

MINUTE ITEM

This Calendar Item No. C02
was approved as Minute Item
No. 2 by the State Lands
Commission by a vote of 2
to 0 at its 11-5-91
meeting.

CALENDAR ITEM

C 0 2

A 7

S 1

11/05/91
PRC 4314
J. Ludlow

APPROVE RECREATIONAL PIER PERMIT

APPLICANT:

Ann Milton Wallis Trust
141 Hazel Lane
Piedmont, California 94611

AREA, TYPE LAND AND LOCATION:

A parcel of submerged land located in Lake Tahoe at near
Sunnyside, Placer County.

LAND USE:

Partial reconstruction, use and maintenance of an existing
authorized pier, including the retention, use and
maintenance of an existing and previously authorized
boathouse, boathoist and two mooring buoys.

TERMS OF PROPOSED PERMIT:

Initial period:
Five (5) years beginning November 5, 1991.

CONSIDERATION:

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

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003

APPLICANT STATUS:

Applicant is owner of the upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing and processing fees, environmental fee and Fish and
Game fee 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:

04/12/92

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 468, State Clearinghouse No. 89032013. 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. 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 process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. On August 30, 1989, Minute Item 17, the Commission approved the partial reconstruction of the lakeward portion of the pier, including the boathouse, and new boatlift and the retention of two existing mooring buoys (all waterward of low water, elevation 6223 feet) after a proposed Negative Declaration was adopted by the State Lands Commission. Applicant performed the authorized reconstruction and, in addition, reconstructed the landward end of the pier. Applicant now requests, after the fact, the authorization for the reconstruction of the landward end of the pier.
4. The project was accomplished by using a barge-mounted pile driver and all work was completed from the water using floating equipment.

CALENDAR ITEM NO. C 02 (CONT'D)

5. The Applicant incorporated the Interim Management Program Construction and Access Guidelines into the project description which avoided disturbance to the habitat of Rorippa subumbellata, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species, and the State Lands Commission has included those Guidelines as part of the Negative Declaration.
6. Staff has determined that the project, as presented herein, is applicable to the Department of Fish and Game fee pursuant to AB 3158, Chapter 1706, Statutes of 1990 (Section 711.4 of the Fish and Game Code).
7. Materials were neither stored nor placed, nor was any activity associated with the construction, conducted above the low water line of the subject property. This procedure prevented any disturbance to what may be considered Rorippa habitat.
8. This property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.
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 the 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. All permits issued at Lake Tahoe include special language in which the permittee/lessee agrees to protect and replace or restore, if required, the habitat of Rorippa.
11. The issuance of this permit supersedes any prior authorization by the State Lands Commission at this location.

CALENDAR ITEM NO. C 02 (CONT'D)

12. If any structure hereby 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 this permit is automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof. If the location, size, or number of any structure hereby authorized is to be altered, pursuant to order of the Tahoe Regional Planning Agency, Permittee shall request the consent of the State to make such alteration.
13. The Applicant has been notified that the public has a right to pass along the shoreline and the permittee must provide a reasonable means for public passage along the shorezone area occupied by the permitted structure.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, Department of Fish and Game, and Placer County

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers

EXHIBITS:

- A: Land Description
- 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 ND 468, STATE CLEARING HOUSE NO. 89032013, 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 ANN MILTON WALLIS TRUST, OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING NOVEMBER 5, 1991, FOR THE PARTIAL RECONSTRUCTION, USE AND MAINTENANCE OF AN

CALENDAR ITEM NO. C 0 2 (CONT'D)

