

MINUTE ITEM

This Calendar Item No. C 18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 3
to 0 at its 6-30-92
meeting.

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CALENDAR ITEM

C 18

06/30/92
PRC 3495
Gordon

GENERAL LEASE - COMMERCIAL USE

LESSEE:

Judith K. Topol
P. O. Box 1613
Tahoe City, California 96145

AREA, TYPE LAND AND LOCATION:

A 0.167-acre parcel of submerged land located in Lake Tahoe
at Tahoe City, Placer County.

LAND USE:

Reconstruction, operation, and maintenance of a pier
utilized for commercial purposes.

TERMS OF PROPOSED LEASE:

Lease period:

Fifteen (15) years beginning June 1, 1990.

Public liability insurance:

Combined single limit coverage of \$1,000,000.

Special:

1. The lease is conditioned on Lessee's conformance with the Tahoe Regional Planning Agency's shorezone ordinance.
2. The lease prohibits any residential use of the facilities.
3. The lease consents to Lessee's subletting the lease premises for berthing or mooring purposes for terms of one year or less.

CALENDAR ITEM NO. C 1 8 (CONT'D)

4. The lease conforms to the Lyon/Fogerty decision.
5. The lease is conditioned on the public's right of access along the shorezone up to the high water line at elevation 6,228.75 feet, Lake Tahoe Datum.
6. The lease requires Lessee to provide refuse containers for the disposal of vessel-generated trash.
7. The lease bars the use of polystyrene foam containers or packaging on the lease premises.
8. Lessee agrees all packaging for prepared food consumed on or off the lease premises shall be biodegradable.
9. The lease requires Lessee to amend the lease to incorporate regulations controlling plastic pollution which may later be adopted by the Commission.
10. The lease is conditioned on Lessee's retention of the public trust area and the Rorippa habitat area in its natural condition.

CONSIDERATION:

Five percent of gross income generated annually from the lease premises, subject to a \$1,575 minimum annual rent paid in advance, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

OTHER CONSIDERATION:

\$3,150 for the period June 1, 1990 through May 31, 1992, being the first two years of the lease during which the lease premises were not utilized for commercial purposes.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is lessee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee, processing costs, and environmental costs have been received.

249
3

CALENDAR ITEM NO. C 1 8 (CONT'D)

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:

07/13/92

OTHER PERTINENT INFORMATION:

1. This is an application to replace applicant's General Permit - Recreational Use which expired May 31, 1990, with a new lease which authorizes commercial usage of the existing pier. Applicant proposes to provide parasailing rides and other small sail and motor-powered watercraft for public rental. This service is anticipated to be provided seven days a week for four months each year, from May 25 through September 25.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15025), the staff has prepared a Proposed Negative Declaration identified as EIR ND 589, State Clearinghouse No. 92052027. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

Based upon the Initial Study, the Proposed Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment. (14 Cal. Code Regs. 15074(b))

3. In order to determine the potential trust uses in the area of this activity, staff contacted representatives of the following agencies: Tahoe Regional Planning Agency, Department of Fish and Game, County of Placer, and the Tahoe Conservancy. None of these agencies expressed a concern that this activity would have a significant effect on trust uses in the area. The agencies did not identify any trust needs which were not being met by existing facilities in the area. Identified trust uses in this case would include swimming, boating, walking along the beach, and views of the lake.

CALENDAR ITEM NO. C 1 8 (CONT'D)

4. Staff has completed a physical inspection of the project prior to the Commission's consideration of this recommendation.
5. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and County of Placer.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

EXHIBITS:

- A. Land Description and Site Map
- B. Location Map
- C. Local Government Comment
- D. Proposed Negative Declaration
- E. Mitigation Monitoring Plan

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 589, STATE CLEARINGHOUSE NO. 92052027, 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 NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

CALENDAR ITEM NO. C 1 8 (CONT'D)

4. ADOPT THE MONITORING PROGRAM ATTACHED AS EXHIBIT "E" WHICH HAS BEEN PREPARED PURSUANT TO P.R.C. 21081.6.
5. AUTHORIZE ISSUANCE TO JUDITH K. TOPOL OF A 15-YEAR GENERAL LEASE - COMMERCIAL USE BEGINNING JUNE 1, 1990; IN CONSIDERATION OF \$3,150 FOR THE PERIOD JUNE 1, 1990 THROUGH MAY 31, 1992; AND THEREAFTER, FIVE PERCENT OF GROSS INCOME GENERATED ANNUALLY FROM THE LEASE PREMISES, SUBJECT TO A \$1,575 MINIMUM ANNUAL RENT PAID IN ADVANCE, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR RECONSTRUCTION, OPERATION, AND MAINTENANCE OF A PIER UTILIZED FOR COMMERCIAL PURPOSES ON THE LAND DESCRIBED AND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

