

to remain rock cribbing would be close to the high water line (elevation 6228.75') landward, thus having little or no effect on the littoral transport of beach materials, except under extreme high lake levels.

A.6. Siltation

The waterward portion of the pier is located on a portion of the lakebed which is dominated by cobble substrate. The construction activity proposed would not cause significant siltation in the water column. To further avoid siltation caused by the driving of steel piles, steel sleeves or caissons and siltation barriers would be placed at the construction site and remain until the project is completed. Water level rise might cause minor siltation after the project is done.

A.7. Geologic Hazards

The pilings would be set directly into the lake bed. The depths of installation would be a minimum of 6' or to refusal. This activity would not induce seismic instabilities or ground failures. No impacts are anticipated.

B.1. Emissions

The pilings would be set using an amphibious lark/barge with a pile driving attachment. The barge would be powered by a conventional diesel engine. Construction crews would arrive by private and commercial vehicles to the upland site for deck finish work. Some emissions would result from the operation of the pile driving equipment and vehicles used for commuting to the site. The pile driving activity may take a couple weeks to complete. The pier reconstruction activity would be completed in approximately 30 working days. These impacts would be minor and temporary, lasting during the construction. Some emissions would be generated from recreational motorized boat usage at the applicant's pier. This impact is not new but ongoing along the shoreline of Lake Tahoe.

B.2. Odors

The reconstruction activity would create some odors as engines are operated during the installation of steel piling and from construction crew vehicles arriving and departing the project site. This impact would not be significant and would be temporary during the construction activity. Continued use of the pier would create some odors as motorized boats arrive and depart from the pier. This impact would be minor and ongoing.

B.3. Air Alterations

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The pier is located within the lake. It would not create impacts which would alter air movement, temperature or regional climate.

C.1. Currents

The proposed reconstruction is of an open piling design. The structure as proposed would not create a significant impact on water currents or water movements. As mentioned in A.6. above, the portion of the pier remaining rock crib is near high water and above, which would have little, if any, impact on water movement.

C.2. Runoff

The pier is located within the body of Lake Tahoe. The reconstruction activity would not have a new impact on surface water drainage patterns.

C.3. Flood Waters

The pier is located within the body of Lake Tahoe. The nearest stream inlet is McKinney Creek which is less than a mile to the north. The proposed reconstruction activity would not affect flood waters from streamflows.

C.4. Surface Water

The pier is located within the body of Lake Tahoe. The reconstruction and extension of the existing pier would not affect the surface water volume of Lake Tahoe.

C.5. Turbidity

The pier is located in an area designated prime fish spawning habitat, which denotes a cobble substrate. Minimal turbidity would result from the reconstruction operations. Precautionary measures incorporated into the project to minimize turbidity include: use of caissons or steel sleeves; use of a turbidity screen within the water around the reconstruction area. Turbidity may arise from disturbed sediments settling as the lake level rises. Upon conclusion of reconstruction activity, some sediments may be disturbed during motorized boat movements in the vicinity of the pier. These impacts would be minimal.

C.6. Ground Water Flows

The pier pilings would be placed approximately 6' into the substrate, or to refusal. This activity would not affect ground

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water flows.

C.7. Ground Water Quantity

The pier pilings would be placed at relatively shallow depths. The pier does not serve as a water acquisition facility. This structure would not affect the quantity of ground water.

C.8. Water Supplies

The pier does not propose water acquisition. It would not affect water supplies.

C.9. Flooding

The cumulative volume of the pilings would not induce flooding. The structure would not interfere with water movements to induce flooding.

C.10. Thermal Springs

The proposed construction activity would not affect any thermal springs, as there are no known thermal springs in the project vicinity.

D.1. Plant Species Diversity

The reconstruction activity may impact current aquatic plant populations at the project site with the overcovering of the existing pilings. These pilings may have served as substrate for a now established sessile plant population. Covering of the pilings would cause a minor population loss of aquatic plants at the project site.

The new pilings would furnish a new substrate for sessile aquatic plants. This impact would be minimal as this site is dominated by a cobble substrate and could furnish habitat for sessile aquatic plants.

