MINUTE ITEM
This Calendar Item No. C05
was approved as Minute Item
No. 05 by the State Lands
Commission by a vote of 3
to Ø at its 9/23/92
meeting.

CALENDAR ITEM

C 0 5

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09/23/92
PRC 3713
J. Smith

CONSIDER TERMINATION OF
GENERAL PERMIT - RECREATIONAL USE, (PRC 3713)
AND APPROVE THE ISSUANCE OF A RECREATIONAL PIER PERMIT

APPLICANT:
Donald McNary, et al.
200 Rancho Way
Woodland, California 95695

AREA, TYPE LAND AND LOCATION:
A parcel of submerged land located in the bed of Lake Tahoe at Meeks Bay, El Dorado County.

LAND USE:
A fifteen-foot extension of an existing pier, including the addition of a low level boatlift, and the retention of two existing mooring buoys.

TERMS OF PROPOSED PERMIT:
Permit 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 the upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee, processing fee, and environmental fee have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2: Div. 13.

B. Cal Code Regs.: Title 2, Div. 3: Title 14, Div. 6.

AB 884:
01/30/93

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 603, State Clearinghouse No. 92082066. 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. On April 27, 1990, McNary Enterprises transferred its ownership of the subject property to individual family members, thereby qualifying the permit for a rent-free status pursuant to Section 6503.3 of the P.R.C.

4. The proposed project reconstruction will include extending the existing pier an additional 15 feet and installing a low-level boatlift. In addition, the applicant also wishes to authorize the retention of two existing mooring buoys.

5. The project will be accomplished using a barge-mounted pile driver and all work will be completed from the water using floating equipment.

6. 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, Lake Tahoe Datum) of the subject property. This procedure will prevent any disturbance to the habitat of Rorippa subumbellata, commonly called the Tahoe Yellow Cress, a State-listed 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.

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

7. This permit is issued subject to the applicant providing evidence to the State Lands Commission of authorization of the existing buoys by the Tahoe Regional Planning Agency by September 23, 1994.

8. Commission staff will monitor the reconstruction of the pier in accordance with the Monitoring Program included within the Proposed Negative Declaration.

9. This property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.

10. If any structure hereby authorized is found to be in nonconformance with the Tahoe Regional Planning Agency's shorezone ordinance, and if any alterations, repairs, or removal required pursuant to said ordinance are not accomplished within the designated time period, then this permit is automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof. If the location, size,

or number of any structure hereby authorized is to be altered, pursuant to order of the Tahoe Regional Planning Agency, Permittee shall request the consent of the State to make such alteration.

11. The applicant has been notified that the public has a right to pass along the shoreline and the permittee must provide a reasonable means for public passage along the shorezone area occupied by the permitted structure.

12. Staff has 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.

APPROVALS OBTAINED:
Tahoe Regional Planning Agency and El Dorado County

FURTHER APPROVALS REQUIRED:
United States Army Corps of Engineers and State Lands Commission

EXHIBITS:
A: Site Map
B: Location Map
C: El Dorado County Letter of Approval
D: Negative Declaration/Monitoring Program

IT IS RECOMMENDED THAT THE COMMISSION:

1. TERMINATE THE GENERAL PERMIT - RECREATIONAL USE, PRC 3713, ISSUED TO McNARY ENTERPRISES AND APPROVED BY THE COMMISSION ON JULY 24, 1986, MINUTE ITEM 9, AND ACCEPT A QUITCLAIM DEED TRANSFERRING ALL RIGHT, TITLE, AND INTEREST IN THE LEASEHOLD FROM McNARY ENTERPRISES BACK TO THE STATE OF CALIFORNIA.

5. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

2. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 603 STATE CLEARING HOUSE NO. 92082066, WAS PREPARED FOR THIS PROJECT

PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

3. ADOPT THE PROPOSED NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

4. ADOPT THE MONITORING PROGRAM, PREPARED PURSUANT TO P.R.C. 21081.6, INCLUDED WITHIN THE NEGATIVE DECLARATION, ATTACHED AS EXHIBIT "D".

6. AUTHORIZE ISSUANCE TO DONALD McNARY, ET AL., OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING SEPTEMBER 23, 1992, FOR THE FIFTEEN-FOOT EXTENSION OF AN EXISTING PIER, INCLUDING THE ADDITION OF A LOW LEVEL BOATLIFT, AND THE RETENTION OF TWO EXISTING MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

7. FIND THAT THE ISSUANCE OF THIS PERMIT SUPERSEDES ANY PRIOR AUTHORIZATION BY THE STATE LANDS COMMISSION AT THIS LOCATION.