(REVISED 06/26/92)

-5-

CALENDAR PAGE	251
MINUTE PAGE	181

EXHIBIT "A"

PRC 3495

LAND DESCRIPTION

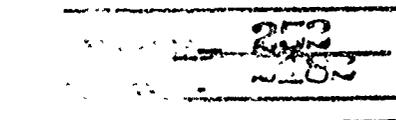
That parcel of land in the bed of Lake Tahoe, Placer County, California , more particularly described as follows:

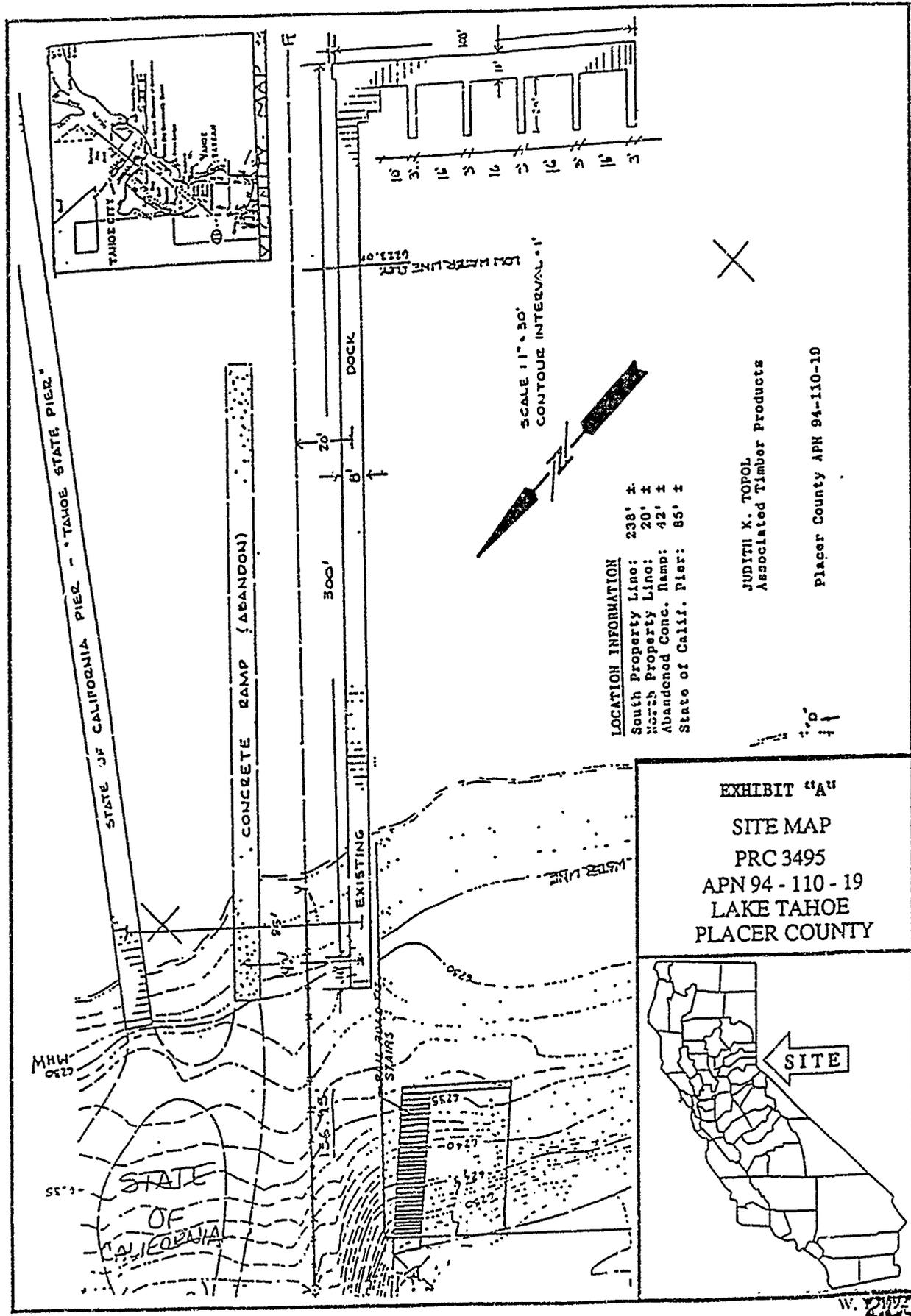
All that land immediately beneath an existing dock, TOGETHER WITH the necessary use area extending 10 feet beyond its extremities, said structures lying adjacent to and southeasterly of Lot 6 of Bittencourt Tract as shown on that map entitled "Survey of a Portion of Lot 6 and of Lake Street, Bittencourt Tract, Placer County, California, T 15 N, R 17 E, MDM." Filed in Book A of Field Notes, Pages 83 and 84, Placer County Records.

