

MINUTE ITEM  
This Calendar Item No. C15  
was approved as Minute Item  
No. 15 by the State Lands  
Commission by a vote of 3  
to 0 at its 2-28-93  
meeting.

CALENDAR ITEM

C15

A 4  
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02/25/93  
PRC 4279  
J. Ludlow

APPROVE THE ISSUANCE OF A RECREATIONAL PIER PERMIT

**APPLICANT:**

Arthur W. Tuverson and Cynthia Ann Tuverson, Trustees  
12400 Wilshire Boulevard, 13th Floor  
Los Angeles, CA 90025-1032

**AREA, TYPE LAND AND LOCATION:**

A parcel of submerged land located in the bed of Lake Tahoe  
near Sunnyside, Placer County.

**LAND USE:**

Reconstruction of an existing pier including the addition of  
a low level boatlift, removal of an existing boathouse and  
retention of two existing, previously unauthorized, mooring  
buoys.

**PROPOSED LEASE TERMS:**

Lease period:

Five (5) years beginning February 25, 1993.

**CONSIDERATION:**

Rent-free pursuant to Section 6503.5 of the P.R.C.

**BASIS FOR CONSIDERATION:**

Pursuant to 2 Cal. Code Regs. 2003.

**APPLICANT STATUS:**

Applicant is owner of upland.

**PREREQUISITE CONDITIONS, FEES AND EXPENSES:**

Filing fees, processing fee, environmental fees and Fish and  
Game 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 3, Div. 3; Title 14, Div. 6.

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AB 884:

03/16/93

**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 609, State Clearinghouse No. 92122005. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of the 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. The applicant proposes to reconstruct an existing open piling pier, remove the existing boathouse and replace it with a widened pierhead deck. The existing boat hoist will be replaced with a low level boatlift supported by a single "H" beam adjacent to the pierhead. The pier reconstruction project will take place within the footprint of the existing pier and boathouse. In addition, the applicant also wishes to remain two existing unauthorized mooring buoys.
4. The project will be accomplished using a rubber-tired barge with a pile driver. Anchorage of the barge will be to the existing structure and/or lake anchors required to provide adequate stabilization of the barge. During the low-water seasons, the barge access will be confined to the "footprint" of the pier. This access confinement is to minimize disturbance to the lakebottom. All construction wastes will be collected onto the barge and disposed of at the nearest dumpster/sanitary fill site.

CALENDAR ITEM NO. C15 (CONT'D)

5. No materials will be stored or placed, nor will any activity associated with the construction or maintenance of the project be conducted above the low water line (elevation 6223 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.
6. The lease includes specific provisions by which the lessee 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 March 1, 1995.
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. The lease is conditioned on lessee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance. 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.
11. The lease is conditioned on the public's right of access along the shorezone below the high water line (Elevation 6,228.75 feet, Lake Tahoe Datum), pursuant to the holding in State v. Superior Court (Fogerty).

CALENDAR ITEM NO. C15 (CONT'D)

2 Cal. 3d 240 (1981), and provides that the lessee must provide a reasonable means for public passage along the shorezone, including, but not limited to, the area occupied by the authorized improvements.

12. Permittee agrees to conserve the natural resources on the subject property and to prevent pollution and harm to the environment; and acknowledges that failure to comply with this requirement constitutes a default or breach of the Permit.
13. 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, Placer County, Department of Fish and Game

**FURTHER APPROVALS REQUIRED:**

United States Army Corps of Engineers

**EXHIBITS:**

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

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 609 STATE CLEARING HOUSE NO. 92122005, 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, AS CONTAINED IN EXHIBIT "D", ATTACHED HERETO.

CALENDAR ITEM NO. C15 (CONT'D)

4. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
  
5. AUTHORIZE ISSUANCE, TO ARTHUR W. TUVerson AND CYNTHIA ANN TUVerson, TRUSTEES, OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING FEBRUARY 25, 1993, FOR THE RECONSTRUCTION OF AN EXISTING PIER, INCLUDING THE ADDITION OF A LOW LEVEL BOATLIFT, THE REMOVAL OF AN EXISTING BOATHOUSE AND THE RETENTION OF TWO EXISTING MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

