

MINUTE ITEM
This Calendar Item No. C04
was approved as Minute Item
No. C04 by the State Lands
Commission by a vote of 2
to 0 at its 9/27/90
meeting.

CALENDAR ITEM

C 0 4

09/27/90
WP 2859
Gordon

PRC 2859

A 7

S 1

GENERAL PERMIT - RECREATIONAL USE

APPLICANT:

Cedar Point Homeowners Association
2200 Sand Hill Road, Suite 200
Menlo Park, California 94025

AREA, TYPE LAND AND LOCATION:

A 0.128-acre parcel and eighteen 0.029-acre
circular parcels that together total 0.647 acre
of submerged land located in Lake Tahoe near
Sunnyside, Placer County.

LAND USE:

Construction, reconstruction, and maintenance
of a pier; and maintenance of 18 mooring buoys,
all utilized for noncommercial multiple-use
recreational boating.

TERMS OF PROPOSED PERMIT:

Initial period: Five (5) years beginning
August 1, 1988.

Public liability insurance: Combined single
limit coverage of \$1,000,000.

Special:

1. The permit is
conditioned on permittee's
conformance with the Tahoe
Regional Planning Agency's
Shorezone Ordinance.

2. The permit restricts any
residential use of the
facilities.

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3. The permit requires refuse containers for the disposal of vessel-generated trash.

4. The permit conforms to the Lyon/Fogerty decision.

5. The permit is conditioned on the right of public access along the shorezone lakeward of the ordinary high water line.

6. The permit is conditioned on permittee's retention of the public trust area and the Rorippa habitat area in its natural condition.

NONMONETARY CONSIDERATION:
PRC 6503.5

MONETARY CONSIDERATION:
\$625.32 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

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

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: 12/05/90.

OTHER PERTINENT INFORMATION:

1. Because 5.556 percent of Applicant's ownership in the littoral upland is vested in a nonnatural person entity, Applicant does not fully meet the criteria of P.R.C. 6503.5 for rent-free status. Therefore, a portion of the rental related to boat mooring purposes required by the permit is the result of a proration according to this percentage. This is an application to extend Applicant's existing pier on to sovereign land and to bring Applicant's existing, but unauthorized, mooring buoys under permit.
2. 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 527, State Clearinghouse No. 90020851. 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))

3. In order to determine the other potential trust uses in the area of the proposed project, the staff contacted representatives of the following agencies: Tahoe Regional Planning Agency, 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.

CALENDAR ITEM NO. C 0 4 CONT'D

4. This property was physically inspected by staff.
5. 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 activity is consistent with its use classification.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, United States Army Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and County of Placer.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Local Government Comment.
- D. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR NO 527, STATE CLEARINGHOUSE NO. 90020851, 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 CEDAR POINT HOMEOWNERS ASSOCIATION OF A FIVE-YEAR GENERAL PERMIT - RECREATIONAL USE, BEGINNING AUGUST 1, 1988; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$625.32 AND PRC 6503.5, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT, AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR CONSTRUCTION, RECONSTRUCTION, AND MAINTENANCE OF A PIER; AND MAINTENANCE OF 18 MOORING BUOYS, ALL UTILIZED FOR NONCOMMERCIAL MULTIPLE-USE RECREATIONAL BOATING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

WP 2859

LAND DESCRIPTION

Nineteen parcels of submerged land in the bed of Lake Tahoe, Placer County, California, said parcels being more particularly described as follows:

Parcel 1 - Pier

That land lying immediately beneath a relocated and extended pier, TOGETHER WITH the necessary use area extending 10 feet from its extremities, said pier being adjacent to Lot "C" of Tract No. 294 (Cedar Point) as recorded November 9, 1976 in Book "K" of Maps at page 82 in the Office of the County Recorder of said county.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark of Lake Tahoe.

Parcels 2 Through 19 - Buoys

Eighteen circular parcels of submerged land, each having a diameter of 40 feet, said parcels lying approximately 350 feet easterly of the end of the above mentioned pier and southerly along the approximate Lake Tahoe bottom contour of 6216 feet, said contour being east of said Tract 294.

