

MINUTE ITEM

This Calendar Item No. C14

was approved as Minute Item

No. 14 by the State Lands

Commission by a vote of 3

0 of 3 on 5/5/92

CALENDAR ITEM

A 7

C 1 4

05/05/92

S 1

PRC 5858

J. Ludlow

APPROVE AN AMENDMENT TO GENERAL LEASE - COMMERCIAL USE

LESSEE:

Tahoe Sunnyside, a California limited partnership
21 Blackberry Court
Lafayette, California 94549

AREA, TYPE LAND AND LOCATION:

A 0.241-acre parcel of submerged land located in Lake Tahoe at Sunnyside, Placer County.

LAND USE:

Proposed reconstruction of an existing rock crib pier and retention of a fuel pump.

TERMS OF EXISTING LEASE:

Initial period:

Forty (40) years beginning July 1, 1980.

Public liability insurance:

Combined single limit coverage of not less than \$500,000 per occurrence for bodily injury and property damage.

CONSIDERATION:

Minimum annual rental of \$750 against five percent (5%) of annual gross income derived from the rental of boat slips, pier, and moorings; one cent per gallon of fuel sold annually to a maximum of 100,000 gallons and one-and-one-half cents per gallon thereafter; five-year rent review.

TERMS OF AMENDED LEASE:

Initial period:

Forty (40) years beginning July 1, 1980.

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Public liability insurance:

Combined single limit coverage of not less than \$500,000 per occurrence for bodily injury and property damage.

CONSIDERATION:

Minimum annual rental of \$750 against five percent (5%) of gross income derived from the rental of boat slips, pier, and moorings; one cent per gallon of fuel sold annually to a maximum of 100,000 gallons and one-and-one-half cents per gallon thereafter; five-year rent review.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

Special:

This amendment authorizes; (1) reconstruction of the existing rock crib pier; and (2) the retention of the existing fuel pump.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee, processing costs, environmental fees, 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 3, Div. 3; Title 14, Div. 6.

AB 884:

07/28/92

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 582, State Clearinghouse No. 91032034. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

CALENDAR ITEM NO. C 14 (CONT'D)

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 review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. The Lessee proposes to reconstruct an existing rock crib pier located at the entrance to the marina. The work will also include repair of an existing catwalk on the northern side of the pier.
4. In addition, the Lessee proposes to retain an existing fuel pump located on State-owned land at the marina. The pump is located in an area of the marina that will not be affected by the construction.

The applicant has been requested to submit to Commission staff a copy of its Hazardous Materials Spill Contingency Plan as required by Placer County Environmental Health Department for the use and maintenance of the marine fueling facility. The Contingency Plan identifies specific individuals named and represented by the applicant as being responsible for hazardous material cleanup and timely notification of appropriate authorities.

5. The rock crib reconstruction will be accomplished by removing the rock from the most lakeward crib and place onto a barge. It will then be stored on a paved parking lot outside of the backshore. One crib will be reconstructed at a time by placing rock from the crib to be reconstructed into the crib with new wood rounds and, finally, using rock placed on the paved parking area for the most landward crib. Reconstructing the pier in a "leap frog" method will cause the least disturbance to the lakebed.

CALENDAR ITEM NO. C 1 4 (CONT'D)

6. Materials will be neither stored nor placed, nor will any activity associated with the construction be conducted above the low water line of the subject property. This procedure will prevent any disturbance to what may be considered Tahoe Yellow Cress (*Rorippa subumbellata* Roll) habitat.
7. This property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the Public Trust.
8. The amendment document includes special language in which the Lessee agrees to protect and replace or restore, if required, the habitat of *Rorippa subumbellata*, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species.
9. The amendment document provides for the public's right to pass along the shoreline and that the Lessee must provide a reasonable means for public passage along the shorezone area occupied by the authorized structure.
10. Commission staff will monitor the construction of the proposed project in accordance with the Monitoring Program included within the Proposed Negative Declaration.
11. 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, Lessee shall request the consent of the State to make such alteration.
12. All other terms and conditions of the lease remain in full force and effect.

CALENDAR ITEM NO. C 1 4 (CONT'D)

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. & A-1. Site Map
- B. Location Map
- C. Placer County Letter of Approval
- D. Negative Declaration

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 582, STATE CLEARINGHOUSE NO. 91032034, 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. ADOPT THE PROPOSED NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. ADOPT THE MONITORING PROGRAM, INCLUDED WITHIN EXHIBIT "D", PREPARED PURSUANT TO P.R.C. SECTION 21081.6
4. AUTHORIZE THE AMENDMENT OF LEASE PRC 5858 ISSUED TO TAHOE SUNNYSIDE, A CALIFORNIA LIMITED PARTNERSHIP, EFFECTIVE JANUARY 1, 1992, FOR THE RECONSTRUCTION, USE, AND MAINTENANCE OF AN EXISTING ROCK CRIB PIER AND RETENTION, USE, AND MAINTENANCE OF A FUEL PUMP LOCATED ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