The upland shore area above elevation 6223' has some potential areas which could support the State-listed, endangered plant, Rorippa subumbellata, Rollins; however, no plants have been observed on the site (Etra, September 1991).

The endangered species consultation process is pending response from the California Department of Fish and Game.

D.2 Endangered Species

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The proposed pile driving activity would occur from the lakeward side of the project, so as to disturb as little beach area as possible. When the informal consultation is completed, steps will be taken to ensure construction activities would protect and minimize habitat disturbance for Rorippa subumbellata, Rollins. A jeopardy opinion from the California Department of Fish and Game would necessitate the applicant to incorporate the Interim Management Guidelines or the preparation of a site-specific environmental impact report would be required for the project. No significant impacts to endangered species are anticipated, as a result of the above process.

D.3. Introduction of Plants

The new pier pilings would afford a hard substrate for sessile aquatic plants. The project site is located on a cobble substrate, so introduction of the new pier pilings would not significantly change existing plant populations. This project does not propose the planting of vegetation. No impacts are anticipated.

D.4. Agricultural Crops

The proposed reconstruction and extension of the existing pier would occur within the body of the lake. No agricultural crops or aquaculture activities exist within the waters of Lake Tahoe at this location. There would be no impact to agricultural crops.

E.1. Diversity of Species

The pier pilings involved in the proposed reconstruction and extension of the existing pier would continue to affect access to the lake bottom by burrowing organisms. Covering of the old pier pilings could impact fish and benthic organisms which were attracted to the pilings for grazing and shelter. Until the plant population returns to the reconstructed pilings, there may be a temporary drop in fish population around the structure. The impacts would be minimal.

E.2. Rare Species

The proposed pier reconstruction and extension activity timeframe is controlled by the Tahoe Regional Planning Agency and the California Department of Fish and Game. In order to avoid impacts to fish spawning activity within the lake, the project would be constructed between June 15 and October 15. There are no known rare fish species at this location of Lake Tahoe; therefore, no impacts to rare species are expected.

E.3. New Species

The proposed project would remove and reintroduce habitat at this site, having a minimal effect. No new animal species are proposed for introduction to this site.

E.4. Habitat Deterioration

The proposed project site is located within an area identified by the Tahoe Regional Planning Agency as fish spawning habitat. The Tahoe Regional Planning Agency has determined that the project would have no negative impact upon fish habitat because the project involves removal of an existing rock crib and redistribution of rock material in an acceptable manner.

F.1. Noise Increase

The proposed reconstruction and extension activity involving pile driving activity and construction crew arriving and leaving the project site would involve short periods of moderate increases to the existing noise levels. Construction hours would be limited by the Tahoe Regional Planning Agency to be 8:00 a.m. to 6:30 p.m.

Brief, periodic noise increases from continued use of the dock after reconstruction is completed would continue to occur but would be considered minimal.

F.2. Severe Noise

Refer to Response F.1., above.

G.1. Light and Glare

The proposed reconstruction and extension to the existing pier would be conducted during daylight hours. No lighting would be used during the construction activity. No new exterior lighting on the pier is proposed. The color and design features of the pier such as non-glare earth tone or wood tone materials are conditions of the Tahoe Regional Planning Agency permit. The proposed project would not produce reflections or glare from finished surfaces.

H.1. Land Use

The proposed reconstruction of the existing pier would occur within the same footprint. The addition to the proposed pier would extend the pier to the mapped Tahoe Regional Planning Agency pierhead line. No impacts would occur to existing or allowable land uses for this area.

I.1. Resource Use

The proposed facility would not increase resource depletion or loss of non-renewable resources. The pier would continue to be used for recreational purposes by the applicant.

J.1. Explosion

The proposed project involves reconstruction and extension of an existing pier. Risk of explosion would be minimal as the equipment to be used to drive the pilings is diesel fueled. The Tahoe Regional Planning Agency permit requires that no containers of fuel, paint, or other hazardous materials may be stored on the pier. In addition, TRPA prohibits the discharge of petroleum products to the surface waters of the Lake Tahoe Basin.