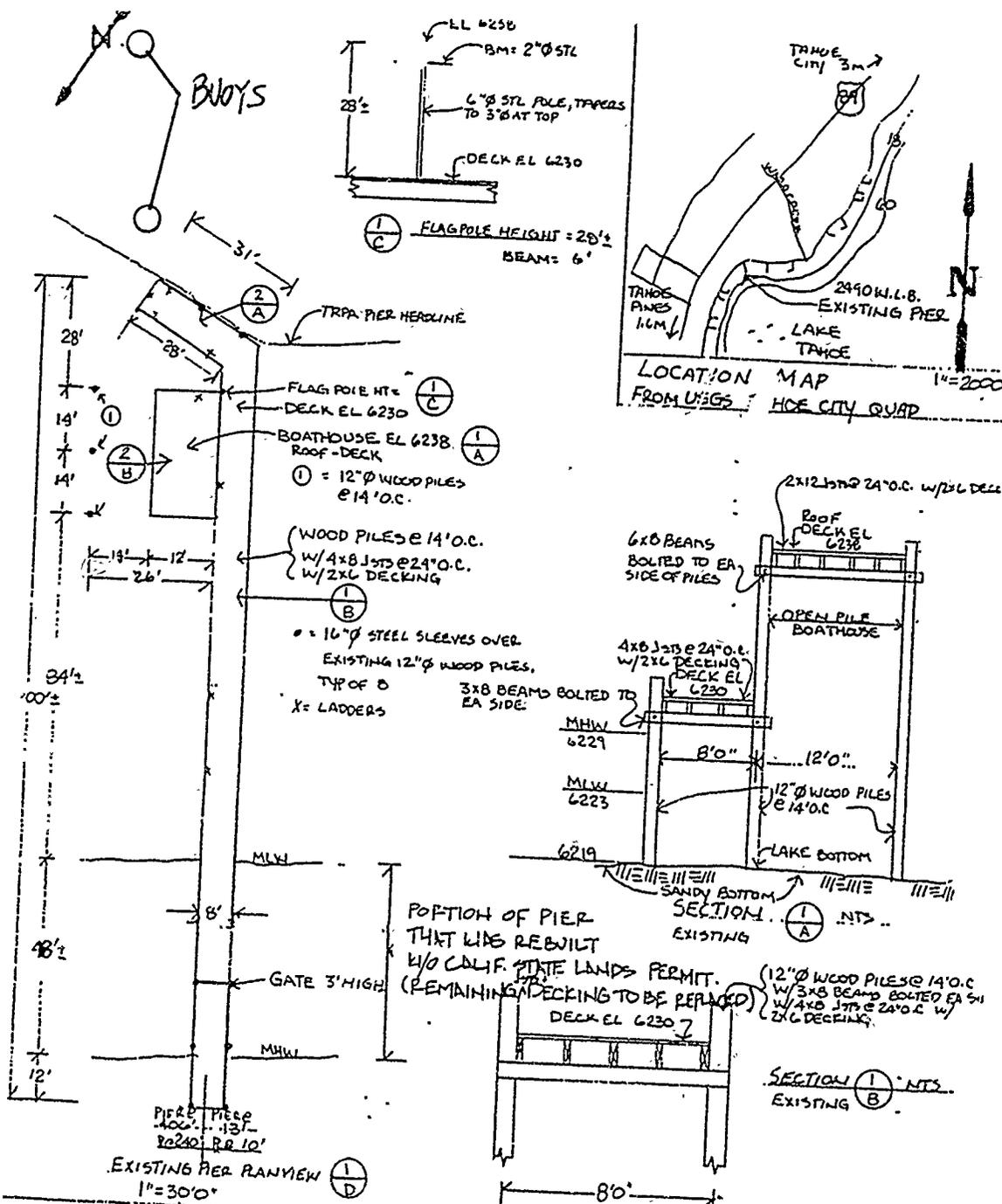
EXISTING AUTHORIZED PIER AND THE CONTINUED USE AND MAINTENANCE OF TWO MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

4. FIND THAT THE ISSUANCE OF THIS PERMIT SUPERSEDES ANY PRIOR AUTHORIZATION BY THE STATE LANDS COMMISSION AT THIS LOCATION.

LAND DESCRIPTION

PRC 4314.9

EXHIBIT "A"