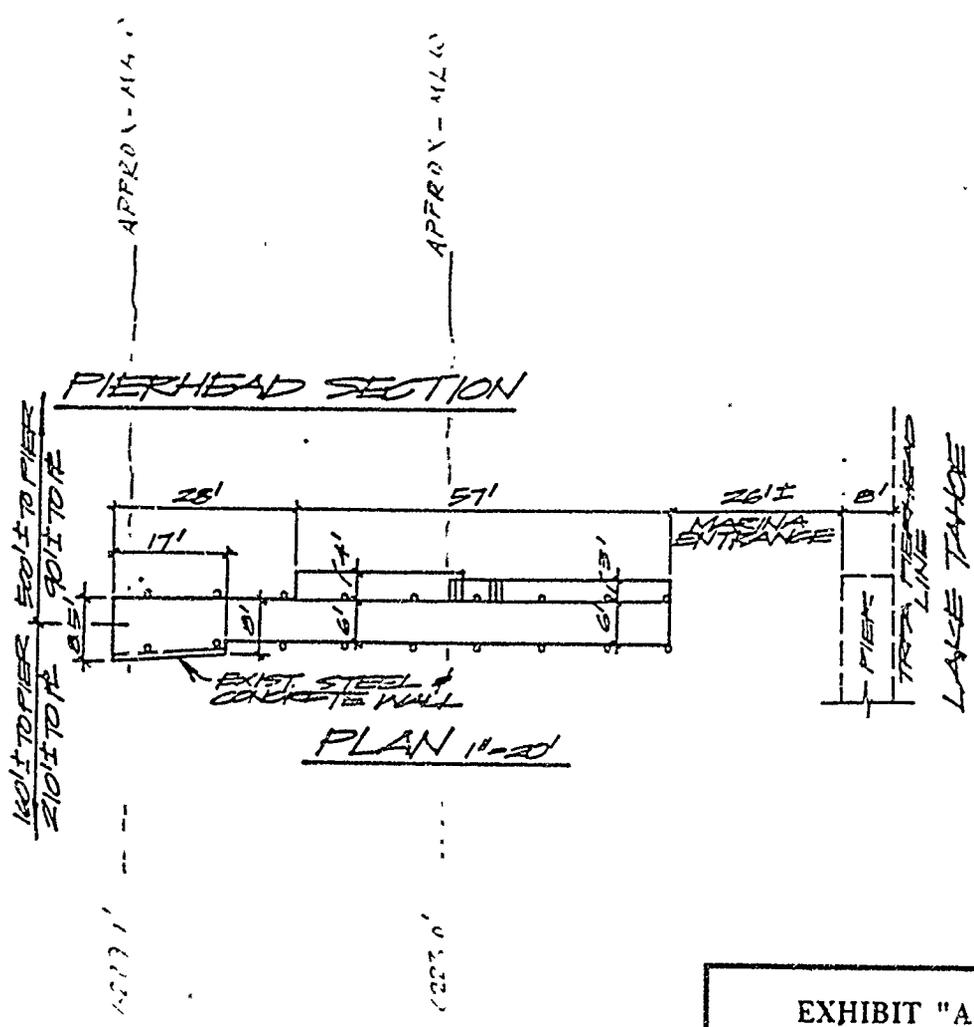


EXHIBIT "A"
 SUNNYSIDE MARINA INC
 PRC 5858
 PLACER COUNTY



No Scale

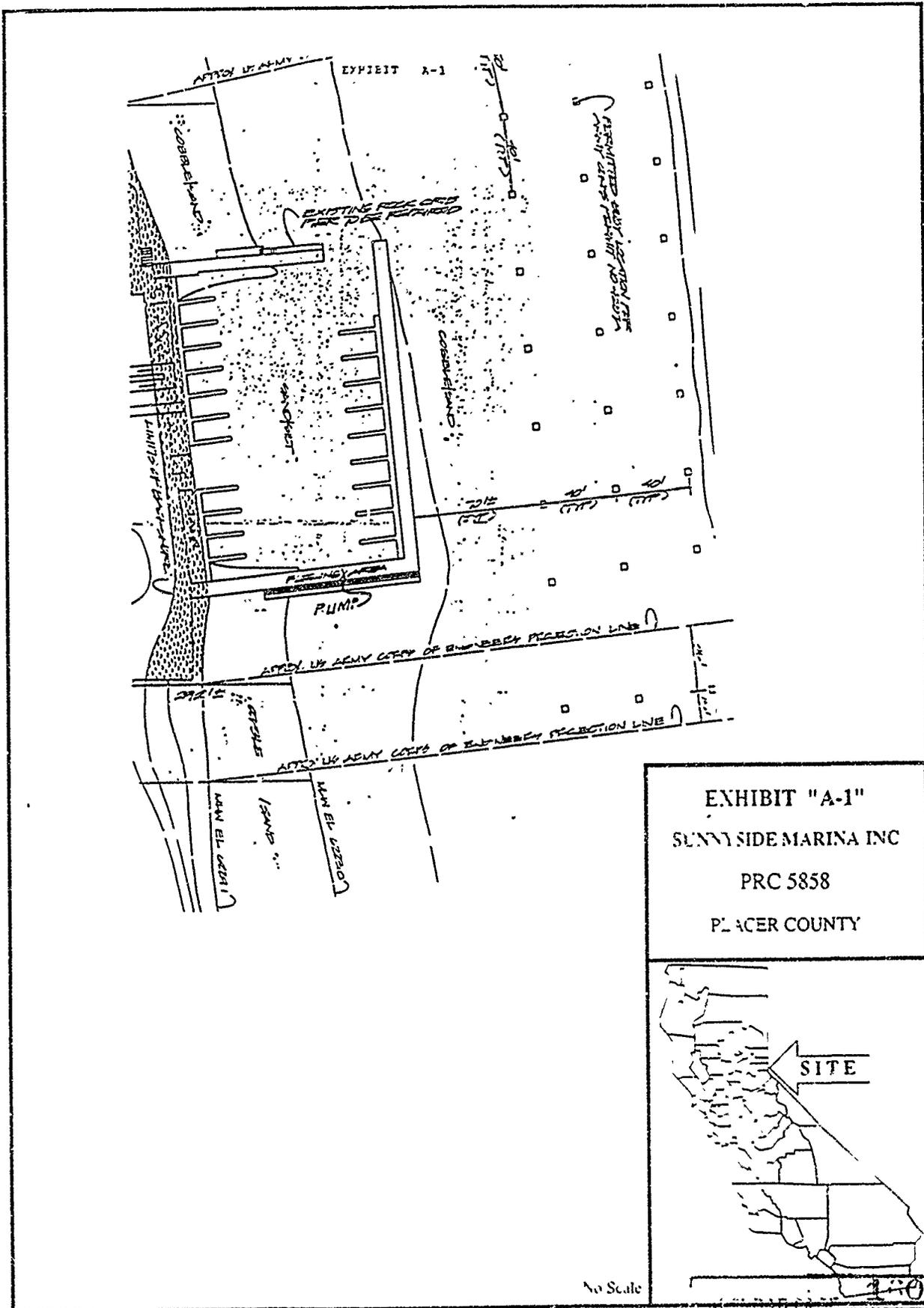


EXHIBIT "A-1"
 SUNNYSIDE MARINA INC
 PRC 5858
 PLACER COUNTY



No Scale

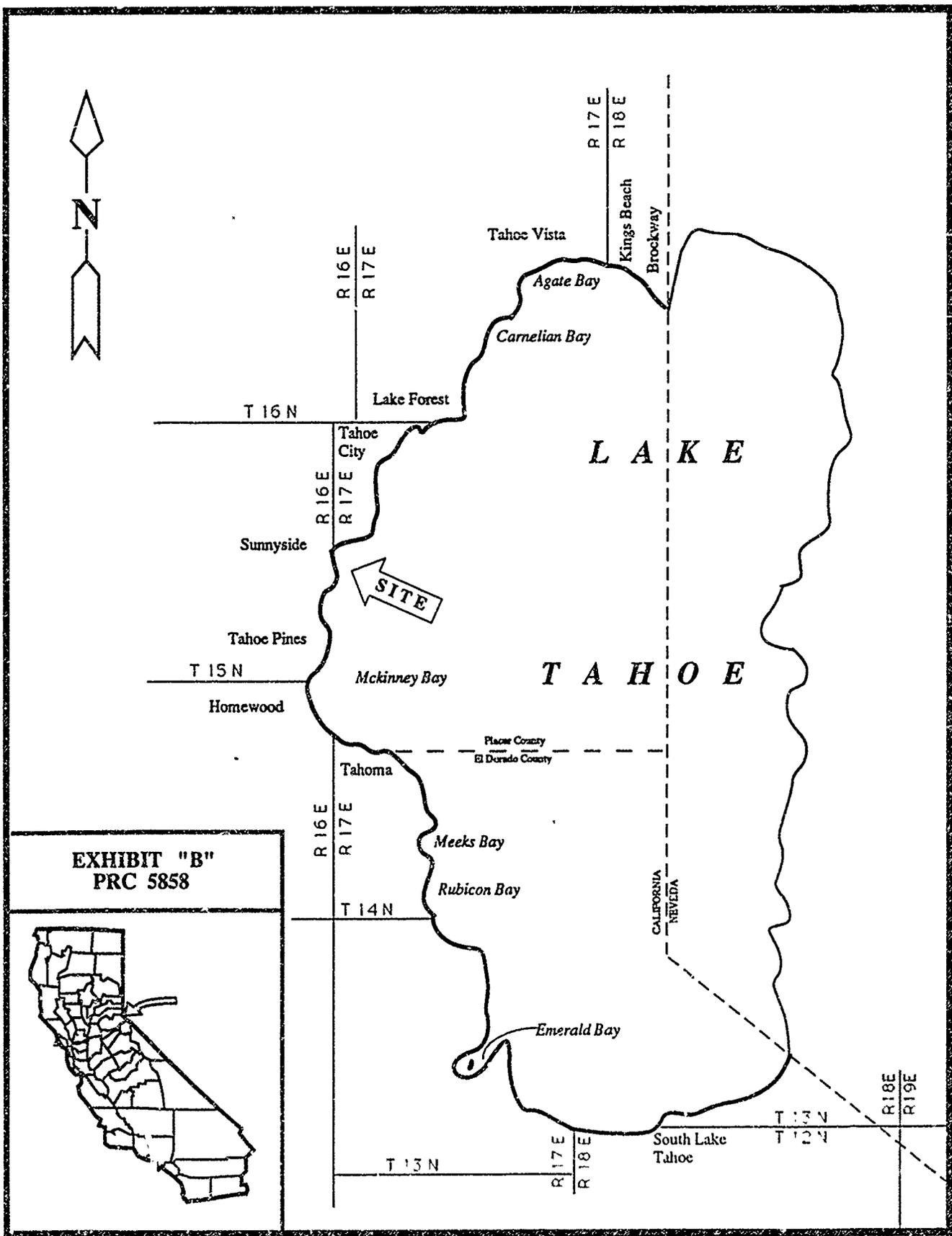


EXHIBIT "B"
PRC 5858



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EXHIBIT "C"

Date: 11-19-90

File Ref: PRC 5858.1

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

Greetings:

Subject: Proposed Reconstruction of an Existing Marina Pier and Twenty-four (24) Existing Mooring Buoys in Lake Tahoe at Sunnyside

Name: Sunnyside Marina, Inc.

