

MINUTE ITEM
This Calendar Item No. 206
was approved as Minute Item
No. 17 by the State Lands
Commission by a vote of 3
0 at its 6-30-92
meeting.

CALENDAR ITEM

A 7
S 1

C 0 6

06/30/92
W 24647 PRC 7634
J. Ludlow

APPROVE A RECREATIONAL PIER PERMIT

APPLICANT:

Eric P. Wente, Philip R. Wente and
Carolyn Wente
5565 Tesla Road
Livermore, California 94550

AREA, TYPE LAND AND LOCATION:

A parcel of submerged land located in Lake Tahoe near
Tahoma, El Dorado County.

LAND USE:

Reconstruction, expansion and 30-foot extension of an
existing rock crib pier.

TERMS OF PROPOSED LEASE:

Initial period:
Five (5) years beginning June 30, 1992.

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 fee, processing fee, and environmental fee have been
received. Mitigation monitoring fee and construction
compliance fee have also been received.

CALENDAR ITEM NO. C 0 6 (CONT'D)

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:

08/12/92

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 590, State Clearinghouse No. 92052041. 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. The Applicant proposes to reconstruct and extend an existing, and previously unauthorized, rock crib pier. The Applicant proposes to extend the existing 165-foot pier an additional 30 feet to a new length of 195 feet. The pier will be reconstructed with an open-pile design except for the most landward 36 feet which will remain rock crib.
4. The project will be accomplished using a barge-mounted pile driver and all work will be completed from the water using floating equipment. The pier will be

CALENDAR ITEM NO. C 0 6 (CONT'D)

dismantled by hand and the rocks will be moved by machinery and dispersed to conform with the natural configuration of the lakebed below elevation 6,220' L.T.D.

5. 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 Rorippa habitat.
6. The lease 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.
7. Commission staff will monitor the reconstruction of the pier in accordance with the Monitoring Program attached as Exhibit "E".
8. This property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.
9. 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.
10. 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.

CALENDAR ITEM NO. C 0.6 (CONT'D)

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, Department of Fish and Game,
and El Dorado County

FURTHER APPROVALS REQUIRED:

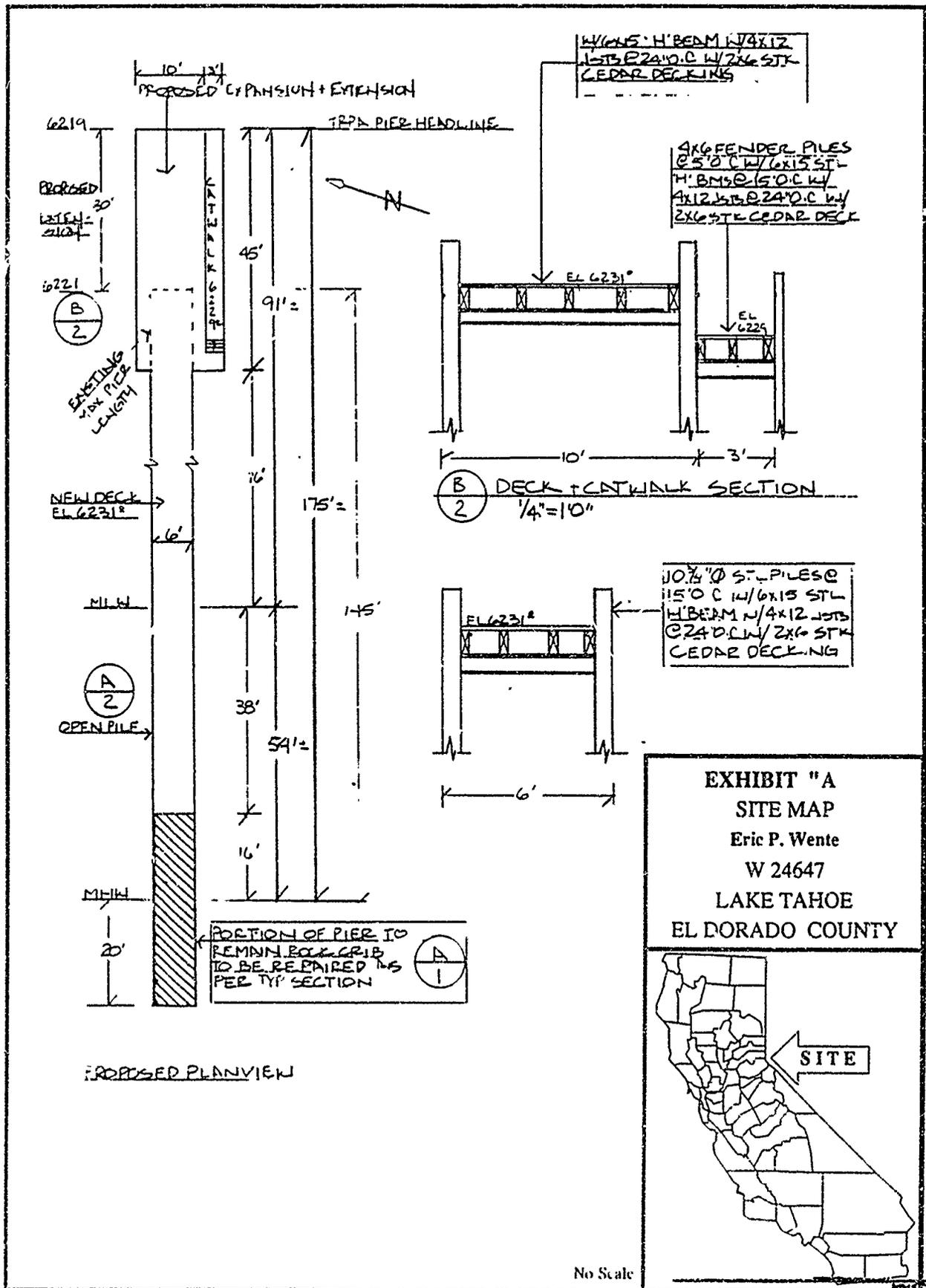
United States Army Corps of Engineers and State Lands
Commission