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

END OF DESCRIPTION

RECORDED JANUARY, 1992 BY LLB.





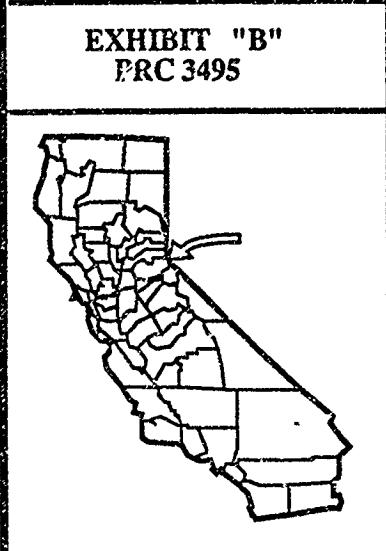
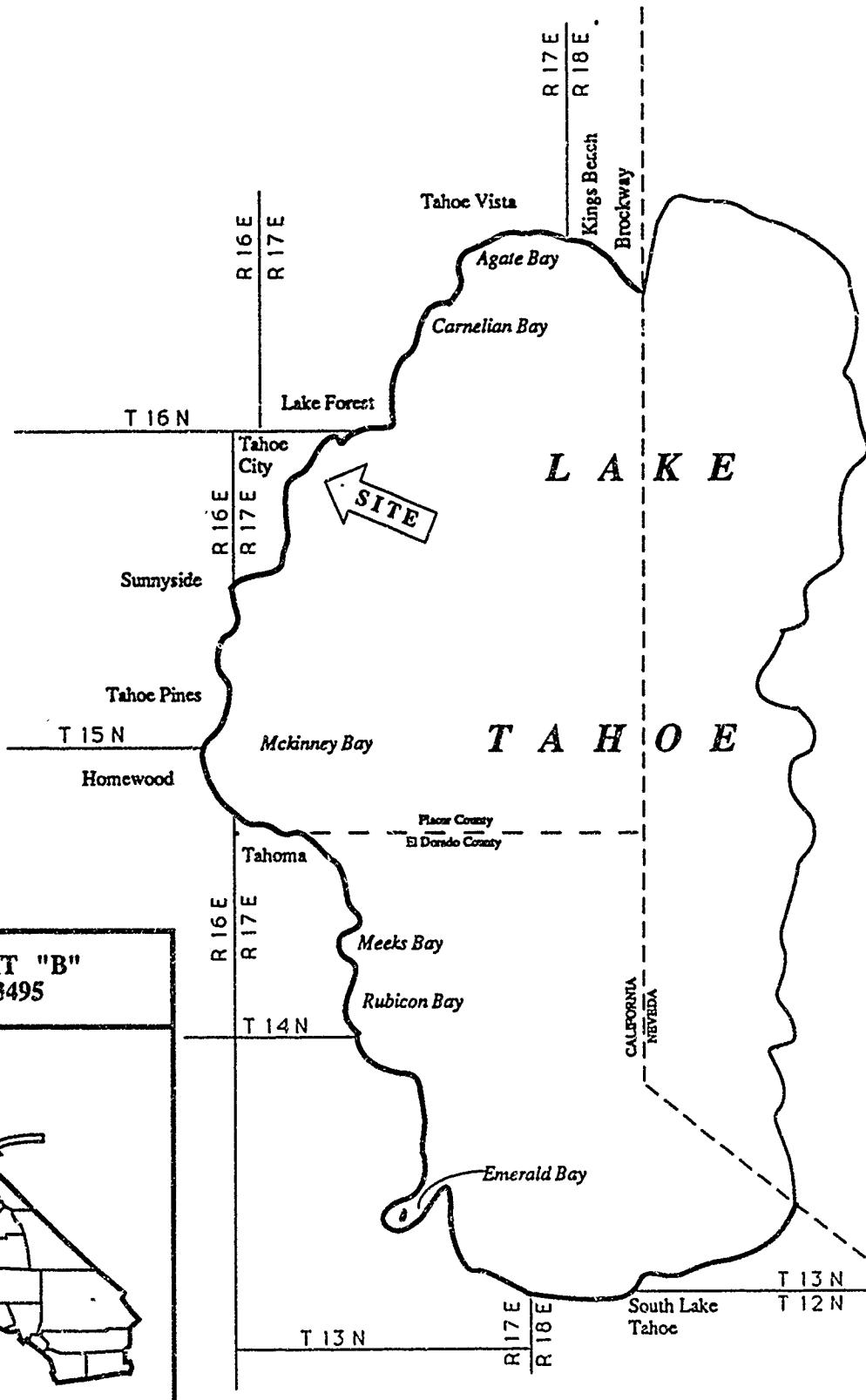
LOCATION INFORMATION
 South Property Line: 238' ±
 North Property Line: 20' ±
 Abandoned Conc. Ramp: 42' ±
 State of Calif. Pier: 85' ±