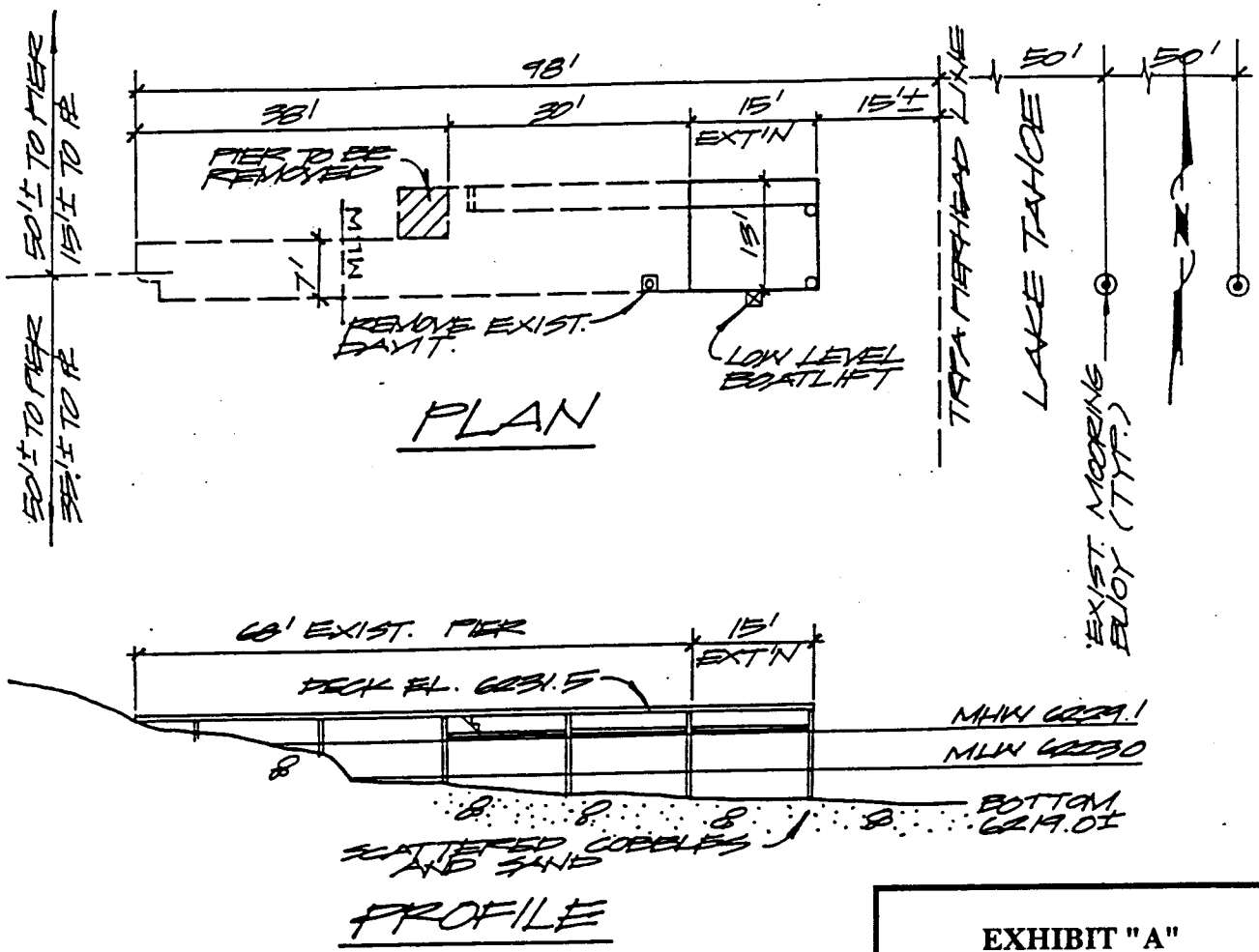
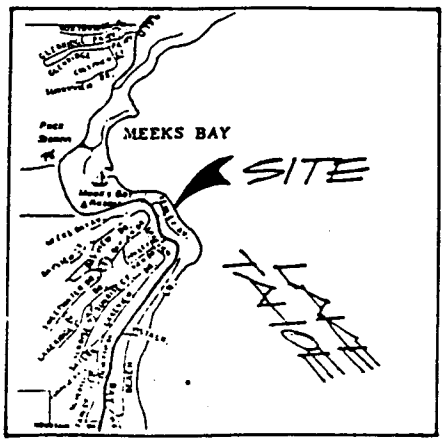
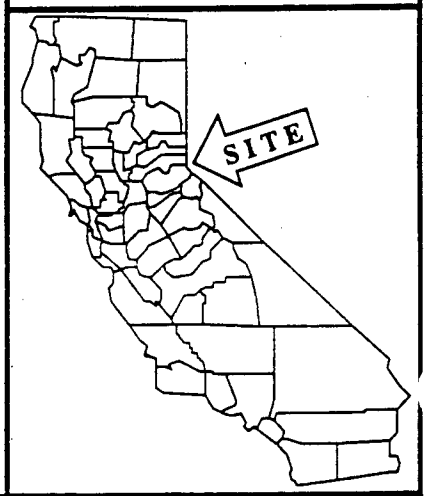