END OF DESCRIPTION

PREPARED MAY 15, 1990 BY SAS.

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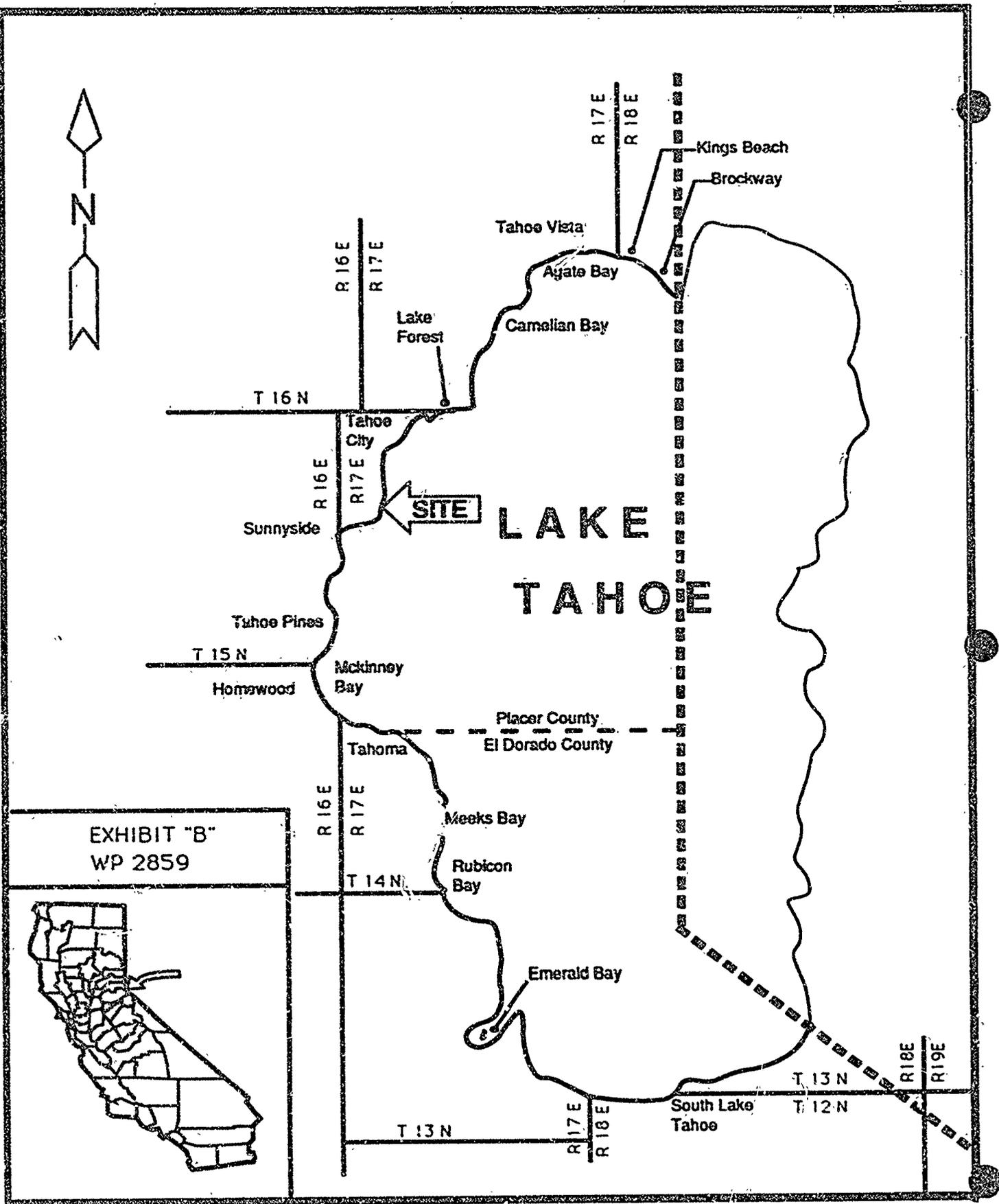