J.2. Emergency Plans

The existing pier would be reconstructed within the footprint. The proposed pier extension would be limited to the mapped Tahoe Regional Planning Agency pierhead line. In addition, the TRPA has determined that the proposed project would not adversely impact navigation or create a threat to public safety. The project as proposed would have no impact on existing emergency response plans for this area.

K.1. Alter Population

The proposed project would not affect the population density or growth patterns in the area. The pier would continue to be used for the private recreational use of the applicant. This project would not propose the use of live-aboard vessels or a habitable structure which would increase the local population.

L.1. Housing

The proposed project would not include new housing or the need for new housing to be constructed. The existing facility is a recreational pier proposed for the continued use by the applicant.

M.1. Vehicular Movement

Minor increases in vehicular movement would occur during the reconstruction and extension of the existing pier. No new vehicular traffic would result upon completion of construction activity for the continued use of the pier.

M.2. Parking

The proposed pier reconstruction activity is located lakeward from the applicant's upland residential structure. Parking is available at the upland structure. No new parking would be required for the construction activity or for the continued use of the pier.

M.3. Transportation Systems

The proposed reconstruction of this existing pier would not create significant impacts on existing or future transportation systems. Construction crews arriving and leaving the project site

would use existing, established roads and highways.

M.4. Circulation

The proposed reconstruction and extension of an existing recreational pier would not produce a significant effect on the present patterns of circulation or movement of people and/or goods. Construction crews arriving and leaving the project site would use existing, established roadways and highways. This minor impact to circulation on land would be temporary.

M.5. Traffic

The proposed pier reconstruction and extension would not significantly affect existing waterborne circulation patterns. Many of the piers existing in this shoreline segment have been extended to the mapped Tahoe Regional Planning Agency pierhead line. In addition, several mooring buoys are located beyond the adjacent piers in the nearby vicinity. Boaters and skiers would continue to divert their navigational course around these facilities. This proposed project would not produce new impacts to navigational circulation at this location.

M.6. Traffic Hazards to Motor Vehicles, Bicyclists, Pedestrians

The proposed project is located within the shorezone and in the body of Lake Tahoe. A public trust easement exists in the shorezone between elevation 6223' and 6228.75' which is upheld by the State Lands Commission. Reconstruction of the pier pilings would occur from the lakeward side of the pier, thereby reducing impacts to the shorezone. No vehicles or storage of equipment would occur within the beach or within 50 feet of the beach bluff. Impacts which may occur to pedestrians would be minimal. This proposed project would have no significant impact on motor vehicles or bicyclists.

N. 1-6. Public Services

The proposed project would not create a new impact on public services including fire, police protection, school and park facilities, road maintenance or their public services. The project involves the reconstruction and extension of an existing structure located waterward of an existing upland residence.

O.1. Energy Use

The proposed project would require the use of minor amounts of fuel and electricity during construction activity. Once construction is complete, there would be no further impacts on energy use.

O.2. New Energy

Refer to response O.1., above. No new energy uses are proposed.

P.1-6. Utilities

Reconstruction and extension of the existing pier would not create a demand on or need for new utilities services including power, water, sewerage and waste or communications. These services are provided at the upland residence. Construction waste would be disposed at an approved landfill.

Q.1-2. Health Hazards

The proposed reconstruction and extension of the existing pier as conditioned by the design features and construction methods and access by the Tahoe Regional Planning Agency would not pose a health hazard or potential health hazard to humans.

R.1. Views

The proposed pier reconstruction and extension of the existing pier would not significantly change the view for this section of the shoreline. A majority of the rock cribbing from the existing pier would be removed, which would have a positive aesthetic effect. The pier would be extended to the existing mapped Tahoe Regional Planning Agency pierhead line, which is not considered to be a degrading visual factor.

S.1. Recreation

The reconstruction and extension of this existing recreational pier would produce no new impacts to recreation in this area. Refer to response M.5., above.

T.1-4. Historic/Ethnic Sites

This proposed project involves the reconstruction and extension of an existing recreational pier, located waterward of an existing upland residence. No historic or ethnic sites have been discovered at the project site during construction of these structures. No effects to historic or ethnic sites are anticipated.

