

**MINUTE ITEM**

This Calendar Item No. C07  
was approved as Minute Item  
No. 07 by the State Lands  
Commission by a vote of 3  
to 0 at its 2-25-93  
meeting.

**CALENDAR ITEM**

**C07**

A 7  
S 1

02/25/93  
PRC 3698  
Gordon

**RECREATIONAL PIER PERMIT**

**APPLICANT:**

Bert L. Zaccaria  
P.O. Box 958  
Carnelian Bay, California 96140

**AREA, TYPE LAND AND LOCATION:**

Three parcels of submerged land located in Carnelian Bay,  
Lake Tahoe near Cedar Flat, Placer.

**LAND USE:**

Reconstruction, modification, maintenance of one existing  
pier and maintenance of two existing mooring buoys, all  
utilized for boat mooring purposes.

**PROPOSED PERMIT TERMS:**

Initial period:  
Five (5) years beginning February 25, 1993.

**CONSIDERATION:**

Nonmonetary, 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 and estimated processing costs have been  
received.

**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:**

06/08/93

**OTHER PERTINENT INFORMATION:**

1. The annual rental value of the site is estimated to be \$680.64
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15025), the staff has prepared a Proposed Negative Declaration identified as EIR ND 607, State Clearinghouse No. 92122006. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

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

3. Staff has determined a soils and vegetation report is not required for this project. Any disturbance of the lake bed is anticipated to occur waterward of the lake's ordinary low water line, being elevation 6,223.00 feet, Lake Tahoe Datum, which is an area outside of the normal habitat appearing to support the Rorippa Subumbellata, Roll., the State-listed endangered plant commonly known as the Tahoe Yellow Cress.
4. Commission staff will monitor the construction activities of the proposed project in accordance with the provisions set forth in the Proposed Negative Declaration and Monitoring Program.
5. Applicant's previous Recreational Pier Permit expired October 28, 1990. This is an application to replace the expired permit, reconstruct and modify the existing pier, and bring two existing unauthorized mooring buoys under permit.
6. 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 lease 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.

CALENDAR ITEM NO. C07 (CONT'D)

7. 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.
8. In order to determine the potential trust uses in the area of the proposed project, the staff contacted representatives of the following agencies: Tahoe Regional Planning Agency, California Department of Fish and Game, County of Placer, and the Tahoe Conservancy. None of these agencies expressed a concern that the proposed project would have a significant effect on the trust uses in the area. The agencies did not identify any trust needs which were not being met by existing facilities in the area. Identified trust uses in this area would include swimming, boating, walking along the beach, and views of the lake.
9. Staff has physically inspected the site for purposes of evaluating the impact of the activity on the Public Trust.
10. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
11. The issuance of this permit supersedes any prior authorization by the State Lands Commission at this location.

**APPROVALS OBTAINED:**

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

**FURTHER APPROVALS REQUIRED:**

United States Army Corps of Engineers, State Lands Commission

CALENDAR ITEM NO. C07 (CONT'D)

**EXHIBITS:**

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

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. CERTIFY THAT A PROPOSED NEGATIVE DECLARATION, EIR ND 607, STATE CLEARINGHOUSE NO. 92122006, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. ADOPT THE MONITORING PROGRAM ATTACHED AS EXHIBIT "E".
4. AUTHORIZE ISSUANCE TO BERT L. ZACCARIA OF A FIVE-YEAR RECREATIONAL PIER PERMIT BEGINNING FEBRUARY 25, 1993; FOR THE RECONSTRUCTION, MODIFICATION, AND MAINTENANCE OF ONE EXISTING PIER AND MAINTENANCE OF TWO EXISTING MOORING BUOYS, ALL UTILIZED FOR BOAT MOORING PURPOSES ON THE LAND DELINEATED ON EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.
5. FIND THAT THE ISSUANCE OF THIS PERMIT SUPERSEDES ANY PRIOR AUTHORIZATION BY THE STATE LANDS COMMISSION AT THIS SITE.

SHOREZONE TOLERANCE DIST. 6

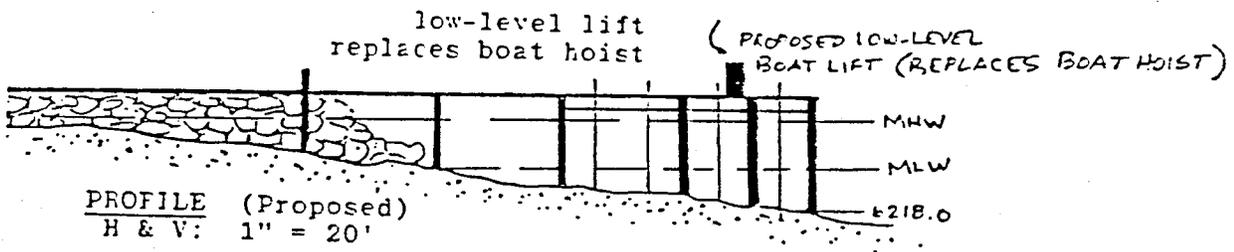
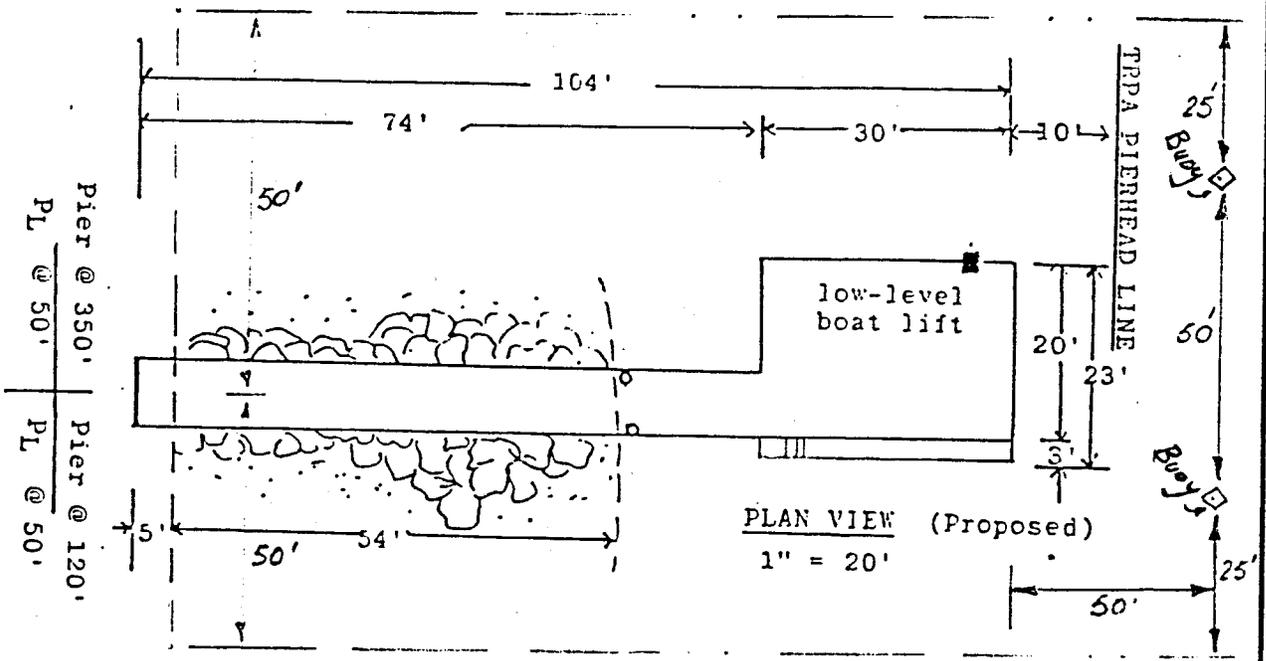
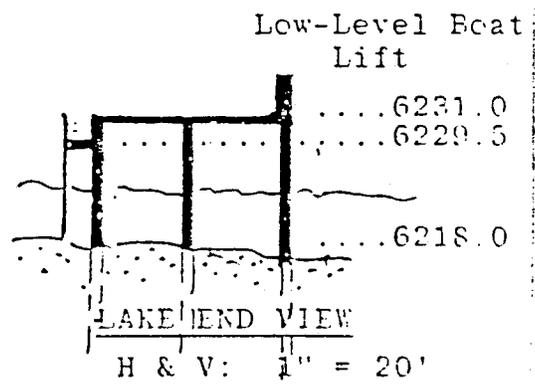