EXHIBIT "A"
Site Map
PRC 3713
APN 016 - 051 - 521
Lake Tahoe
EL DORADO COUNTY



LOCATION MAP



BY 8/92

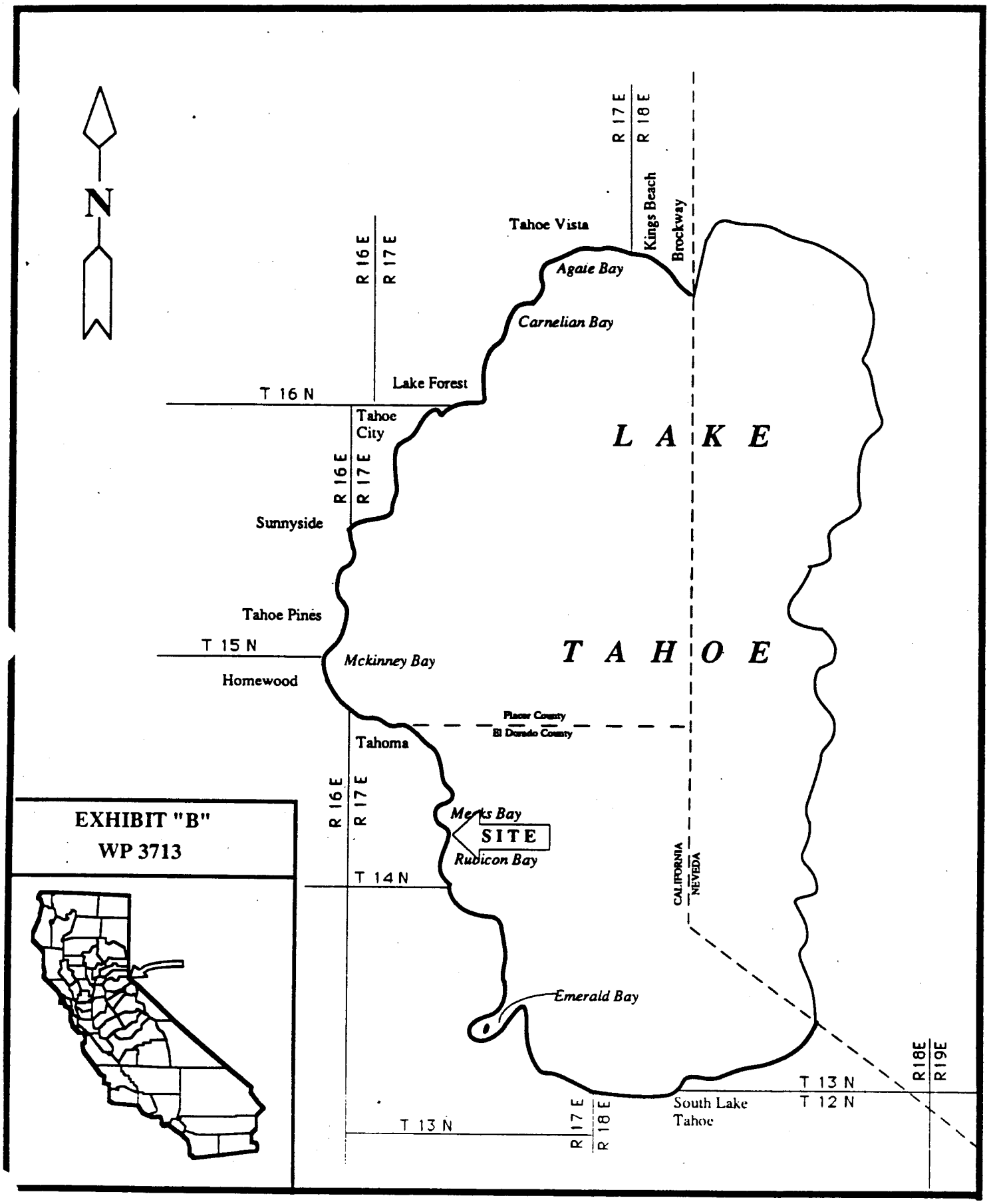

N
R 17 E
R 18 E
Kings Beach
Brockway
Tahoe Vista
R 16 E
R 17 E
Agate Bay
Carnelian Bay
Lake Forest
T 16 N
Tahoe City
L A K E
R 16 E
R 17 E
Sunnyside
Tahoe Pines
T 15 N
Mckinney Bay
T A H O E
Homewood
Placer County
El Dorado County
Tahoma
R 16 E
R 17 E
Meeks Bay
SITE
Rubicon Bay
T 14 N
CALIFORNIA
NEVADA
Emerald Bay
R18E
R19E
T 13 N
T 12 N
South Lake Tahoe
T 13 N
R 17 E
R 18 E
EXHIBIT "B"
WP 3713

EXHIBIT "C"

Date: 7-19-89

File Ref: WP 3713

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

Greetings:

Subject: Extension of a Pier and Two Existing Mooring Buoys in Lake Tahoe near Tahoma

Name: McNary Enterprises

Address: 200 Rancho Way
Woodland, California 95695

Assessor's Parcel No. 016-051-52

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

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

El Dorado County
Community Development Department

JOHN S. WALKER
Building Inspector III

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Exhibit D

STATE OF CALIFORNIA

PETE WILSON, *Governor*

STATE LANDS COMMISSION

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

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814

CHARLES WARREN
Executive Officer

August 19, 1992
File: PRC 3713
ND 603

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 September 21, 1992.

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

Doug Miller

DOUG MILLER
Division of Environmental
Planning and Management

Attachment

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STATE OF CALIFORNIA

PETE WILSON, *Governor*

STATE LANDS COMMISSION

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

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814

CHARLES WARR
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: PRC 3713
ND 603
SCH No. 92082066

Project Title:	McNary Pier Extension with Boatlift
Proponents:	Don McNary
Project Location:	Lake Tahoe, 8233 Meeks Bay Avenue, APN 016-015-521, El Dorado County.
Project Description:	Proposed 15' extension of existing pier, construction of a low-level boatlift, retention of two existing buoys, and relocation of two submerged boulders.
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.

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

S ATE LANDS COMMISSION

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST – PART II

Form 13.20 (7/82)

File Ref.: PRC 3713.1

I. BACKGROUND INFORMATION

A. Applicant: Don McNary
8233 Meeks Bay Ave
El Dorado County, CA

Kevin Agan (Agent)
Vail Engineering Corporation
PO Box 879
Tahoe City CA 96145

B. Checklist Date: 8/ 11/ 92

C. Contact Person: Doug Miller

Telephone: (916) 322-7826

D. Purpose: Proposed authorization to retain for use two existing mooring buoys, extend the existing pier 15′ lakeward, construct a boat lift, and move two boulders

E. Location: 8233 Meeks Bay Ave, Meeks Bay, El Dorado County APN 016-015-521

F. Description: Retain two existing buoys, extend existing pier 15 feet, construct a boat lift, and relocate two submerged boulders

G. Persons Contacted:
Kevin Agan - Agent - Vail Engineering
Judy Brown - State Lands Commission
Ginger Tippet - Army Corps of Engineering

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

A. *Earth.* Will the proposal result in:

	Yes	Maybe	No
1. Unstable earth conditions or changes in geologic substructures?	☐	☐	X
2. Disruptions, displacements, compaction, or overcovering of the soil?	☐	☐	X
3. Change in topography or ground surface relief features?	☐	☐	X
4. The destruction, covering, or modification of any unique geologic or physical features?	☐	☐	X
5. Any increase in wind or water erosion of soils, either on or off the site?	☐	☐	X
6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake?	☐	☐	X
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	☐	☐	X

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	Yes	Maybe	No
B. *Air.* Will the proposal result in:			
1. Substantial air emmissions or deterioration of ambient air quality?			X
2. The creation of objectionable odors?			X
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?			X
2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?			X
3. Alterations to the course or flow of flood waters?			X
4. Change in the amount of surface water in any water body?			X
5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?			X
6. Alteration of the direction or rate of flow of ground waters?			X
7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?			X
8. Substantial reduction in the amount of water otherwise available for public water supplies?			X
9. Exposure of people or property to water-related hazards such as flooding or tidal waves?			X
10. Significant changes in the temperature, flow or chemical content of surface thermal springs?			X
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)?			X
2. Reduction of the numbers of any unique, rare or endangered species of plants?			X
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?			X
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)?			X
2. Reduction of the numbers of any unique, rare or endangered species of animals?			X
3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?			X
4. Deterioration to existing fish or wildlife habitat?			X
F. *Noise.* Will the proposal result in:			
1. Increase in existing noise levels?			X
2. Exposure of people to severe noise levels?			X
G. *Light and Glare.* Will the proposal result in:			
1. The production of new light or glare?			X
H. *Land Use.* Will the proposal result in:			
1. A substantial alteration of the present or planned land use of an area?			X
I. *Natural Resources.* Will the proposal result in:			
1. Increase in the rate of use of any natural resources?			X
2. Substantial depletion of any nonrenewable resources?			X

