

MINUTE ITEM
This Calendar Item No. C04
was approved as Minute Item
No. 04 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/92
meeting.

CALENDAR ITEM

C 0 4

A 7

S 1

09/23/92
PRC 7335
J. Ludlow

APPROVE A RECREATIONAL PIER PERMIT

PERMITTEE:

Dale W. Hanson and Margery J. Hanson
P.O. Box 333
Homewood, California 96142

AREA, TYPE LAND AND LOCATION:

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

LAND USE:

Partial reconstruction of an existing authorized pier and
continued use and maintenance of an existing authorized
mooring buoy.

TERMS OF PROPOSED LEASE:

Initial period:

Five (5) years beginning September 23, 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 upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

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

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CALENDAR ITEM NO. C O A (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: 12/01/92

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 598, State Clearinghouse No. 92072026. 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. By Commission action on August 30, 1989 (Item C50) the Commission approved the retention of the existing pier and boathouse and the replacement of five pilings to the pier located waterward of elevation 6,223 feet L.T.D. (Lake Tahoe Datum).

On October 26, 1989 (Item 14), the Commission approved the replacement of new decking on a seven-foot portion of the pier and the retention of an existing mooring buoy. This approval will authorize the remaining work required to complete the entire reconstruction of the pier.

CALENDAR ITEM NO. 004 (CONT'D)

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 dismantled by hand and the wood decking will be hand-carried across Highway 89 to the applicant's upland property. The pilings will be cut off and removed and new steel pilings will be driven into the old wooden piling stumps.
5. No materials will be stored or placed, nor will any activity associated with the construction or maintenance of the project, be conducted above the low water line (elevation 6,223 feet, L.T.D.) of the subject property. This procedure will prevent any disturbance to the habitat of *Rorippa subumbellata* roll, commonly called the Tahoe Yellow Cress, a State-endangered plant species.

The applicant has agreed to incorporate the Interim Management Program Construction and Access Guidelines into the project for the protection of *Rorippa* and these Guidelines have been included as part of the Negative Declaration referred to herein and attached as Exhibit "D".

The Permit includes specific provisions by which the Permittee agrees to protect and replace or restore, if required, the *Rorippa* habitat.

6. Commission staff will monitor the reconstruction of the pier in accordance with the Monitoring Program included within the Proposed Negative Declaration and attached herein as Exhibit "E".
7. The subject property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.
8. This permit is conditioned on Permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance. If any structure, authorized by this permit, is found to be in nonconformance with the Tahoe Regional Planning Agency's Shorezone ordinance, and if

CALENDAR ITEM NO. C 0 4 (CONT'D)

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 authorized by this permit 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.

9. The permit is conditioned on the public's right of access along the shorezone below the high water line (elevation 6,228.75 feet, L.T.D.), pursuant to the holding in State v. Superior Court (Fogerty), 2 Cal.3d 240 (1981), and provides that the Permittee must provide a reasonable means for public passage along the shorezone, including, but not limited to, the area occupied by the authorized improvements.
10. Permittee agrees to conserve the natural resources on the subject property and to prevent pollution and harm to the environment, and acknowledges that failure to comply with this requirement constitutes a default or breach of the permit.
11. Staff had determined that the Department of Fish and Game fee, dictated by Section 711.4 of the Fish and Game Code, is applicable to the project as presented herein.
- 12.-The issuance of this permit will supersede any prior authorization by the State Lands Commission at this location.

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

CALENDAR ITEM NO. C 0 4 (CONT'D)

EXHIBITS:

- A. Land Description
- B. Location Map
- C. Placer County Letter of Approval
- D. Negative Declaration/Monitoring Program

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 598, STATE CLEARINGHOUSE NO. 92072026, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE PROPOSED NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE ISSUANCE TO DALE W. HANSON AND MARGERY J. HANSON OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING SEPTEMBER 23, 1992, FOR THE PARTIAL RECONSTRUCTION OF AN EXISTING PIER AND THE CONTINUED USE AND MAINTENANCE OF AN EXISTING AUTHORIZED MOORING BUOY, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