Address: Attn: John Sears, President
21 Blackberry Court
Lafayette, California 94549

Assessor's Parcel No. 84-140-28

The County of Placer has received notice of the above-referenced activity in Lake Tahoe and has no objection to said project or to the issuance of a permit or lease by the State Lands Commission for such use of sovereign lands.

If you have any questions, you may reach me at (916) 889-7584.

County of Placer
Department of Public Works
Jack Warren, Director

Thomas Morgan
for JAN CHRISTIAN

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EXHIBIT "D"

STATE OF CALIFORNIA

PETE WILSON, Governor

STATE LANDS COMMISSION

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

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95

CHARLES WARREN
Executive Officer

March 11, 1992
File: PRC 5858
ND 582

**NOTICE OF PUBLIC REVIEW OF A PROPOSED 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 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 April 11, 1992.

Should you have any questions or need additional information, please call the undersigned at (916) 322-7826.

Douglas R. Miller, Jr.

DOUGLAS R. MILLER, JR.
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 95814

CHARLES WARREN
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: PRC 5858
ND 582
SCH No. 92032034

Project Title: Sunnyside Marina, Inc. Pier Reconstruction
Proponent: Sunnyside Marina, Inc.
Project Location: Lake Tahoe, Sunnyside, APN 84-140-28, Placer County
Project Description: Proposed reconstruction of an existing rock crib pier, and retention of an existing fuel pump.
Contact Person: Douglas R. Miller Jr. Telephone: 916/322-7826

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.

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ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 5858.1

I. BACKGROUND INFORMATION

A. Applicant: Sunnyside Marina, Inc.
C/O John H. Sears
21 Blackberry Court
Lafayette, CA 94549

B. Checklist Date: 3 / 9 / 92

C. Contact Person: Douglas R. Miller, Jr., RPF #677
Telephone: (916) 322-7826

D. Purpose: Sunnyside Marine, Inc. is preparing to repair and restore an existing rock crib pier.

E. Location: The project is adjacent to the shoreline of Lake Tahoe (1850 W. Lake Blvd., Sunnyside Area, Placer County, California, A.P.N. 84-140-28).

F. Description: The proposed project involves replacement of existing pilings, deck beams, deck joists and decking. The existing catwalk on the northern side of the rock crib pier would also be repaired. Retain existing fule pump at the marina.

G. Persons Contacted: California Department of Fish and Game - Julie Hornstein, Plant Ecologis
Vail Engineering - Kevin Agan
Tahoe Regional Planning Agency - Colleen Shade and
Mike Solt, Senior Environmental Specialist.

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

Table with 3 columns: Question, Yes, Maybe, No. Contains 7 rows of environmental impact questions with checkboxes.

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

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

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1131

T. *Cultural Resources.*

Yes Maybe No

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

U. *Mandatory Findings of Significance.*

- 1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2. Does the project have the potential to achieve short term, to the disadvantage of long-term, environmental goals?
- 3. Does the project have impacts which are individually limited, but cumulatively considerable?
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

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

Date: 3 / 9 / 92

Donald R. Milligan
 For the State Lands Commission
 1152
 Form 13-20 (7/82)

PROJECT DESCRIPTION

PROJECT NARRATIVE

This project is the repair and of existing rock crib pier which is an integral part of the existing marina facility. This pier is located at the marina entrance; therefore, posing an immediate threat to boaters entering and leaving the marina. The applicant will repair and replace rock cribbing with wood members, utilize existing rock crib boulders. The repair of the rock cribbing will occur between mean low water (EL. 6223.0) and the deck to replace portion and collapsed wood timbers. The scope of work includes replacing existing wood piles with 10.75" dia. steel piles at 10' O.C., 6" steel "H" beams, 2" x 6" min. cedar deck with one catwalk on pipehead (see Exhibit "A").

Retain existing (15 plus years) fuel pump and two hose reels for the marina as a recreation fuel facility. The underground storage tanks for the pumps are located about 50 yards to the west on the upland property and the pump is fed by a pipe. The pump is located on that portion of marina not affected by the reconstruction project.

(See Exhibit "A"-1).

CONSTRUCTION METHOD

ROCK CRIB RECONSTRUCTION: Remove rock from most lakeward crib and place onto barge and store material on paved parking lot outside of the backshore with appropriate erosion control measures. Replace existing wood piles by pile driving steel piles over existing wood piles driven 6' deep or refusal. Starting at the most lakeward crib, reconstruct one crib at a time down to elevation 6223.0 with 10"-12" diameter min. wood rounds. Install vertical tie rod assemblies at each corner of rock crib cages. Reconstruct one crib at a time by placing rock from crib to be reconstructed into crib with new wood rounds, and finally, using rock placed on paved parking area for the most landward crib. Thus reconstructing the rock crib pier in a "leap frog" manner in order to minimize disturbance. A turbidity screen surrounding the project shall be used at the TRPA compliance inspector's and /DFG Warden's option if resuspension of earthen materials occurs before or during construction of this project. Rock crib pier repair includes displacement of approximately 100 CY of existing material, replacement of decking, joists, and a minimum of 18 pilings.

PIER RECONSTRUCTION: Repair of existing rock crib pier is to be by barge with pile driver; caissons or sleeve will be used when sediment is resuspended while driving piles. Anchorage of barge will be to existing structure and/or anchors required for adequate stabilization. All construction wastes will be collected onto barge and disposed at the nearest dumpster, sanitary landfill site.