U.1. Degradation

The proposed reconstruction and extension of the existing recreational pier would not create new significant impacts which would degrade the environmental quality of the project site.

U.2. Environmental Goals

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Minor impacts would result from the reconstruction and extension of the existing pier. Project modifications and conditions of the Tahoe Regional Planning Agency permit, such as: accessing the project site from the lakeside of the pier; placing tarps or small boats under the construction area to prevent construction debris from falling into the lake; placing turbidity screens around the project site and/or use of caissons during pile driving activity; constructing the project during the non-fish spawning season; and defining one access pathway from the upland residence to the recreational pier in order to protect potential habitat of the State-listed, endangered plant Rorippa subumbellata, Rollins. The above list is not intended to be the total list of project modifications for the project.

The results of consultation with the California Department of Fish and Game concerning the project's potential impact to Rorippa or its habitat may necessitate the applicant's incorporation of the attached Interim Management Program Guidelines for Rorippa into the project description or require the need for the staff of the State Lands Commission to prepare a site-specific Environmental Impact Report.

All project modifications which lessen environmental impacts would be monitored by the staff of the State Lands Commission or its designated representative. The Monitoring Program would be recommended for adoption by the State Lands Commission prior to commencement of construction.

The continued use of the pier after reconstruction and extension would not achieve short-term, to the disadvantage of long-term environmental goals.