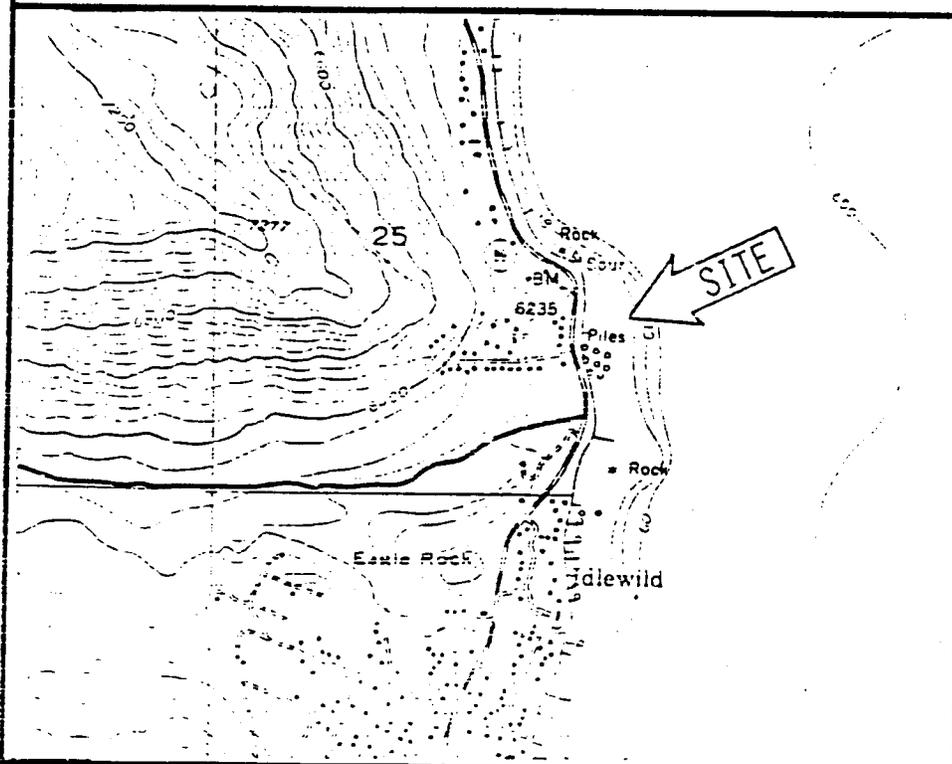
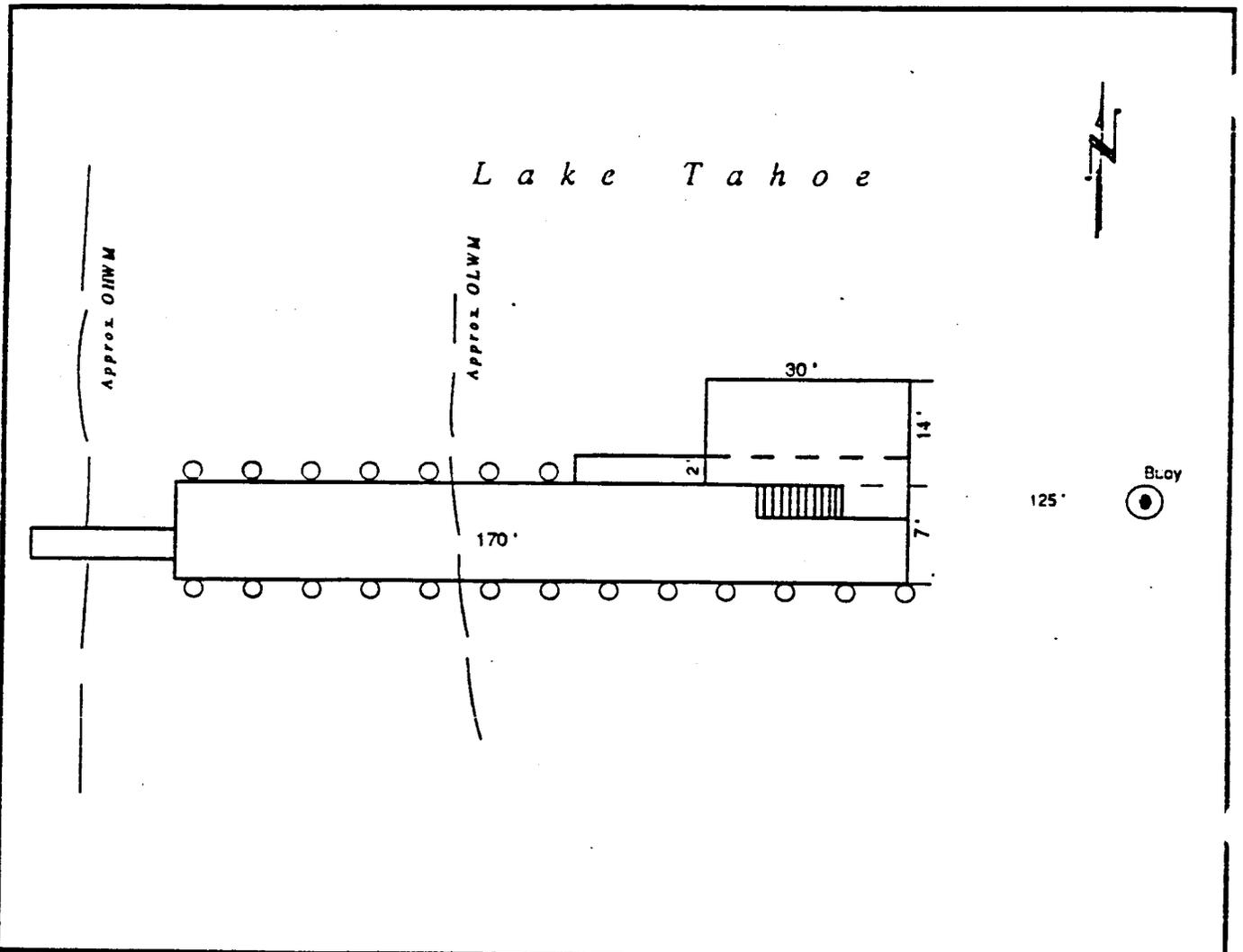


EXHIBIT "A"
 Site Map
 PRC 7335
 APN 085 - 260 - 33 - 0 - 0
 Lake Tahoe
 PLACER COUNTY