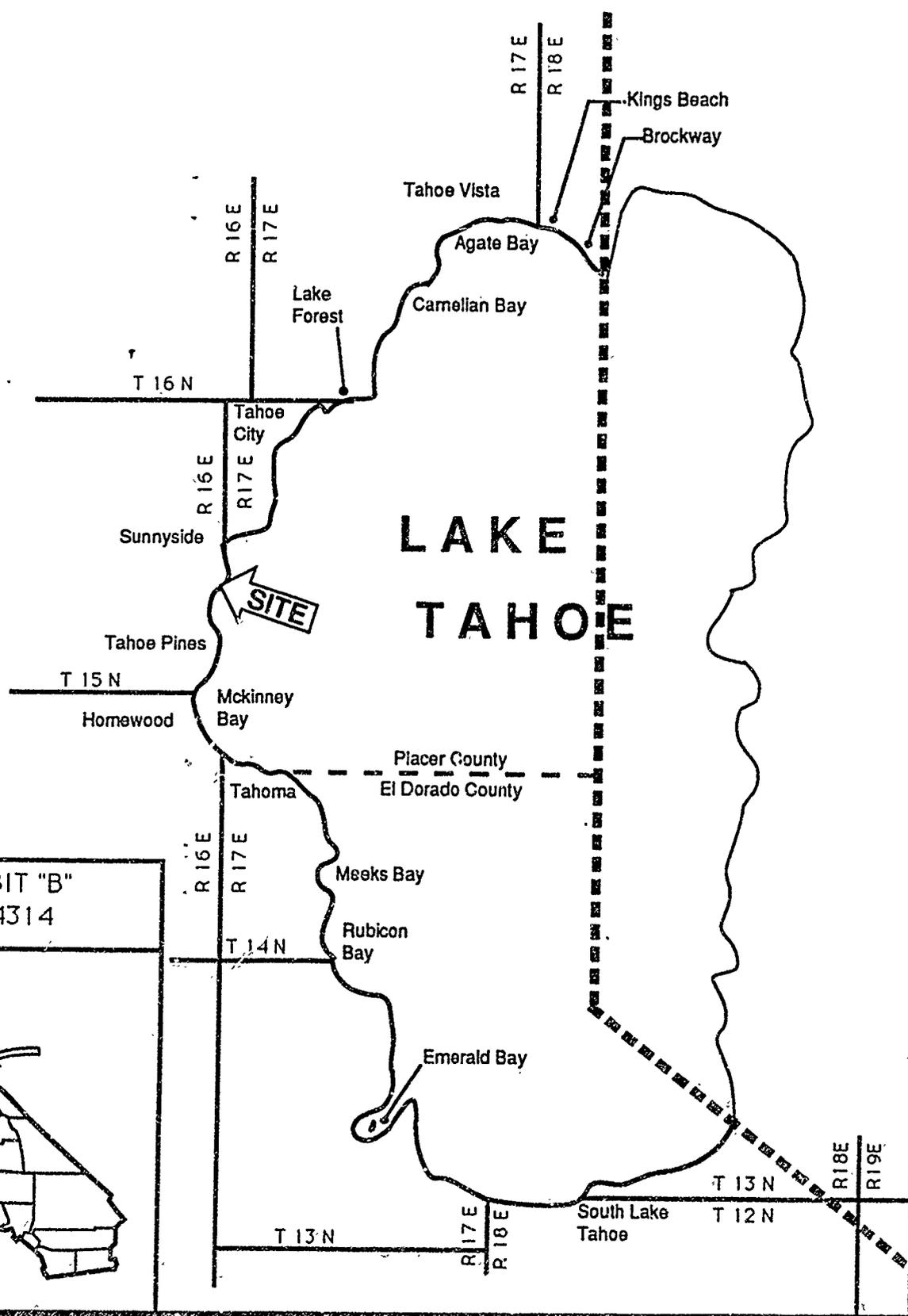


EXHIBIT "B"
PRC 4314





PLACER COUNTY

EXHIBIT "C"

PRC 4314.9

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

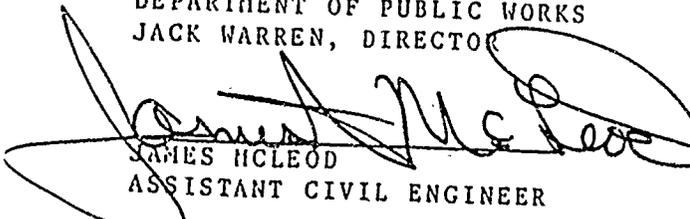
RE: PIER - SHOREZONE CONSTRUCTION

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. | McFarland | PRC 3659 |
| 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
ASSISTANT CIVIL ENGINEER

JH:ms

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MINUTE PAGE 3562

STATE LANDS COMMISSION

PETE WILSON, Governor

LEO T. McCARTHY, Lieutenant Governor
GRAY DAVIS, Controller
THOMAS W. HAYES, Director of Finance

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814

CHARLES WARREN
Executive Officer

File: WP 4314
ND 468
SCH No. 89032013

NOTICE OF PUBLIC REVIEW OF AN AMENDED NEGATIVE DECLARATION
(SECTION 15073 CFR)

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 14, 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 November 1, 1991.

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

Jacques Graber (LL)
JACQUES GRABER
Division of Environmental Planning
and Management

Attachment

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STATE LANDS COMMISSION

LEO T. McCARTHY, Lieutenant Governor
GRAY DAVIS, Controller
THOMAS W. HAYES, Director of Finance

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95811

CHARLES WARREN
Executive Officer

PROPOSED AMENDED NEGATIVE DECLARATION

File: WP 4314
ND 468
SCH No. 89032013

Project Title: Wallis Pier Replacement/Reconstruction

Proponents: Ann Milton Wallis

Project Location: Lake Tahoe, 2490 West Lake Boulevard, APN 084-121-03, Placer County.

Project Description: Authorization of a portion of a recreational pier between elev. 6223' and 6229' which was reconstructed without proper authorization.

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:

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

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Re... WP 4314.9

I. BACKGROUND INFORMATION

A. Applicant: Ann Milton Wallis
2490 West Lake Blvd.
Lake Tahoe Ca. Placer Co.

B. Checklist Date: 09 / 05 / 91

C. Contact Person: Jacques A. Graber
Telephone: (916) 323-7209

D. Purpose: Authorize a portion of recreational pier between elev. 6223 and 6229 feet which was previously unauthorized.

E. Location: 2490 West Lake Blvd. Lake Tahoe

F. Description: Authorize a portion of recreational pier between elevations 6223 and 6229 feet in Lake Tahoe; this portion previously unauthorized.