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During reconstruction the rock from the cribs will be placed on the barge and stored there until the cribs are repaired; then, the rock will be replaced into the cribs. Small boats and tarps will be under the construction areas to provide collection of construction debris; thus, preventing any discharge of wastes to the lake. If disturbed lakebottom sediments are found due to the construction activity associated with the installation of this project, the affected areas will be hand rolled and/or rock cobble to be hand picked to reconsolidate the lakebottom sediments. There will be no storage of materials above the low water line of the subject property. This will prevent disturbance of what may be considered Tahoe Yellow Cress Habitat.

DESCRIPTION OF ENVIRONMENTAL SETTING

The proposed site lies within the Ward Creek drainage area and is approximately 0.7 miles north of the inflow of Ward Creek to Lake Tahoe. Ward Creek is a major influent stream to Lake Tahoe (the third largest) and is nearly always perennial even during years of low amounts of precipitation to the Tahoe Basin. An ephemeral stream is present approximately 50 feet north of the property line adjacent to which the pier repair project is being proposed. This stream carries water flow from a channel which traverses William Kent Campground and also storm/snow melt water running off the road (State Route 89 and roads draining to that road).

The shoreline (6222.7 to 6229.1 feet elevation) of Lake Tahoe at the site is entirely composed of cobbles except in the center 200 foot section of the property where the marina is situated (see attached drawing). There are no areas of sand on the shoreline adjacent to the property where the pier project is proposed. Near and landward of the 6,229.1 foot elevation contour there are some gravels and soils present. Cobbles generally range in size from 0.5 to 2.0 inches in diameter with a few larger cobbles (6 to 12 inches) scattered on shore. The shoreline slope is fairly gradual (4%) between the 6,222 and 6,224 foot elevation contours then increases landward to the 6,229 foot elevation contour (17%).

The backshore area at the proposed project site is almost entirely covered by Sunnyside Resort structure (deck restaurant, hotel, paved parking areas). There is a concrete wall 6,229 foot elevation contour at the landward end of the proposed pier to be repaired. The wall extends approximately 75 feet northward along the 6,229 foot elevation contour to about 15 feet from the property line.

At the end of the concrete wall northward to the property line, the backshore area has some vegetation present on either side of a dirt path that extends from the shoreline westward (landward). The plants include Mariposa Manzanita (Arctostaphylos mariposa), Willow (Salix sp.), Black Cottonwood (Populus trichocarpa), Jeffrey Pine (Pinus jeffreyi), and White Fir (Abies concolor).

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At the southern side of the property, 160 to 210 feet south of the proposed pier to be repaired, there is virtually no bank or backshore vegetation. There are two small areas of non-native grass lawn, a few small Jeffrey pines (Pinus jeffreyi), however, the majority of the backshore area is paved over or covered by the Sunnyside Restaurant/Lodge.

No Tahoe Yellow Cress (Rorippa subumbellata Rollins) was found on the proposed property site or on adjacent shoreline/backshore areas within 165 feet north and 300 feet south of the property where the proposed project is located. No specimens of the non-endangered (Rorippa curvisiliqua) were found in the area either.

The shorezone in the area of the proposed project is mapped spawning habitat on the Prime Fish Habitat Maps identified by the Tahoe Regional Planning Agency. There are existing piers located approximately 160 feet from the property line and approximately 500 feet to the north of the property line..

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DISCUSSION OF ENVIRONMENTAL EVALUATION
SUNNYSIDE MARINA, INC.
EXISTING FUEL PUMP AND RECONSTRUCTION OF A ROCK CRIB PIER

PRC 5858

A. Earth

1. No. The repair project is confined to the surface and will not create any unstable conditions or change any geological structure.
2. No. There will be a temporary removal of the rock used in the crib being repaired which will be stored on the barge. After reconstruction of the crib, the rock will be returned to the crib and the project area will be returned to its former condition. This operation will not overcover or disturb any new areas.
3. No. This project will not create any changes in ground surface relief. The rock cribs are sitting on the cobble surface and there will not be any excavating.
4. No. The geology in the project area consists of glacial and alluvial deposits. The driving of piles will not change any geological or physical features.
5. No. This pier reconstruction project is simply repairing an existing structure and will have no effect on wind or water erosion on or off the site.
6. No. This project is a repair project confined to an existing structure which will not create any channel changes nor erosion of beach sands. The beach is comprised of cobble with no sand present to erode.
7. No. The reparation of the existing structure will in no way create any geological hazards.

B. Air

1. No. The reconstructed pier will not affect the air quality; however, there will be a minor amount of diesel fumes created by the barge during the reconstruction period. This would be equivalent to a diesel truck. This increase in minor emissions will last about four weeks during the normal daily construction hours in the off-tourist season. The existing fuel pump and hose reels, when operated, will add minimal gasoline fumes to the atmosphere, but these are immediately wind dispersed. The project will not create an increase in the use of the

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fuel pump.

2. No. The reconstructed pier will not create objectionable odors; however, diesel fumes will be generated during the day by the operation of the barge. These will be generated during the off-tourist season and should dissipate without much distraction to the workers. The existing gasoline pump and hose reels, when operated, will create some temporary fumes and odors in the immediate vicinity of the fueling area before being dispersed by the wind.
3. No. The reconstruction of the pier will not create any major changes in air movements, temperature, or climate. create any abnormal weather conditions.