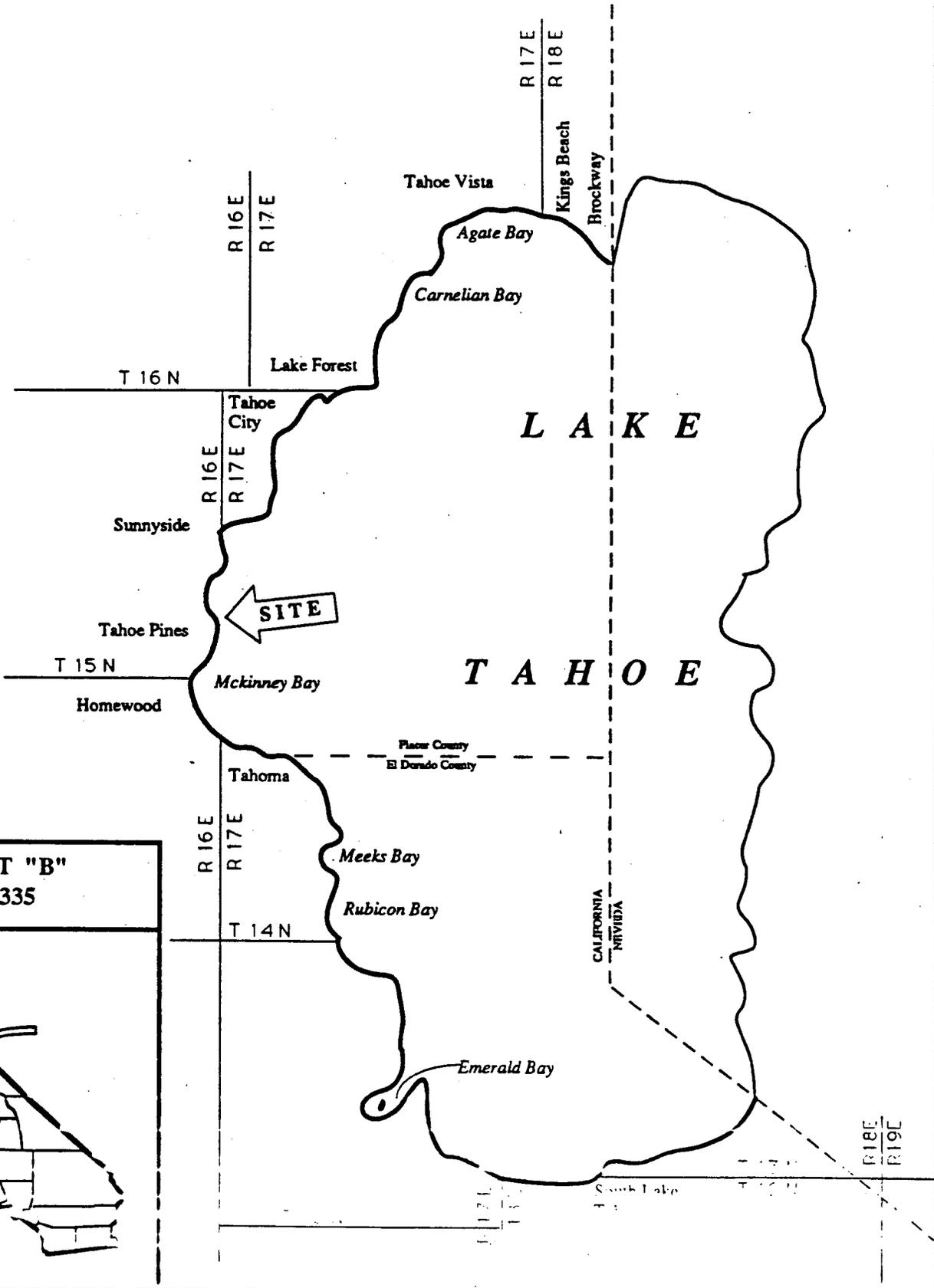


EXHIBIT "B"
PRC 7335



Date May 26, 1992

File Ref: PRC 7335

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

Subject: Building Permit for Pier Partial Pier Reconstruction

Name: Dale W. Hanson

Address P.O. Box 333

Homewood, CA 96142

Placer County Assessor's Parcel No. 85-260-33

Unland Address: 3255 West Lake Boulevard

Dear Ms. Ludlow:

The County of Placer 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) 889-7584

Sincerely,

Jan Christian
JAN CHRISTIAN
Associate Civil Engineer

STATE LANDS COMMISSION

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814

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

CHARLES WARREN
Executive Officer

July 9, 1992
File: PRC 7335
ND 598

**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 August 10, 1992.

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

DOUG MILLER
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 Str
Sacramento, CA

CHARLES WARREN
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: PRC 7335
ND 598
SCH No. 92072026

Project Title: Hanson Partial Pier Reconstruction

Proponents: Dale and Margery Hanson

Project Location: Lots 5 and 5A, Blackwood Terrace, 3255 West Lake Blvd., APN 85-260-33, Lake Tahoe, Placer County.

Project Description: Proposed authorization to partially reconstruct an existing recreational 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 7335.9

I. BACKGROUND INFORMATION

A. Applicant: Dale and Margery Hanson
PO Box 333
Homewood CA 96142

B. Checklist Date: 6 / 8 / 92

C. Contact Person: Doug Miller
Telephone: (916) 322-7826

D. Purpose: Proposed authorization to partially reconstruct an existing recreational pier

E. Location: Lots 5 & 5A, Blackwood Terrace, 3255 Westlake Blvd., Lake Tahoe, Placer County, APN 85-260-33

F. Description: Proposed authorization to partially reconstruct an existing recreational pier.

G. Persons Contacted: Dale and Margery Hanson
Lyn Barnett, Tahoe Regional Planning Agency
Judy Ludlow, State Lands Commission
Ginger Tippet, Army Corps of Engineers

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.

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Yes Maybe No

B. Air. Will the proposal result in:

- 1. Substantial air emissions or deterioration of ambient air quality?
- 2. The creation of objectionable odors?
- 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

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?
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?
- 3. Alterations to the course or flow of flood waters?
- 4. Change in the amount of surface water in any water body?
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?
- 6. Alteration of the direction or rate of flow of ground waters?
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?
- 8. Substantial reduction in the amount of water otherwise available for public water supplies?
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves?
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs?

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)?
- 2. Reduction of the numbers of any unique, rare or endangered species of plants?
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?
- 4. Reduction in acreage of any agricultural crop?

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)?
- 2. Reduction of the numbers of any unique, rare or endangered species of animals?
- 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?
- 4. Deterioration to existing fish or wildlife habitat?

F. Noise. Will the proposal result in:

- 1. Increase in existing noise levels?
- 2. Exposure of people to severe noise levels?

G. Light and Glare. Will the proposal result in:

- 1. The production of new light or glare?

H. Land Use. Will the proposal result in:

- 1. A substantial alteration of the present or planned land use of an area?

I. Natural Resources. Will the proposal result in:

- 1. Increase in the rate of use of any natural resources?
- 2. Substantial depletion of any nonrenewable resources?

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- J. *Risk of Upset.* Does the proposal result in:
- | | Yes | Maybe | No |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Possible interference with emergency response plan or an emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- K. *Population.* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. The alteration, distribution, density, or growth rate of the human population of the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|
- L. *Housing.* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Affecting existing housing, or create a demand for additional housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|
- M. *Transportation/Circulation.* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Generation of substantial additional vehicular movement? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Affecting existing parking facilities, or create a demand for new parking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Substantial impact upon existing transportation systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Alterations to present patterns of circulation or movement of people and/or goods? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Alterations to waterborne, rail, or air traffic? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- N. *Public Services.* Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Parks and other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Other governmental services? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- O. *Energy.* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Use of substantial amounts of fuel or energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Substantial increase in demand upon existing sources of energy, or require the development of new sources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- P. *Utilities.* Will the proposal result in a need for new systems, or substantial alterations to the following utilities:
- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 1. Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Communication systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Sewer or septic tanks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Storm water drainage? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Solid waste and disposal? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- Q. *Human Health.* Will the proposal result in:
- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 1. Creation of any health hazard or potential health hazard (excluding mental health)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Exposure of people to potential health hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- R. *Aesthetics.* Will the proposal result in:
- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 1. The obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|
- S. *Recreation.* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. An impact upon the quality or quantity of existing recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|

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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)*

See Attached

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

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

Date: 4 / 30 / 92

Douglas P. Miller
 For the State Lands Commission
 CALENDAR PAGE 30
 MINUTE PAGE 2639
 Form 15-20 (7/82)

PROJECT DESCRIPTION

PROJECT NARRATIVE

PRC 7335.9 authorizes the use of a 170 foot recreational pier, boathouse and mooring buoy. The proposed project involves the authorization for the reconstruction of a portion of the existing recreational pier. The repairs will consist of removal and replacement of all rotten wood pilings, stringers, and decking for the pier. The first phase of the reconstruction was completed in 1989. This consisted of removing and reconstructing the first 50 feet of the existing structure from the recreational path lakeward. All disturbance was confined to the footprint of the pier plus the construction strip (approx 10 feet wide) paralleling the pier the project length of 50 feet.