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?	<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 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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PAGE

	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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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"/>

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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 type="checkbox"/> | <input checked="" 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 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 type="checkbox"/> | <input checked="" 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? Yes Maybe No
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? Yes Maybe No
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? Yes Maybe No
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area? Yes Maybe No

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? Yes Maybe No
- 2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? Yes Maybe No
- 3. Does the project have impacts which are individually limited, but cumulatively considerable? Yes Maybe No
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Yes Maybe No

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

(See 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: 9/5/91

Joseph P. [Signature]
 Director of the State Lands Commission
 STATE PAGE 3568
 Form 13-20 (7/82)

PROJECT DESCRIPTION

The project involves the authorization to allow to remain an unauthorized portion of the recreational pier owned by Ms. Ann Milton Wallis which was reconstructed with partial authorization under permit by the State Lands Commission. The permit allowed for reconstruction of an existing pier and boathouse waterward of elevation 6223 feet with no work to be performed landward of elevation 6223 feet to avoid possible impacts to the endangered plant species *Rorippa subumbellata*, Rollins and its habitat. The pier was reconstructed between elevations 6223' and 6229' which was not authorized under the permit while the waterward part was rebuilt.

Reconstruction of the pier and accompanying structures involved removal of the waterward portion of the wood pier deck structure and the supporting wooden pilings. This process was accomplished from a floating barge with the debris transported to an appropriate disposal site. The pilings were pulled from the substrate and removed. Sixteen inch diameter steel pilings were installed using a rubber tired construction barge to avoid disturbance to the lakebottom. A wooden deck was constructed on the new steel piles. The landward portion of the pier was not constructed because it was previously built with steel piers and did not require replacement. The portion of pier between elevations 6223 and 6229 feet was not to be rebuilt because it was over possible *Rorippa* habitat. This portion was rebuilt without authorization during the time the portion waterward was rebuilt.

PROJECT ENVIRONMENT

The project is located on a portion of lakeshore in which the substrate between low water and high water is partially sorted. The beach material shows some gradation between coarse and fine with distinct bands of grading. Some areas of mixing can be found with fine sands surrounded by cobbly or gravelly areas.

The beach slope from water's edge to the high water point is moderate. The waterward portion of beach between el. 6223 and 6225 feet is most homogenous, consisting of cobble sized material two, to six inches in diameter. Between el. 6225 and 6227 feet is a band of coarse sand and gravel. Above el. 6227 feet, an unsorted band of coarse sand mixed with cobbly material continues to the upland. This band of material extends across the length of the beach, narrowing to 3 to 5 feet at the northerly end of the property, approximately 80 feet north of the pier and continuing to the property line. A small man-made border of 6 inch boulders is placed at the transition from the beach material and the upland soil material. This border acts as an erosion control structure.

A small change in slope at this point separates the beach from

the upland. The property behind the scarp is flat and is covered with significant vegetation. There are large native trees and shrubs forming a dense cover on the upland portion. Between elevations 6223 and 6229 feet the substrate supported small patches of vegetation, primarily small low grasses and weeds. The remainder of the beach lacks significant vegetation growth.

DISCUSSION OF ENVIRONMENTAL ASSESSMENT
OF PIER AUTHORIZATION

A.1 Unstable Earth

The reconstruction of the unauthorized portion of the pier has already been done. The construction does not involve creation of fill areas to affect soil stability nor will it affect geologic structures in the area. There will be no impacts.

A.2 Disruptions

The reconstruction operation was conducted within the footprint of the pier with a rubber tired construction barge. No fill or excavations were planned for the project. A post-construction site survey was conducted by a qualified biologist for the applicant. This survey revealed no signs of soil or beach disturbance caused by the work.

A.3 Change in Topography

The reconstruction did not involve earth moving. The pier was reconstructed with an open piling design which required no excavation. The construction barge did not cause any significant disruption to the topography at the site as determined by a post-construction site survey.

A.4 Unique Geology

The project site is located along a portion of lakeshore which is characteristic of much of the Lake Tahoe waterfront. The pier was reconstructed using an open pile and deck design which does not impact topography significantly. No unique geologic features were covered or altered by this construction.

A.5 Erosion

The project involved reconstruction of a pier which was already in place. Part of the pier was not authorized in the original rebuild. This project authorizes that area previously

not covered in the rebuild. The reconstruction exists and will not involve more activity which could cause erosion by wind or water.

A.6 Deposition

The project involves authorization to let remain a portion of a pier which was reconstructed but was not authorized. The pier is in place precluding the possibility of activity which could affect deposition or erosional patterns of beach sands. The open piling construction of the pier will not affect littoral deposition of sands at the site.

A.7 Geologic Hazards

The project involves authorizing to let remain a portion of pier which was reconstructed without authorization. The new pier is in place and will not create conditions to cause earthquake hazards. The pilings are driven to shallow depths and will not trigger a seismic event.

B.1 Air Emissions

The project pier, including the unauthorized portion, has been completed. There will be no new construction activity to create air emissions or impact ambient air quality. The pier will not generate air emissions.

B.2 Odors

The project involves authorizing a portion of recreational pier which was reconstructed but was not authorized under the reconstruction permit issued. The pier is in place; no new emissions will result from this project.