EXHIBIT "B"
WP 2859



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PLACER COUNTY

DEPARTMENT OF PUBLIC WORKS

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

OPERATIVE DIVISION

Engineering
 Planning
 Equipment Maintenance
 Administration
 Public Works

March 3, 1989

Gerald D. Gordon
 California State Lands Commission
 1807 - 13th Street
 Sacramento, CA 95814

RE: PIER - SHOREZONE CONSTRUCTION

Dear Mr. Gordon:

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

1.	McKinney Landing Home Owners Association	WP 4195
2.	Strain Ranch	WP 4091
3.	Lake Tahoe Park Association	WP 3887
4.	<u>Cedar Point Home Owners Association</u>	WP 2859
5.	Antiques and Heirlooms	W 23946
6.	Michael Babcock	W 24201
7.	Tahoe Tavern Property Owners Association	WP 5956
8.	Lyon/Hawkins	WP 5884

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 A. MCLEOD
 ASSISTANT CIVIL ENGINEER

JAN:ms

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EXHIBIT D

STATE OF CALIFORNIA

STATE LANDS COMMISSION

LEO T. MCCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
JESSE R. HUFF, *Director of Finance*

GEORGE DEUKMEJIAN, *Governor*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95811
CHARLES WARREN
Executive Officer

August 24, 1990
File Ref: WP 2859
SCH. NO. 90020351

NOTICE OF PUBLIC REVIEW
OF AN
AMENDED NEGATIVE DECLARATION
(Section 15073 CCR)

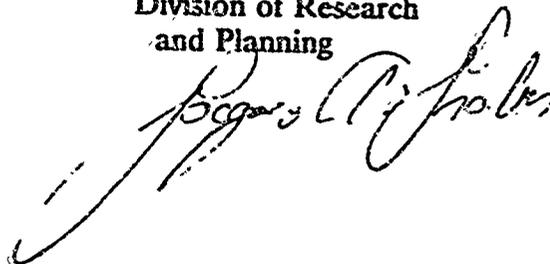
A Negative Declaration has been prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 2, California Code Regulations), and the State Lands Commission regulations (Section 2901 et seq., Title 2, California Code Regulations), for a project currently being processed by the staff of the State Lands Commission.

The document is attached for your review. Comments should be addressed to the State Lands Commission office shown above, with attention to the undersigned. All comments must be received by September 23, 1990.

Should you have any questions or need additional information, please call the undersigned at (916) 323-7209.

JACQUES A. GRABER
Division of Research
and Planning

JB:ma
Attachment



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STATE LANDS COMMISSION

ED T. McCARTHY, Lieutenant Governor
 GRAY DAVIS, Controller
 JESSE R. HUFF, Director of Finance

EXECUTIVE OFFICE
 1807 - 13th Street
 Sacramento, CA 95814
 CHARLES WARREN
 Executive Officer

PROPOSED NEGATIVE DECLARATION

EIR ND: 527

File Ref.: WP 2859

SCH. NO.:

Project Title: CEDAR POINT PIER RECONSTRUCTION/EXTENSION
 Project Proponent: Cedar Point Homeowner's Association
 Project Location: Lake Tahoe, 1200 West Lake Boulevard, Placer County, near Tahoe City.
 Project Description: Recreational pier reconstruction/extension and retention of 18 mooring buoys.
 Contact Person: Jacques Graber Telephone: (916) 323-7209

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:

- that project will not have a significant effect on the environment.
 mitigation measures included in the project will avoid potentially significant effects.

FORM 13.17 (4/90)

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ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.25 (7/82)