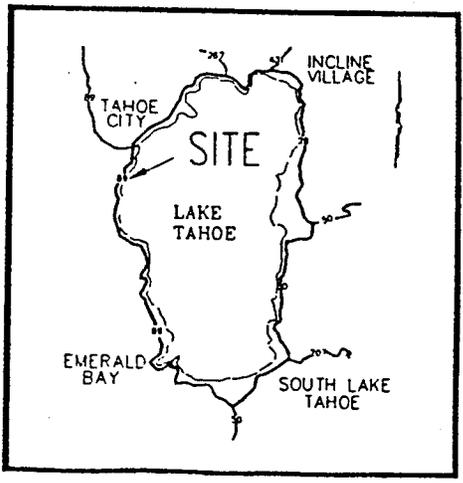
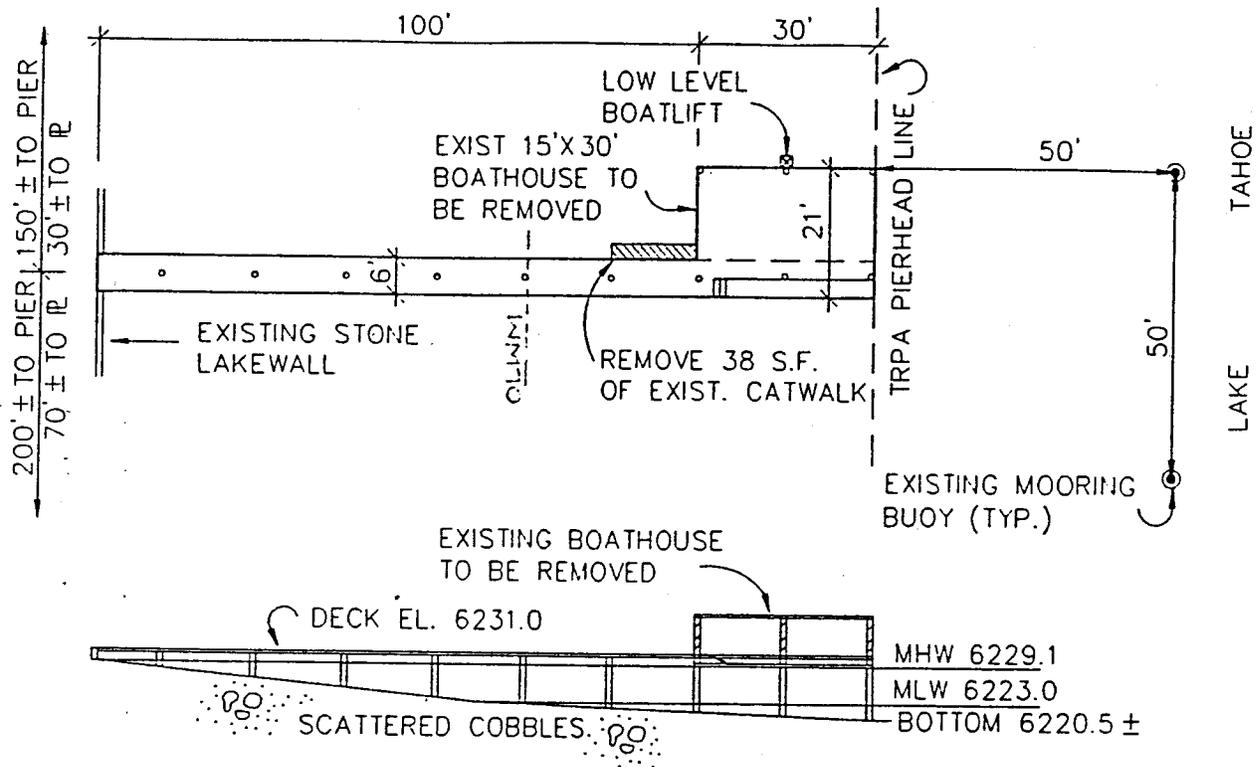
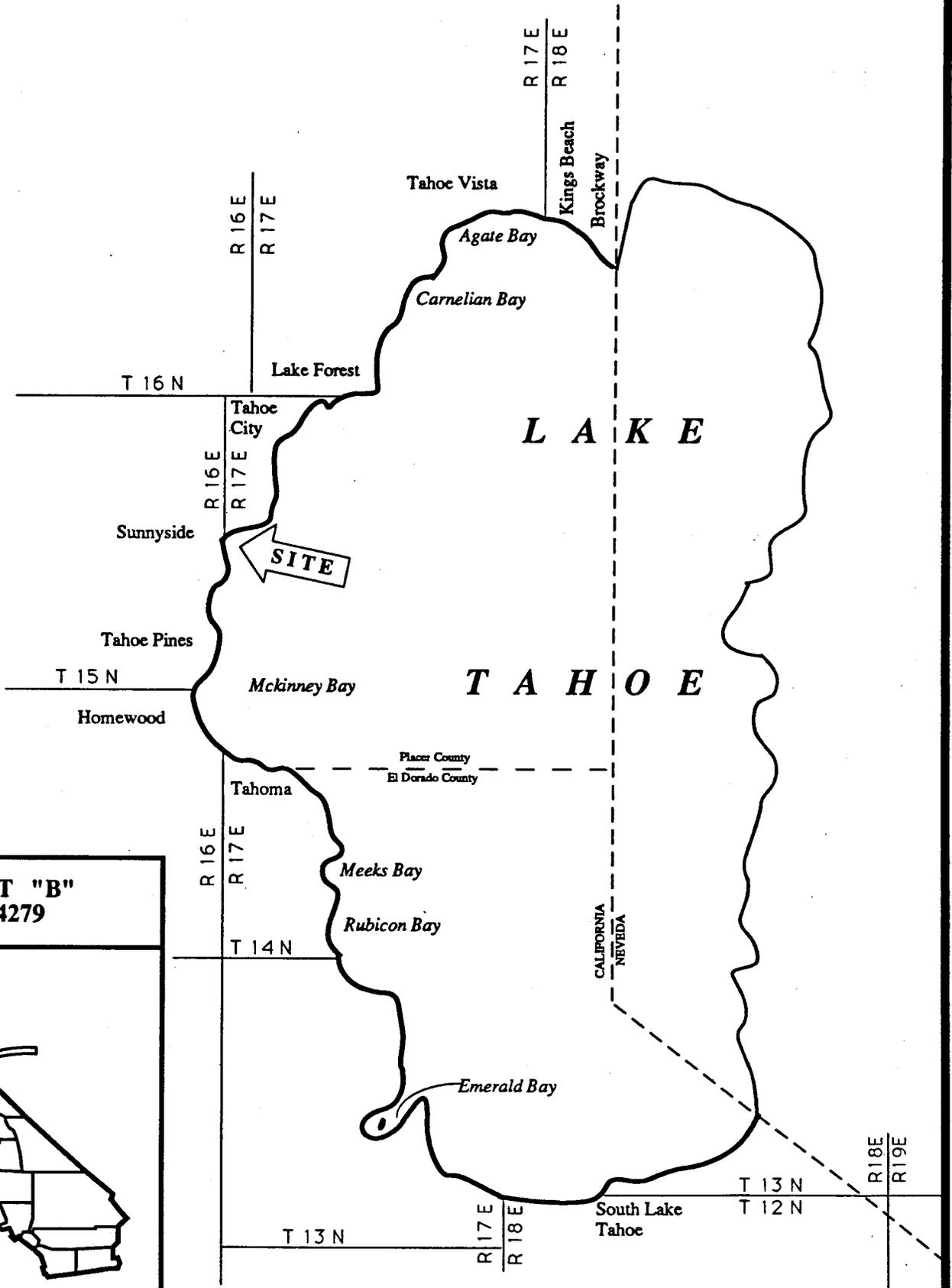