B.3 Climate

The project authorizes the reconstruction of a portion of pier which was not covered in the permit. The reconstruction allowed replacement of the pier with a like structure using steel open piling supporting a wood and steel deck. The structure will not affect air movement, climate or temperature.

C.1 Currents

The authorization involves the pier between elevation 6223 ft. and 6229 ft. at the shoreward end of the pier. This part has been reconstructed and is also above the lake edge. This activity will not affect currents.

C.2 Drainage

This project involves the authorization of a portion of

a previously reconstructed pier of which that portion was not authorized in the permit. No new construction will occur resulting from this authorization. The reconstruction was accomplished without altering surface water runoff. The completed pier does not affect drainage patterns or surface runoff.

C.3 Flood Waters

The project will not involve any new reconstruction activities. The pier has been rebuilt. There will be no new impacts on the flow of flood waters.

C.4 Surface Water

The project will not involve new reconstruction; that activity has been completed. Surface waters will not be altered by the rebuilding of the pier which occurred within the footprint and design features of the original structure.

C.5 Discharge

The project will not involve new reconstruction which could generate discharge into the lake. The rebuilding is complete and no materials are being discharged from the completed structure. There is no turbidity resulting from the pier's presence.

C.6 Ground Waters

The project will not affect the flow of ground waters. The pier is not designed for water extraction nor is it designed to impact subsurface water aquifers.

C.7 Ground Water Withdrawal

The pier is constructed with pilings which are driven into the lakebed at relatively shallow depths. The structure will not affect groundwater or aquifers.

C.8 Available Water

The pier is constructed solely for recreational use to moor private boats. There will be no extraction of ground water or impact on ground water resources in the area to affect public supplies.

C.9 Flood

The pier will not cause flooding or tidal wave (tsunami) as result of its construction. The authorization is for a portion of the pier which was rebuilt without permit.

C.10 Thermal Springs

There are no thermal springs in the area. The pier will not affect thermal springs.

D.1 Plant Species Diversity

The project involves reconstruction of a private recreational pier; a portion of which was rebuilt without authorization. The portion which was not authorized was located over candidate lands for *Rorippa subumbellata* habitat. A site survey was conducted by a qualified biologist for the applicant to assess the potential impacts caused by the reconstruction. The inspection revealed no visible damage to the substrate nor visible specimens of *R. subumbellata* in the construction zone. The reconstruction appears not to have impacted *R. subumbellata* nor other plant species in the construction area.

D.2 Endangered Plants

A site survey around the pier was conducted by a qualified biologist to determine impacts resulting from the reconstruction of the unauthorized portion of the pier. The survey revealed no visible signs of damage to the substrate in which *R. subumbellata* could be found. No examples of *R. subumbellata* were found at the construction site. Two sites with *R. subumbellata* were found approximately 43 feet and 114 feet north of the pier location. These sites were at elevation 6224.5 feet and would be inundated if the water level were higher. The backshore habitat of the project site is not conducive to supporting *Rorippa*. Specimens were found approximately 300 feet north of the Wallis pier at lakeside properties. A large colony was found at a site southerly of the mouth of Ward Creek. It was determined by the field researcher that the pier construction would not have an effect on *Rorippa*. Additionally, the applicant has indicated their willingness to participate in the *Rorippa* management program (attached).

D.3 New Species

The project involved reconstruction of an existing pier. The process has been completed using a waterborne rubber tired barge. The operation would have involved little chance of introducing new plant species. The authorization is for a portion of previously unauthorized pier. No new impacts will result from this project.

D.4 Crops

The project involves a private recreational pier at the west shore of Lake Tahoe. There are no agricultural activities in the vicinity. This project will not affect agricultural

activities.

E.1 Animal Species Diversity

The reconstruction of the pier is completed. The authorization is for a portion of the pier which was not in the original authorization permit. No impacts on animal species diversity will result from this activity.

E.2 Endangered Animal Species

The reconstruction of the pier is completed. This project involves authorization of a portion of the pier which was not covered under the reconstruction permit.

E.3 New Animal Species

The reconstruction of the pier is completed. The project will not introduce new animal species.

E.4 Habitat

The pier project is completed so no new impacts will result from the finished pier. The department of Fish and Game identified the locality as important for fish spawning habitat but determined the impacts would not affect the area.

F.1 Noise

The reconstruction is complete. There will be no new noise impacts resulting from the authorization of the pier segment.

F.2 Severe Noise

The pier reconstruction project is complete. There will be no new noise impacts or intense noise levels resulting from pier work.

G.1 Light

The pier reconstruction is complete. There will not be new light and glare resulting from the project aside from some light which may arise from night use. This impact will not be significant.

H.1 Land Use

The project involves authorization of a portion of pier which was reconstructed without prior authorization. The pier was reconstructed on the site of an existing pier. No new changes in land use will result from this project.

I.1 Natural Resources

The pier reconstruction is completed. The authorization is for a portion of the pier which was rebuilt without permission. No new use of natural resources will occur.