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	Yes	Maybe	No
J. *Risk of Upset.* Does the proposal result in:			
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?	☐	☐	X
2. Possible interference with emergency response plan or an emergency evacuation plan?	☐	☐	X
K. *Population.* Will the proposal result in:			
1. The alteration, distribution, density, or growth rate of the human population of the area?	☐	☐	X
L. *Housing.* Will the proposal result in:			
1. Affecting existing housing, or create a demand for additional housing?	☐	☐	X
M. *Transportation/Circulation.* Will the proposal result in:			
1. Generation of substantial additional vehicular movement?	☐	☐	X
2. Affecting existing parking facilities, or create a demand for new parking?	☐	☐	X
3. Substantial impact upon existing transportation systems?	☐	☐	X
4. Alterations to present patterns of circulation or movement of people and/or goods?	☐	☐	X
5. Alterations to waterborne, rail, or air traffic?	☐	☐	X
6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	☐	☐	X
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?	☐	☐	X
2. Police protection?	☐	☐	X
3. Schools?	☐	☐	X
4. Parks and other recreational facilities?	☐	☐	X
5. Maintenance of public facilities, including roads?	☐	☐	X
6. Other governmental services?	☐	☐	X
O. *Energy.* Will the proposal result in:			
1. Use of substantial amounts of fuel or energy?	☐	☐	X
2. Substantial increase in demand upon existing sources of energy, or require the development of new sources?	☐	☐	X
P. *Utilities.* Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
1. Power or natural gas?	☐	☐	X
2. Communication systems?	☐	☐	X
3. Water?	☐	☐	X
4. Sewer or septic tanks?	☐	☐	X
5. Storm water drainage?	☐	☐	X
6. Solid waste and disposal?	☐	☐	X
Q. *Human Health.* Will the proposal result in:			
1. Creation of any health hazard or potential health hazard (excluding mental health)?	☐	☐	X
2. Exposure of people to potential health hazards?	☐	☐	X
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?	☐	☐	X
S. *Recreation.* Will the proposal result in:			
1. An impact upon the quality or quantity of existing recreational opportunities?	☐	☐	X

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	Yes	Maybe	No
T. *Cultural Resources.*			
1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?	☐	☐	X
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?	☐	☐	X
4. Will the proposal restrict existing religious or sacred uses within the potential impact area?	☐	☐	X
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?	☐	☐	X
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☐	X
3. Does the project have impacts which are individually limited, but cumulatively considerable?	☐	☐	X
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	X

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 requied.

Date: 8/19/92

Doug Miller
For the State Lands Commission

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2673

Form 13.20 (7/82)

PROJECT DESCRIPTION

PROJECT NARRATIVE

PRC 3713.1 authorizes the use of a recreational pier. The proposed project involves the authorization to continue the use of two unauthorized existing mooring buoys and extend the existing recreational pier 15 feet lakeward, and install an electric low level boat lift (hoist) (See attached plan: Exhibit "A").

The construction of the new pier extension will use two 10.75" diameter steel pilings, one 6" steel "H" beam, 4" x 12" wood joists at 24" O.C., and 2" x 6" cedar wood decking with a catwalk on one side of the pierhead. The repair will be accomplished with the use of a "Lark" vessel, a boat/floating barge with overinflated 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 low level boat lift is affixed to a single self supportive 10 inch H beam driven into the lake bottom making the whole system independent of the pier. The H beam will be driven at the same time the rest of the piers are driven.

Construction of the extension will consist of driving one pair of new steel piles spaced 15 ft. apart from the existing pilings to complete the extension of the pier. The new pilings will be driven whenever possible into the old piling holes of the previous structure. If this is not possible, the new pilings will be driven as close to the old hole as structurally permissible.

Additionally, two large subsurface boulders near the proposed pierhead are going to be lifted and transported lakeward to be placed in a deeper portion of an aggregation of boulders, approximately 35' further from shore, to eliminate a navigation hazard when the pier is extended. (Exhibit "C")

CONSTRUCTION METHOD

Construction of the new extension to the existing pier is to be accomplished utilizing a barge with a pile driver. The low level boat lift is proposed for the south side of the pier. The two pilings and the "H" beam for the lowlevel boatlift will be driven by the pile driver at the same time. 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. 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. All construction waste will be collected onto the barge and off shore dumpster and disposed at the nearest dumpster/sanitary landfill site. 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.

BOULDER RELOCATION

The boulders shall be moved by lifting and transporting to the northeast edge of the area of boulders approximately 50' from the end of the existing pier (35' from the proposed pierhead). Further, the boulders shall be placed adjacent to existing boulders so as to enhance the fish habitat in this area.

DESCRIPTION OF ENVIRONMENTAL SETTING

PRC 3713.1

The proposed reconstruction project is located at 8233 Meeks Bay Ave., El Dorado County, California. This is a private residence in the Meeks Bay area, Lake Tahoe, APN 016-051-521. The present use of the area is private recreation. A pier and two buoys presently exist on site. The Meeks Bay shoreline is very rocky, generally offering little habitat for Tahoe Yellow Cress, Rorippa subumbellata.

SITE DESCRIPTION

The McNary property and the two adjacent lots presently have piers and buoys. There is a back beach bank; the homes sit above the lake level on the slope. Each pier has stairs which descend the steep slope to the pier level. The beach consists of large boulders and makes walking difficult. Although beach access is possible, the use of the piers does not require any foot traffic between the elevation of 6232 ft. and 6223 ft. The slope above the beach is covered with native brush and conifers.

SUBSTRATE AND TOPOGRAPHY

Large boulders and large cobbles dominate the substrate from the backshore foot of the pier to a distance about 38 feet lakeward. Then a mixture of large cobble and boulder underlain by sand extend the remaining length of the pier and extend 10' beyond the pier. Sand and large cobble dominate the substrate from 10' to 20-30' out from the existing pierhead. Beyond this the substrate becomes mostly large cobble underlain by sand. At about 45' from the existing pier is a small dropoff consisting of large and small boulders. Beyond this is a sandy plateau underlying a group of buoys. A limited area of smaller cobble and sand is located in front of a portion of an old stone wall (at approximately the 6225' contour), a small amount of gravel may be found interspersed between large boulders.

VEGETATION

Large boulders dominate the boundary between the foreshore and the backshore. The dominance of rocky substrate precludes much vegetative growth in this area. Very little to no exposed sand is found in this area. The rare plant Rorippa subumbellata, Tahoe Yellow Cress (TYC), which is found in sandy lakeshore areas, would not be expected to be found at this site due to the limited available habitat. The large boulders in the backshore give way to a relatively steeply sloping hill leading up to the residences. The vegetation on this slope may be characterized as Montane Chapparal composed of dense woody shrubs. Some large trees (primarily white fir and incense cedar) are also

scattered across this slope.