EXHIBIT "A"  
 Site Map  
 PRC 4279  
 APN 84 - 154 - 01  
 LAKE TAHOE  
 PLACER COUNTY





**EXHIBIT "B"**  
**PRC 4279**



EXHIBIT "C"

Date 3/2/92

File Ref: PRC 4279

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

Subject: Building Permit for Pier Pier reconstruction, removal of  
boathouse, new boatlift and retentic  
Name: Arthur Tuverson of two mooring buoys

Address 12400 Wilshire Blvd. 13th Floor  
Los Angeles, CA 90025-1032

Placer County Assessor's Parcel No. 84-154-01

Upland Address: 2000 West Lake Boulevard

Dear Ms. Ludlow:

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

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

Sincerely,

*Jan Christian*

For  
JAN CHRISTIAN  
Associate Civil Engineer

EXHIBIT "D"

**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

December 1, 1992  
File: PRC 4279  
ND 609

**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 December 31, 1992.

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

DOUG MILLER  
Division of Environmental  
Planning and Management

Attachment

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**STATE LANDS COMMISSION**

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

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

CHARLES WARREN  
 Executive Officer

**PROPOSED NEGATIVE DECLARATION**

File: PRC 4279  
 ND 609  
 SCH No. 92122005

Project Title: Tuverson Pier Reconstruction & Retain Use of Two Mooring Buoys

Proponent: Arthur Tuverson

Project Location: 2000 West Lake Blvd., Lake Tahoe, Sunnyside area, APN 84-154-01, Placer County.

Project Description: Remove boathouse, reconstruct pier with boatlift, and retain for use two existing mooring buoys.

Contact Person: Doug Miller Telephone: 916/322-7826

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

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

this project will not have a significant effect on the environment.

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

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 4279

I. BACKGROUND INFORMATION

A. Applicant: Mr. Arthur Tuverson
12400 Wilshire Blvd. 13th Floor
Los Angeles, CA 90025-1032

B. Checklist Date: 11 / 30 / 92

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

D. Purpose: Proposed authorization to remove the boathouse, reconstruct the pier and retain the use of two existing buoys.

E. Location: 2000 West Lake Blvd., Sunnyside Area, Adjacent to Lake Tahoe, Placer County, APN 84-154-01

F. Description: Remove boathouse, reconstruct pier with boat lift and retain for use two existing buoys.

G. Persons Contacted:
Ginger Tippet - U.S. Army Corps of Engineers
Jim Livingston - Tahoe Regional Planning Agency
Kevin Agan - Agent, Vail 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?
2. Disruptions, displacements, compaction, or overcovering of the soil?
3. Change in topography or ground surface relief features?
4. The destruction, covering, or modification of any unique geologic or physical features?
5. Any increase in wind or water erosion of soils, either on or off the site?
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
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, ground failure, or similar hazards?