EXHIBIT "A"  
 SITE MAP  
 ZACCARIA  
 PRC 3698  
 LAKE TAHOE  
 PLACER COUNTY



No Scale

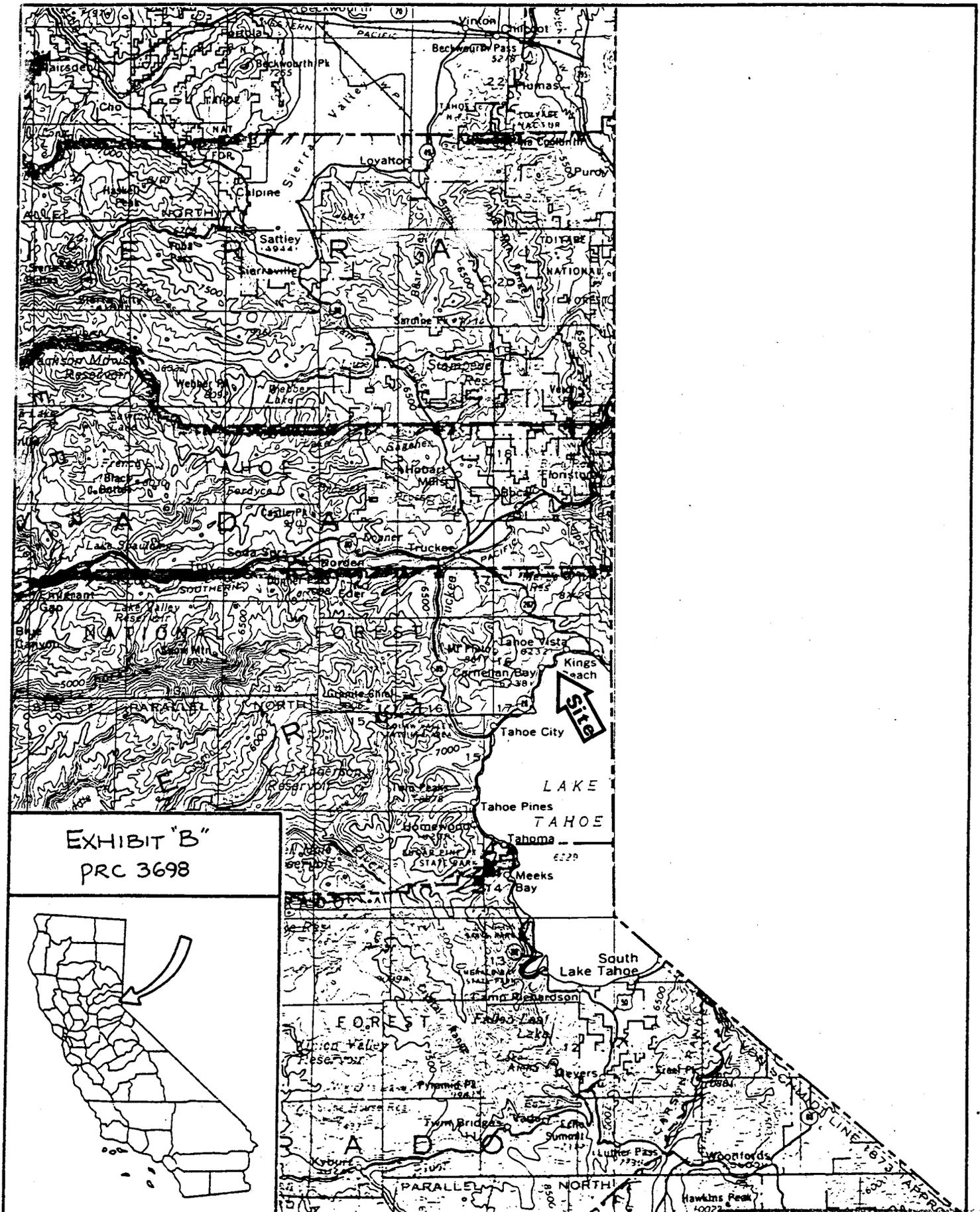


EXHIBIT "B"  
 PRC 3698



RECEIVED  
MAR 7 - 1991

PLACER COUNTY  
DEPT. OF PUBLIC WORKS

Date March 4, 1991

File Ref: PRC 3698

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

Subject: Building Permit for Pier (Pier and boathouse reconstruction  
& retention of two mooring buoys)

Name: Bert Zaccaria

Address 3000 Sand Hill Rd., Bldg. 3, Suite 210  
Menlo Park, CA 94025

Placer County Assessor's Parcel No. 116-220-56

Upland Address: 5500 North Lake Boulevard

Dear Ms. Ludlow:

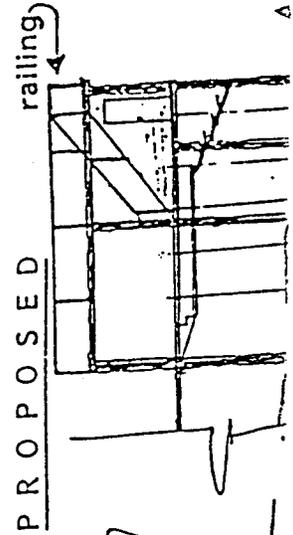
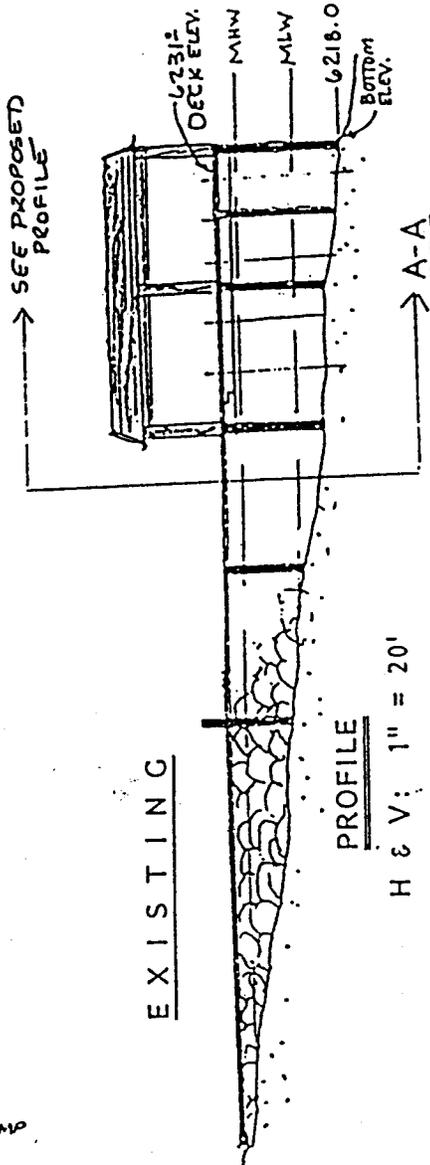
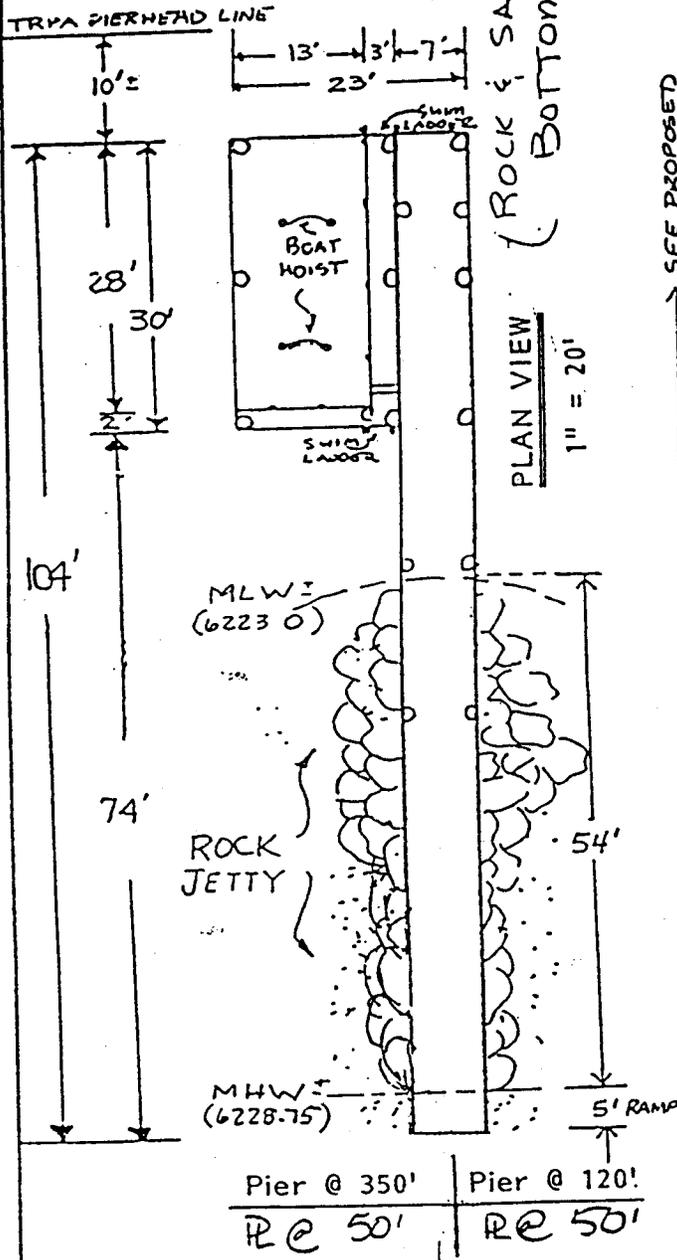
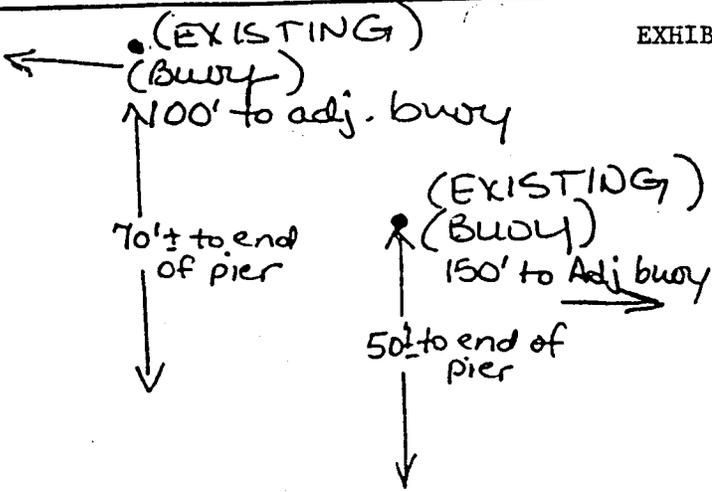
The County of Placer has received notice of the above-referenced project in Lake Tahoe and has no objection to the pier repair/ construction or to the issuance of the State Lands Commission's permit.

If you have any questions, you may reach me at (916) 889-7584

Sincerely,

*Jan Christian*  
JAN CHRISTIAN

Associate Civil Engineer



**BUOY LOCATION**

5500 NORTH  
PLACER COUNTY APN 116-220-56

OWNER: Bert L. Zaccaria  
P.O. Box 958  
Carnelian Bay, CA 95711

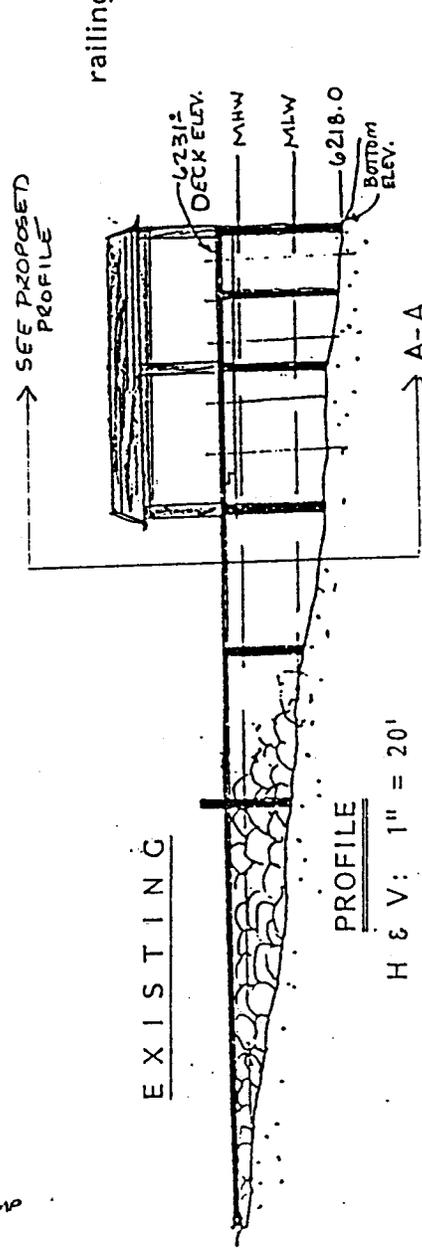
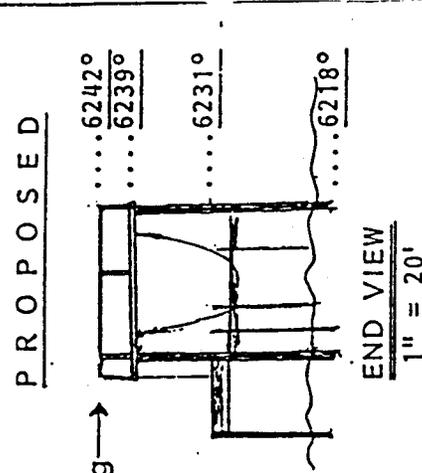
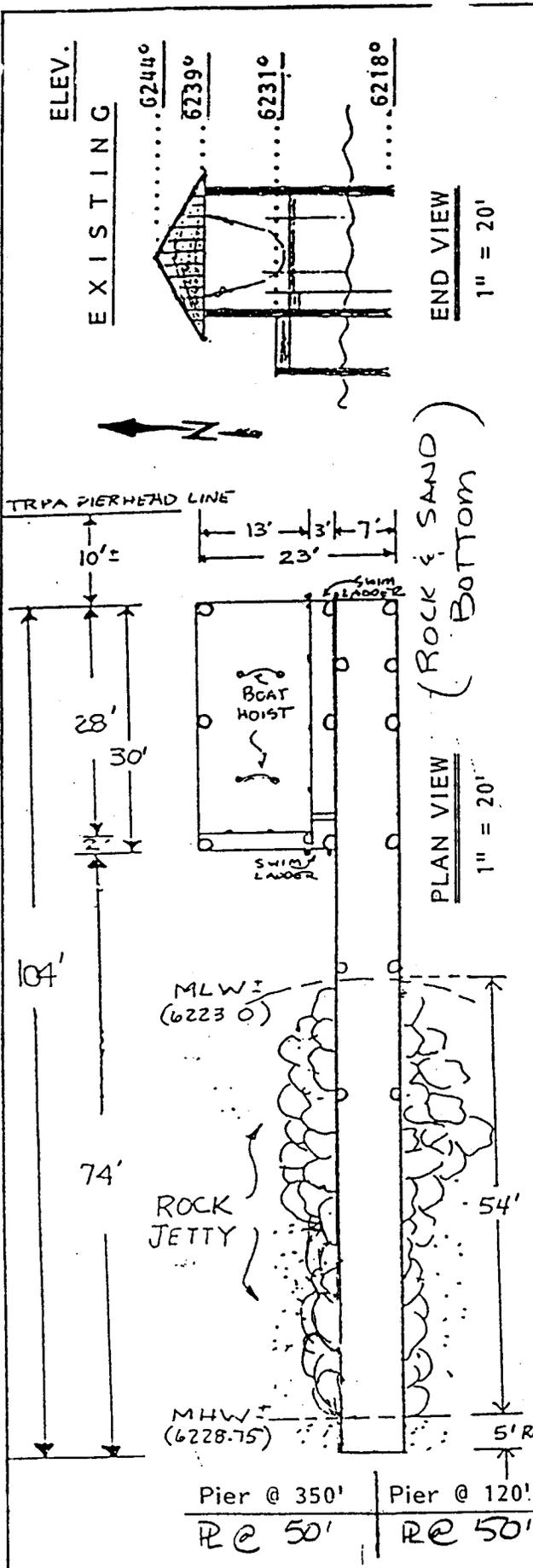
BRISCO ENTERPRISES