The remaining reconstruction will use steel pilings, steel H beams, wood stringers and wood decking. The repair will be accomplished through use of a "Lark" vessel, a boat/floating barge with over inflated tires which allows it to leave the water and come up on the beach. Access to the site will be completely from the water for both materials and equipment.

The first stage of the reconstruction will be to remove the remainder of the old structure. Mr. Hanson is going to remove the wood decking by hand and carry it to his home across Highway 89 to be used as fire wood. The piles and stringers will be removed by the Lark vessel. Access will be from the lake in the Lark vessel. Disturbance will be restricted to the footprint of the existing structure plus a ten foot wide construction zone running the complete pier length on one side of the pier. The ten foot construction zone location will be determined at the TRPA preconstruction meeting.

The pilings will be cut off and removed by the Lark vessel. The second phase will consist of driving the new steel piles spaced 14 ft. apart in a double piling configuration. There are only eight pilings left to replace for the rest of the length of the pier. The new steel pilings will be driven into the old wooden piling stumps of the previous structure.

The pilings located below 6223 ft. will be driven by the pile driver mounted on the "Lark" vessel while it is in the lake. Pilings located above the lake level will be accessed from the "Lark" while within the 10 ft. construction zone. Both sides of the pier can be accessed by the pile driver from the construction zone. Next the H beams will be attached to the pilings, the stringers mounted on the H beams, the decking will be installed by Mr. Hanson. This will all be accomplished within the existing

footprint of the pier and boat hoist, plus the 10 ft. construction zone on one side of the pier. The materials generated by the demolition and materials for the reconstruction will be transported by the "Lark" vessel to and from the site with the exception of decking being removed by Mr. Hanson for firewood.

CONSTRUCTION METHOD

This project consists of the removal of the existing rotten wooden pilings and replacing them with 10-3/4" diameter steel piling, "H" beam caps, wood stringers, and wood decking. Best practical control technology shall be employed to prevent earthen materials to be resuspended as a result of pier construction and from being transported to adjacent lake waters. The applicant shall install a turbidity screen around the entire construction site (in the water), or use caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities from entering the lake. 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 be no storage of materials above the low water line of the subject property.

DESCRIPTION OF ENVIRONMENTAL SETTING

PRC 7335.9

INTRODUCTION

A survey has been conducted to determine whether a pier and boathouse reconstruction project, partially completed during 1989 and partially still to be completed at 3255 West Lake Blvd, Placer County, A.P.N. 085-260-33-0-0, had or will have any impact on *Rorippa subumbellata* habitat or present populations. *R. subumbellata*, the Tahoe Yellow Cress (TYC), is a state listed endangered species in California and occurs only on the beaches of Lake Tahoe. The beach area in question is on the parcel of a private home in the Kaspian area, approximately four miles south of Tahoe City on Highway 89 (West Lake Blvd). The present use of the beach is private recreation. A pier and boathouse existed on this site prior to the onset of this project. The Kaspian shoreline has narrow cobble beaches which do not offer much habitat for TYC.

SURVEY METHODS

The project site was surveyed on April 18, 1992. The pier site, plus a 100 ft buffer on both sides was carefully surveyed in a basic zig-zag pattern. The area from the lake water's edge back to the bicycle trail (approximately 6222 ft. to 6232 ft. in elevation) was included. The survey area included adjoining parcels, 30 ft. to the south and 52 ft. to the north of the Hanson pier, which are both under different ownership. The substrate was monitored approximately every ten feet in a basic grid pattern over the entire site. Any change in substrate and its extent on the survey area was noted. During the survey the beach topography and all plant species present with their distribution were noted. On the same day, the Blackwood Creek site of TYC was surveyed to confirm that TYC was up and identifiable for the season.

SURVEY RESULTS

SITE DESCRIPTION

The Hanson property and the adjacent lot to the south presently have piers. The Skyland recreational pier is located 229 feet to the south. The parcel to the north does not have a pier. Access to this area is directly from the shoulder of Highway 89, which is only a few feet from the bike path and pier. The lake level was recorded at 6221.73 ft at Tahoe City on the date of the survey and the beach adjacent to the Hanson pier was approximately 98 ft wide.

SUBSTRATE AND TOPOGRAPHY

The substrate within the survey area is divided into four

categories for the purpose of this report. They range from medium sand to large boulders. Fine silt is found in all four categories of substrate.

The first type of substrate is found on the upper 25 ft of the beach. It consists of a base of very coarse sand (1.0 - 3.0 mm) mixed with pea-sized gravel and occasional boulders. The second type is the predominant coverage of the beach consisting of coarse to very coarse sand with pea gravel and gravel up to 2 inches in diameter. On the north side of the pier there is a localized area of medium sand, 1/4 to 1/2 mm, under small gravel less than 1 inch in diameter. Near the present water edge and in bands running up the beach, large boulders (> 8 inches diameter) are piled up to 3 and 4 ft thick.

The topography of the beach is a gentle, gradual slope between the back beach at 6230 ft. and the water at 6221 ft. A small bench occurs on the south side of the pier. The end of the pier extends beyond the beach to the bike path at 6233 ft. High and low water levels are indicated in relation to the pier on the map, along with the topographical profile of the site. No beach is exposed at this site at maximum lake elevation, and only a narrow strip occurs at all but the lowest of lake levels.