The shorezone in the area of the proposed project is mapped as spawning habitat on the Prime Fish Habitat Maps identified by the Tahoe Regional Planning Agency. There are existing piers located approximately 50 feet north and 50 feet south of the McNary's property lines.

DISCUSSION OF ENVIRONMENTAL EVALUATION
McNARY RECREATIONAL
PIER EXTENSION, BOATLIFT AND BUOY RETENTION PROJECT

PRC 3713.1

A. Earth

1. Earth Conditions

No. The 15' pier extension and boat lift project and the two existing buoys are confined to the surface and will not create any unstable conditions or change any geological structure. The 35' relocation of the two large boulders by lifting and lowering will not create any new significant effects on earth conditions.

2. Compaction, Overcovering of Soil

No. The pier extension, boatlift, and buoy retention project will be essentially confined to the footprint of the existing pier. See Exhibit A. There will be no overcovering of lake bottom strata or upland soils during pier extension because of the open pile design of the pier. The two submerged boulders will be relocated with other existing submerged boulders and will not create any new significant impacts. The two buoys will not create any new significant environmental impacts.

3. Topography

No. This open piling pier extension, boatlift, and buoy retention project will not create any changes in ground surface relief. There will not be any excavating. The two large boulders are being relocated adjacent to existing boulders. 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 driving of two piles for the pier and the "H" beam for the boat lift will not change any geological or physical features. The two existing buoys and the relocation of the two boulders with other boulders will not create any new significant environmental effects.

5. Erosion

No. This pier extension, boatlift, and buoy retention project is simply extending a pier 15' by adding two pilings and one "H" beam for the boatlift, relocating two submerged boulders, and retaining two existing mooring buoys for seasonal recreational use and will have no effect on wind or water erosion on or off the site.

6. Siltation

No. This project is over a submerged rock and cobble substrate. The retention of two existing buoys, driving of two pilings, one "H" beam and the relocation of two submerged boulders will not create any channel changes nor erosion of non-existent beach sands. The substrate is comprised of boulders and cobble with very little sand present to erode.

7. Geologic Hazards

No. The existing buoy anchors, 15' extension of the pier and installation of the low level boat lift are not deep enough to induce any seismic instabilities or ground failures. The pilings and "H" beam being driven in to support the pier and boat lift will not create any new significant geological impacts or hazards nor will the two existing buoy anchor and the two boulders being relocated.

B. Air

1. Emissions

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

2. Odors

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

3. Climate

No. Upon completion, this project will not create any major changes in air movements, temperature, or climate, nor create any abnormal weather conditions.

C. Water

1. Currents

No. The two existing buoys, two additional pilings, "H" beam and two relocated submerged boulders are of a static nature and will not create any changes in water currents or movements.

2. Runoff

No. This entire project is in the lake and will not affect absorption rates, drainage patterns, etc. The area adjacent to the pier is submerged.

3. Flood Waters

No. The entire project is in the lake and will not create any new effects upon flood waters.

4. Surface Water

No. The two existing mooring buoys, 15' pier extension, boatlift, and relocation of two submerged boulders are 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 two boulders will be lifted by the barge, transported, and replaced on the substrate to minimize turbidity. Upon completion this project will not change the water quality.

6. Ground Water Flows

No. The geology of the project area is composed of glacial and alluvial

deposits. This project is primarily a submerged surface project. Placement of the two pilings and "H" beam are only six feet deep 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 retention of the two existing buoys, the extended pier and boat lift, and the two relocated submerged boulders.

8. Water Supplies

No. This is not a water consuming project. The boat lift, extended pier, retain buoys, and two relocated submerged boulders will have no effect on public water supplies.

9. Flooding

No. This whole project upon completion 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 construction period which will be approximately one week. This temporary change will only affect the construction area which will be isolated by turbidity screens, caissons, or sleeves etc. when driving piles. 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. The rare plant (Rorippa subumbellata), which is found in sandy lakeshore areas, would not be expected to be found in this area. In addition, this project is for a pier extension below 6223. All work on this project will be done

from the lake.

3. Introduction of Plants

No. The retention of the two existing mooring buoys, 15' pier extension and boat lift project, and relocating the two submerged boulders will not introduce new species to the area nor exclude existing plant species from becoming established.

4. Agriculture Crops

No. The retention of the two existing mooring buoys, 15' pier extension and boat lift project, and relocating the two submerged boulders 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 construction area isolated by turbidity screens, caissons, sleeves etc. when driving piles. 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 conducted during the non-spawning season, identified by the Department of Fish and Game to be between July 1, 1992 and September 15, 1992 to minimize the impact on fish spawning habitat. TRPA has stipulated that the buoys will be removed during the non-boating season (non mooring) between October 15 through May 1.

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 Animals

No. The retention of the two existing buoys, 15' pier extension and boat lift, and the relocation of the two submerged boulders will not introduce any new species to the area nor create a new barrier to aquatic animals.

4. Habitat Deterioration

No. The retention of the two existing buoys, 15' pier extension and boat lift, and the relocation of the two submerged boulders will not reduce the aquatic animal habitat area upon completion.

F. Noise

1. Increases

No. The retention of the two existing buoys, 15' pier extension and boat lift, and the relocation of the two submerged boulders will not increase existing noise levels. There will be short term additional noise during the reconstruction period, but there will not be an increase in long term noise levels.

2. Severe Noise

No. The retention of the two existing buoys, 15' pier extension and boat lift, and the relocation of the two submerged boulders 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 retention of the two existing buoys, 15' pier extension and boat lift, and the relocation of the two submerged boulders will not result in creating any new significant light or glare.

H. Land Use

1. No. The retention of the two existing buoys, 15' pier extension and boat lift, and the relocation of the two submerged boulders will not alter the present or planned use of the area. The existing pier serves a private residence and not the general public. There are presently piers and buoys serving adjacent properties. This 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 McNary family will not create any new effects upon the use rate of the natural resource.

2. Depletion of any Nonrenewable Resources

No. The McNary 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 retention of the two existing buoys, 15' pier extension and boat lift, and the relocation of the two submerged boulders will not create any significant increases in the likelihood of an explosion. The barge or "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. Precautions will be taken to minimize these risks.

2. Emergency Plan Response

No. The seasonal use of the McNary's existing private recreational pier, buoys and low level boat lift will not create an interface with any emergency response or any evacuation plan. The relocation of the two submerged boulders will eliminate navigational hazards in the event of the piers use during an emergency.