C. Water

1. No. The repair of the pier is of a static nature and the repaired cribs will not change locations to create any changes in water currents or movements. The existing fuel pump and hose reels will have no effect on water movement.
2. No. The reconstruction of the existing pier will not affect absorption rates, drainage patterns, etc. The area adjacent of the pier is submerged.
3. No. The repairing of the existing pier will not create any new effects upon flood waters.
4. No. This project will not alter the surface water in Lake Tahoe.
5. Maybe. Mitigation measures incorporated into the project description to reduce the construction debris from entering the water include using small boats with tarps beneath the construction area to catch any falling debris from entering Lake Tahoe. Additional measures include the use of caissons or sleeves and turbidity screens to surround the project area when necessary to isolate turbid waters from mixing with undisturbed waters. The pump and hose reels do not pose a problem; however, the people fueling their boats could inadvertently spill fuel. The hose reels have a long hose attached to them which allows the boat to moor beside the fuel facility to fill its tanks. This type of an operation minimizes spilling because all tanks and or gas cans are filled in the boat by the long hose. Hand pouring of fuel from gas can to fuel tank is eliminated, and the chances of spilling is reduced.
6. No. The geology of the project area is composed of

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glacial and alluvial deposits. The reconstruction of the existing pier will not create new structures that would alter any ground water flows.

7. No. There will not be any changes to ground water flows caused by the pier reconstruction which is the repair of an existing structure. The existing pump and reels on the marina will have no effect on any ground water flows.
8. No. There will be no reductions to ground water flows from either the pier reconstruction or the existing fuel facility on the marina. The reconstruction project is the repair of an existing pier and will not disturb any aquifers or public water lines.
9. No. The Pier reconstruction project and the existing marine fuel facility will not expose people or property to water-related hazards such as tidal waves.
10. No. Neither the pier reconstruction project nor the existing pump and reels on the marina will create any significant changes on water temperature.

D. Plant Life

1. Maybe. There will be a temporary change in aquatic sessile plants for a period of approximately four weeks during the reconstruction period. This temporary change will only affect the area of the rock crib pier repair. This will not constitute a permanent or significant change. The indigenous aquatic flora will shortly begin recolonizing the affected area after the project has been completed.
2. No. There are no rare or endangered species on the property. In the soils and vegetation report for Tahoe Yellow Cress (Rorippa subumbellata) habitat, the area is described as composed of cobbles to a depth of 4 to 6 inches or more, which is unsuitable for the growth of Tahoe Yellow Cress.
3. No. The pier reconstruction project and the existing pump and reels on the marina will not introduce new species to the area nor bar existing species from becoming established.
4. No. The reconstruction project and the existing marine fuel facility will not reduce the acreage of agricultural crops in Lake Tahoe.

E. Animal Life

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1. Maybe. There will be a four week temporary change in aquatic animal life within the actual reconstruction area. Upon completion of the reconstruction, the indigenous aquatic animals will re-occupy any voids created during the repair operation. The reconstruction project involving the rock crib repair will be conducted during the non-spawning season, except where amended by TRPA and DFG to operate from May 1 to May 28, 1992 and during the non-spawning between July 1, 1992 and September 15, 1992 to minimize the impact on fish spawning habitat. The existing pump and reels on the marina will have no effect on aquatic animal life.
2. No. There have not been any rare or endangered aquatic animals reported within the project area.
3. No. The rock crib pier reconstruction project will not introduce any new species to the area nor create a new barrier to aquatic animals.
4. No. The reconstruction project will not reduce the aquatic animal habitat area upon completion.

F. Noise

1. No. The repaired pier will not create additional noise levels; however, there will be a temporary four week period during the reconstruction period when noise levels will increase. The noise levels will return to normal after construction has been completed. The construction is planned during the off tourist season (May). The existing fueling facility will not change present noise levels.
2. No. The repaired pier will not expose people to severe noise levels; however, there will be a four week period when the noise levels increase during the period of reconstruction. Upon completion of the project, the noise levels will assume normality. The construction personnel will be subjected to severe noise levels, but they wear hearing protective devices. The tourist season will begin after the construction is completed; therefore, the general population will not be exposed to this increased noise level. The existing fuel pump and reels will not affect this type of noise level.

G. Light and Glare

1. No. Neither the pier reconstruction nor the marine fuel facility will result in creating new light or glare.

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H. Land Use

1. No. The repair of the existing pier is not enlarging the pier; therefore, it will not alter the present or planned use of the area. The Sunnyside Marina/Lodge is a limited partnership and only its membership have access to its facilities.

I. Natural Resources

1. No. This project is repairing an existing pier which will not have any effect upon the use rate of any natural resource. The Sunnyside Marina is a private recreational marina and this project will not create any changes.
2. No. The Sunnyside Marina/Lodge has a closed membership and the reconstruction of the rock crib pier and the use of the existing fuel pump will not create any changes which could deplete any nonrenewable resource. All facilities are existing; therefore, there is no change in the intensity of use.

J. Risk of Upset

1. Maybe. There is probably some risk of release of hazardous materials during the reconstruction phase, but mitigation measures have been incorporated into the project described in the event that there is an accidental spill during the construction phase. Small boats and/or tarps will be in place beneath the pier during the construction phase to intercept anything that might get dumped or spilled before entering the water. Caissons or sleeves will be available to isolate turbid waters or spills. The fuel for the underground fuel pump can be turned off at either the tanks or the pump. There is an attendant present; however, boaters using the fuel pump are cautious when fueling their recreational boats and are aware of the potential of an explosion. The nozzles on the hoses have shut off valves to keep from overflowing when filling fuel tanks or gas cans. The Proposed project will decrease the risk of explosion by removing a navigation hazard when the pier is repaired.
2. No. To the contrary, upon completion of the reconstruction of the pier this marina will be a safer harbor and would be an asset to an emergency evacuation plan. The fuel pump could supply emergency fuel when needed.