VEGETATION

The plant life on the Hanson parcel is dense at the back beach edge (6230 ft.) with willows, ferns, pine, alders and fir. The vegetation on the beach is sparsely scattered (Figure 3). The species observed within the survey area are listed in Table 1. No TYC was found within the study site. One small pocket of *Rorippa curvisiliqua* is located in the moist soils close to the water's edge on the north side of the pier, growing among a large patch of boulders.

Table 1. Plant species observed between 6232' and 6223' at the Hanson property, Kaspian, Placer Co., CA on April 18, 1992.

<i>Abies concolor</i>	white fir
<i>Artemisia tridentigig</i>	sagebrush
<i>Epilobium sp.*</i>	willow herb
<i>Salix sp.*</i>	willow
<i>Potentilla sp.*</i>	cinquefoil
<i>Gnaphalium sp.*</i>	cudweed
<i>Pteridium aquilinum vat. pubescens</i>	bracken fern
<i>Bromus sp.*</i>	brome grass
<i>Cirsium sp.*</i>	thistle
<i>Mimulus guttatus</i>	common monkeyflower
<i>Rumex crispus</i>	curly dock
<i>Rorippa curvisiliqua</i>	western yellow cress
<i>Lepidium sp.*</i>	peppergrass
<i>Alnus tenuifolia</i>	mountain alder
<i>Ranunculus sp.*</i>	buttercup

Verbascum Chapsus

common mullein

* Not identifiable to species level at this stage in the season.

CONCLUSIONS

The Hanson parcel at 3255 West Lake Blvd was surveyed for a TYC population or potential habitat. No TYC was found at the site nor has it ever been documented to be at the site or close vicinity. The vegetation present on the beach is not typical of TYC habitat.

The substrate of the upper beach could support TYC; however, the narrow beach, especially at higher lake levels, does not offer the right width or protective topography from rising lake water which is typical of TYC sites.

During the 1988 growing season a full basin survey of known TYC sites was performed (Ferreira 1988). That season and presently, the closest known population of TYC to the Hanson parcel is to the south at Blackwood Creek. The topography and substrate are very different at Blackwood Creek, due to the fact that the creek transports and deposits sand at the mouth. The beach between the mouth of Blackwood and Kaspian is very rocky and like the Hanson parcel does not offer good habitat for TYC.

DISCUSSION OF ENVIRONMENTAL EVALUATION
HANSON
PARTIAL PIER RECONSTRUCION

PRC7335.9

A. Earth

1. Earth Conditions

No. The partial pier reconstruction project is confined to the surface and will not create any unstable conditions or change any geological structure.

2. Compaction, Overcovering of Soil

No. The partial pier reconstruction operation will be essentially confined to the footprint of the existing pier and the 10 foot construction zone. The Lark vehicle is equipped with flotation tires to minimize compaction. There will be no overcovering of lake bottom strata or upland soils during pier reconstruction because of the open pile design of the pier..

3. Topography

No. This open piling pier reconstruction project will not create any changes in ground surface relief. There will not be any excavating. This project will not create any new significant impacts to ground surface relief.

4. Unique Features

No. The geology in the project area consists of glacial and alluvial deposits. The lake bed at the site is essentially flat and lacks unique features. The removal and driving of replacement piles for the pier will not change any geological or physical features.

5. Erosion

No. This pier partial reconstruction project is simply repairing an existing structure and will have no effect on wind or water erosion on or off the site.

6. Siltation

No. This project is a repair project confined to an existing structure which will not create any channel

changes nor erosion. The beach is comprised of cobble with very little sand present to erode.

7. Geologic Hazards

No. The partial reconstruction of the existing pier is not deep enough to induce any seismic instabilities or ground failures. The pilings being driven in to support the pier will not create any new significant geological impacts or hazards.

B. Air

1. Emmissions

No. The partially reconstructed pier will not affect the air quality. However, during construction hours, there will be about a one week period when fumes from the diesel engine will be emmitted in the immediate vicinity of the project. These emmissions will be immediately dispersed by the prevailing winds. Upon completion this proposed pier reconstruction project will not create any new significant emmissions.

2. Odors

No. The partially reconstructed pier will not create objectionable odors. However, during construction hours, there will be about a one week period when fumes from the diesel engine will be noticeable in the immediate vicinity of the project. These emmissions will be immediately dispersed by the prevailing winds. Upon completion this proposed pier reconstruction project will not create any new significant emmissions.

3. Climate

No. The reconstructed pier will not create any major changes in air movements, temperature, or climate, nor create any abnormal weather conditions.

C. Water

1. Currents

No. The replaced piles supporting the pier are of a static nature and will not create any changes in water currents or movements.

2. Runoff

No. The replaced pilings of the existing pier will not affect absorption rates, drainage patterns, etc. The

area adjacent to the pier is submerged.

3. Flood Waters

No. The reconstructed existing pier will not create any new effects upon flood waters.

4. Surface Water

No. The partially reconstructed pier is static in nature and will not affect the area of surface water at Lake Tahoe.

5. Turbidity

No. Mitigation measures required by the Tahoe Regional Planning Agency (TRPA) include the applicant installing a turbidity screen around the entire construction site (in the water), or using caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile (includes H beams) placement activities from entering the lake. Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris. The partially reconstructed pier will not change the water quality.

6. Ground Water Flows

No. The geology of the project area is composed of glacial and alluvial deposits. The replacement of the existing pilings for the pier is a relatively shallow operation and should not affect ground water flows.

7. Ground Water Quantity

No. This project will not alter any aquifers nor consume any ground water. There will not be any changes to ground water quantity caused by the partially reconstructed pier.

8. Water Supplies

No. This is not a water consuming project. The repaired pier will have no effect on public water supplies.

9. Flooding

No. The repaired existing pier will not expose people or property to water-related hazards such as tidal waves or induce flooding.

10. Thermal Springs

No. There are no thermal springs in the vicinity which could be affected by this project.

D. Plant Life

1. Species Diversity

No. There will be a temporary change in aquatic sessile plants during the reconstruction period which will be approximately one week. This temporary change will only affect the construction area which will be isolated by a turbidity screen, caisson, etc. This will not constitute a permanent or significant change. The indigenous aquatic flora will shortly begin recolonizing the affected area after the project has been completed. The impact to aquatic plants will be temporary.

2. Endangered Species

No. There are no rare or endangered species on the property. In the report for Tahoe Yellow Cress (Rorippa subumbellata) habitat, no TYC was found on the project property or adjacent properties.