JUDITH K. TOPOG.
 Associated Timber Products
 Placer County APN 94-110-19

EXHIBIT "A"
SITE MAP
 PRC 3495
 APN 94 - 110 - 19
 LAKE TAHOE
 PLACER COUNTY



W. 2123
 283



254
184

EXHIBIT "C"

Date: Aug 1, 1991
File Ref.: PRC 3495.1

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

Greetings:

Subject: Proposed Pier Repair/Reconstruction Project, the Addition
of a Marker Buoy and the Conversion of Said Pier from
Noncommercial to Commercial Usage in Lake Tahoe at Tahoe
City

Name: Judith K. Topol
Address: dba Associated Timber Products
P. O. Box 1613
Tahoe City, California 95730

Assessor's Parcel No. 094-110-19

County of Placer has received notice of the above-referenced activity in Lake Tahoe and has no objection to said facilities/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

J. Christian
JAN CHRISTIAN

CALENDAR PAGE	255
MINUTE PAGE	205

STATE LANDS COMMISSION

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

EXHIBIT "D"

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

PROPOSED NEGATIVE DECLARATION

File: PRC 3495
ND 589
SCH No. 92052027

Project Title: Topol Proposed Commercial Pier Repair/Reconstruction Project
Proponents: Judith Topol
Project Location: Lake Tahoe, 950 North Lake Blvd., Tahoe City, APN 94-110-19, Placer County.
Project Description: Proposed pier reconstruction and authorization to lease small watercraft from the pier.
Contact Person: Doug Miller 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.

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 3495

I. BACKGROUND INFORMATION

A Applicant: Judith Topel
P.O. Box 1613
Tahoe City, CA 96145

B. Checklist Date: 4 / 28 / 92

C Contact Person: Leah Kaufman - Agent
Telephone: (916) 583-

D Purpose: Proposed authorization to repair/reconstruct pier and convert
use to commercial to lease small watercraft from pier.

E Location: 950 North Lake Blvd., Tahoe City, CA 96145
Placer County, APN 94-110-19

F. Description: Proposed pier reconstruction and authorization to lease small
watercraft from pier.

G Persons Contacted: Judith Topel, Applicant
Leah Kaufman, Agent
Jim Hamilton, TRPA-Tahoe Regional Planning Agency
Jerry Mensch, Department of Fish and Game

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

Table with 3 columns: Question, Yes, Maybe, No. Contains 7 questions regarding environmental impacts like earth conditions, soil disruptions, topography changes, etc.

	Yes	Maybe	No
B. Air. Will the proposal result in:			
1. Substantial air emissions or deterioration of ambient air quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The creation of objectionable odors?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/> |
|---|--------------------------|--------------------------|-------------------------------------|

253
253

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: 4 1 30 1992

Douglas B. Miller Jr.
 For the State Lands Commission

PROJECT DESCRIPTION

TOPOL PROPOSED COMMERCIAL PIER REPAIR/RECONSTRUCTION PROJECT

Placer County APN 94-110-19

PROJECT NARRATIVE

This proposed project consists of the repair/reconstruction of an existing "L" shaped pier, commonly known as Lighthouse Pier, and it's five integrated boat slips, and change the use from non-commercial to a commercial lease under PRC 3495.1. The pier will serve the residents of the Lighthouse Shopping Center and a commercial business, Lighthouse Watersports, leasing small sail and motor powered watercraft and selling parasailing rides at the pier. The project is located at 950 North Lake Blvd., Tahoe City, California 96145. Placer County APN 94-110-19. See area map Exhibit B.

The project proposes the reconstruction of the 316' long and 8' wide pier and five boat slips. The "L" shaped extension is 115' long. The slips are approximately 20' in length. The catwalks are 60' in length at their longest point. See site map Exhibit A.