File Ref.: WP 2859

I. BACKGROUND INFORMATION

- A. Applicant: Cedar Point Homeowners Association
c/o Glenn Mueller
2200 SandHill Road
Menlo Park, CA 94025
- B. Checklist Date: 08 / 23 / 90
- C. Contact Person: Jacques Graber
 Telephone: (916) 323-7209
- D. Purpose: Recreation
- E. Location: Lake Tahoe, adjacent to property at 1200 West Lake Blvd.
Tahoe City, Placer County.
- F. Description This pier is to be reconstructed and extended in a slightly different alignment than existing. The new location of the pier is to be 50 feet from and parallel to the northerly property line extension. The pier will be reconstructed with 10.75" dia. steel piles at 15' o.c., 6" steel "H" beams, 4"x10" wood joists at 24" o.c., 2"x6" min. cedar deck, with one (1) stairway on each side of pierhead. Stairways may be salvaged from the existing pier. The pier will extend to the TRPA pierhead line approximately 420' from shore. Reconstruction of this pier is to be by barge with pile driver; caissons or sleeves will be used if sediment is resuspended while pile driving. Anchorage of barge will be to the existing structure and/or lake anchors required for adequate stabilization of barge. During low water seasons, barge access and construction activity around both the existing and relocated pier will be confined to the "footprint" of subject pier. Maintenance of 18 existing mooring buoys is included in this project. Collection and placement of existing buoys are to be accomplished by barge with hoist, and such placement has been approved by the California Department of Fish and Game, and the Tahoe Regional Planning Agency.

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Disruptions, displacements, compaction, or overcovering of the soil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Change in topography or ground surface relief features? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. The destruction, covering, or modification of any unique geologic or physical features? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Any increase in wind or water erosion of soils, either on or off the site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, or similar hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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		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"/>
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?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Exposure of people to severe noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Possible interference with emergency response plan or an emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. The alteration, distribution, density, or growth rate of the human population of the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|

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

- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Affecting existing housing, or create a demand for additional housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|

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

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

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Parks and other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Other governmental services? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Use of substantial amounts of fuel or energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Substantial increase in demand upon existing sources of energy, or require the development of new sources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

- | | | | |
|------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Communication systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Sewer or septic tanks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Storm water drainage? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Solid waste and disposal? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 1. Creation of any health hazard or potential health hazard (excluding mental health)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Exposure of people to potential health hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|-------------------------------------|-------------------------------------|

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

- | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|
| 1. An impact upon the quality or quantity of existing recreational opportunities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|-------------------------------------|-------------------------------------|

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MINUTE PAGE	<input type="checkbox"/>	2434	<input type="checkbox"/>

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? <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Will the proposal restrict existing religious or sacred uses within the potential impact area? <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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? <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Does the project have impacts which are individually limited, but cumulatively considerable? <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

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: 08 / 24 / 90

Jacques
 For the State Lands **MANUFRACQUES GRABER** 58

III. DISCUSSION OF ENVIRONMENTAL EVALUATION
Cedar Point - WP 2859

C. Water

5. The pier removal will involve dismantling of the deck and extracting the old pilings from the lake bed. New steel pilings will be driven at the new location. A caisson or sleeve will be placed around each piling as they are driven into the substrate. The caisson will keep turbid water from dispersing into the Lake during the removal and installation of pilings. The TRPA permit requires use of a turbidity screen around the project while it is being conducted. Turbidity screens have been shown to be effective if constructed with proper materials and erected properly.

D. Plant Life

2. The shoreline of Lake Tahoe is known habitat for Rorippa subumbellata Roll., listed by California as an endangered plant species. The relocation and reconstruction of the existing pier will disturb shoreline above elevation 6223 feet.

The California Department of Fish and Game has issued an informal "no jeopardy" opinion dated August 16, 1990 (attached).

E. Animal Life

4. The site of the relocation and reconstruction of this previously authorized multiple-use pier is within an area designated by TRPA as being fish spawning habitat. However, TRPA has determined this project will not have an adverse effect on the fish habitat and has issued a permit for this activity.

F. Noise

1. The project will result in intermittent increases in noise levels during the construction of this project. Noise will come from the pile driver operations, hammering, and demolition of the old deck. Noise from reconstruction work will follow. These noises will occur during daylight, normal working hours.
2. Severe noise levels may result from close range contact with the pile extracting/driving operations and construction activity. Construction will be carried out during daylight hours.

M. Transportation

5. The project involves the moving, realignment and lengthening of the pier. This action will change its position and almost double its length. The pier will be extended to the TRPA pierhead line, elevation 6221'.

The realignment and extension will affect navigation in that immediate area. The realignment will place the pierhead in deeper water which will make it more accessible to boating.

The pierhead will be fitted with navigational marker lights which will help boat traffic navigating the area. The lengthened pier will prohibit boat traffic from passing more closely to shore in that area. This may keep traffic out of presently extremely shallow waters to the south of the pier.