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K. Population

1. No. The Sunnyside Marina/Lodge has a closed membership and the existing pier reconstruction project will not in any way alter the population using the marina facility.

L. Housing

1. No. Neither this reconstruction project nor the existing fuel pump will create a demand for additional housing.

M. Transportation/Circulation

1. No. This is a private marina, and the pier repair is for the benefit of the members of the marina and not the general public. All the marina facilities for the members, which include the parking lot, restaurant, lodge, marina, fuel pump, etc. are existing. There are no facilities being added to attract more people. The use of these facilities will not be changed by this project nor will there be any substantial increase in vehicle movement created by this project.

2. No. See #1 above.

3. No. See #1 above.

4. No. See #1 above.

5. No. See #1 above.

6. No. See #1 above.

N. Public Services

1. No. This is a private marina and the pier repair and the existing fuel pump will not create any additional use or increase of use by the general public. All the facilities for the members of the marina are existing. Public access to the marine fuel pump is from Lake Tahoe. This use will not change. This project will not create any new demands on government agencies and services such as fire, police protection, parks and recreation, road maintenance, etc.

2. No. See #1 above.

3. No. See #1 above.

4. No. See #1 above.

5. No. See #1 above.

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6. No. See #1 above.

O. Energy

1. No. This pier repair project and existing fuel pump will not have any affect on additional energy consumption. There will be no new demands for energy as a result of these activities.

2. No. See #1 above.

P. Utilities

1. No. The reconstruction of the rock crib pier and the existing fuel pump will not create any changes in utilities. This project is for the benefit of the members of the Sunnyside Marina. There will be no additions to the existing facilities nor will there be any new demands created by this project which will affect the current uses of power, communications, water, septic tanks, storm water drainage, or solid waste disposal.

2. No. See #1 above.

3. No. See #1 above.

4. No. See #1 above.

5. No. See #1 above.

6. No. See #1 above.

Q. Human Health

1. No. The repair of the rock crib pier will be eliminating a navigational hazard to boaters using the marina. The existing fuel pump will not create any changes in health hazards.

2. No. The existing fuel pump will not create an increase in the potential hazard existing for an explosion during boat refueling. The only people near the pump are those using the pump to refuel their boat. There is an attendant managing the use of the fuel pump to assure safety during the fueling operation.

R. Aesthetics

1. No. The Sunnyside Marina is an existing facility. There are no new facilities being added. The project will be

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completed during the off-tourist season. The repaired pier will actually enhance the view currently being marred by a damaged pier. The existing pump will not create any change in aesthetics.

S. Recreation

1. Yes. The repair of the pier will eliminate a safety hazard making boating safer for the users of the marine facility. This will create a positive change on the quality of recreation by repairing a navigational hazard. The existing pump will not cause any changes in recreation use.

T. Cultural Resources

1. No. This project consists of repairing an existing pier, and maintaining an existing fuel pump. There are no identified cultural, ethnic, religious, or sacred uses pertinent to this project area.
2. No. See No.# 1 above.
3. No. See No.# 1 above.
4. No. See No.# 1 above.

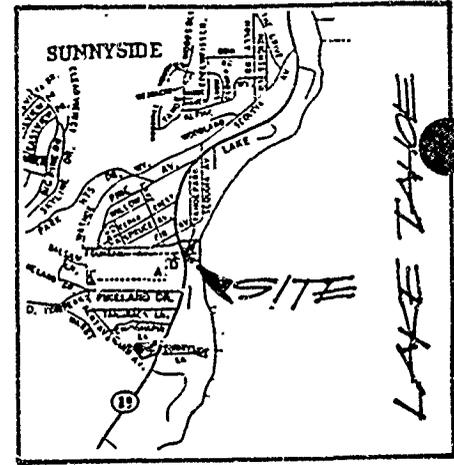
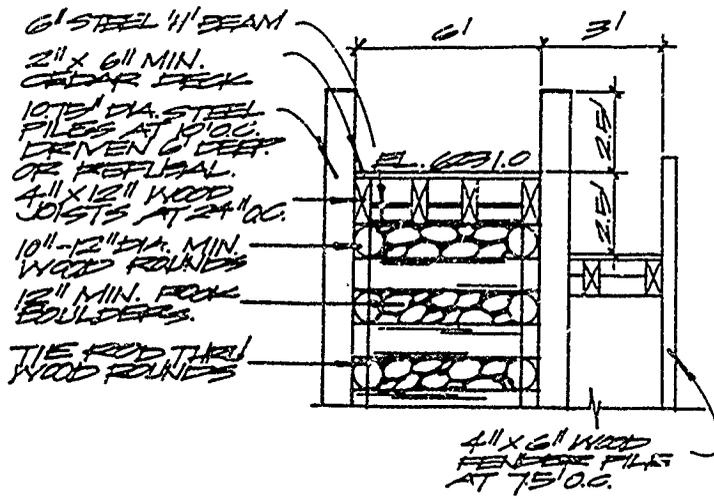
U. Mandatory Findings of Significance