K. Population

1. No. The seasonal use by the McNary family of their extended recreational pier, boatlift, and buoys will not alter the population in the lake basin.

L. Housing

1. No. The continued use by the McNary family of the private extended recreational pier, boatlift, and buoys will not create a demand for additional housing.

M. Transportation/Circulation

1. Vehicular Movement

No. This is a private residence and the two existing buoys, extended pier, boatlift and relocation of the two submerged boulders are for the benefit of the members of the McNary 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 two existing buoys, extended pier, boat lift, and relocation of the two submerged boulders are for the benefit of the members of the McNary family and not the general public. This project will not create any additional use or increased 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

No. This is a private residence and the two existing buoys, extended pier, boat lift, and relocation of the two submerged boulders are for the benefit of the members of the McNary family and not the general public. This pier repair project will not have any significant effect on additional energy consumption. The boat lift is powered by a 1 hp., single phase 230 volt, 60 cycle, 7.15 amp electric motor. This is equivalent to about sixteen 100 watt light bulbs. The lift is only used when lowering or raising the boat. This use 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. This is a private residence and the two existing buoys, extended pier, boatlift, and relocated submerged boulders are for the benefit of the members of the McNary family and not the general public. There will be no additions to the existing facilities which will significantly effect 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 is a private residence and the two existing buoys, extended pier, and boat lift are for the benefit of the members of the McNary family and not the general public. This project will not create any new health hazards, but remove a navigation hazard which could result in being a hazard to human health.

2. Exposure of People to Health Hazards

No. This is a private residence and the two existing buoys, extended pier, boat lift, and relocation of the two submerged boulders are for the benefit of the members of the McNary family and not the general public. This project will not expose people to any new potential health hazards. The translocation of the two large boulders will reduce the incidence of exposing people to a navigational hazard.

R. Aesthetics

1. No. The McNary's recreational pier is an existing facility. There are no new facilities being added. The construction of the extension to the pier will not be a distraction from the aesthetics of this residential recreational area consisting of homes, piers, buoys and boats. This entire project will blend into the aesthetics of this recreational residential community without creating any significant aesthetic impact.

S. Recreation

1. No. This is a private residence and the two existing buoys, extended pier, boatlift, and relocated submerged boulders are for the benefit of the members of the McNary family and not the general public. This project will have no effect on public recreation in the area.

T. Cultural Resources

1. Archaeological Sites

No. This project consists of the retention of two buoys and physically driving two piles and one "H" beam into the lake bottom and relocating two boulders. 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. This project consists of the retention of two buoys and physically driving two piles and one "H" beam into the lake bottom and relocating two boulders. The open pile designed pier allows freedom of movement of aquatic animals and sessile plants to grow on the pilings. 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. Mitigation measures, including turbidity screens, 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 reconstruction process, this project will not create any long term significant degradational environmental effects. This project will be accomplished between July 1 and September 15 to comply with the fish spawning season.

2. Short Term vs. Long Term Environmental Goals

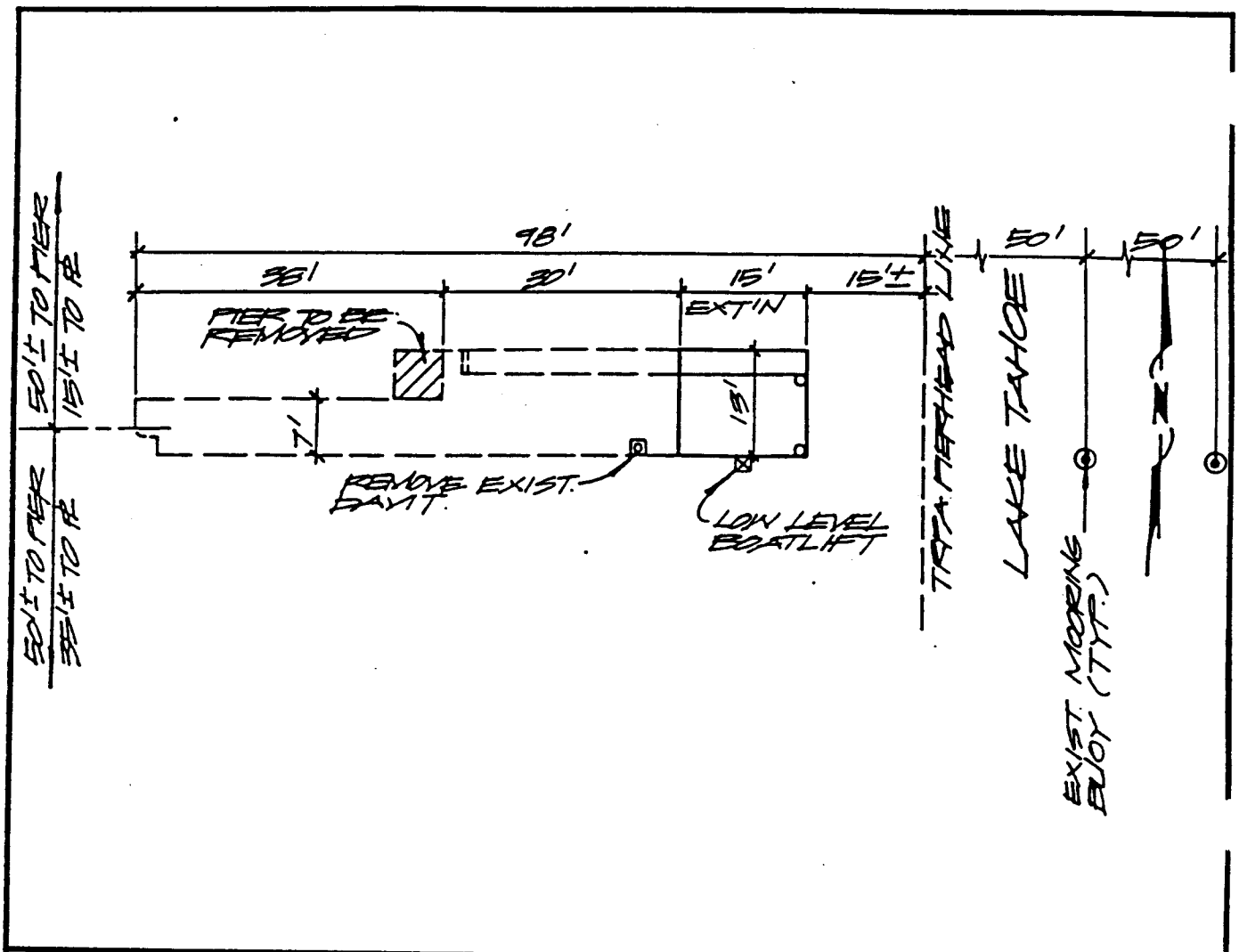
No. There will be a short term, approximately one week, disruption of the marine environment in the immediate vicinity of the pier being repaired. This area will be separated by a turbidity screen or the use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during 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 McNary's private family existing recreational pier and buoys are existing facilities. The extended pierhead will be 15' short of the TRPA pierhead line. The retention for continued use of the existing two mooring buoys, the 15' pier extension, the new boatlift, and the relocation of the submerged boulders to remove a navigation hazard do not add or create any new impacts.