A buoy field is planned 350 feet waterward of the pierhead in waters between 6214' and 6218' elevation. The buoys are presently in place but will be relocated a few feet from their present locations. This will not affect present navigational patterns.

R. Aesthetics

1. The pier extension will nearly double the length of the pier. This extension will impact the aesthetic quality when viewed from the shore. The pier will project into the horizon of the Lake interrupting the open water view.

Several other long piers are found within the immediate area. The visual impact of this pier among the other piers will not be as significant as if the pier were by itself.

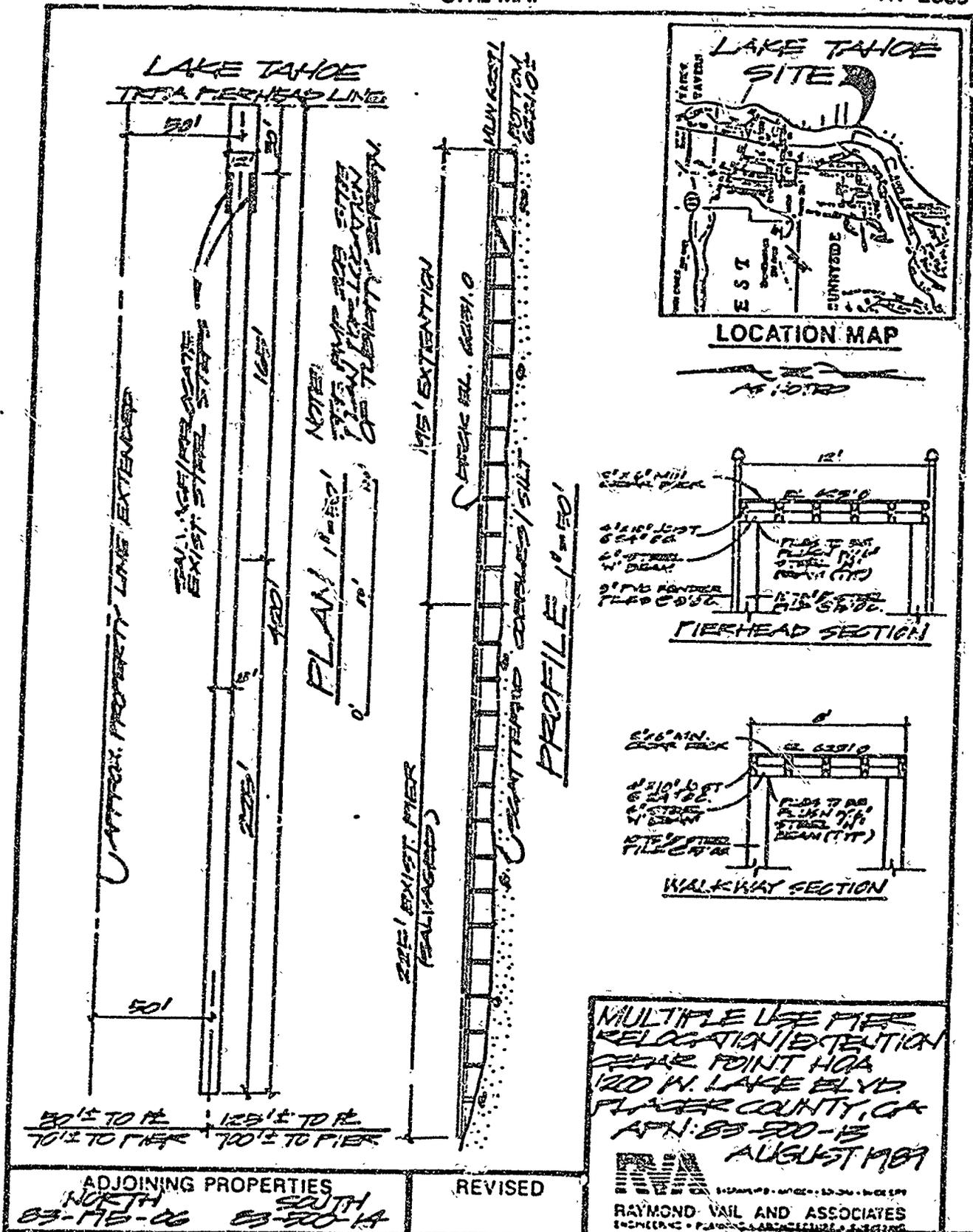
S. Recreation

1. The pier extension places the pierhead in deeper water. This will allow better access to the pier, especially in low water periods. The pier extension will increase its usability and increase its recreational use by the Cedar Point Homeowners Association members. It will not affect public use.