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- |  | Yes                      | Maybe                    | No                                  |
|--|--------------------------|--------------------------|-------------------------------------|
| <b>B. Air.</b> Will the proposal result in:  |                          |                          |                                     |
| 1. Substantial air emissions or deterioration of ambient air quality? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The creation of objectionable odors? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <b>C. Water.</b> Will the proposal result in:  |                          |                          |                                     |
| 1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters? .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff? .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Alterations to the course or flow of flood waters? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Change in the amount of surface water in any water body? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? .....                | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Alteration of the direction or rate of flow of ground waters? .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? .....                | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Substantial reduction in the amount of water otherwise available for public water supplies? .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. Exposure of people or property to water-related hazards such as flooding or tidal waves? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Significant changes in the temperature, flow or chemical content of surface thermal springs? .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <b>D. Plant Life.</b> Will the proposal result in:   |                          |                          |                                     |
| 1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)? .....                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Reduction of the numbers of any unique, rare or endangered species of plants? .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Reduction in acreage of any agricultural crop? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <b>E. Animal Life.</b> Will the proposal result in:  |                          |                          |                                     |
| 1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)? ..... | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Reduction of the numbers of any unique, rare or endangered species of animals? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Deterioration to existing fish or wildlife habitat? .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <b>F. Noise.</b> Will the proposal result in:  |                          |                          |                                     |
| 1. Increase in existing noise levels? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Exposure of people to severe noise levels? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <b>G. Light and Glare.</b> Will the proposal result in:  |                          |                          |                                     |
| 1. The production of new light or glare? .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <b>H. Land Use.</b> Will the proposal result in:   |                          |                          |                                     |
| 1. A substantial alteration of the present or planned land use of an area? .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <b>I. Natural Resources.</b> Will the proposal result in:  |                          |                          |                                     |
| 1. Increase in the rate of use of any natural resources? .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Substantial depletion of any nonrenewable resources? .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- J. *Risk of Upset.* Does the proposal result in:
- |   | Yes                      | Maybe                    | No                                  |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions? ..... | <input type="checkbox"/> | <input 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?
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area?

U. *Mandatory Findings of Significance.*

- 1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?
- 3. Does the project have impacts which are individually limited, but cumulatively considerable?
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

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

Date: 11/17/92

For the State Lands Commission

*Doug Miller*

CALENDAR PAGE

MINUTE PAGE

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PROJECT DESCRIPTION

PROJECT NARRATIVE

PRC 4279 authorizes a recreational pier. The proposed project involves the authorization to retain and use two existing unauthorized mooring buoys, reconstruct the existing pier, remove the boathouse and replace it with a widened pierhead deck in the footprint of the boathouse, and replace the existing boat hoist (inside the boathouse) with an electric low level boat lift (hoist) immediately adjacent to the widened pierhead (See attached plan: Exhibit "A"). This pier reconstruction project will take place within the footprint of the existing pier and boathouse project

This project is located on the west shore of Lake Tahoe approximately 400 feet south of the Sunnyside Marina which consists of a rock crib marina and buoy field. The adjacent properties to the north and south of this lakefront property consists of single family residential recreational parcels with associated piers buoys. This pier project is consistent with and will not distract from the surrounding residential lakefront environment.

This project consists of reconstructing the existing open piling pier with 10.75" dia. steel piles at 15' O.C. with 12" and 6" steel beams, 4" x 10" wood joists at 24" O.C., 2" x 6" min. cedar decking, remove the existing boathouse and replace it with a widened pierhead deck, and replace the existing boathoist with a low level boatlift supported by a single "H" beam adjacent to the pierhead. The existing double pile walkway will be replaced with a single pile walkway. These proposed measures are to provide mitigation to enhance the scenic quality in this portion of Lake Tahoe by replacing the boathouse with a widened pierhead as proposed by the Tahoe Regional Planning Agency (See attached plan: Exhibit A).

CONSTRUCTION METHOD

The reconstruction of this pier will be performed by a rubber-tired barge with pile driver; piles are to be driven 6 feet in depth or refusal (that point at which the pile can not be driven any further). Turbidity screens or caissons or sleeves will be used if sediments are re-suspended during pile driving. Anchorage of the barge will be to the existing structure and/or lake anchors required to provide adequate stabilization of the barge. During low-water seasons, barge access will be confined to the "footprint" of the pier. This access confinement is to minimize disturbance to the lakebottom.

All construction wastes will be collected onto the barge and

disposed of at the nearest dumpster/sanitary fill site. There will be no storage of construction materials on the shoreline. Small boats and tarps will be placed under the construction areas to provide collection of construction debris, preventing any discharge of wastes into the lake. If disturbed shoreline/lakebottom sediments are found due to the construction activity associated with the removal and installation of this project, the affected areas will be hand rolled and/or rock cobble to be hand picked to reconsolidate the shoreline sediments.

180.

DESCRIPTION OF ENVIRONMENTAL SETTING

The proposed Tuverson pier reconstruction project is located at 2000 West Lake Blvd., Sunnyside, Lake Tahoe, Placer County, California (APN 84-154-01). This is a private residence in the Sunnyside area, approximately three miles south of Tahoe City on Highway 89 (West Lake Blvd.). The present use of the area is private recreation. A pier, boathouse, boat hoist, and two buoys presently exist on site. The Sunnyside shoreline is primarily rocky, generally offering little habitat for Tahoe Yellow Cress (TYC) (Rorippa subumbellata ROLLINS).