4. Adverse Effects on Human Beings

No. This project consists of the retention for continued use of two buoys, extending an existing pier 15', the construction a new low level boatlift, and the relocation of two boulders to eliminate a navigational hazard. This project will not create any new environmental effects which could create a significant adverse effect on human beings.



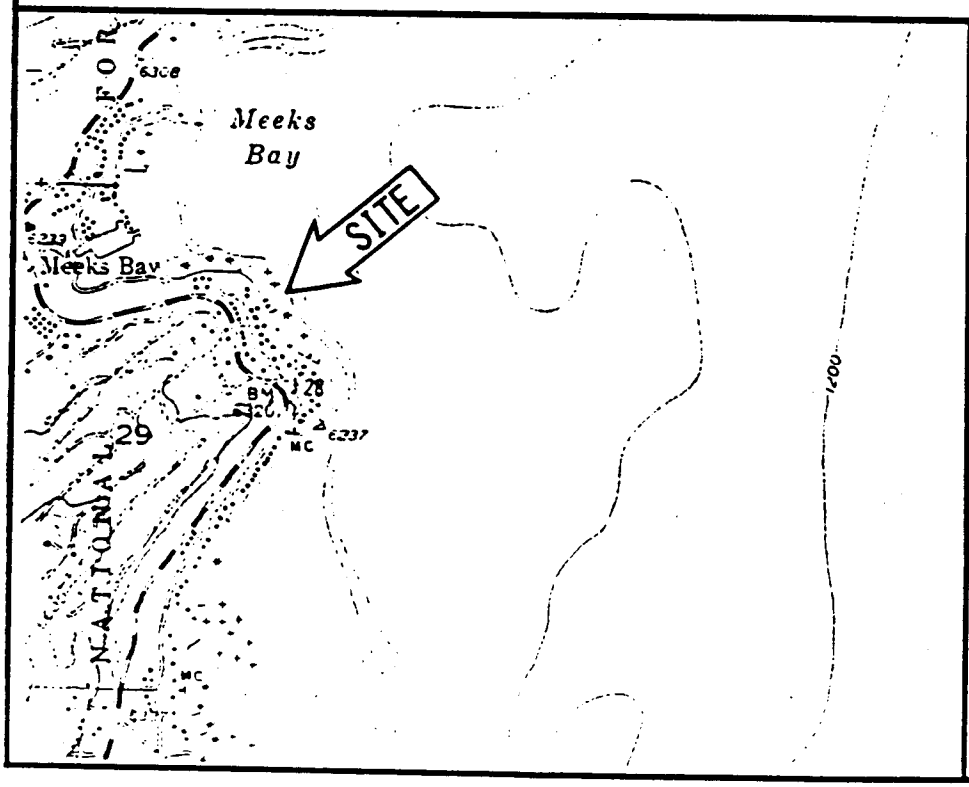
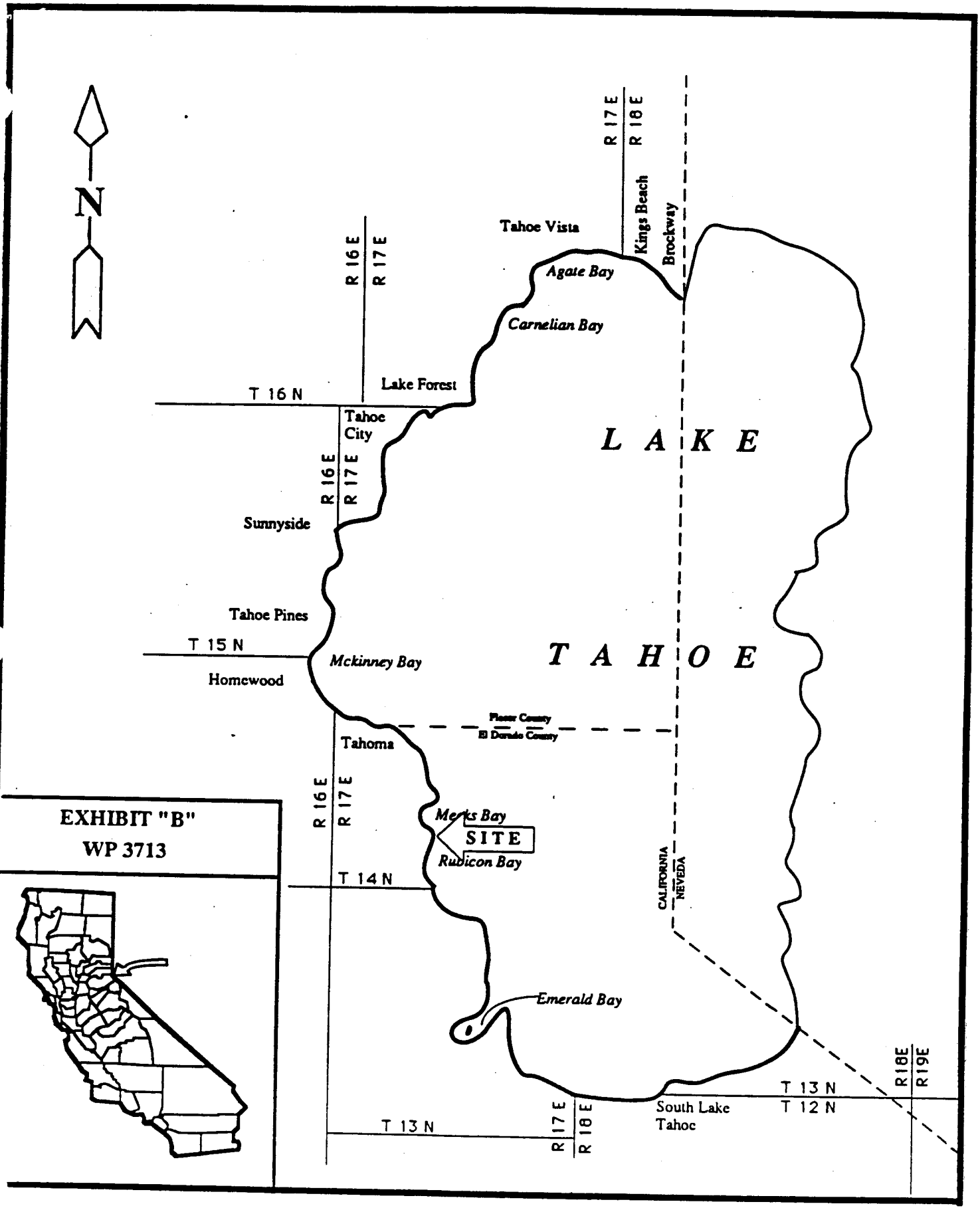