SECTION 3a

SITE MAP

WP 2859



ADJOINING PROPERTIES
 NORTH 83-175-06 SOUTH 83-50-14
 SHEET 2 OF 2

REVISED

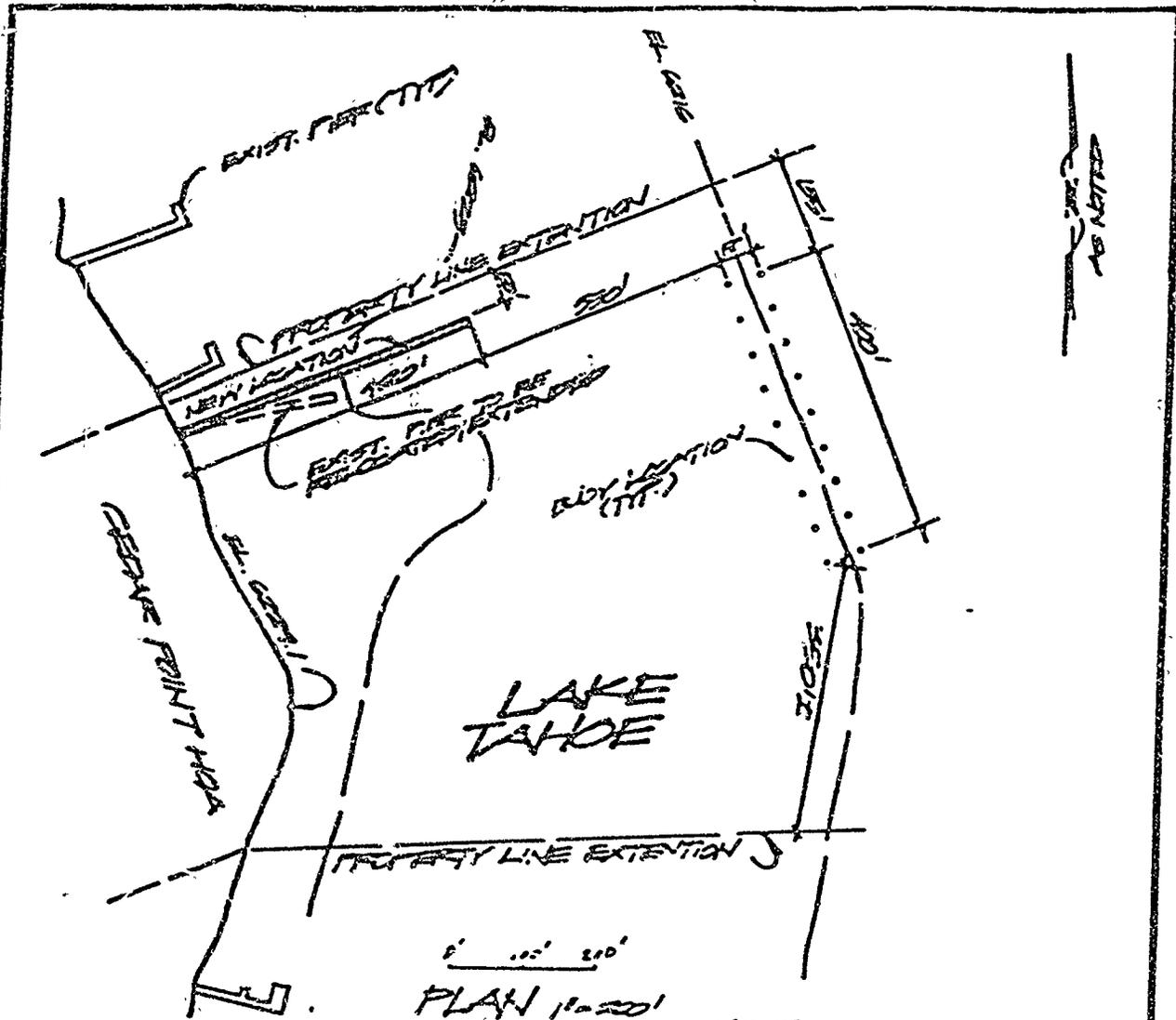
PREPARED MAY 15, 1990 BY SAS.