SITE DESCRIPTION

The Tuverson recreational residential property and the two adjacent recreational residential parcels to the north and south presently have piers and buoys which is consistent with the surrounding scenic lakefront environment. From the centerline of the Tuverson pier, there is a pier 150 feet to the north and another pier 200 feet to the south. There is a backshore wall approximately 100 feet west of mean high water (elev. 6229.1 feet). The residence is separated from the backshore wall by a grass lawn. The area between the backshore and mean low water (6223.1' elev.) consists of large cobble and rocks 8-9" in diameter.

SUBSTRATE AND TOPOGRAPHY

The substrate between the backshore wall and mean high water (elev. 6229.1') of the Tuverson parcel consists of large cobble 8-9 inches in diameter.

The topography of the substrate from the rock wall is a gentle steady downslope down to the water level (currently below 6223.1' elevation). The beach is comprised of large cobble and rock 8-9" in diameter. No back beach depressions or wave berms are present. High and low water levels are indicated in relation to the pier on the attached map Exhibit "A" along with the topographic profile of the site.

The substratum composition for the entire Tuverson parcel is dominated by large cobbles of uniform size and shape approximately 8-9" in diameter, and no sand or gravel lenses occur within this zone.

VEGETATION

The soil and vegetation survey for TYC included both neighboring

parcels to the north and south for 100 feet into the adjacent parcels. The surveys were conducted on April 8 and 30, 1992.

The backshore area is dominated by black cottonwood, mountain alder, white fir, and Jeffrey pine.

The area between the backshore and the mean high water level (6229.1) is dominated by mullein, groundsmoke, groundsel, monkeyflower, large-leaf avens, sierra thistle, white clover, bentgrass, lemon willow,, and sapling black cottonwood.

The shoreline zone of the proposed project (approximately from 6229.1' to 6223.1' elevation) is fairly devoid of vegetation cover.

### CONCLUSIONS

TYC was not found within the survey area nor has it ever been documented to occur on this site. A collection of TYC At Sunnyside by Eastwood is listed in Smith's Flora of the Tahoe Basin (1984). No date of the collection was given. Recent surveys have failed to locate any TYC plants or area resembling good habitat. The closest documentation sighting of TYC to the Tuverson property in recent years is at Ward Creek to the south (Ferreira et al 1991). The beach at the mouth of the creek offers more sandy substrate with a wider beach available at high water. The distance from Ward Creek without any habitat between the two sites also limits colonization potential. The Tuverson property as surveyed in April 1992 does not offer good potential or present habitat for TYC; therefore, the proposed project appears to pose no impact to any existing or potential habitat.

The shorezone in the area of the proposed project is mapped spawning habitat on the Prime Fish Habitat Maps identified by the Tahoe Regional Planning Agency. The construction period will be between July 1 and October 1 which will not interfere with the fish spawning season.

DISCUSSION OF ENVIRONMENTAL EVALUATION  
TUVERSON RECREATIONAL PIER  
TWO EXISTING BUOYS, PIER RECONSTRUCTION, BOATHOUSE REMOVAL,  
PIERHEAD WIDENING, AND LOW-LEVEL BOAT LIFT

PRC 4279

A. Earth

1. No. The pier reconstruction project is confined to the surface and will not create any unstable conditions or change any geological structure. The existing buoys anchored by concrete blocks which rest on the lake bottom substrate will not create any geological changes.
2. No. This operation will not overcover or disturb any new areas. The existing concrete buoy anchors cover about three square feet each of lake bottom substrate. There will be no overcovering of upland soils.
3. No. This project will not create any changes in ground surface relief. There will not be any excavating. The mooring buoy anchors rest on the lake bottom substrate. This is a minimal impact.
4. No. The geology in the project area consists of glacial and alluvial deposits. The lake bed at the site is essentially flat and lacks unique features. The removal and driving of replacement piles for the pier and the H beam for the boat lift will not change any geological or physical features nor will the two existing buoy anchors resting on the lake bed substrate.
5. No. This pier reconstruction project is simply repairing and modifying an existing structure and will have no effect on wind or water erosion on or off the site. The two existing buoy anchors resting on the lake bottom will not cause any erosion or significant disturbance to the lake bed bottom profiles.
6. No. This pier reconstruction project is confined to the existing footprint of the structure which will not create any new channel changes or erosion of non-existent beach sands. The beach is comprised of large cobble and rock with no sand present to erode. The buoy anchors resting on the lake bed substrate will not cause any erosion or significant disturbance to lake bottom profiles.
7. No. The reconstruction of the existing pier is a surface project and not deep enough nor violent enough to induce any seismic instabilities or ground failures. The two buoy anchors are simply resting on the lake bottom. No

impacts are anticipated.