3. Introduction of Plants

No. The partial pier reconstruction project will not introduce new species to the area nor exclude existing species from becoming established.

4. Agriculture Crops

No. The reconstruction project will not reduce the acreage of agricultural crops. There are no known agriculture or aquaculture activities in this area; therefore, there will be no impacts.

E. Animal Life

1. Species Diversity

No. There will be a temporary disruption in aquatic animal life confined to the actual reconstruction area by the turbidity screens. The construction period will be approximately one week. Upon completion of the project, the indigenous aquatic fauna will begin to re-occupy any voids created during the repair operation. The reconstruction project will be limited to the general non-spawning season, identified to be between June 1, 1992 and October 1, 1992 to minimize the impact on fish spawning habitat, or unless a different time

frame is specifically designated by the Department of Fish and Game.

2. Endangered Species

No. There have not been any rare or endangered aquatic animals reported within the project area. No impacts are anticipated.

3. Introduction of Plants

No. The partial pier reconstruction project will not introduce any new species to the area nor create a new barrier to aquatic animals.

4. Habitat Deterioration

No. The partial reconstruction project will not reduce the aquatic animal habitat area upon completion.

F. Noise

1. Increases

No. The repaired private recreational pier will not increase existing noise levels. There will be short term additional noises during the reconstruction period, but there will not be an increase in long term noise levels.

2. Severe Noise

No. The partially repaired pier will not create any new severe noise levels; however, there will be a temporary period when the noise levels increase during the period of reconstruction. Upon completion of the project, the noise levels will return to normal. The construction personnel will be subjected to higher noise levels, but they wear hearing protective devices. The general public will not be exposed to this increased noise level because the private property between the project and Highway 89 will act as a buffer.

G. Light and Glare

1. No. The partially reconstructed pier will not result in creating any new significant light or glare.

H. Land Use

1. No. The partially repaired existing private recreational pier will not alter the present or planned use of the area. The existing pier serves a private residence and not the general public. There is presently a pier on the adjacent property 229 feet to the south, and there is a pier two parcels to the north. This existing partially reconstructed pier project will not substantially alter the land use in the area.

I. Natural Resources

1. Increase in Use

No. The continued seasonal recreational use of this private pier by the Hanson family will not create any new effects upon the use rate of the natural resource.

2. Depletion of any Nonrenewable Resources

No. The Hanson family's seasonal use of their private recreational pier will not create any changes which could deplete any nonrenewable resource.

J. Risk of Upset

1. Risk of Explosion

No. The project involves the dismantling and reconstruction of an existing pier. The "Lark" vessel being used is diesel operated which reduces the risk of explosion. Hazardous materials are not to be used during the reconstruction phase, but mitigation measures have been planned in the event that there is an accidental spill.

Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris. The use of a turbidity screen surrounding the construction area or caissons or vertical cylinders (sleeves) will be required to prevent the release of resuspended sediments during the pile placement activities from entering the lake during reconstruction.

The past limited seasonal use of this and adjacent private family recreational piers have not demonstrated a risk of releasing hazardous substances, creating upset conditions, or explosions in the Lake Tahoe Basin. There are no fuel or storage facilities associated with either the pier or this project. Precautions will be taken to minimize these risks.

2. Emergency Plan Response

No. The seasonal use of the Hanson's existing private recreational pier will not create an interface with any emergency response or any evacuation plan.

K. Population

1. No. The seasonal use of the existing Hanson family recreational pier will not alter the population in the lake basin.

L. Housing

1. No. This existing private recreational pier will not create a demand for additional housing.

M. Transportation/Circulation

1. Vehicular Movement

No. This is a private residence and the pier is for the benefit of the members of the Hanson family and not the general public. There are no facilities being added to attract more people. The use of this private residence will not be changed by this project nor will there be any substantial increase in vehicle movement created by this project.

2. Parking

No. See #1 above.

3. Transportation System

No. See #1 above.

4. Circulation

No. See #1 above.

5. Traffic

No. See #1 above.

6. Traffic Hazards

No. See #1 above.

N. Public Services

1. Fire Protection

No. This is a private residence and the repaired pier will not create any additional use or increase of use by the general public. This project will not create any new demands on government agencies and services such as fire, police protection, parks and recreation, road maintenance, etc.

2. Police Protection

No. See #1 above.

3. Schools

No. See #1 above.

4. Parks and Recreation Facilities

No. See #1 above.

5. Maintenance of Public Facilities

No. See #1 above.

6. Government services

No. See #1 above.

O. Energy

1. Fuel and Energy

1

No. This pier repair project will not have any significant affect on additional energy consumption. The use of this repaired pier by the Hanson family will not constitute a substantial increase in energy being used in the Lake Tahoe Basin.

2. Existing Energy Sources

No. See #1 above.

P. Utilities

1. Power or Natural Gas

No. The partial reconstruction of the private recreational pier will not create any changes in the use of power for utilities. This project is for the private benefit of the Hanson family. There will be no additions to the existing facilities which will

significantly affect the current uses of power, communications, water, septic tanks, storm water drainage, or solid waste disposal.

2. Communication Systems

No. See #1 above.

3. Water

No. See #1 above.

4. Sewer or Septic Tanks

No. See #1 above.

5. Storm Water Drainage

No. See #1 above.

6. Solid Waste Disposal

No. See #1 above.

Q. Human Health

1. Health Hazard

No. This repaired private recreational pier will not create any new health hazards to humans.

2. Exposure of People to Health Hazards

No. The repaired private recreational pier will not expose people to any new potential health hazards.

R. Aesthetics

1. No. The Hanson's recreational pier is an existing facility. There are no new facilities being added. The partial reconstruction of the pier will not be a distraction from the aesthetics of this residential recreational area consisting of homes, piers, buoys and boats.

S. Recreation

1. No. The repair of this private recreational pier will have no effect on public recreation in the area.

T. Cultural Resources

1. Archaeological Sites

No. This project consists of partially repairing an existing private recreational pier within its 10 foot wide construction zone and the piers footprint. There are no identified cultural, ethnic, religious, or sacred uses pertinent to this project area which could be significantly affected.

2. Historic Buildings

No. See No.# 1 above.

3. Ethnic Cultural Values

No. See No.# 1 above.