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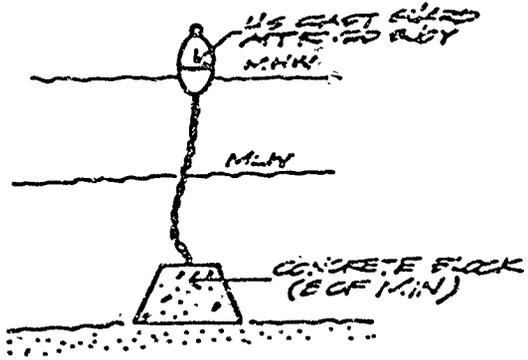
SECTION 3a

SITE MAP

WP 2859



PLAN 1/4" = 20'



BUOY DETAIL NOT TO SCALE

NOTE:
 THIS MAP IS FOR PER-
 MITTING OF EXIST.
 PIER AND 18 SEA-
 SONAL MOORING
 BUOYS ONLY.

MULTIPLE USE PIER
 RELOCATION/EXTENSION
 CEASAR POINT HOA
 1200 W. LAKE BLVD.
 PALMER COUNTY, GA
 APN: 83-500-15
 AUGUST 1989

ADJOINING PROPERTIES
 NORTH 83-115-06 SOUTH 83-500-14
 REVISED

RAYMOND VAL AND ASSOCIATES
 ENGINEERS, P.A.
 SCHEDULED

SHEET 1 OF 2 PREPARED: MAY 15, 1990 BY SAS.

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State of California

The Resources Agency

Memorandum

To : Mr. Charles Warren, Executive Officer
State Lands Commission
1807 13th Street
Sacramento, CA 95814-9990

Date : August 16, 1990

From : Department of Fish and Game - Region 2

Subject: Informal Consultation for Several Proposed Projects for Tahoe Yellow Cress, Placer County

The Department of Fish and Game (DFG) has reviewed the request from the State Lands Commission for informal consultation pursuant to the California Endangered Species Act to determine if the proposed projects listed below may impact the Tahoe yellow cress (*Rorippa subumbellata*). The Tahoe yellow cress is an endemic state-listed endangered species and a Federal Candidate species that is found only on granitic sandy beach and sandy cobblestone habitats on the shores of Lake Tahoe. Prior construction and maintenance activities may seriously impact existing populations and habitat for this species.

If potential or existing habitat exists on the project site, the DFG must make a determination of jeopardy until such time as the *Rorippa* habitat management plan has been completed and has identified appropriate mitigation measures which will offset adverse impacts to *Rorippa*.

The DFG reviewed the following projects and has made the subsequent informal determinations under CESA:

<u>Project</u>	<u>Determination</u>
Crabtree Property APN: 98-191-27	No Jeopardy
Hanceck Property APN: 017-021-28	No Jeopardy
Harry/Washbir APN: 016-101-141, 521 & 016-142-091	No Jeopardy
Catron/Hillstrom APN: 017-021-201, 211	No Jeopardy
Cedar Point APN: 83-50C-13	No Jeopardy

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Mr. Charles Warren

-2-

August 16, 1990

Agate Bay Sun Club
APN: 98-210-08

Jeopardy

Kranes
APN: 116-100-02

Jeopardy (until
more information
provided)

If we can be of further assistance, please contact
Ms. Charry Tarasa, Associate Wildlife Biologist, or
Mr. Jerry Mansch, Environmental Services Supervisor, telephone
(916) 355-7030.


James D. Messersmith
Regional Manager

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