B. Air

1. No. The reconstructed pier and two existing buoys will not affect the air quality.
2. No. The reconstructed pier and two existing buoys will not create objectionable odors. However, during construction hours, there will be about a four week period when fumes from the diesel engine will be noticeable in the immediate vicinity of the project. These fumes are immediately dissipated by the constant prevailing winds associated with Lake Tahoe during normal construction hours.
3. No. The reconstructed pier and existing buoys will not create any major changes in air movements, temperature, or climate, nor create any abnormal weather conditions.

C. Water

1. No. The existing buoys, boat lift (one H beam piling), and replaced piles supporting the pier are of a static nature and will not create any changes in water currents or movements.
2. No. The existing buoys, boat lift, and replaced pilings of the existing pier will not affect absorption rates, drainage patterns, etc. The area adjacent to the pier is submerged.
3. No. The replaced pilings of the existing pier, boat lift, and existing buoys will not create any new effects upon flood waters.
4. No. The replaced pilings of the existing pier, boat lift, and the existing buoys are static in nature and will not affect the surface water volume of Lake Tahoe.
5. No. Mitigation measures required by the Tahoe Regional Planning Agency (TRPA) include the applicant installing turbidity screens or caissons or vertical cylinders (sleeves) to prevent the release of re-suspended sediments during pile (includes H beams) placement activities from entering the lake. Small boats and/or tarps will be placed under the construction area as necessary to collect construction debris. The modified pier, boat lift, and existing buoys will not change the water quality.
6. No. The geology of the project area is composed of glacial and alluvial deposits. The replacement of the

existing pilings, the H beam for the boat lift, and the existing buoys are all relatively shallow operations and should not affect not affect ground water flows.

7. No. There will not be any changes to ground water quantity caused by the existing buoys, installed boat lift, or modified pier.
8. No. The existing buoys, boat lift, and the reconstructed pier will have no effect on public water supplies. This project has nothing to do with water supplies.
9. No. The existing buoys, boat lift, and reconstructed existing pier will not expose people or property to water-related hazards such as tidal waves or induce flooding.
10. No. There are no thermal springs in the vicinity. The project will not affect any thermal springs.

#### D. Plant Life

1. No. There will be a temporary change in aquatic sessile plants during the reconstruction period which will be approximately four weeks. This temporary change will only affect the construction area which will be isolated by caissons or sleeves if sediment is re-suspended during pile driving. 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 two buoy anchors have more surface area for sessile aquatic plants to colonize than the lake bottom surface it occupies. The reconstruction project will be conducted during the non-spawning season, identified to be between July 1, 1992 and October 1, 1992 to minimize the impact on fish spawning habitat. The impact to aquatic plants will be temporary.
2. No. There are no rare or endangered species on the property. In the report for Tahoe Yellow Cress (Rorippa subumbellata) habitat, no TYC nor TYC habitat was found on the project property of adjacent properties.
3. No. The pier reconstruction project and the existing buoys will not introduce new species to the area nor bar existing species from becoming established.
4. No. The pier reconstruction project and the existing buoys will not reduce the acreage of agricultural crops. There are no agriculture or aquaculture activities in this area; therefore, there will be no impacts.

E. Animal Life

1. No. There will be a temporary disruption in aquatic animal life confined to the actual reconstruction area by the caissons or sleeves during the actual period of driving piles. The construction period will be approximately four weeks. Upon completion of the project, the indigenous aquatic fauna will re-occupy any voids created during the repair operation.

The reconstruction project will be conducted during the non-spawning season, identified to be between July 1 and October 1 to minimize the impact on fish spawning habitat. Additionally, Jim Lawrence of TRPA requested that the mooring buoys and their chains be removed during the non-boating season from October 15 to May 1 which will allow anglers to fish additional areas previously occupied by the mooring buoys. The existing unauthorized buoys will not create any new effect on aquatic animal life because of their existence; however, their removal during the non-boating season will provide more unrestricted fishing area for anglers.

2. No. There have not been any rare or endangered aquatic animals reported within the project area.
3. No. The pier reconstruction project and two existing buoys will not introduce any new species to the area nor create a new barrier to aquatic animals.
4. No. The pier reconstruction project will not reduce the aquatic animal habitat area upon completion. The existing buoys will not change the existing habitat.

F. Noise

1. No. The reconstructed private recreational pier with its new boat lift will not increase existing noise levels, nor will the existing buoys. There will be short term additional noises during the reconstruction period, but there will not be an increase in long term noise levels. There will be short term noises as motor boats come and depart from their mooring buoys. There is a five mile per hour speed limit enforced by the Placer County Sheriff's Department which will keep any additional motorboat noises to a minimum.
2. No. The reconstructed pier with its new boat lift 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 assume normality. The construction personnel will be subjected to higher noise levels, but they wear hearing protective devices. As

mentioned above the five mile per hour speed limit will virtually eliminate any severe noises from motor boats being moored at the mooring buoys. The general public will not be exposed to this increased noise level because the private residential property which lies between the project and Highway 89 will act as a buffer. The existing buoys will not affect noise levels.