4. Religious/Sacred Uses

No. See No.# 1 above.

U. Mandatory Findings of Significance

1. Environmental Quality Degradation

No. The open pile designed pier is to be partially reconstructed in its footprint and 10 foot wide construction zone. There will be about a one week period during reconstruction when the indigenous aquatic biota will be displaced but will recolonize and return to normal after the project is completed.

TRPA mitigation measures, including turbidity screens or caissons or vertical sleeves will be incorporated to protect Lake Tahoe during the reconstruction phase of the operation. With the mitigation measures incorporated into the partial pier reconstruction process, this project will not create any long term significant degradational environmental effects.

2. Short Term vs. Long Term Environmental Goals

No. There will be a short term, approximately one week, disruption of the marine environment in the immediate vicinity of the pier being repaired. This area will be separated by a turbidity screen or the use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities as determined by TRPA. Upon completion of the project, the indigenous marine biota will re-colonize and fill any voids created during the pier reconstruction. There will not be any long term significant degradational environmental changes created

by this project.

3. Cumulative Impacts

No. The Hanson's private family recreational pier is an existing facility. The partial pier repair project will not add or create any new impacts which will increase the propensity for considerable cumulative effects.

4. Adverse Effects on Human Beings

No. This private partial pier reconstruction project will not create any new environmental effects which could create a significant adverse effect on human beings.

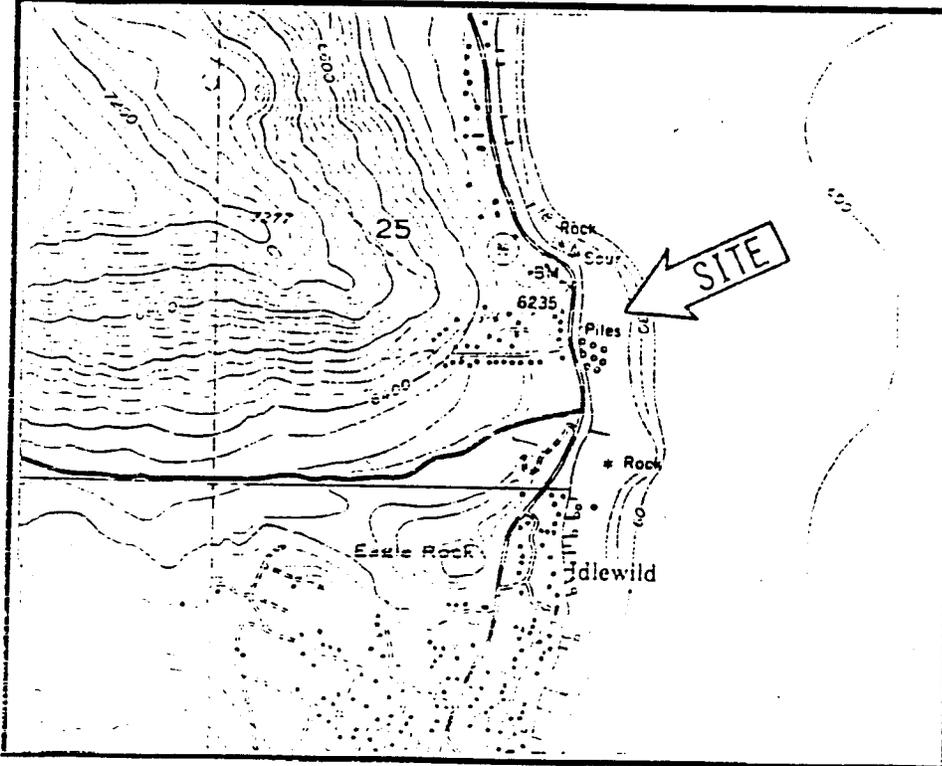
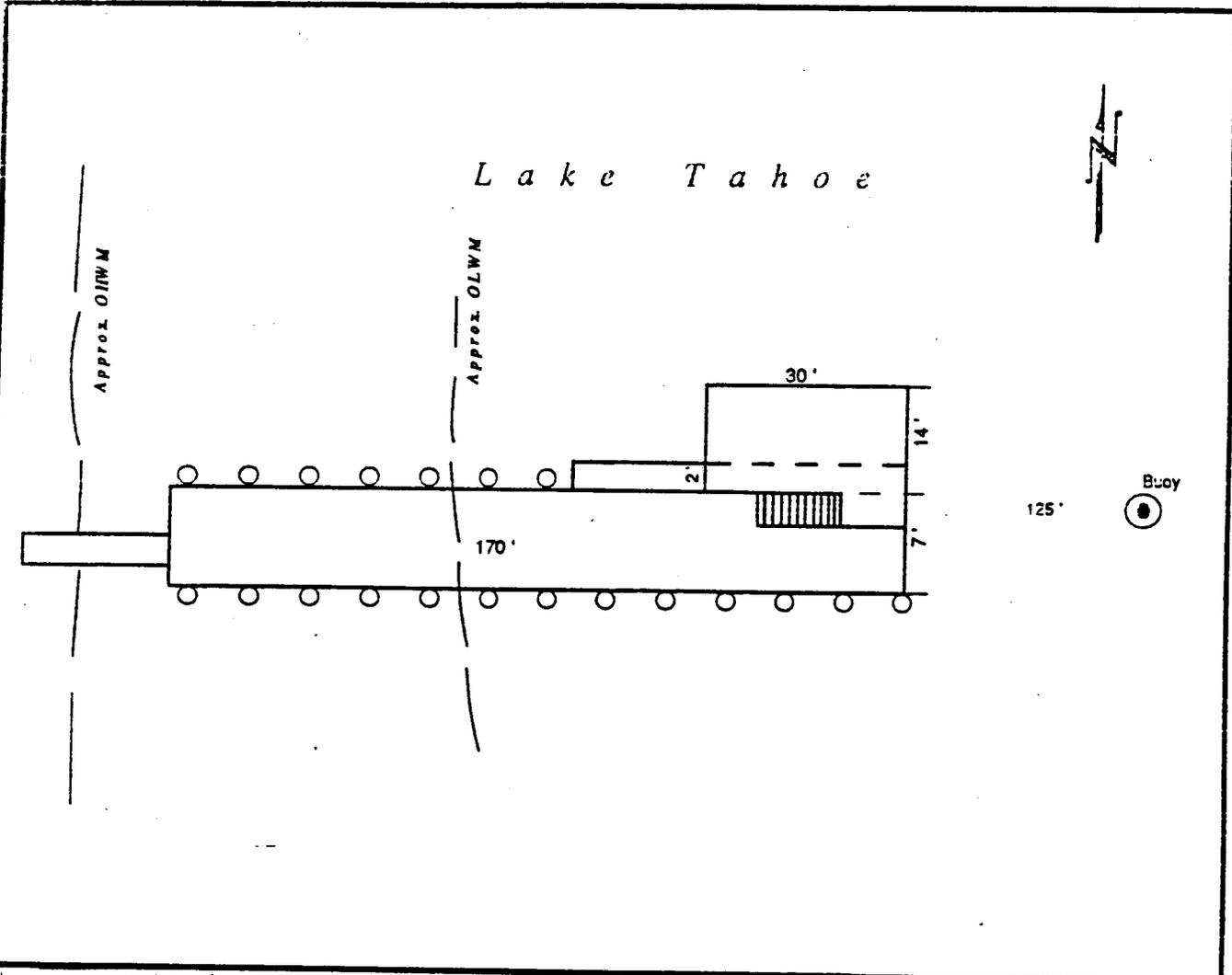