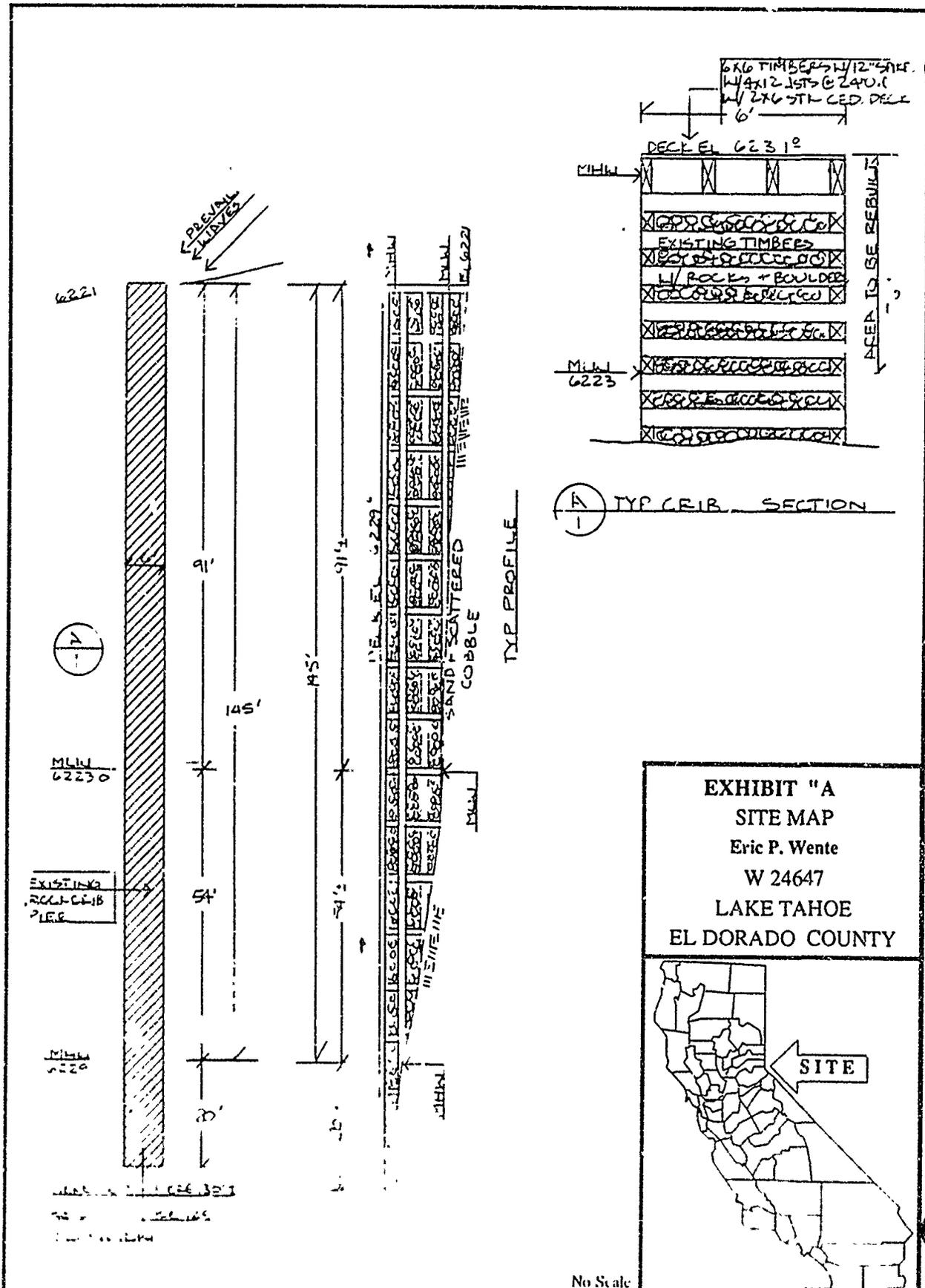
EXHIBITS:

- A. Site Map
- B. Location Map
- C. El Dorado County Letter of Approval
- D. Negative Declaration
- E. Monitoring Program

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
2. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 590, STATE CLEARINGHOUSE NO. 92052041, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. ADOPT THE NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. ADOPT THE MONITORING PROGRAM ATTACHED AS EXHIBIT "E" PREPARED PURSUANT TO P.R.C. 21081.6.
5. AUTHORIZE ISSUANCE TO ERIC P. WENTE, PHILIP W. WENTE AND CAROLYN WENTE, OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING JUNE 30, 1992, FOR THE RETENTION, RECONSTRUCTION, AND 30-FOOT EXTENSION OF AN EXISTING PIER, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.