I.2 Resource Depletion

The pier was reconstructed and completed. No new depletion of resources will occur from the authorization or the existing pier.

J.1 Explosion

The pier reconstruction is complete. There will be no risk of upset, explosion or release of hazardous materials as a result of the completed pier.

J.2 Emergency

The completed pier will not cause interference with existing emergency response or evacuation plans.

K.1 Population

The pier is a private use structure. The pier will not create an impact on population trends in the vicinity.

L.1 Housing

The pier is complete and intended for the private use of a single owner and friends. The pier will not create an impact on housing demands for the area.

M.1-6 Transportation, Circulation

The pier was reconstructed on the site of an existing pier. The authorization is for a portion of the pier between elevations 6223 ft. and 6229 ft. which was not included in the original reconstruction permit. No new impacts to traffic movements, parking, transportation systems or water traffic will result from this project.

N.1-6 Public Services

The pier was reconstructed on the site of an existing pier which was intended for private use. There will be no new impacts on public services including fire, police protection, schools, recreational or sanitation services.

O.1 Energy

The project involves authorization of a portion of a private pier which was reconstructed without permit. The pier is completed. No new impacts on energy use will result from this project. An electric boatlift will be installed but this

will not create a significant impact on electricity use.

P.1-6 Utilities

The completed pier is intended for private use of a single owner and friends. There will be no impacts on utilities resulting from this project. The future installation of an electric boatlift will involve occasional use of electricity. This will not create a significant impact.

Q.1-2 Health

The completed pier will not pose health hazards or potential health hazards to humans.

R.1 Views

The completed pier was rebuilt on the site of an existing pier. There will be no new visual impacts as a result of this project.