EXHIBIT "A"

SITE MAP
WP 3713
EL DORADO COUNTY
LAKE TAHOE

W.Y.7/91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Kings Beach
Brockway
Tahoe Vista
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Agate Bay
Carnelian Bay
Lake Forest
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Tahoe City
L A K E
R 16 E
R 17 E
Sunnyside
Tahoe Pines
T 15 N
Mckinney Bay
T A H O E
Homewood
Placer County
El Dorado County
Tahoma
R 16 E
R 17 E
Meeks Bay
SITE
Rubicon Bay
T 14 N
CALIFORNIA
NEVADA
Emerald Bay
R18E
R19E
T 13 N
T 12 N
South Lake Tahoe
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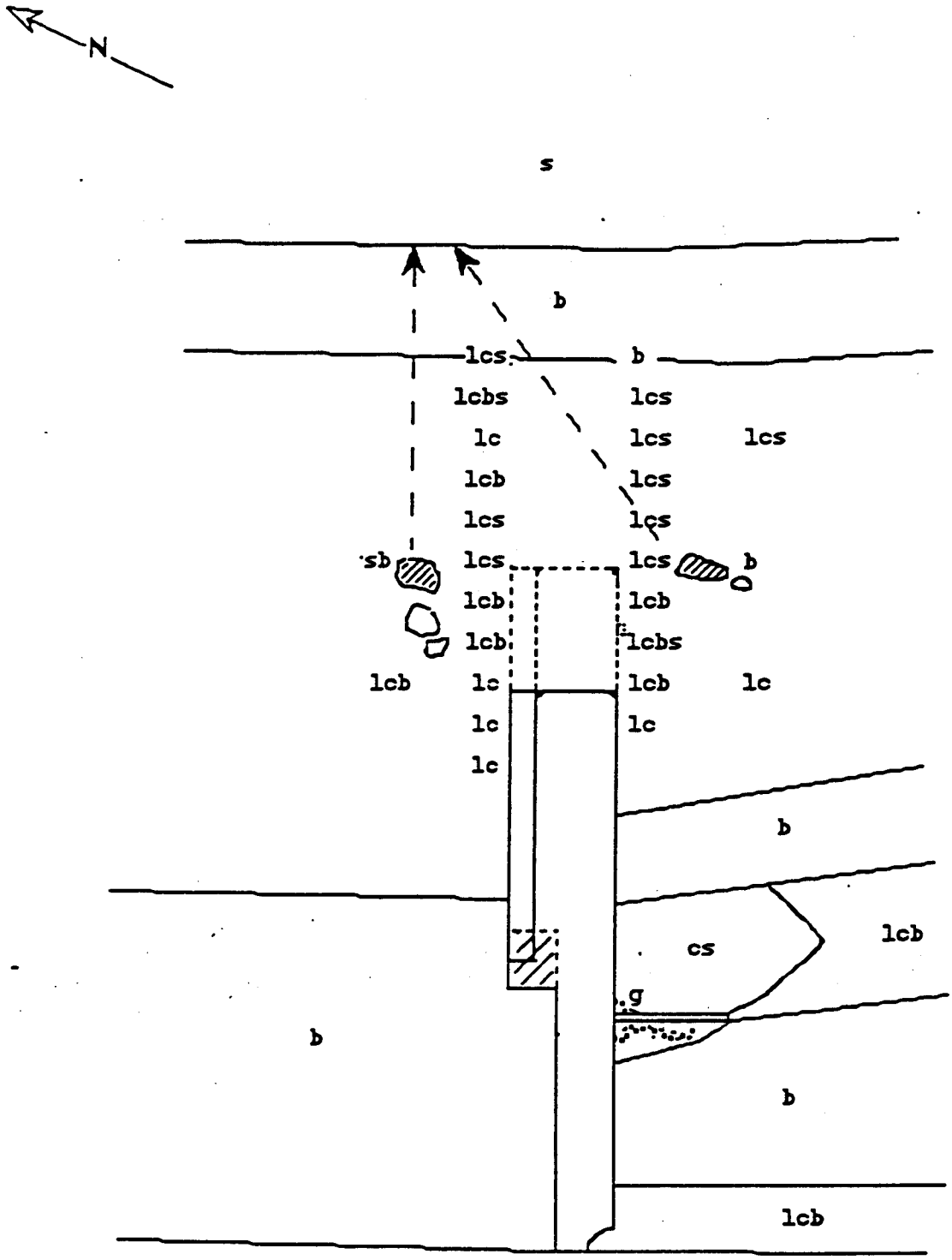
EXHIBIT "B"
WP 3713

EXHIBIT C



Map showing approximate locations of different bottom substrate types at the project site: b=boulder; c=cobble; lc=large cobble (>150mm); g=gravel; s= sand. Also shown are boulders to be relocated (shaded) and proposed relocation area.

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2693

EXHIBIT "D "
MONITORING PROGRAM
FOR THE McNARY PIER EXTENSION, BOATLIFT, AND BOULDER RELOCATION 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.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically monitor the pier extension and boat lift project during the placement of the pilings, and during the boulder relocation project.

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

Project Modification:

a) The pier reconstruction project involving disturbance to the lake bed will be conducted during the non-spawning season, identified to be between July 1 - September 15, 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.