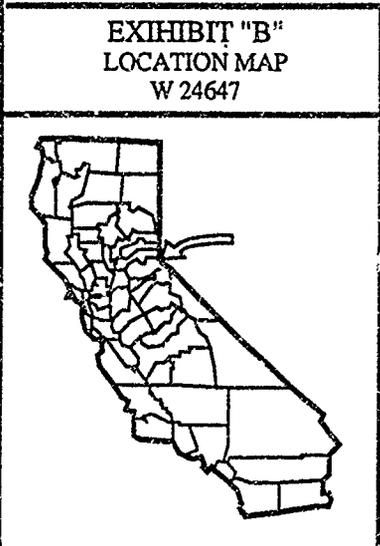
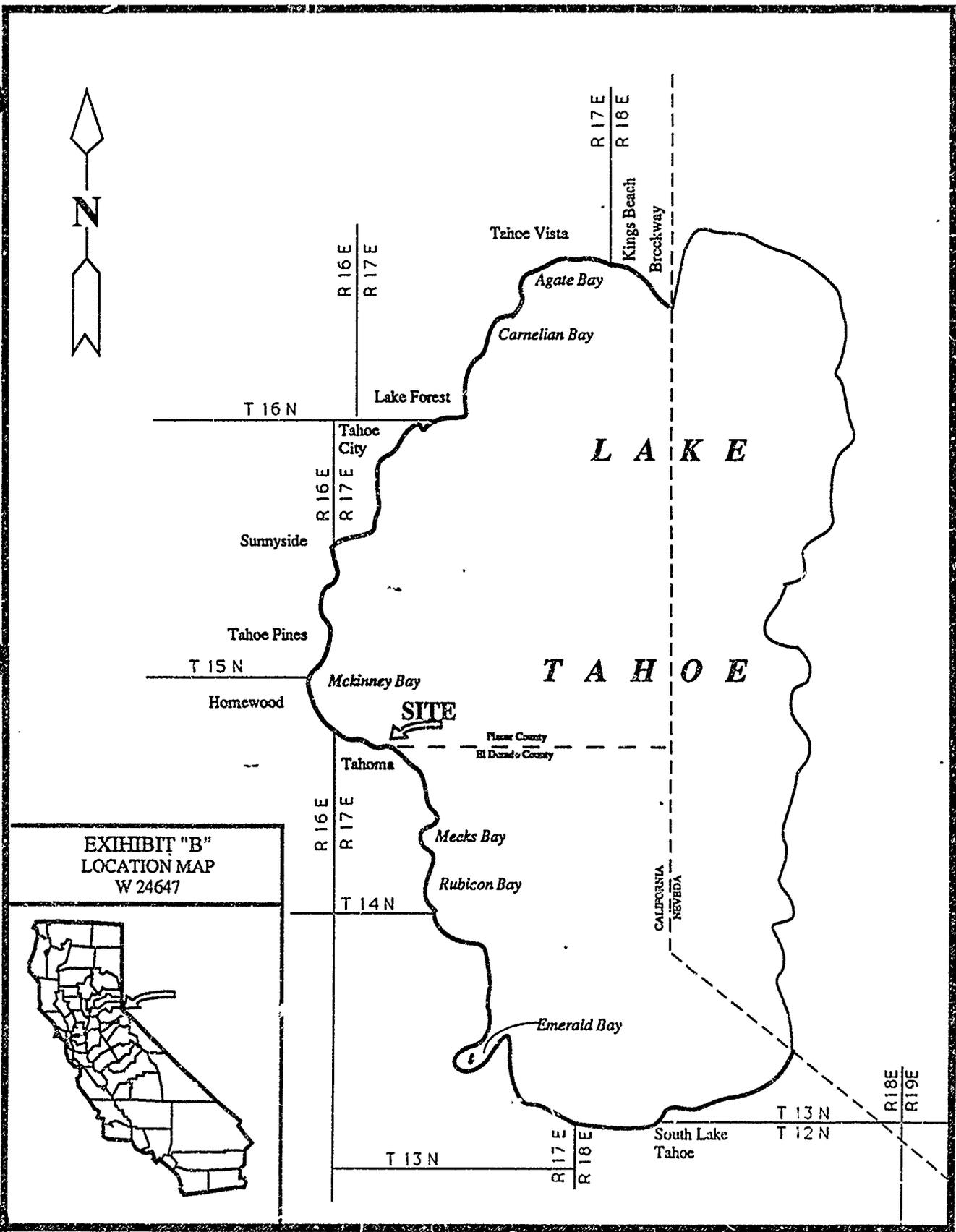
TYP PROFILE

(A) TYP CRIB SECTION

EXHIBIT "A"
SITE MAP
 Eric P. Wente
 W 24647
 LAKE TAHOE
 EL DORADO COUNTY

SITE

No Scale



Date 3-5-91File Ref: W 24647

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

Subject: Building Permit for Pier (Rock crib pier reconstruction and 30 foot extension)

Name: Eric Wentz

Address: 5565 Tesla Road

Livermore, CA 94550

Lake Tahoe Address: 7171 West Lake Boulevard, Tahoe

County Assessor's Parcel No. 15-370-07

Dear Ms. Ludlow :

The County of El Dorado has received notice of the above-referenced project in Lake Tahoe and has no objection to the pier repair/construction or to the issuance of the State Lands Commission's permit.