S.1 Recreation

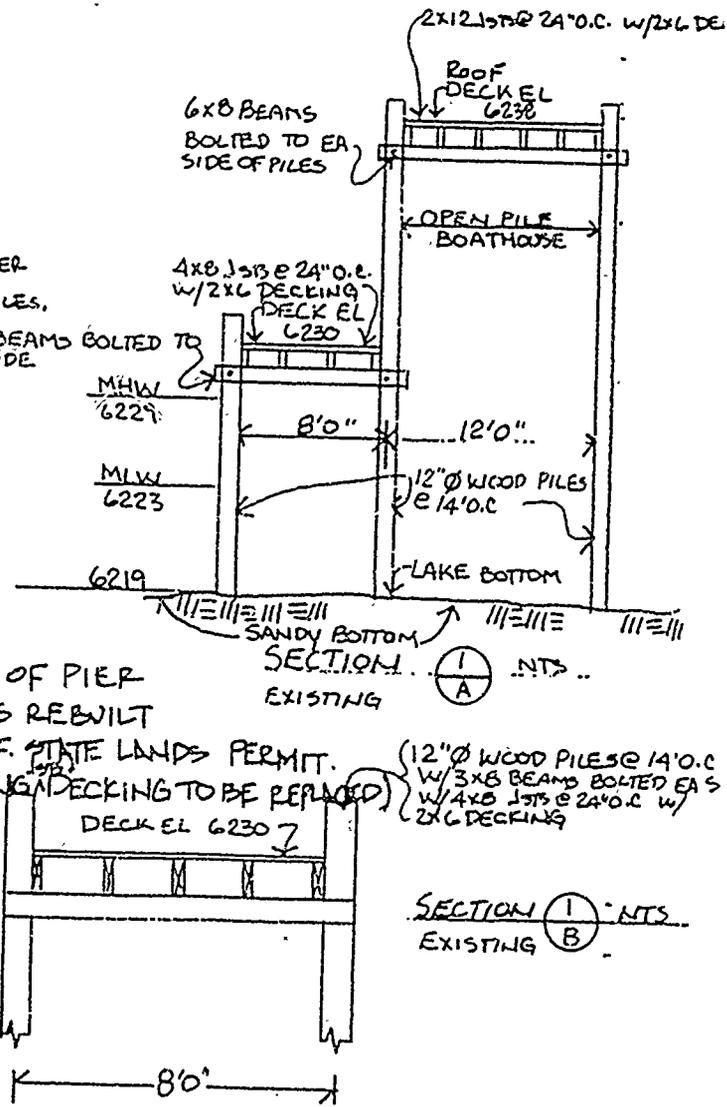
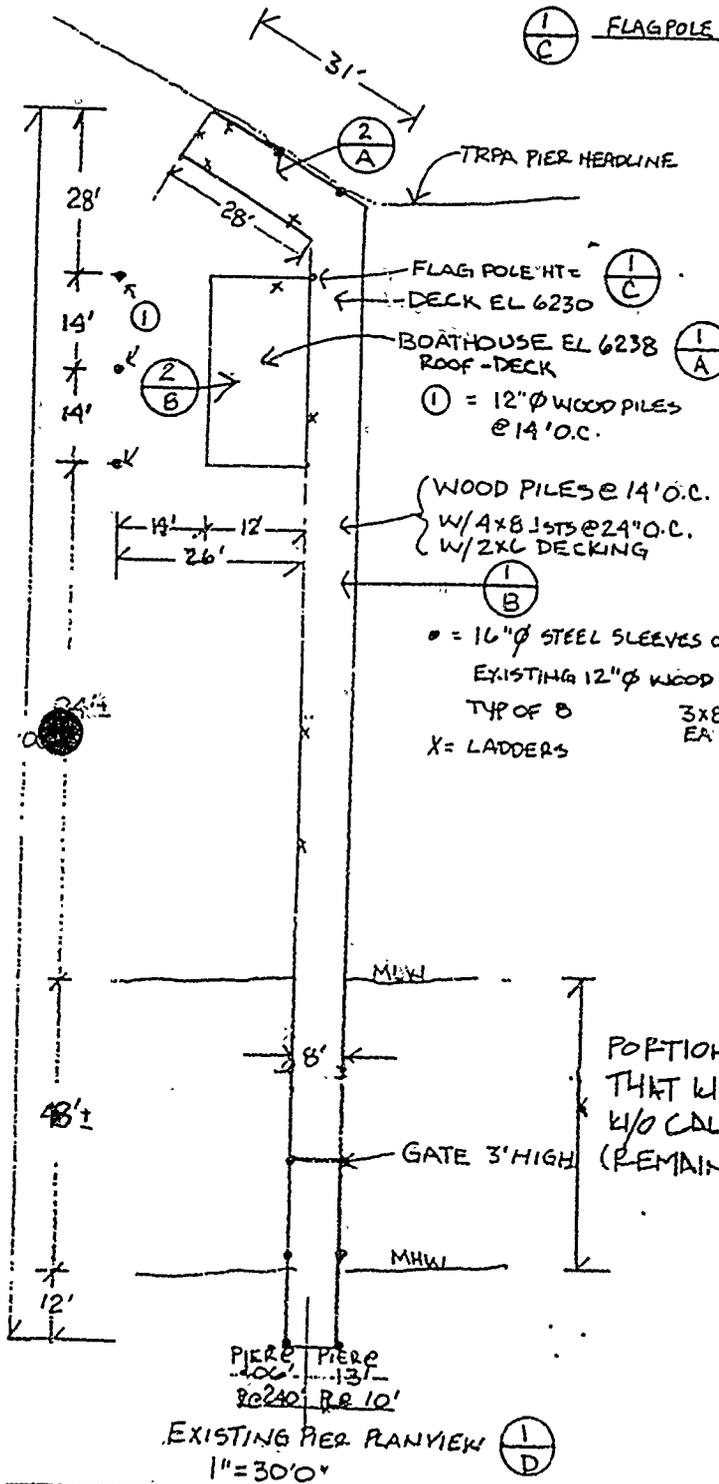
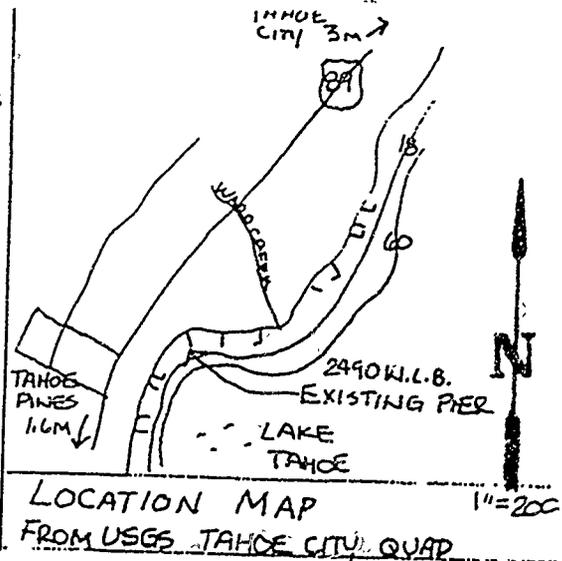
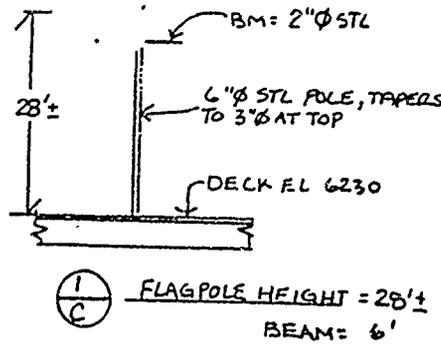
The pier was reconstructed in the place of an existing pier. There will be no new impacts on recreational opportunities as a result of this project.

T.1-4 Cultural Resources

The pier was rebuilt on the site of an existing pier. This project will create no new impacts on cultural resources including archaeological sites, historic structures or religious sites.

U.1-4 Environmental Impacts, Findings.

The pier has been reconstructed within the site of an existing pier. There will be no new adverse impacts to the environmental quality of the area as a result of this project.