There is a Placer County regulation stating that all boats including the winchboats and wave runners must maintain a speed of no greater than 5 mph, at least 200 yards directly south of the pier.

The Department of Fish and Game has determined that this portion of Lake Tahoe down to the 30' level is prime fish habitat for feeding and escape.

CONSTRUCTION METHOD

This project consists of the removal and replacement of the existing pilings with 10-3/4" diameter steel pilings, "H" beam caps, wood stringers, and wood decking. The joists will be 4"x10" DF #1 OC. The decking is 2"x 6" cedar. Catwalks will replace existing fender piles with 4"x 6" piles with 3"x 8" joists, 36" OC with 2"x 8" decking. The new stringers will be 2"x 12" DF #1. The pier will be configured as depicted in Exhibit A in the same alignment and footprint as existing. Best practical control technology shall be employed to prevent earthen materials from being resuspended as a result of pier construction and from being transported to adjacent lake waters (e.g. caissons, sleeves, and turbidity screens). The repair will be accomplished through use of a floating barge or a "Lark" vehicle with large flotation tires.

201

191

Access to the site will be completely from the water for both materials and equipment. The new pilings will be driven into the old piling holes of the previous structure whenever possible. If this is not possible, the new pilings will be driven as close to the old holes as structurally possible. Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris. 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 not be storage of materials above the low water line of the subject property.

202
2003

DESCRIPTION OF ENVIRONMENTAL SETTINGSITE DESCRIPTION

The Lighthouse Beach and Pier are located waterward of the Lighthouse Shopping Center at Tahoe City, California. The pier was constructed over 30 years ago by Safeway Stores in conjunction with the shopping center to afford a mooring facility for shoppers utilizing boat transportation in lieu of automobile.

There is an abandoned concrete boat launching ramp 2 feet and the "Tahoe State Pier" 85 feet, both within Tahoe State Park, to the north of Lighthouse pier. To the south of Lighthouse pier there is a boat launching ramp at approximately 238 feet and a pier at approximately 465 feet.

LIGHTHOUSE BEACH AND PIER RORIPPA SUBUMBELLATA SURVEYINTRODUCTION

On November 12, 1990, a survey was conducted at Lighthouse Beach and Pier at Tahoe City, California for Tahoe Yellow Cress, Rorippa subumbellata. The survey is necessary to obtain permits for any pier expansion or reconstruction.

Because of the season (late Fall) the survey was confined mainly to identify potential habitat for Tahoe Yellow Cress. The optimum season for surveying would be June through August when this plant is flowering. Tahoe Yellow Cress, Rorippa subumbellata is currently listed as a Category One species on the Federal list of Threatened and Endangered Plants. It is a perennial herb with sprawling branches two to six inches in length with short yellow petaled flowers. It is known to occur only in Douglas and Washoe Counties in Nevada and El Dorado and Placer Counties in California. The desired habitat for Tahoe Yellow Cress is loose or coarse sand or gravel on beaches near lake margins. Associated species are Juncus balticus, wiregrass, Phacelia hastata, phacelia, and Potentilla glandulosa, gland cinquefoil.

METHODOLOGY AND RESULTS

The entire Lighthouse beachfront property was surveyed from current lake level @ 6,220' to the upland boundary @ approximately 6,350'. The dominant species found were Juncus ensifolius, rush, Mimulus cuttatus, monkey flower, Veronica americana, speedwell, and Rumex crispus, sorrel. The soil surface and substrate was dominated by medium to large cobbles and boulders. Nowhere on the property was there loose, coarse beach sand present. Tahoe Yellow Cress was not found at this time and was not really expected to be found in such

203

203

a large, cobbly surface and substrate.

The upland area was surveyed as well but with less intensity than the beachfront property. The dominant species were Populus trichocarpa, cottonwood, Populus tremuloides, aspen, Pinus jeffreyi, Jeffrey pine, Salix lemonii, lemmon willow, and Arctostaphylos patula, greenleaf manzanita. This area is well above any potential habitat for Tahoe Yellow Cress.

CONCLUSIONS

The Lighthouse Beach and Pier parcel in Tahoe City does not appear to be suitable habitat for Tahoe Yellow Cress, Rorippa subumbellata. The soil surface as well as the substrate is composed primarily of medium to large cobbles and boulders. As the lake level continues to drop, it appears similar size cobbles and boulders will be exposed. The Consultant Botanist stated that at the time of the survey, "It is my feeling at this time, that any pier expansion or re-construction in the area surveyed would not be in Rorippa subumbellata habitat."

201

101