1. No. The pier is only to be repaired. There will be about a four week period during reconstruction when the indigenous aquatic biota will be displaced but will recolonize and return to normal after the project is completed. Mitigation measures are incorporated into the project to protect Lake Tahoe during the reconstruction phase of the operation. Additional mitigation measures will protect water quality. The existing pump will not create any new significant effects.
2. No. There will be a short term disruption of the environment in the immediate vicinity of the pier being repaired for four weeks during the pier reconstruction. There will not be any long term significant changes.
3. No. The Sunnyside Marina is an existing private marine facility. The pier repair project does not create impacts which will increase the propensity for cumulative effects.
4. No. To the contrary the pier reconstruction project will remove a navigation hazard which will have a direct positive effect on safety boaters safety. This project

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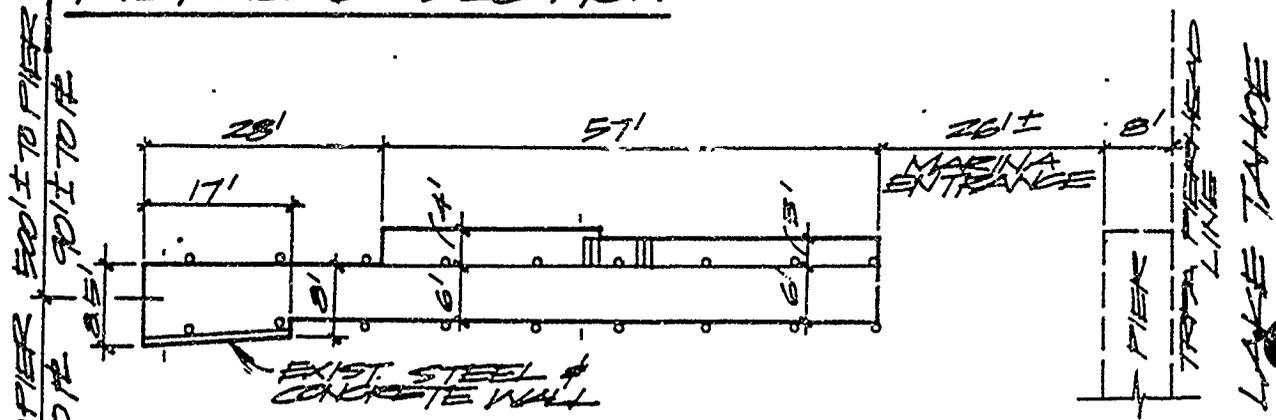
will not create a significant adverse effect on human beings. The existing pump will not create any new or significant effects on human beings.

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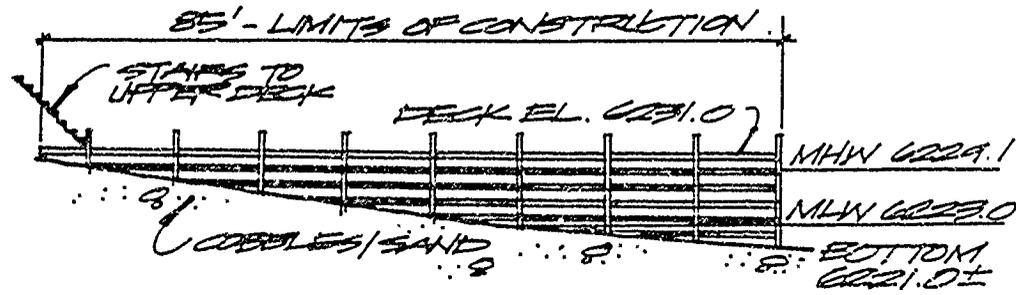


LOCATION MAP

PIERHEAD SECTION



PLAN 11=20'



PROFILE 11=20'

NOTES:
 CONTRACTOR TO NOTIFY VAIL ENGINEERING CORPORATION OF ANY DEVIATIONS OF THIS DRAWING PRIOR TO COMMENCEMENT OF CONSTRUCTION.

ROCK CRIB PIER RETAIN
 SUNNYSIDE MARINA
 1360 W. LAKE BLVD.
 SUNNYSIDE AREA
 PLACER COUNTY, CA
 APN: 84-140-28
 OCTOBER 1995

ADJOINING PROPERTIES
 NORTH 84-140-13 SOUTH 84-140-21

REVISED

VAIL

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 ENGINEER 1005
 CORPORATION

NO 712534

EXHIBIT "B"
MONITORING PROGRAM
FOR THE SUNNYSIDE MARINA PIER RECONSTRUCTION

1. Impact: The proposed project may cause minimal turbidity to lake waters during the driving of piling into the lake bed, and there is the possibility of an upset or spill of construction materials or debris.

Project Modification:

- a) Use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities;
- b) Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris; and,
- c) Waste materials will be collected onto a barge or dumpsters for disposal at an approved landfill site.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically monitor the pier reconstruction project during the placement of the pilings.

2. Impact: The proposed project is located in designated fish spawning habitat and could have an impact on the habitat.

Project Modification:

- a) The pier reconstruction project involving disturbance to the lake bed will be conducted during the non-spawning season, except where amended and approved by TRPA and D.F.&G. from May 1 to May 28, 1992 and during the non-spawning season between July 1 - September 15, to reduce impacts to fish habitat.
- b) Crib rock from the first crib will be stored in the parking lot. The remaining crib rock will be stored on the barge during the "leap frog" construction process. The rock from the first crib will be used to fill the last crib.

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Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically site inspect the pier reconstruction project to ensure the proposed activity will occur within the allowable construction time period.

Rocks to be removed from the first crib will be stored in the parking lot. These rocks will be used to fill the last crib. The other crib rocks will be stored on the barge during the leap frog construction process.

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