EXHIBIT "A"
 Site Map
 PRC 7335
 APN 085 - 260 - 33 - 0 - 0
 Lake Tahoe
 PLACER COUNTY

SITE

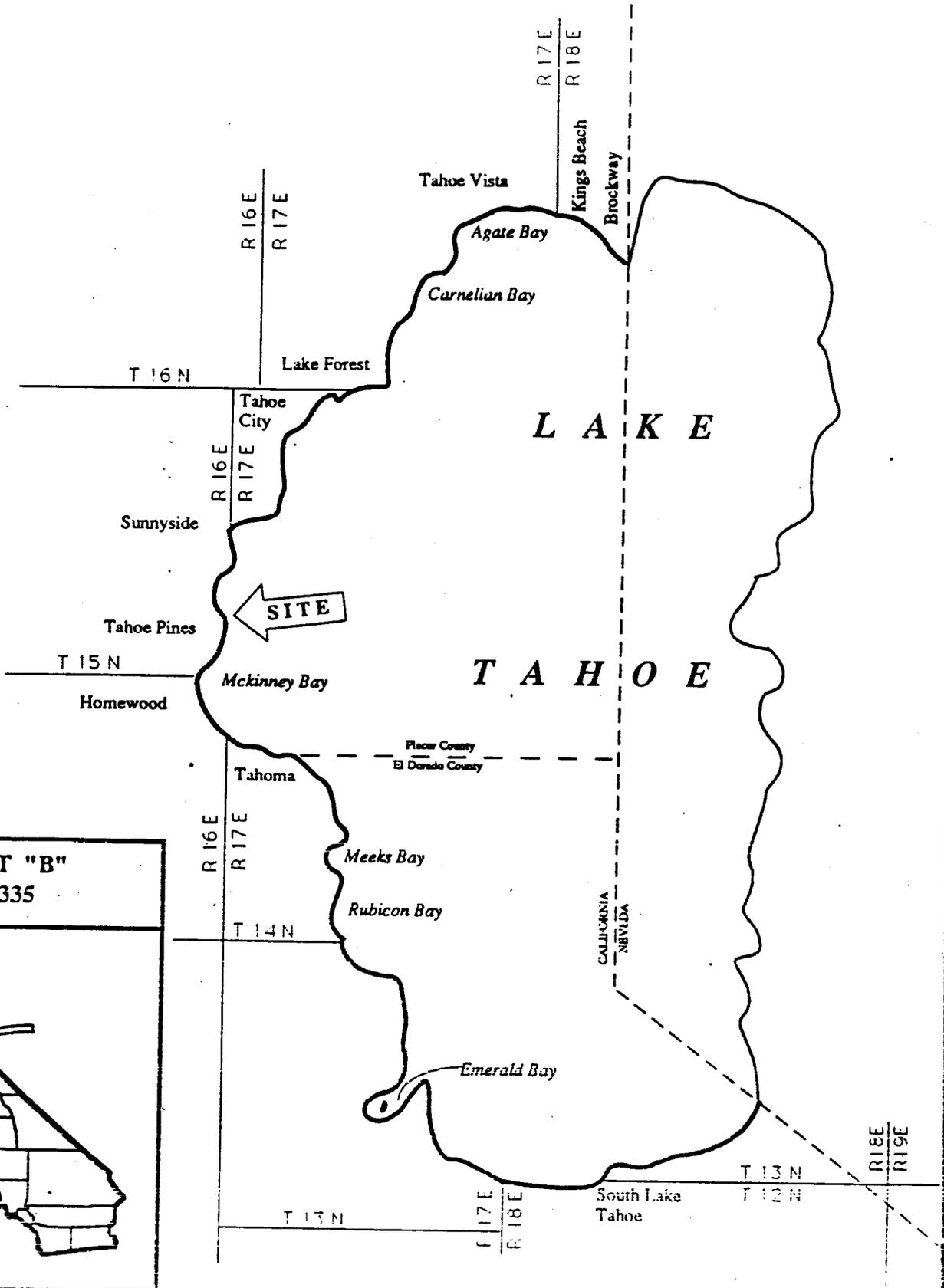


EXHIBIT "B"
PRC 7335



EXHIBIT "C"
MONITORING PROGRAM
FOR THE HANSON PARTIAL PIER RECONSTRUCTION PROJECT

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

Project Modification:

- a) The use of either a turbidity screen surrounding the project area will be installed prior to the commencement of operations or the use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities will be determined by TRPA prior to construction;
- b) Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris; and,
- c) Waste materials will be collected onto the lark vehicle or dumpsters for disposal at an approved landfill site. Mr. Hanson will remove the decking by hand and remove it to his wood pile.

Monitoring:

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

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

Project Modification:

The pier reconstruction project involving disturbance to the lake bed will be conducted during the non-spawning season, identified to be between July 1 - October 1, to reduce impacts to fish habitat.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically site inspect the pier reconstruction project to ensure the proposed activity will occur within the allowable construction time period, and to ensure that any disturbance to fish habitat is properly restored.