Post Office Box 7468  
Tahoe City, California 95730

DRAWN BY JLL  
REVISED

AUG. 1990  
DRAWING NUMBER

SHOREZONE TOL. DIST. 6.



5500 NORTH LAKE BOULEVARD

PLACEK COUNTY APN 116-220-56

OWNER: Bert L. Zaccaria  
P.O. Box 958  
Carnelian Bay, CA 95711

BRISCO ENTERPRISES

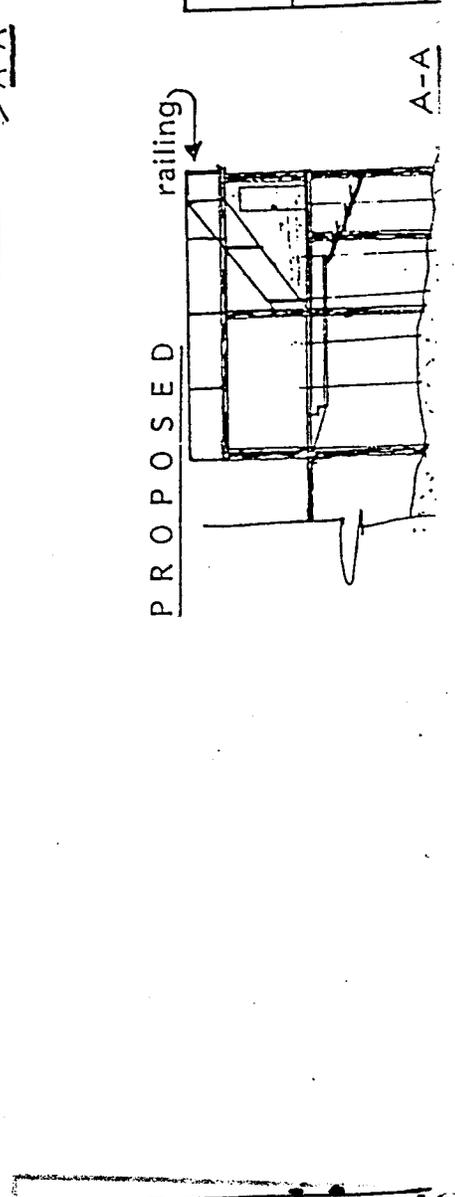
Post Office Box 7468  
Tahoe City, California 95730  
(916) 583-6882

DRAWN BY JJA

REVISED

AUG. 1990

DRAWING NUMBER



SHOREZONE TOL. DIST. 6.

**STATE LANDS COMMISSION**

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

EXECUTIVE OFFICE  
1807 - 13th Street  
Sacramento, CA 95814-7187

CHARLES WARREN  
Executive Officer

PROPOSED NEGATIVE DECLARATION

ND: 607

File Ref.: PRC 3698

SCH NO.: 92122006

Project Title: Zaccaria Pier Reconstruction/Modification

Project Proponent: Bert L. Zaccaria

Project Location: Lake Tahoe, Carnelian Bay, APN: 116-220-56, Placer County.

Project Description: This project proposes to reconstruct and modify an existing 104' pier with a boathouse, boat hoist and catwalk. In addition to replacement of the pier piles and decking, the boathouse will be replaced with a sundeck. The existing boat hoist will be replaced with a low-level boat lift. This project also considers authorization of two existing mooring buoys which will be relocated in compliance with U.S. Army Corps of Engineers and Tahoe Regional Planning Agency placement standards.

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

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

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

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

  X  / 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 3698

I. BACKGROUND INFORMATION

- A. Applicant: Bert L. Zaccaria  
C/O Hoffman, Lien, Faccinto, Garnett & Lieberman  
P.O. Box 7740  
Tahoe City, CA 96145
- B. Checklist Date: 10 / 30 / 92
- C. Contact Person: Judy Brown  
 Telephone: ( 916 ) 324-4715
- D. Purpose: Partial pier reconstruction; replacement of a boathouse with a pier deck; replace existing boat hoist with a low-level boat lift; proposed authorization and relocation of two mooring buoys.
- E. Location: Lake Tahoe, Carnelian Bay, APN: 116-220-56, Placer County
- F. Description: Partial reconstruction of an existing 104' pier from elev. 6223' waterward. Replacement of a 30' X 23' boathouse with sundeck of same size including replacement of an existing boat hoist with one low-level boat lift; reconstruction of 3' X 30' catwalk. Relocation and retention of two mooring buoys in accordance with TRPA and USACOE placement stadards.
- G. Persons Contacted: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

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

CALENDAR PAGE 20  
 MINUTE PAGE 52

B. *Air*. Will the proposal result in:

Yes    Maybe    No

- 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?