G. Light and Glare

1. No. Neither the modified pier with its new boat lift nor the existing buoys will result in creating new light or glare. Any night lights on the moored boats indicate the location of the moored boat to other boats traveling at night. These lights do not create a significant amount of glare, but are a safety factor.

H. Land Use

1. No. The reconstruction of the existing private recreational pier with its new low-level boat lift will not alter the present or planned use of the area. The existing pier and buoys serve a private residence and not the general public. There are presently buoys and piers on adjacent properties. There is a pier 150 feet to the north and 200 feet to the south of the centerline of the Tuverson's existing pier. This project will not substantially alter the land use in the area.

I. Natural Resources

1. No. The continued seasonal recreational use of this private pier and buoys by the Tuverson family will not create any new effects upon the use rate of any natural resource.
2. No. The Tuverson family's seasonal use of their private recreational pier and buoys will not create any changes which could deplete any nonrenewable resource.

J. Risk of Upset

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

placed under the reconstruction area as necessary to collect construction debris. The use of caissons or vertical cylinders (sleeves) will be required to prevent the release of re-suspended 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. No. The seasonal use of the Tuverson's existing private recreational pier, low level boat lift, and buoys will not create an interface with any emergency response or evacuation plan.

K. Population

1. No. The seasonal use of the existing Tuverson family reconstructed recreational pier and two existing buoys will not alter the population in the lake basin.

L. Housing

1. No. Neither this existing private recreational pier, boat lift, nor the two existing buoys will create a demand for additional housing.

M. Transportation/Circulation

1. No. This is a private residence and the reconstructed pier, boat lift, and two existing buoys are for the benefit of the members of the Tuverson family and not the general public. There are no facilities being added to attract the general public or 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. No. See #1 above.
3. No. See #1 above.
4. No. See #1 above.
5. No. See #1 above.
6. No. See #1 above.

N. Public Services

1. No. This is a private residence and the reconstructed pier, boat lift, and the two existing buoy will not create any additional use or increase of use by the general public. This project will not create any new demands on government agencies and services such as fire, police protection, parks and recreation, road maintenance, etc.
2. No. See #1 above.
3. No. See #1 above.
4. No. See #1 above.
5. No. See #1 above.
6. No. See #1 above.

O. Energy

1. No. This pier reconstruction project and existing two buoys will not have any affect 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. No. See #1 above.

P. Utilities

1. No. The reconstruction of the private recreational pier and the existing two buoys will not create any changes in utilities. This project is for the private benefit of the Tuverson family. There will be no additions to the existing facilities which will significantly affect the current uses of power, communications, water, septic tanks, storm water drainage, or solid waste disposal.
2. No. See #1 above.
3. No. See #1 above.
4. No. See #1 above.
5. No. See #1 above.
6. No. See #1 above.

Q. Human Health

1. No. This reconstructed private recreational pier, boat lift, and two existing buoys will not create any new health hazards to humans.
2. No. The two existing buoys and reconstructed private recreational pier will not expose people to any new potential health hazards.

R. Aesthetics

1. No. The Tuverson's recreational pier and buoys are existing facilities. As TRPA mitigation the boathouse is being removed and being replaced by a wider pierhead. The removal of the boathouse and reconstruction of the pier from double or paired pilings to single pilings is designed to compliment the aesthetics of this residential recreational area consisting of homes, piers, buoys and boats.

S. Recreation

1. No. The reconstruction and modification of this private recreational pier and the continued use of these two existing unauthorized mooring buoys will have not create any new effects on public recreation in this area. The mooring buoys will be removed during the non boating season (October 15 to May 1) to allow more area for the off tourist season anglers to fish.

T. Cultural Resources

1. No. This project consists of removing a boathouse and replacing it with a wider pierhead, reconstructing an existing private recreational pier, installing a boat lift adjacent to the pierhead, and maintaining the use of two existing buoys. The project will take place within the footprint of the existing pier and boathouse. There are no identified cultural, ethnic, religious, or sacred uses pertinent to this project area.
2. No. See No.# 1 above.
3. No. See No.# 1 above.
4. No. See No.# 1 above.

U. Mandatory Findings of Significance

1. No. The pier is being reconstructed using a single

piling configuration instead of the present double piling configuration. There will be about a four 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 caissons or vertical sleeves will be incorporated to protect Lake Tahoe during the reconstruction phase of the operation. The continued use of the two existing buoys will not create any new significant effects.

2. No. There will be a short term, approximately four weeks, disruption of the marine environment in the immediate vicinity of the pier being reconstructed. This area will be separated by a turbidity screen or the use of caissons or vertical cylinders (sleeves) to prevent the release of re-suspended 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 changes created by this project.
3. No. The Tuverson's private family recreational pier is an existing facility. The removal of the boathouse, the pier reconstruction, the boat lift, and the continued use of the two existing buoys during the boating season (May 1 to October 15) will not add or create impacts which will increase the propensity for considerable cumulative effects.
4. No. This private pier reconstruction and boathouse removal project, boat lift, and the authorized seasonal use of the two existing buoys will not create any new environmental effects which could create a significant adverse effect on human beings.

