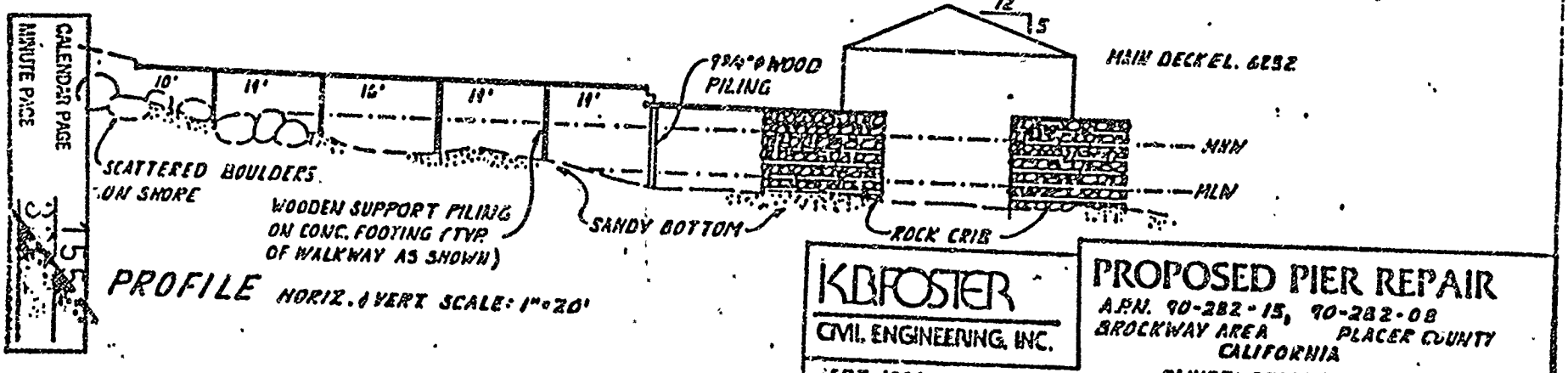
Based upon the attached Initial Study, it has been found that:

[X] the project will not have a significant effect on the environment.

[ ] mitigation measures included in the project will avoid potentially significant effe

CALENDAR PAGE 154
Form 13.17 (2/89) 03





KBFOSTER
CIVIL ENGINEERING, INC.
SEPT. 1988 JOB NO 87205

PROPOSED PIER REPAIR

A.P.N. 90-282-15, 90-282-08
BROCKWAY AREA PLACER COUNTY
CALIFORNIA

OWNER: CRAIG McFARLAND

PROJECT NARRATIVE

Mr. Craig McFarland is proposing to repair an existing rock crib pier and boathouse with wood members and replace a 2" x 6" min. cedar deck around the existing boathouse. Wooden support pilings will be used. No increase in coverage or modifications to existing pier and boathouse will result (see submittal drawing).

The pier is located adjacent to Placer County APNs 90-282-15 and 90-282-08 on the North Shore of Lake Tahoe.

CONSTRUCTION METHOD

Reconstruction of existing pier and boathouse is to be by barge; caissons or sleeves will be used when sediment is resuspended. Anchorage of the barge will be to the existing structure and/or anchors as required for adequate stabilization of barge on the lake. All construction wastes will be collected onto the barge and/or onshore dumpsters and disposed at the nearest dumpster/sanitary landfill site. Small boats (John boats) and tarps will be utilized under construction areas to provide for the collection of construction debris, thereby preventing any discharge of wastes to the lake.

CALENDAR PAGE 156
MINUTE PAGE 3305

STATE LANDS COMMISSION

Date Filed: / /

File Ref.: PRC 3659

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

Craig T. McFarland
P.O. Box 1150
Carmel, CA 93921
(408) 625-1874

b. Contact person if other than applicant:

Gregg R. Lien
P.O. Box 7740
Tahoe City, Ca. 95730
(916) 583-8542

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

Placer County, Lot 10, Blk E, Lakevista Subdivision,
Section POR N½ Lot 3, 30, T 16N, R 18E, MDBM
Approx. 1 mile east of Kings Beach

b. Assessor's parcel number: 90-282-08 & 15

3. Existing zoning of project site: Low Density Residential

4. Existing land use of project site: Recreational Pier

5. Proposed use of site: Recreational Pier

6. Other permits required: Tahoe Regional Planning Agency, Lahontan Water Quality Control Board, U.S. Army Corps of Engineers, Dept. of Fish & Game, Placer County.

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.