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

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?  Yes  Maybe  No
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?  Yes  Maybe  No
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?  Yes  Maybe  No
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area?  Yes  Maybe  No

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?  Yes  Maybe  No
- 2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?  Yes  Maybe  No
- 3. Does the project have impacts which are individually limited, but cumulatively considerable?  Yes  Maybe  No
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  Yes  Maybe  No

III. DISCUSSION OF ENVIRONMENTAL EVALUATION *(See Comments Attached)*

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

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

Date: 11 / 18 / 92

  
 For the State Lands Commission  
 CALENDAR PAGE 23  
 MINUTE PAGE 55

## PROJECT DESCRIPTION

Applicant proposes to reconstruct an existing 7' x 104' pier which would include replacement of all pilings lakeward of elevation 6223'; conversion of an existing 13' x 30' boathouse to a sundeck area; removal of an existing boat hoist and replacement with a low-level boat lift; reconstruction of a 3' x 30' catwalk and relocation and retention of two existing mooring buoys located approximately 50' beyond the end of the pier, in compliance with existing TRPA and U.S. Army Corps of Engineers placement standards. The recreational pier will continue to be a nonconforming, allowable use under existing TRPA ordinances.

The pier reconstruction will be conducted during the non-spawning season, which is identified by TRPA to be June 1 - September 15, or as indicated by specific variance through issuance by the California Department of Fish and Game of their Streambed Alteration Agreement. Access to the pier for pile driving activity will be from the lake side, using an amphibious, rubber-tired lark vehicle mounted with a pile driver to approach the pier.

The applicant's use of the mooring buoys is limited by TRPA to the period May 1 through October 15, to enable recreational topline trollers access to this area. During the period October 16 through April 30, the mooring buoy floats and anchor chains will be removed.

## ENVIRONMENTAL SETTING

The proposed project is located just north of Flick Point, in Carnelian Bay, Placer County (APN: 116-200-56). The upland property fronts Highway 28. The project is located in an area identified by TRPA to be an area containing feeding/escape cover fish habitat, targeted for restoration.

A soils and vegetation report was not required because lake bed disturbance is proposed to occur lakeward of elevation 6223', which is believed to be beyond the normal range of Rorippa subumbellata, Roll., a State-listed endangered plant, more commonly referred to as The Tahoe Yellow Cress.

From the upland residence to the water's edge, the land slope is gradual containing large rocks 3'+ in diameter, to pebbles 1/2 - 2" in diameter. There are approximately three piers located within a range of two parcels north and two parcels south. The average shoreline property length is 100+', with some ranging 300+' in shoreline length.

Since neither a soils and vegetation report nor a separate fisheries analysis were required for this project, the following general information about this shoreline segment was obtained from The Cumulative Impacts of Shorezone Development at Lake Tahoe,

1978, Phillips, Brandt, Reddick, McDonald and Grefe.

The project area contains a well-formed shingle beach. The beach sediment budget is considered to be favorable. Older lake beds outcropping along much of the shoreline appear to be an important source of the pebbles that comprise the beaches of this shoreline. The large size pebbles encourage beach stability and minimize beach erosion.

III. DISCUSSION OF ENVIRONMENTAL EVALUATION  
ZACCARIA PIER RECONSTRUCTION

A. Earth

1. Stability, Geologic Substructures

This project involves replacing the existing piles, deck beams, deck joists and decking of an existing pier from the low water mark lakeward. In addition, the existing boathouse would be converted to a sundeck and the existing boat hoist would be replaced with a low level boat lift. A 3' x 30' catwalk would be replaced. Two existing mooring buoys would be retained in conformance with existing TRPA and U.S. Army Corps of Engineers placement standards. The project as proposed would not alter or cover any ground features or create unstable conditions.

2. Compaction, Overcovering of the Soil

This project proposes the replacement of approximately 14 pilings which will support the existing pier and sundeck conversion area. The partial pier reconstruction or retention of two existing mooring buoys will not significantly create any additional soil coverage requiring additional compaction or overcovering of the soil.

3. Topography

The topography will change minimally with the conversion of the existing boathouse to a flat sundeck area. No new grading or filling of the ground surface is involved. Two existing mooring buoys will be retained in conformance with existing TRPA and U.S. Army Corps of Engineers placement standards.

4. Geologic Features

The lake bed surface at the project site is cobble substrate. The proposed project will not affect any unique lake bottom features.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

5. Wind, Water Erosion of Soil

The most landward 54' of the existing pier rests on a rock jetty. This portion of the pier will not involve disturbance to the lake bed substrate. Reconstruction lakeward of elevation 6223 (LTD) would involve replacement of existing piles. This action and the retention of two existing mooring buoys will not cause any erosion or significant disturbance to lake bottom profiles.

6. Erosion, Deposition

There is an existing rock jetty located under the existing pier which extends approximately 54' lakeward from the high water mark. The rock jetty is proposed to remain under the existing pier therefore, the sediment transport occurring in this area will not change. The rock breakwater is an allowable nonconforming use under the Tahoe Regional Planning Agency Code of Ordinances. The buoys are located approximately 50' lakeward from the end of the pier. No changes to existing erosion or deposition would occur from the retention of the buoys.

7. Geologic Hazards

No known geologic hazards exist within the project area. This project involves reconstruction of an existing pier within the same footprint and retention of two existing mooring buoys. No impact from this project is anticipated.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

B. Air

1. Emissions/Deterioration

This project would involve the use of a barge and crane/pile driver. The amphibious watercraft will access the site from the lake side of the project. The construction crew will arrive by vehicles for the replacement of the deck. Some emissions will result from the construction equipment and from the commuting workers. This impact will be minor and temporary, lasting during the repair activity anticipated to take up to several weeks. Continued operation of the applicant's boat for the use of the pier and buoys would be a minor contribution to the cumulative air emissions within the Lake Tahoe Basin.

2. Objectionable Odors

This project does not propose the use of any hazardous materials for the reconstruction of the existing pier. Some odor will be experienced from emissions of the waterborne vessel and equipment used to drive the piles. The pile driving activity is anticipated to take approximately ten working days. Continued use of the pier and buoys would create some odors as boats arrive and leave. The existing and proposed use of this pier and buoys is for the applicant only. No commercial activity is proposed at the project site. The impacts are considered to be insignificant.

3. Air Movement, Moisture, Temperature, Climate

This project does not propose the placement of any structure which would affect the air movement, moisture or temperature, or any change in climate, locally or regionally, as it is the reconstruction of an existing pier and retention of two existing mooring buoys.

C. Water

1. Currents, Water Movements

This project does not propose any new intake or to discharge any fluids or materials into the lake waters.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

2. Absorption, Drainage, Runoff

This project does not propose the construction or placement of any new impervious structures. The existing boathouse will be converted to a sundeck area within the same area of structural coverage. No significant impacts to drainage or runoff would result from this project.

3. Flood Waters

The existing rock jetty presently creates an artificial condition for water circulation along the shoreline of the Lake. The jetty is an allowable, nonconforming use according to TRPA standards and is proposed to remain; therefore no new impacts to the circulation of waters along the shoreline at this location are anticipated.

4. Surface Water

This project proposes the partial reconstruction of an existing pier within the same footprint and retention of two existing mooring buoys. This activity would not significantly affect the lake's water surface.

5. Discharge, Dissolved Oxygen

This project would cause minimal turbidity to lake waters during the driving of replacement piling into the lake bed. Specific water quality measures to be implemented include:

- a) Use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities;
- b) Placement of a boat and/or tarp and/or water skimmer under the construction area to prevent debris from entering the water;
- c) Collection of waste materials onto a barge or dumpsters for disposal at an approved site.

Continued use of the two existing mooring buoys would not significantly affect the water quality of Lake Tahoe.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

6. Flow of Ground Waters

New pilings would replace the existing pilings from elevation 6223' lakeward. The pilings would be driven into the lake bed a minimum of 6' or to the point of refusal. The depth of placement should not affect the existing flow of ground water entering Lake Tahoe. Continued use of the existing mooring buoys, whose anchors rest on the lake bed would not affect the flow of ground waters.