If you have any questions, you may reach me at (916) 573-3145

Sincerely,

El Dorado County
Building Division

John S. Walker
JOHN S. WALKER
Building Inspector III

06311

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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 95814

CHARLES WARREN
Executive Officer

May 11, 1992
File: W 24647
ND 590

**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 June 10, 1992.

Should you have any questions or need additional information, please call the undersigned at (916) 324-4715.


JUDY BROWN
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 95833

CHARLES WARREN
Executive Officer

PROPOSED NEGATIVE DECLARATION

ND 590

File Ref.: W 24647

SCH NO. 92052041

Project Title: Wente Existing Pier Authorization, Reconstruction and Extension

Project Proponent: Eric P. Wente

Project Location: Lake Tahoe, 7179 West Lake Boulevard, Lake Tahoe, Tahoma, APN: 015-370-07, El Dorado County.

Project Description: Authorization and reconstruction of an existing 6' x 150' recreational pier and reconstruction with a 30' extension. The most lakeward 45 feet of the pier would be expanded to a 10' width, with a 3' catwalk. The pier reconstruction involves 90% conversion of a rock crib pier to an open-pile pier.

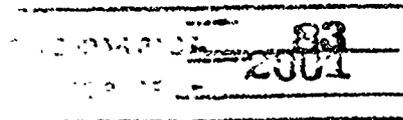
Contact Person: Judy Brown Telephone: (916) 324-4715

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

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

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

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



ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: W 24647

I. BACKGROUND INFORMATION

- A. Applicant: Eric P. Wente
c/o Gary R. Taylor
P. O. Box 1715
Crystal Bay, NV 89402
- B. Checklist Date: 04 / 01 / 92
- C. Contact Person: Judy Brown
Telephone: (916) 324-4715
- D. Purpose: To authorize an existing recreational pier, including reconstruction and extension
- E. Location: 7179 West Lake Blvd., APN: 015-370-07, Tahoma, El Dorado County,
Lake Tahoe
- F. Description: Applicant proposes to reconstruct an existing 6' x 150' recreational pier,
which would include a 30' extension to the pierhead line. In addition, the pier
reconstruction involves 90% conversion of rock cribbing to an open-pile design.
- G. Persons Contacted: Coleen Shade, TRPA
Kevin Roukey, Corps of Engineers

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

- | | 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"/> |

- 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"/> |
|---|--------------------------|--------------------------|-------------------------------------|

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T. Cultural Resources.

Yes Maybe No

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

U. Mandatory Findings of Significance.

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

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

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: 04 / 16 / 92

Judith A. Brown
 For the State Lands Commission 2005

PROJECT DESCRIPTION

This project proposes authorization and reconstruction of an existing 6' x 150' recreational pier with a proposed 30' extension. The reconstruction activity includes dismantling a 6' x 114' rock crib area under the existing pier decking. The pier would be reconstructed using open pile design except for the most landward 36' feet of the pier which will remain rock crib. A 10' x 45' pierhead with a 3' catwalk is proposed to be constructed at the most lakeward end of the reconstructed pier. The catwalk would be located on the south side of the end of the pier. The pier's total length would then be 195', which would extend to the existing Tahoe Regional Planning Agency pierhead line.

The reconstruction work would be performed from the lake side of the project utilizing a barge/lark vehicle. The pier would be dismantled by hand and rocks moved by machinery and dispersed to conform with the natural configuration of the lakebed below LTD 6220' elevation. A turbidity screen will be placed in the Lake around the proposed project site. A flat bottom boat will be located under the reconstruction areas and a tarp and water skimmer net will be used to prevent debris from falling into the lake waters.

All construction activity will be performed during normal work hours between 8:00 a.m. and 6:30 p.m.

ENVIRONMENTAL SETTING

The proposed project is located on the shore and in Lake Tahoe just south of the Placer/El Dorado County line and west of the Sugar Pine State Campground lakeward of 7179 West Lake Boulevard, APN: 015-370-07, in Tahoma, El Dorado County. There is an existing boat house and marine railway located within the foreshore boundaries. The property slopes an average of 15 percent towards the lake and is well vegetated.