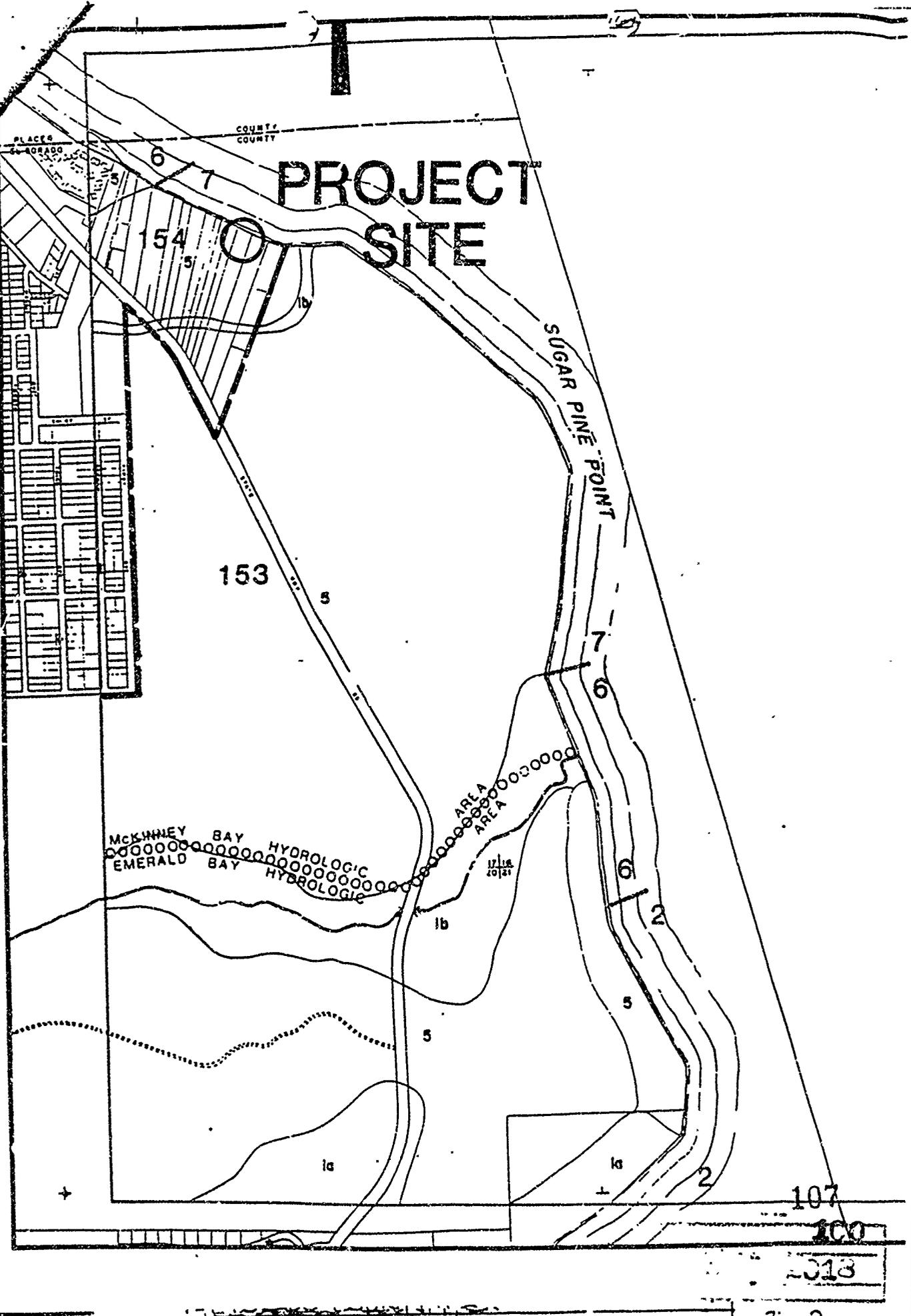
U.3. Cumulative

The proposed pier reconstruction and extension is an allowable nonconforming structure under the provisions of the Tahoe Regional Planning Agency Shorezone Ordinances. The existing pier is located in the vicinity of other piers and buoys. Minor impacts which may result from the proposed construction activity have been reduced to the extent possible and are described in U.2., above. The project, as proposed, would not produce cumulatively considerable impacts.

U.4. Adverse Effects

No significant adverse effects would result from the proposed reconstruction and extension of the existing pier. Potential impacts have been discussed previously in this environmental evaluation and a description of the more significant project modifications is mentioned in U.2., above.

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PROJECT SITE

COUNTY COUNTY

PLACES COLORADO

SUGAR PINE POINT

MCKINNEY BAY HYDROLOGIC AREA
EMERALD BAY HYDROLOGIC AREA

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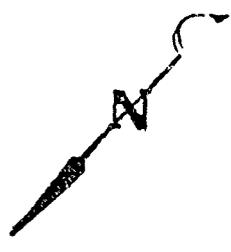
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LAKE TAHOE