7. Quantity of Ground Waters

This proposed project does not propose the extraction or use of existing ground water; therefore, there would be no impact on ground water quantity.

8. This project does not propose the extraction, use or contamination of water used for an existing public water supply.

9. Water-Related Hazards

The proposed project involves the partial reconstruction of an existing pier within the same footprint. It does not propose any new extension of the pier into the lake waters which would create a new water-related hazard. The existing pier and rock jetty are a continuation of a nonconforming, allowable use, all within the limits of the designated Tahoe Regional Planning Agency pierhead line. The existing two mooring buoys are proposed to be placed in conformance with existing TRPA and U.S. Army Corps of Engineers standards which will relocate one buoy 20 feet closer to shore.

10. Temperature, Flow or Chemical Content

There are no known thermal springs in the project vicinity; therefore no impact is anticipated.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

D. Plant Life

1. Diversity of Species

The proposed lakebed disturbance for the partial reconstruction of an existing pier will occur from elevation 6223' lakeward. Between elevation 6223' and approximately elevation 6229', a rock jetty exists under the existing pier. The lakebed substrate is primarily rock cobble. The pilings and buoy anchors may have served as substrate for a now established sessile plant population. Replacement of the pilings will cause a minor population loss of aquatic plants at the site.

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

2. Endangered Species

The proposed area of lake bed disturbance would occur from elevation 6223' lakeward; therefore no impacts would occur within the range of the endangered plant, Rorippa subumbellata, Roll., which is known to inhabit some shore areas of Lake Tahoe. The proposed project site contains predominantly cobble substrate, and the existing pier will be accessed from the lake for the proposed pile driving activity. No materials will be stored on the lake bed between elevation 6223' and elevation 6229' LTD.; therefore no impacts to endangered species are anticipated.

3. Introduction of Plants

The new steel pilings will afford a hard substrate for sessile aquatic plants. The anchors of the two existing mooring buoys would continue to serve as a surface area available to sessile aquatic plants. The project site is located in a cobble substrate area so introduction of the new pier pilings would not create a significant new impact on plant populations.

4. Reduction of Agricultural Crops

The pier and mooring buoys are located within the body of Lake Tahoe. No agriculture or aquaculture are carried out in this area. There would be no impact.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

E. Animal Life

1. Animal Species Diversity

The proposed project is located in a fish feeding area targeted for restoration. Replacement of the existing pier pilings could affect access to the lake bottom by burrowing organisms. This would not be a new impact. Replacement of the existing pilings could impact fish and benthic organisms which were attracted to the pilings and rock cribbing for grazing and shelter. Construction activity is limited to the normal non-spawning season known to be July 1 - October 1, or as otherwise indicated by the California Department of Fish and Game through issuance of its Streambed Alteration Agreement.

In addition, use of the two mooring buoys is limited by TRPA to the period May 1 - October 15 to avoid conflict with the recreational use of the fish habitat area for topline trolling.

2. Rare Species

The project is located in an area mapped by the Tahoe Regional Planning Agency as fish feeding habitat targeted for restoration. Construction activity is limited to the normal non-spawning season known to be July 1 - October 1. The existing mooring buoys will be used seasonally as described in E-1, above. There are no known rare fish species within this location; therefore there would be no impact to rare fish species.

3. New Species

This project does not propose the introduction of any new animal species to Lake Tahoe.

4. Habitat Deterioration

This project would cause a temporary disturbance to fish habitat during the driving of new steel piles. Construction would be limited to the non-spawning season as indicated in E.2, above. Continued use of the existing pier should not have any detrimental impact upon existing fish habitat. Continued existence of the rock jetty under a portion of the existing pier would not deteriorate the existing fish habitat.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

The continued existence of the two mooring buoy anchors would not affect fish habitat.

F. Noise

1. Noise Increases

The proposed project would cause periodic, moderate increases to existing noise levels during the driving of steel pilings. Noise from pile driving activity may occur during work days for two to three weeks. Noise from work crew vehicles arriving and leaving the project site would occur at the beginning and ending of each work day during the reconstruction activities. These impacts would be considered temporary, and insignificant. No new noise would occur from the continued use of the recreational pier and mooring buoys.

2. Severe Noise

Noise from pile driving activity may expose persons within the vicinity to periodic episodes of extreme noise levels. These noise increases may last seconds or minutes in duration. Periodic, brief increases to the existing noise levels would occur adjacent to the recreational piers and mooring buoys when motorized boat engines are used. These brief occurrences are not considered to be new impacts to the shorezone of Lake Tahoe.

G. Light and Glare

1. The proposed project would be constructed during daylight hours so light from construction would not occur. No new lighting is proposed as part of this project.

H. Land Use

1. This project does not propose new land uses at this location which would alter local use patterns. The existing pier is proposed to be repaired within the same footprint at the same location.

CALENDAR PAGE	33
MINUTE PAGE	65

Discussion of Environmental Evaluation  
Zaccaria Initial Study

I. Natural Resources

1-2. The proposed reconstruction of the existing recreational pier or continued existence of two mooring buoys and their anchors would not increase the rate of use of any natural resource, or loss of non-renewable resources. The piers would continue to be used for private recreational use. No new facilities are proposed which would have an impact on the use of natural resources.

J. Risk of Upset

1. Explosion

Risk of explosion of fuel could occur during reconstruction of the pier or boat usage of the mooring buoys; however, best construction management precautions as indicated by the TRPA permit conditions will be taken to minimize this possibility. Such precautions include: no discharge of petroleum products into the Lake and, no containers of fuel, paint or hazardous materials stored on the pier.

2. Emergency Response Plan

The pier has existed at this location since the 1950's. The proposed reconstruction of this pier does not include any new modifications to the length of the pier which would interfere with any existing emergency response plan for this area. The two existing mooring buoys are proposed to be configured in accordance with existing TRPA and U.S. Army Corps of Engineers placement standards.

K. Population

1. The proposed project would not affect the population density or growth patterns within the area. The pier has existed at this location since the 1950's. The pier and mooring buoys will continue to be used for recreational purposes by the applicant. There would be no live-aboard vessels or increases in local population resulting from this project.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

L. Housing

1. The proposed project would not affect existing housing nor create a demand for additional housing. An existing single family dwelling exists on the upland parcel. The pier and mooring buoys would continue to be used for the applicant's recreational benefit.

M. Transportation/Circulation

1. Vehicular Movement

Some additional vehicular movement resulting from the construction workers arriving and leaving the project site would occur during the proposed decking repair activities. No new vehicular traffic would result from the continued use of the pier and mooring buoys. The pier, rock jetty and mooring buoys exist for the continued recreational use of the applicant.

2. Parking

No new parking is proposed or would be required to conduct the proposed repair work. Parking for the construction workers is available at the applicant's upland residence.

3. Transportation Systems

The proposed repair activity of the existing pier would not create significant impacts on the existing or future transportation systems. Construction workers would access the project site using existing highways and roadways for replacement of the decking. No new impacts to transportation systems would occur from the continued use and placement of the existing mooring buoys and their anchors.

4. Circulation

The existing pier would be repaired at the same location within the same footprint. No new impacts would occur to the circulation or movement of people and/or goods. The existing mooring buoys are proposed to be relocated to conform to existing TRPA and U.S. Army Corps of Engineers placement standards.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

5. Traffic

The existing pier would be repaired at the same location within the same footprint. No new impacts resulting from the repair of the existing pier or retention of the existing mooring buoys would occur to waterborne traffic. Ongoing impacts to boaters, trollers and water skiers would continue, as these activities would need to remain waterward of the pier and buoys which is located within the existing TRPA pierhead line.