SCALE 1" = 30' 0"
 DATE 12/28/88

ANN WALLIS PIER REPAIR
 2490 WEST LAKE BLVD, SUNNYSIDE, PLACER Co, CA
 APN 84-121-03
 EXISTING PIER PLANVIEWS AND SECTIONS

DRAWN BY G.T.
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 23577

INTERIM MANAGEMENT PROGRAM
FOR *Rorippa subumbellata* Roll.
(TAHOE YELLOW CRESS)

An interim management plan has been developed to eliminate the impacts caused by the construction of piers and appurtenant facilities along the shoreline of Lake Tahoe and to protect *Rorippa subumbellata* Roll. and its habitat from degradation. This interim plan will function until the final management plan is completed. This interim plan has the following elements: 1) the minimization of the area disturbed due to construction and access to and from the pier; and 2) conservation measures for the species along the shoreline of Lake Tahoe. These interim guidelines apply to any pier project which will disturb the Lake Tahoe shoreline between the elevations 6220' and 6228.75' LTD.

Construction and Access Guidelines

Construction of new piers, pier extensions, pier replacements, and pier modifications shall be governed by the following guidelines:

- 1) All construction activities shall be conducted from the water side of the pier. The area of disturbance of the lake bottom and shoreline shall be no greater than the footprint of the pier. Construction disturbance caused by the construction vehicle shall be limited to the area where the pier sets or an space of similar size directly adjacent to the pier. In no case shall the space disturbed be greater than that which the pier occupies or will occupy.
- 2) In areas having a cobble or sandy-cobble backshore, the beach and offshore substrate compacted by contact of the substrate with construction equipment shall be rolled to level the depressions created by the tracks of the construction vehicle. Any remaining compacted soils shall be loosened with pronged hand tools to reduce the compaction and then filled with comparable small cobbles taken from the backshore. These cobbles must be taken from the backshore without damaging the habitat or the species.
- 3) No equipment or materials shall be located or stored between elevation 6220' and 6232' LTD.
- 4) No construction activity at the site shall begin or proceed without the presence of the State Lands Commission designated mitigation monitor on site. The project applicant shall notify the designated mitigation monitor at least 14 days prior to when construction will commence.

- 5) Only one pedestrian path shall be allowed between the upland residence and the pier. Such path shall be bordered by native vegetation similar to willow, service berry, or manzanita. Prior to construction of the pedestrian path, a plan shall be submitted to the State Lands Commission showing the location of the path, the proposed vegetation planting, and the type of vegetation proposed as screening.
- 6) All existing individuals and colonies of *Rorippa subumbellata* on the project applicant's property shall be fenced to prevent damage during construction.

Conservation Guidelines

All applicants for projects which may impact the habitat or potential habitat of *Rorippa subumbellata* Roll. shall participate in the final conservation and management program set forth in the Management and Enhancement Plan for *Rorippa subumbellata*. For these interim guidelines the following shall be provided at the time of application:

- 1) The project applicant shall submit a report describing the soils and vegetation on the applicants property. The report shall emphasize the area located between elevations 6232' and 6223' LTD. Such report shall describe the texture and composition of the soil, the slope, and the existing vegetation types and their condition. Such report shall be submitted with a plan view map of the area at a scale of 1":10' and photographs of the mapped area.

Other

The project applicant shall be required to provide the State Lands Commission with a letter of credit to insure the compliance with all mitigation measures. The amount of the required letter of credit shall be established at the time of project approval. In the event that the mitigation measures and the conditions are not complied with as determined by the Commission's mitigation monitor, the letter of credit may be forfeited after a hearing before the State Lands Commission. Money forfeited by project applicants shall be used to remedy the impacts of the project and to conserve *Rorippa subumbellata*.

The project applicant shall also reimburse the State Lands Commission for all costs incurred by the State Lands Commission to monitor and enforce these and other requirements imposed on the project as provided by Section 21080.6 of the California Public Resources Code.

Specific Information

- 1) See plan and drawings.
- 2) A toed flat barge will be used as a base to dismantle and construct the pier. The barge will be tied off to existing pilings or anchored off shore depending on current working conditions.
- 3) The existing pilings will be pulled out of the lake bottom by crane and placed on the barge, or cut off at level of lake bottom. The existing decking and stringers will be dismantled by hand and loaded on the barge.
- 4) Hollow steel sleeve piles will be used as replacement for existing piles. Caissons will be installed to surround the new piles while being driven to retain resuspended materials in areas of loose sediments.
- 5) The existing pier will be dismantled by hand or sawed in sections whenever possible and placed on the barge. A flat bottom boat or john boat will be located under the work areas. A tarp and water skimmer net will be used to prevent debris from falling and settling into the water.
- 6) At no time will the construction equipment or materials be located above MLW (El 6223) and there will not be any storage of said materials for the construction/repair of the existing pier. All work shall be done from MLW (El 6223), lakeward.