According to the soils and vegetation report prepared September, 1991, for this parcel, the upland vegetation is composed of conifer/shrub habitat and is largely undisturbed. Native vegetation dominates the landscape. Bluegrass turf provides a transition from the upland to the lakefront.

The area below the high water elevation of 6228.75' is divided into two subzones consisting of a well-vegetated peninsula on the south side of the property, and an unvegetated area north of the boat launch north of the existing pier. The dominant species in the vegetated zones include Mimulus guttatus (Common Yellow Monkeyflower) and Epilobium adenocaulon (Willow Herb.). Both species occur close to the lake level. Willow herb prefers substrate that is dominated by cobble and gravel sized material and slightly drier conditions. Monkeyflower occurs in areas that have at least some fine grained material, usually closer to the lake.

No plants of Rorippa subumbellata, Roll. (Tahoe Yellow Cress) were found during the September, 1991 survey. The majority of the property consisted of very fine - fine sands with coarse sands and gravel interspersed in pockets. Rock and larger fragments were found along the pier and on the south side peninsula. The report concluded that the site does not appear to be prime habitat, and that areas an opportunities for establishment h've increased, Rorippa plants have failed to invade. (Rorippa subumbellata Rollins: Habitat Analysis, Etra, September 1991).

Staff of the State Lands Commission have reviewed the report and disagree with the conclusions of the Etra, 1991 report in that patches of habitat do exist and could possibly support Rorippa subumbellata, Rollins. The project is pending response to consultation with the Department of Fish and Game to verify if the project site does contain suitable habitat for the State-listed, endangered plant, Rorippa subumbellata, Roll..

The shoreline frontage is approximately 128' in distance. The project is located in an area mapped by the TRPA as prime fish habitat, and as such, construction is limited to the period June 15, 1991 to October 15, 1991, or as authorized by the California Department of Fish and Game Streambed Alteration Agreement.

The existing pier with rock cribbing abuts the applicant's northern property line. The existing pier is acknowledged by the Tahoe Regional Planning Agency as an allowable nonconforming pier. Recreational piers are located on adjacent shore areas of the existing pier approximately 130' in equal distance to the north and to the south.

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DISCUSSION OF ENVIRONMENTAL EVALUATION
WENTE PIER RECONSTRUCTION

A. 1. Earth Conditions

The project involves the dismantling of a major portion of a rock crib pier and reconstruction of an open piling design pier. Rocks from the cribbing areas would be redistributed by barge-mounted machinery to conform to the natural contours of the lake bottom below elevation 6220'. This construction activity would not alter or unnaturally cover any new ground features. The pier would be reconstructed within the footprint of the existing pier. This activity would not create unstable conditions.

A.2. Overcovering the Soil

The pier would be reconstructed utilizing approximately 40 steel pilings which would occupy a total of 430sf ground surface. Additional soil coverage would be insignificant involving approximately 64.5sf, for the placement of six new pilings upon ground surface not previously covered.

A.3. Topography

The pier would be reconstructed in an open pile design with the exception of the most landward 36', which would remain rock cribbing. The reconstructed pier would not modify the existing topography of the lake bed.

A.4. Unique Features

The lakebed at the project site is gently sloped and lacks unique features. The majority of the rock crib pier would be reconstructed with open pile design. The reconstruction of the pier would be accomplished within the footprint of the existing pier except for the extension; however, neither activity would affect any unique feature on the lakebed.

A.5. Erosion

The steel pilings would be placed directly in the lake bed substrate. They would not cause any erosion or significant disturbance to lake bottom and shore profiles. The dismantling and reconstruction would be conducted within the footprint of the existing pier and would not create any new erosion. Deposition and erosional processes have been impeded by the rock cribbing which occurs under the entire length of the existing pier. Reconstruction would convert the majority of the pier to an open pile design, thus allowing a more natural flow of waters. The area