Use of the mooring buoys would be restricted to the period May 1 - October 15. Mooring floats and chains will be removed between October 16 and April 30. Restricted use of the buoys will allow the area to be enjoyed by recreational trollers during this time.

6. Hazards

The proposed repair activity would occur in the body of the lake, therefore no impacts to motor vehicles, bicyclists or pedestrians would occur. Construction vehicles required to accomplish the repair project would be few in number utilizing existing roadways, thereby creating minimal effect on the existing motor, bicycle, and pedestrian traffic. Continued use and placement of the mooring buoys will be performed according to TRPA, U.S. Army Corps of Engineers, and U.S. Coast Guard regulations.

N. Public Services

1.-6.

The proposed repair activity to the existing pier would occur at the same location within the same footprint. Continued use of the pier and mooring buoys would not have a new effect on public services. No new facilities are proposed which would have an impact to the existing fire protection, police protection, schools, park and recreation facilities, public facilities or other governmental services.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

O. Energy

1. Use

Minor amounts of fuel and electrical power would be required to conduct the repair activity to the existing pier. These impacts would be temporary, lasting during the reconstruction period only. Continued use of the existing pier and mooring buoys would not create any new impacts upon existing fuel or energy use.

2. Demand

As discussed in O.1., above, the repair activity would require use of minor amounts of fuel and electricity; however, they would be temporary. Continued use of the existing pier and mooring buoys would not create a new demand upon the existing sources of energy or require the development of new sources.

P. Utilities

1.-6.

The proposed repair activity to the existing pier and retention of the two existing mooring buoys would not result in the need for new or substantial alterations to power, communication systems, water, sewer, storm drainage, or solid waste disposal. An existing single-family dwelling is located on the upland portion of the parcel from which the pier and breakwater extend. Power, water, sewer, solid waste, and communication systems are available at the residence. The existing boathouse will be converted to a sundeck. No new impervious structures are proposed which would require a change to the existing storm drainage systems.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

Q. Human Health

1.-2. Creation/Exposure to Health Hazard

The repair activity to the existing pier would be accomplished by the placement of new steel pilings, and wood material to replace existing deteriorated wooden decking, joists and beams. The mooring buoys contain materials regulated by the U.S. Coast Guard. These materials would not pose a potential health hazard to humans.

R. Aesthetics

The repair activity to the existing pier and conversion of the boathouse to a sundeck would occur at the same site where similar nonconforming, allowable structures exist. The scenic value will be increased due to the change from a boathouse to a sundeck. No new significant adverse impacts to scenic views would occur.

S. Recreation

No new adverse impacts to the quality or quantity of recreational opportunities would occur resulting from the repair to the existing pier, as the repair activity would be temporary. This project proposes reconstruction of an existing pier which would not have any impacts upon recreational opportunities within this area of the Lake.

As described previously, the mooring buoys will be used seasonally between May 1 - October 15, pursuant to TRPA authorization, and the mooring floats and anchor chains will be removed during the non-use season to allow the area to be used by recreational trollers.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

T. Cultural Resources

1.-4. Prehistoric/Archaeological Sites

The proposed pier repair activity would occur waterward of the low water elevation 6223' (LTD). There are no known archaeological or ethnic sites at this location. No new impacts are anticipated as the pier is being reconstructed within the footprint of the existing pier and the area occupied by the two existing mooring buoy anchors which may affect possible cultural resources.

U. Mandatory Findings of Significance

1. Degradation of the Environment

The existing pier is located in an area designated on the TRPA fish habitat maps as fish feeding/escape cover habitat targeted for restoration. The proposed repair activity would occur during the non-spawning season to minimize impacts to fish habitat. The repair activity, as proposed, would not create new significant impacts which would degrade the environmental quality of the existing project site.

The two existing mooring buoys would be used seasonally between May 1 - October 15, at which time the mooring floats and anchor chains are to be removed pursuant to TRPA authorization. This will allow the area to be accessed for recreational trolling.

2. Environmental Goals

The impacts which would be caused by the pier repair and retention of the mooring buoys would be insignificant as a result of the incorporation of project modifications such as: accessing the site from the lake side for pile driving activity; placing tarps or small boats under the construction area to prevent debris from falling into the lake; using caissons or steel sleeves to prevent turbidity during the pile capping activity; and conducting the repair work during the non-fish spawning season, as designated by the California Department of Fish and Game; and seasonal use of the mooring buoys. There would be no new impacts resulting from the continued use of the pier. Their continued presence would not individually adversely affect current environmental goals.

Discussion of Environmental Evaluation  
Zaccaria Initial Study

3. Cumulative Impacts

The proposed repair activity to the existing pier and retention of the seasonal mooring buoys would not create any significant impacts. Please refer to response U.2., above.

4. Adverse Impacts

The proposed pier repair activity and retention of seasonally-used mooring buoys would not produce any significant adverse effects to human beings or the environment as discussed in the environmental issue areas above. In addition, this project would be monitored by the staff of the Tahoe Regional Planning Agency and the State Lands Commission to ensure project modifications are accomplished.

SHOREZONE TOLERANCE DIST. 6

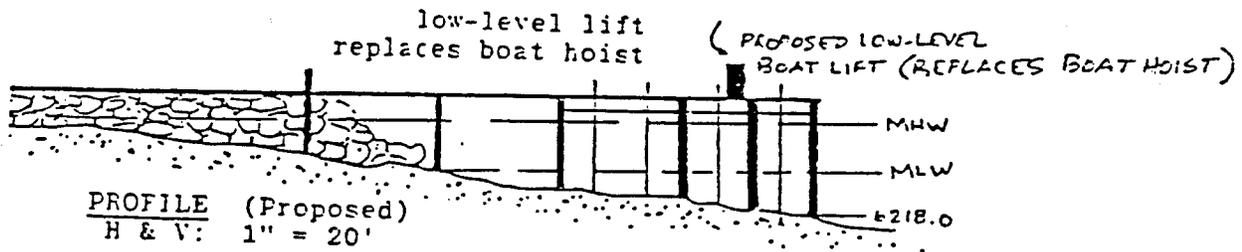
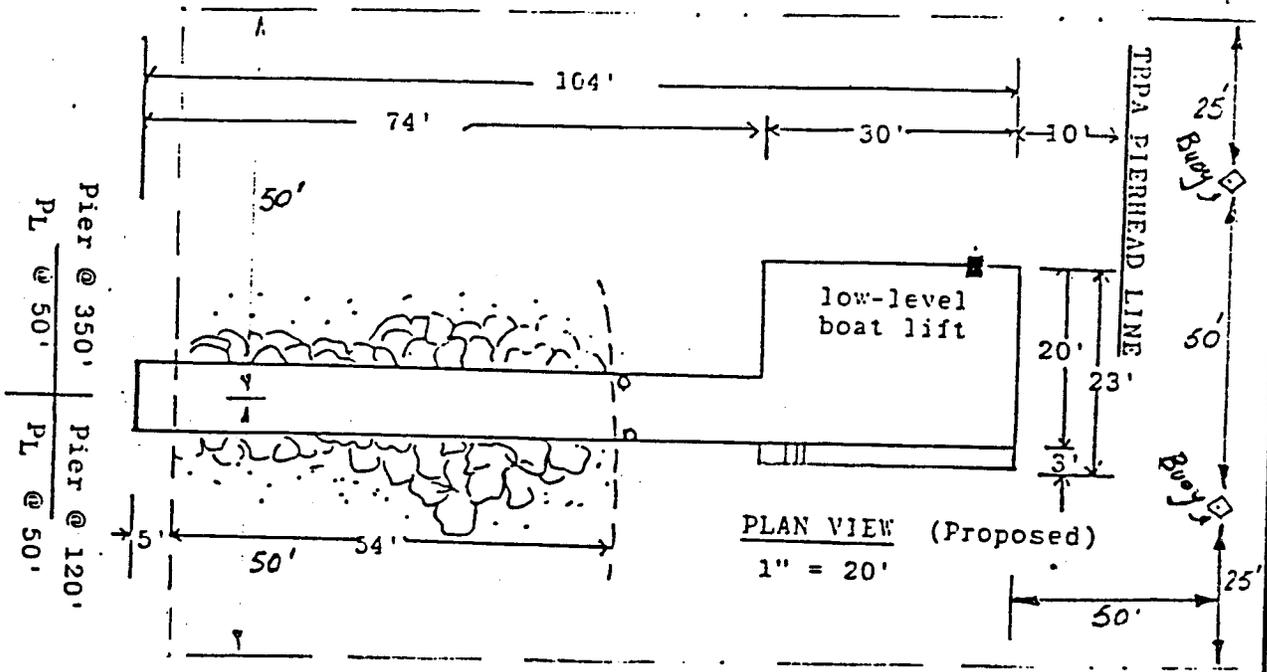
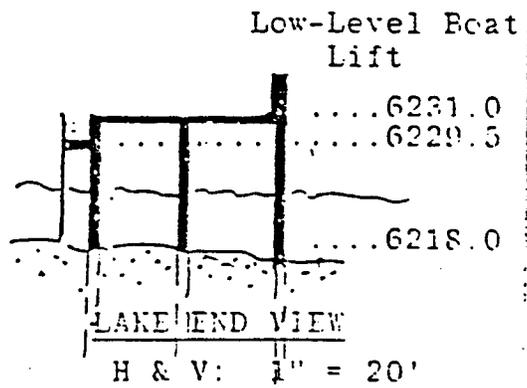