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EXISTING
BOAT
HOUSE

3125 M

BACKSHORE BOUNDARY

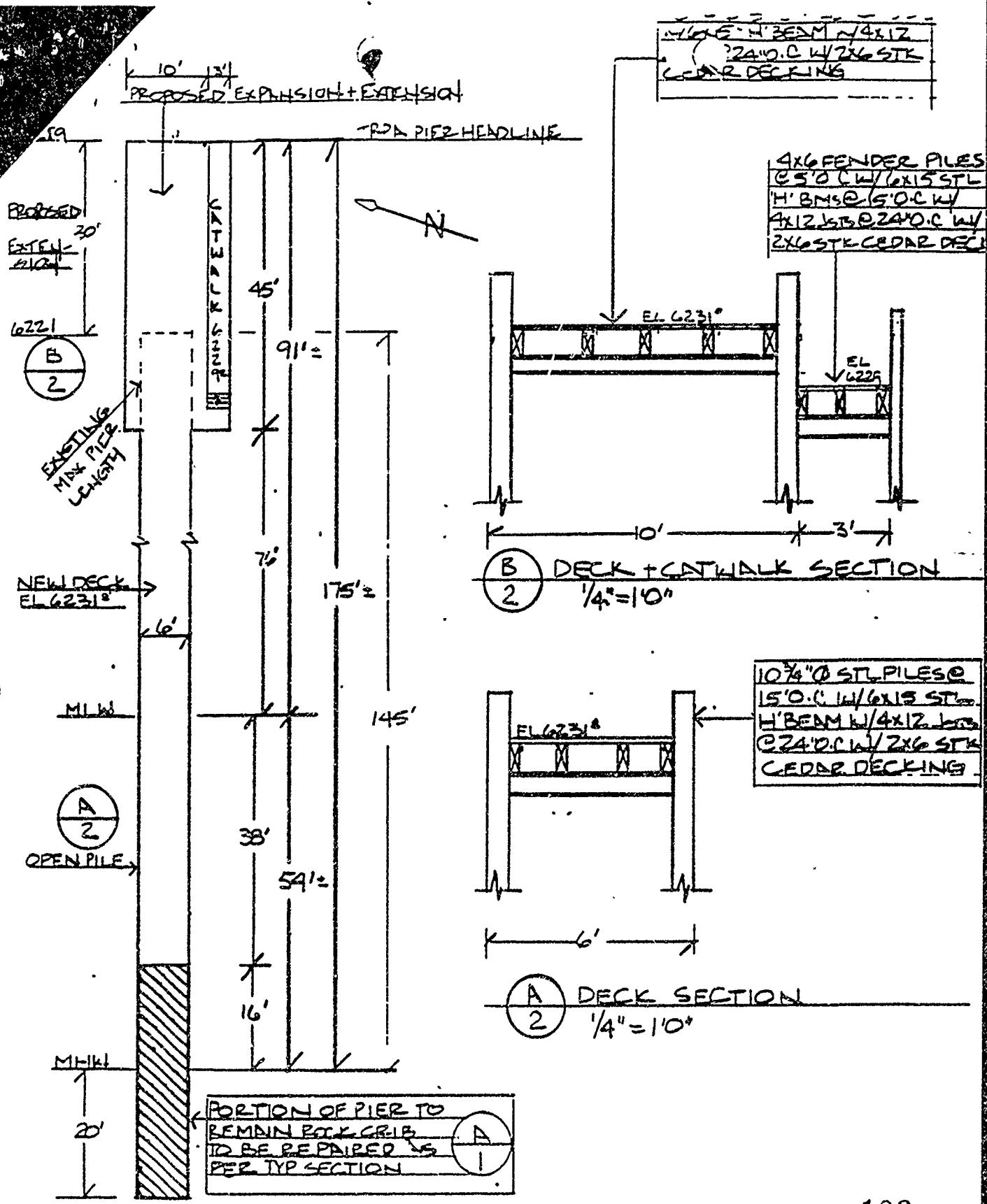
