MINUTE ITEM
This Calendar Item No. C06
was approved as Minute Item
No. 06 by the State Lands
Commission by a vote of 3
to 0 at its 4-28-93
meeting.

CALENDAR ITEM

C06

A 4
S 1

04/28/93
PRC 4204
Gordon

ACCEPTANCE OF LEASE QUITCLAIM DEED
TERMINATION OF GENERAL PERMIT - RECREATIONAL USE PRC 4204
ISSUANCE OF GENERAL PERMIT - RECREATIONAL USE

APPLICANT:
Carl D. Arnold, Jr. and Barbara P. Arnold, Trustees
Carl D. Arnold, III and Elena G. Arnold
6 "C" Street
Petaluma, California 94952

AREA, TYPE LAND AND LOCATION:
A 0.110-acre parcel of submerged land located in Lake Tahoe near Kings Beach, Placer County.

LAND USE:
Reconstruction and maintenance of a pier and the installation of two low-level boatlifts, all utilized for recreational boating.

TERMS OF ORIGINAL PERMIT:
Initial period:
Five years beginning April 1, 1989.

Surety Bond:
None

Public Liability Insurance:
Combined single limit coverage of $500,000.

Consideration:
$898.80 annum; five-year rent review.

Special:
1. The permit is conditioned on permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.

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2. The permit restricts any residential use of the facilities.

3. The permit conforms to the Lyon/Fogerty decision.

4. The permit is conditioned on permittee's retention of the public trust area and the Rorippa habitat area in its natural condition.

TERMS OF PROPOSED PERMIT:

Initial Period:
Five years beginning April 1, 1993.

Surety Bond:
None

Public Liability Insurance:
Combined single limit coverage of $500,000.

Special:

1. The permit is conditioned on permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.

2. The permit restricts any residential use of the facilities.

3. The permit conforms to the Lyon/Fogerty decision.

4. The permit is conditioned on the public's right of access along the shorezone up to the high water line at elevation 6,228.75 feet, Lake Tahoe Datum.

5. The permit is conditioned on permittee's retention of the public trust area and the Rorippa habitat area in its natural condition.

CONSIDERATION:

$1,038.91 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee, estimated processing and environmental 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:
6/22/93

OTHER PERTINENT INFORMATION:
1. At its July 10, 1989 meeting (Minute Item 35), the Commission authorized issuance of General Permit - Recreational Use PRC 4204.1, dated November 29, 1989, for maintenance of the subject pier to Thatcher Threlkeld, John Handlin Threlkeld, Jr., Donald Pierce Crocket and William Alexander Crocket, Jr.

   By a series of deeds, the title to the littoral upland has been conveyed to applicant without the Commission's prior consideration of an assignment of the permit. In the recent execution of a Lease Quitclaim Deed, the referenced permittees have released all their interest in the referenced permit, which will expire March 31, 1994. Staff, therefore, recommends acceptance of the Lease Quitclaim Deed and termination of said expiring permit.

   This is an application to reconstruct/repair the pier, as described in Exhibit D attached, and by reference made a part hereof, and to replace the expiring permit with a permit in the name of the applicant.

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 616, State Clearinghouse No. 93032088. 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 as depicted in Exhibit A attached hereto will have a significant effect on the environment. (14 Cal. Code Regs. 15074(b))

During the period of circulation of the proposed Negative Declaration, staff was informed by applicant's agent of the request of Paul B. Kelly, Jr., who is applicant's adjacent easterly neighbor, to relocate the pier's most easterly boat hoist to the center of the waterward end of the pier. This would ensure that Mr. Kelly's right of access to and egress from his facilities located on and adjacent to his littoral upland would not be restricted or limited by the plan proposed in said Negative Declaration. As applicant wishes to comply with Mr. Kelly's request, staff has contacted and received statements of non-objection to an alteration of the plan from the Tahoe Regional Planning Agency and the United States Army Corps of Engineers. Staff, therefore, recommends approval of the revised permit agreement as the pier and boat hoists are delineated on Exhibit A attached and by reference made a part hereof.

3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

United States Army, Corps of Engineers; State Lands Commission.

EXHIBITS:

A. Land Description
B. Location Map

C. Local Government Comment
D. Proposed Negative Declaration/Monitoring Program

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 616, STATE CLEARINGHOUSE NO. 93032088, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

2. ADOPT THE PROPOSED NEGATIVE DECLARATION AND MONITORING PLAN, ATTACHED WITHIN EXHIBIT D.

3. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

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 CARL D. ARNOLD, JR. AND BARBARA P. ARNOLD, AS TRUSTEES, CARL D. ARNOLD, III AND ELENA G. ARNOLD OF A FIVE-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING APRIL 1, 1993; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $1038.91, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $500,000; FOR RECONSTRUCTION, AND MAINTENANCE OF A PIER AND THE INSTALLATION OF TWO LOW-LEVEL BOATLIFTS, ALL UTILIZED FOR RECREATIONAL PURPOSES, ON THE LAND DESCRIBED AND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

PRC 4204.1

LAND DESCRIPTION

A parcel of land in the bed of Lake Tahoe, Placer County, California, lying immediately beneath an existing pier and walkways, TOGETHER WITH a necessary use area extending 10 feet from the extremities of of said pier and walkways, said pier and walkways being adjacent to and southwesterly of that certain parcel described in the Grant Deed dated February 21, 1967, recorded in Book 1146, page 433, Official Records of Placer County.