EXHIBIT "C "  
MITIGATION MONITORING PROGRAM  
FOR THE TUVERSON BOATHOUSE REMOVAL,  
PIER RECONSTRUCTION, AND BOAT LIFT 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 re-suspended 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 reconstruction and boat lift project during the placement of the pilings to assure compliance.

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

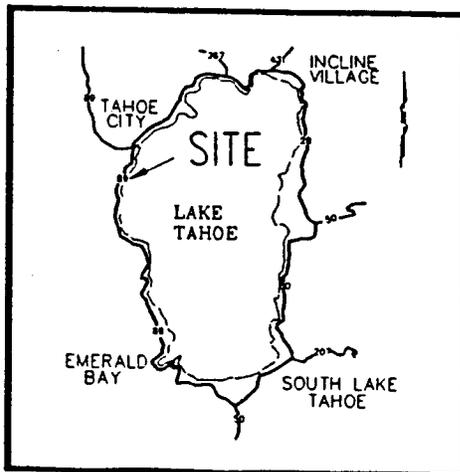
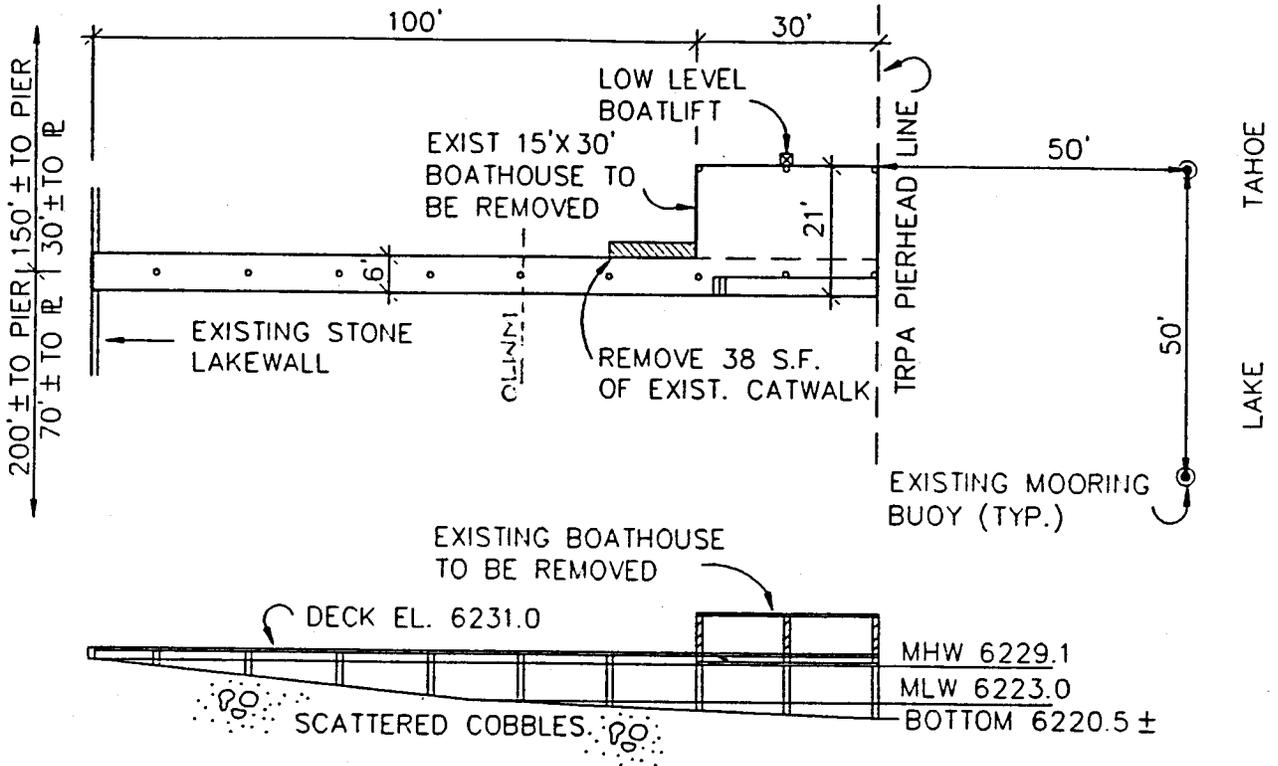
Project Modification:

- 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 - October 1 to reduce impacts to fish habitat.

- b) Any disturbance to the lake bottom or shoreline sediments will require restoration including hand rolling and/or hand placement of rock cobble to reconsolidate the disturbed lake bottom or shoreline sediments.
- c) TRPA requested that the buoys and chains be removed during the non-boating season from October 15 to May 1 to which will allow anglers to fish additional areas previously occupied by mooring buoys.

**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. Staff will also inspect for the presence of mooring buoys for compliance with TRPA's request that they be removed during the non-boating season from October 15 through May 1.



**EXHIBIT "A"**  
 Site Map  
 PRC 4279  
 APN 84 - 154 - 01  
 LAKE TAHOE  
 PLACER COUNTY