CALENDAR PAGE 157
MINUTE PAGE 3386

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?	☐	☐	☒
2. a change in scenic views or vistas from existing residential areas or public lands or roads?	☐	☐	☒
3. a change in pattern, scale, or character of the general area of project?	☐	☐	☒
4. a significant effect on plant or animal life?	☐	☐	☒
5. significant amounts of solid waste or litter?	☐	☐	☒
6. a change in dust, ash, smoke, fumes, or odors in the vicinity?	☐	☐	☒
7. a change in ocean, bay, lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns?	☐	☐	☒
8. a change in existing noise or vibration levels in the vicinity?	☐	☐	☒
9. construction on filled land or on slope of 10 percent or more?	☐	☐	☒
10. use or disposal of potentially hazardous materials, such as toxic or radioactive substances, flammables, or explosives?	☐	☐	☒
11. a change in demand for municipal services (police, fire, water, sewage, etc.)?	☐	☐	☒
12. an increase in fossil fuel consumption (electricity, oil, natural gas, etc.)?	☐	☐	☒
13. a larger project or a series of projects?	☐	☐	☒

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: 11-3-88

Signed: Craig T. McFarland

CALENDAR PAGE 158
MINUTE PAGE 3287

STATE LANDS COMMISSION

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST – PART II

Form 13.20 (7/82)

File Ref.: PRC 3659

I. BACKGROUND INFORMATION

A. Applicant: Craig T. McFarland
P.O. Box 1150
Carmel, CA 93921

B. Checklist Date: 5 / 25 / 89

C. Contact Person: TED T. FUKUSHIMA

Telephone: (916) 322-7813

D. Purpose: To reconstruct existing facilities in order to avoid falling into a state of disrepair.

E. Location: In Lake Tahoe adjacent to Lot 10, Block E, Lakevista Subdivision, approximately 1 mile east of Kings Beach, Placer County.

F. Description: To reconstruct an existing pier and boathouse.

G. Persons Contacted:

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

A. *Earth.* Will the proposal result in:

	Yes	Maybe	No
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?	☐	☐	☒

CALENDAR PAGE 159
MINUTE PAGE 2202

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

CALENDAR PAGE 160
MINUTE PAGE 3301

	Yes	Maybe	No
J. *Risk of Upset.* Does the proposal result in:			
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?	☐	☐	☒

CALENDAR PAGE 161
MINUTE PAGE 3190

	Yes	Maybe	No
T. *Cultural Resources.*			
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: 5 / 25 / 89

For the State Lands Commission

PAGE 362

MINUTE PAGE 310

TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547

STATEMENT OF NO SIGNIFICANT EFFECT

PROJECT NAME McFarland Boathouse/Pier Repair APN 90-282-08 and 15

PERMITTEE(S) Craig McFarland

COUNTY/LOCATION Placer County, Terminous of Lake Street

Staff Analysis: In accordance with Article VI of the Tahoe Regional Planning Compact, as amended, and Section 6.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.

TRPA Chairman or Executive Director

11-4-88
Date

CALENDAR PAGE 163
MINUTE PAGE 3402

STATE OF CALIFORNIA
GEORGE DEUKMEJIAN, Governor

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

January 5, 1989

Mr. Craig T. McFarland
P.O. Box 1150
Carmel, CA 93921

CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR THE PROPOSED REPAIR OF AN EXISTING PIER AND BOATHOUSE ON LAKE TAHOE, BROCKWAY, PLACER COUNTY APN 90-282-15 AND 90-282-08

Dear Mr. McFarland:

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 shall enter any surface waters in the Lake Tahoe Basin. All construction waste products will be removed from the project site and dumped at a legal point of disposal. Any mechanical equipment operating within the lake will be cleaned and maintained prior to use.

4) The use of wood preservatives on wood in contact with the lake water is prohibited.

5) Regional Board staff shall be notified at least 48 hours prior to the start of the project.

6) 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.

CALENDAR PAGE 164
MINUTE PAGE 3403

This waiver may be revoked and enforcement action taken upon the violation of any of the above conditions, creation of a water quality problem or variation from the plans submitted to this office. The expiration date of this waiver is October 15, 1989.

If you have any questions, please call Chris Stetler, Water Resource Control Engineer, or Ms. Ranny Eckstrom, Senior Water Resource Control Engineer, at this office.

Yours truly,

O. R. BUTTERFIELD
EXECUTIVE OFFICER

cc: Tahoe Regional Planning Agency/ Jerry Wells
California Department of Fish and Game/ Ken Nilsson
Placer County Public Works Dept.
State Lands Commission/ Judy Ludlow
U.S. Army Corps of Engineers/ Robert Junell
Hoffman, Lien, Faccinto and Spitzer/ Gregg Lien

sh

CALIFORNIA PAGE 165
LAHONTAN PAGE 3401