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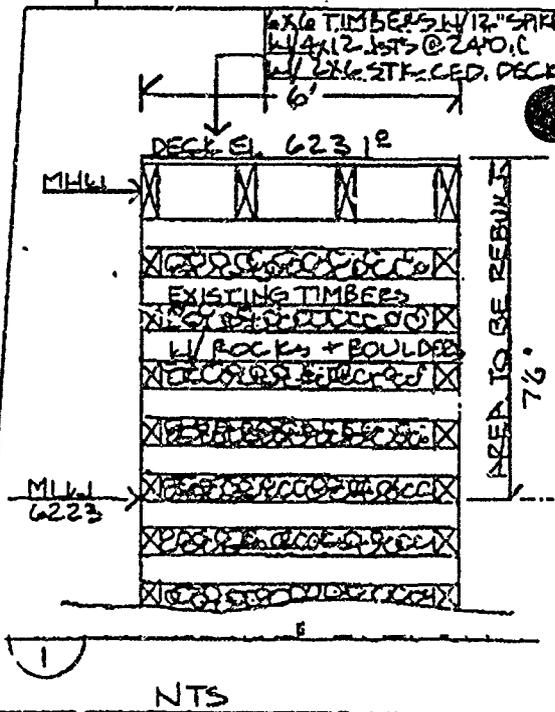
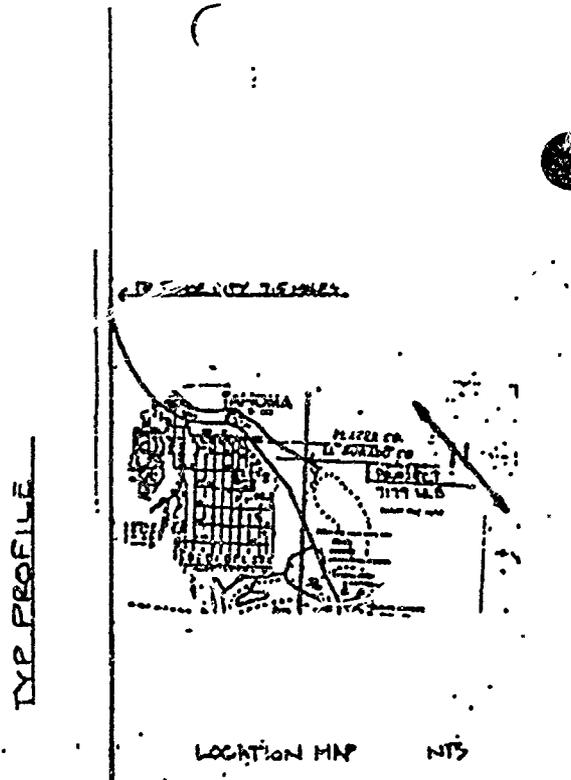
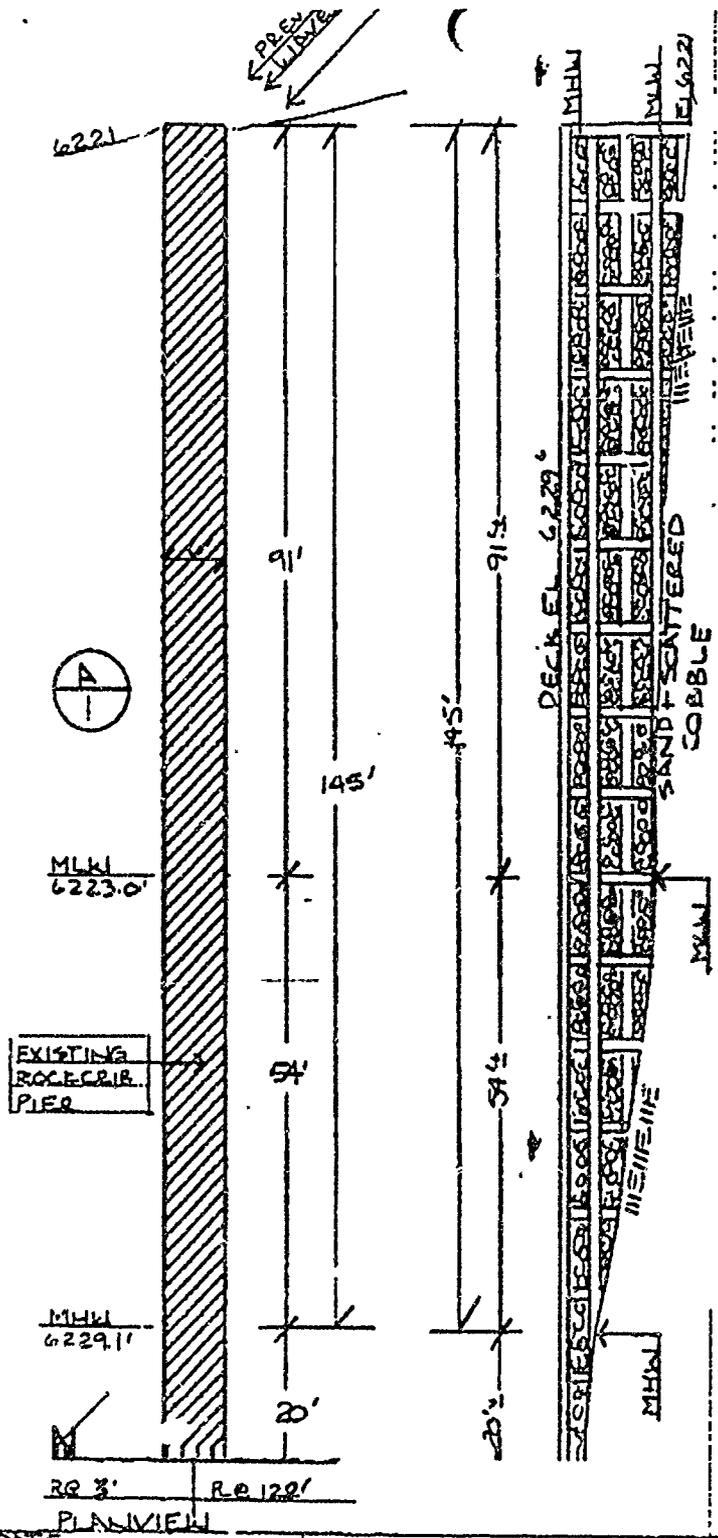
PATH