EXHIBIT "A"

SITE MAP  
ZACCARIA  
PRC 3698  
LAKE TAHOE  
PLACER COUNTY

Site



No Scale

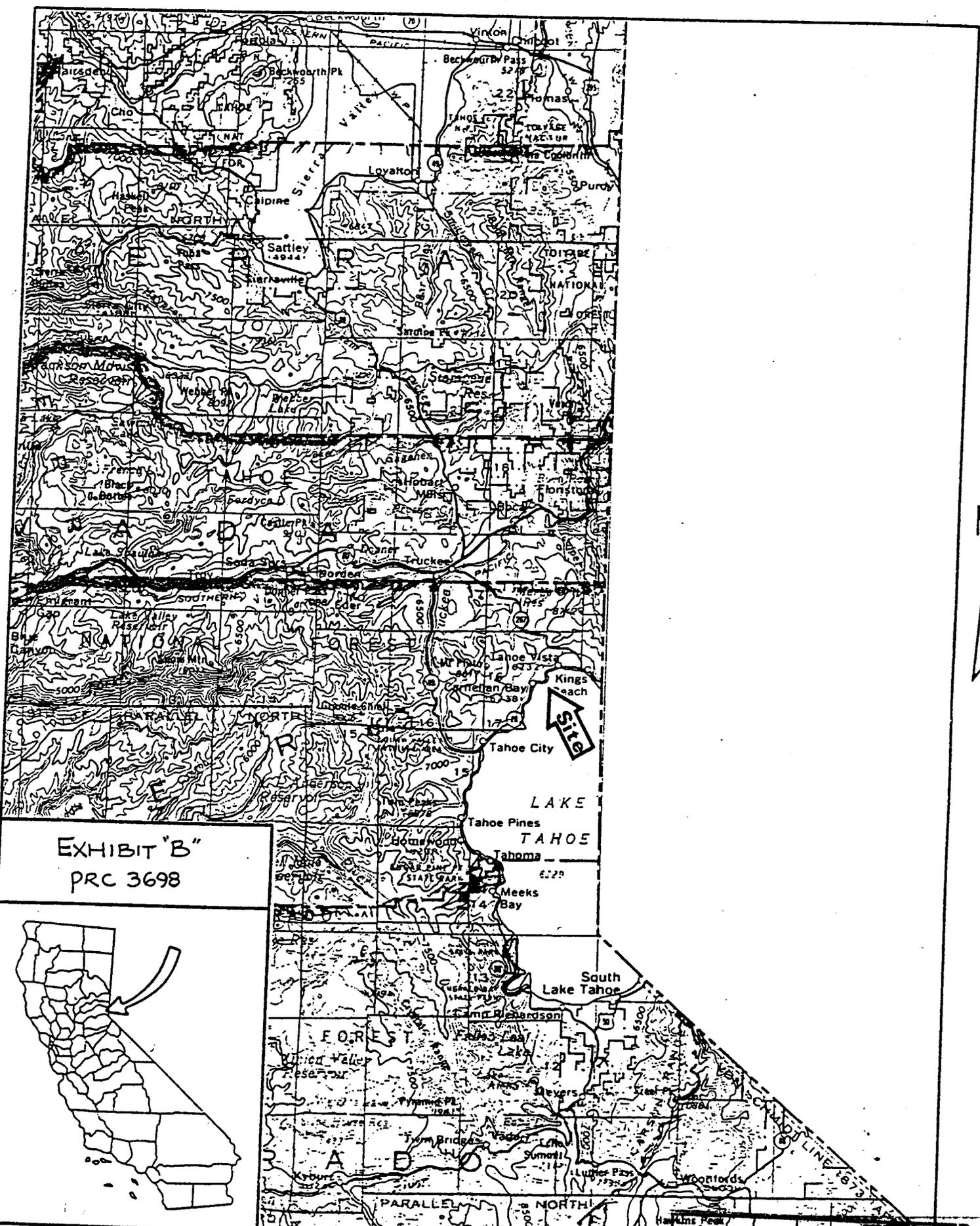


EXHIBIT "B"  
 PRC 3698



EXHIBIT "E"

MONITORING PROGRAM

ZACCARIA PIER RECONSTRUCTION

PRC 3698

1. Impact: Water quality may be affected during the driving of replacement piling into the lake bed.

Project Modification:

- a) Use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities;
- b) Placement of a boat and/or tarp and/or water skimmer under the construction area to prevent debris from entering the water;
- c) Collection of waste materials onto a barge or dumpsters for disposal at an approved site.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically site inspect the pier reconstruction project to ensure the proposed project modifications are accomplished.

2. Impact: The project area is located within a designated fish spawning area and as such could be impacted by the proposed pier reconstruction activity.

Project Modifications:

1. Construction activity has been proposed for the normal non-spawning season of July 1 - October 1, or as otherwise indicated by the California Department of Fish and Game through issuance of its Streambed Alteration Agreement.
2. Any disturbance resulting from the imprint of rubber-tired equipment on the lakebed will be restored by using hand pronged tools and by hand rolling the cobbles to a natural

configuration.

**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 that the lake bottom and shoreline sediments have not been disturbed.

3. **Impact:** The placement of mooring buoys would interfere with the public's ability to fish in this area.

**Project Modification:**

Placement of mooring buoys is restricted to the period May 1 - October 15 to avoid conflict with the recreational use of the same area for topline trolling. The floats and chains of the mooring buoys will be removed, and the buoy anchor may remain in place.

**Monitoring:**

Staff of the State Lands Commission, or its designated representative, will inspect the site before the beginning and after the ending of the designated use period to verify seasonal use within the designated time period.