DECK

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PROPOSED PLAN VIEW		
DATE	WENTE'S PROPOSED PIER REPAIR, EXPANSION + EXTENSION	DRAWN BY
11/17/89	711 WEST LAKE BLVD. TAHOMA	3020
SCALE	EL DORADO COUNTY, CA	GARY R. TAYLOR
		SHEET



DATE	CLIENT'S EXISTING PIER	DRAWN BY
11/17/09	7179 WEST LAKE BLVD, THOMA	GARY R TAYLOR
SCALE	EL DORADO COUNTY, CA	SHEET
1" = 20'	APN 015-370-07 LOT 7	1 OF 2

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**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 6232' 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 mitigation monitor on site. The project applicant shall notify the designated mitigation monitor at least 14 days prior to when construction will commence.

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- 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.

EXHIBIT "E"

MONITORING PROGRAM

WENTE RECREATIONAL PIER

1. Impact: The proposed project may cause minimal turbidity to lake waters during the driving of piling into the lake bed, and possible upset from construction materials or debris falling into the lake.

Project Modification:

- a) Use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement;
- b) Use of a turbidity screen within the water around the reconstruction area;
- c) Small boats and/or tarps will be placed under the reconstruction area as necessary to prevent construction debris from entering the lake waters;
- d) Waste materials will be collected onto a barge or placed in dumpsters, located near the upland residence, for disposal at an approved landfill site.

Monitoring:

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

2. Impact: The proposed project is located in a lake area designated by the Tahoe Regional Planning Agency as fish spawning habitat. The reconstruction and extension of the existing pier could have an impact upon fish habitat.

Project Modification:

- a) The project involving disturbance to the lake bed will be conducted during the non-spawning season, typically June 15 - October 15, or as specifically authorized by the California Department of Fish and Game Streambed Alteration Agreement, to reduce impacts to fish habitat.

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- b) Rock removed from the cribbing will be redistributed as designated by the Tahoe Regional Planning Agency, the California Department of Fish and Game, and the U.S. Army Corps of Engineers, to conform with the natural configuration of the lakebed below LTD 6220' elevation.
- c) The portion of the project involving disturbance to the lake bed will be conducted by a rubber-tired barge-lark vehicle. Upon conclusion of reconstruction/extension activity, if equipment tracks remain on the lake bottom, the cobble or sandy-cobble 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 without damaging the backshore habitat or the species.

3. Impact: The project is located in an area determined by the California Department of Fish and Game to be capable of supporting the California-listed, endangered plant, Rorippa subumbellata, Roll., and could potentially have an impact on this plant species.

Project Modification:

The applicant has agreed to incorporate the Interim Management Program Construction and Access Guidelines for Rorippa subumbellata, Roll., and thereby agrees to participate in the Final Conservation and Management Program for Rorippa subumbellat, Roll. Applicant will notify Commission staff at least 14 days prior to when construction will commence.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will inspect the proposed project site to ensure that:

- a) all identifiable plant species are adequately fenced and the contractor of the project has been briefed concerning the conduct of the construction activity in relationship to Rorippa subumbellata, Roll. and its habitat;

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Wente Monitoring Program
Page Three

- b) only one pedestrian path shall be allowed between the upland residence and the pier. Specifications for landscaping the pathway are discussed in the Interim Management Program attached to the Proposed Negative Declaration;
- c) all construction activities shall be conducted from the water side of the pier, and that the area of disturbance of the lake bottom and shoreline shall be no greater than the footprint of the pier;
- d) no equipment or materials will be located or stored between elevation 6220' and 6232' LTD;

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