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

END OF DESCRIPTION

REVIEWED SEPTEMBER, 1992 BY R.L.N.C.

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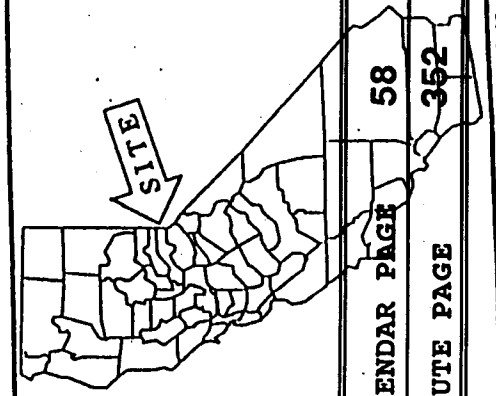
This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

EXHIBIT "A"
Site Map
PRC 4204.1
APN 90 - 282 - 18 & 19
Lake Tahoe
PLACER COUNTY



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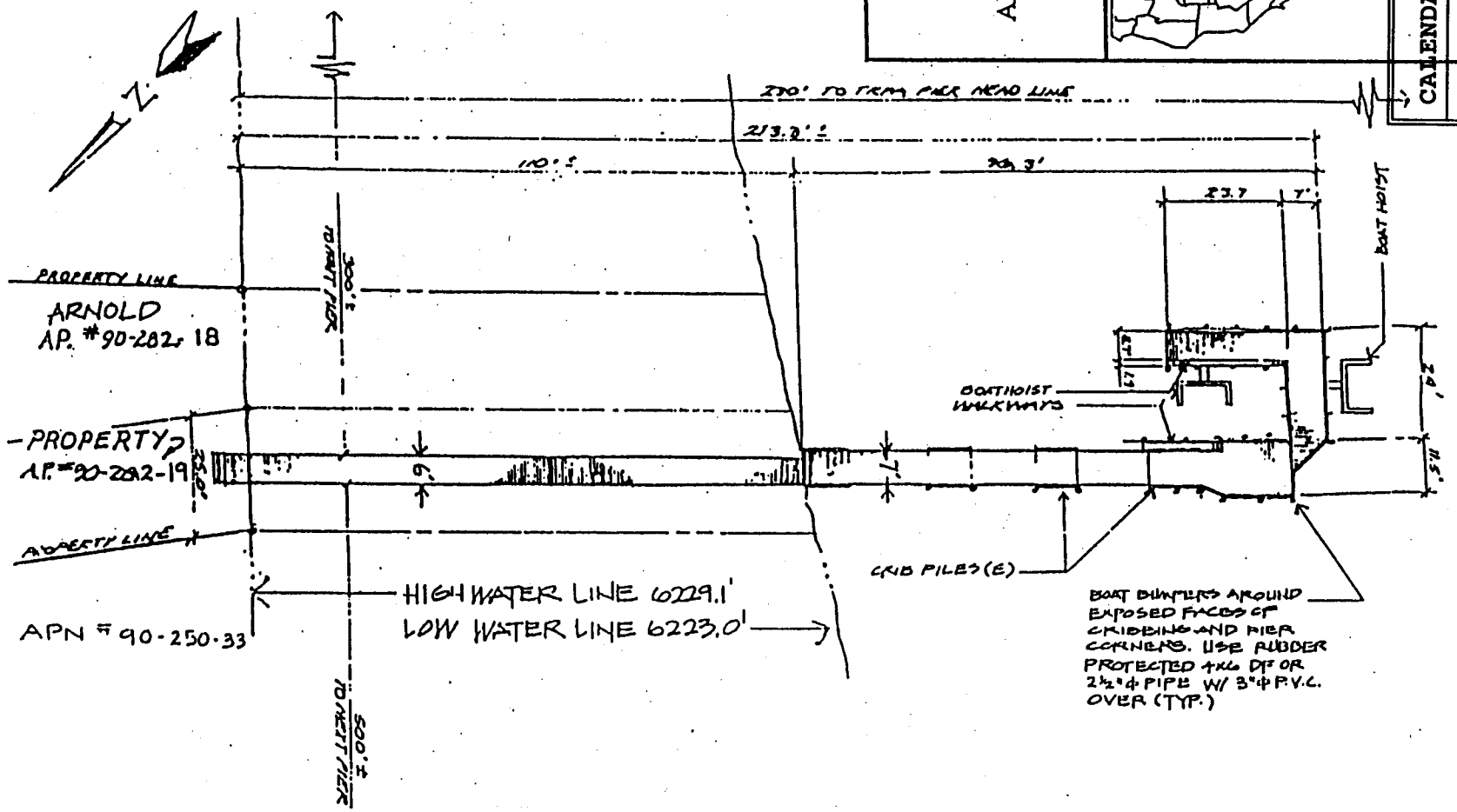
BY 9/92



SHEET 2 OF 2

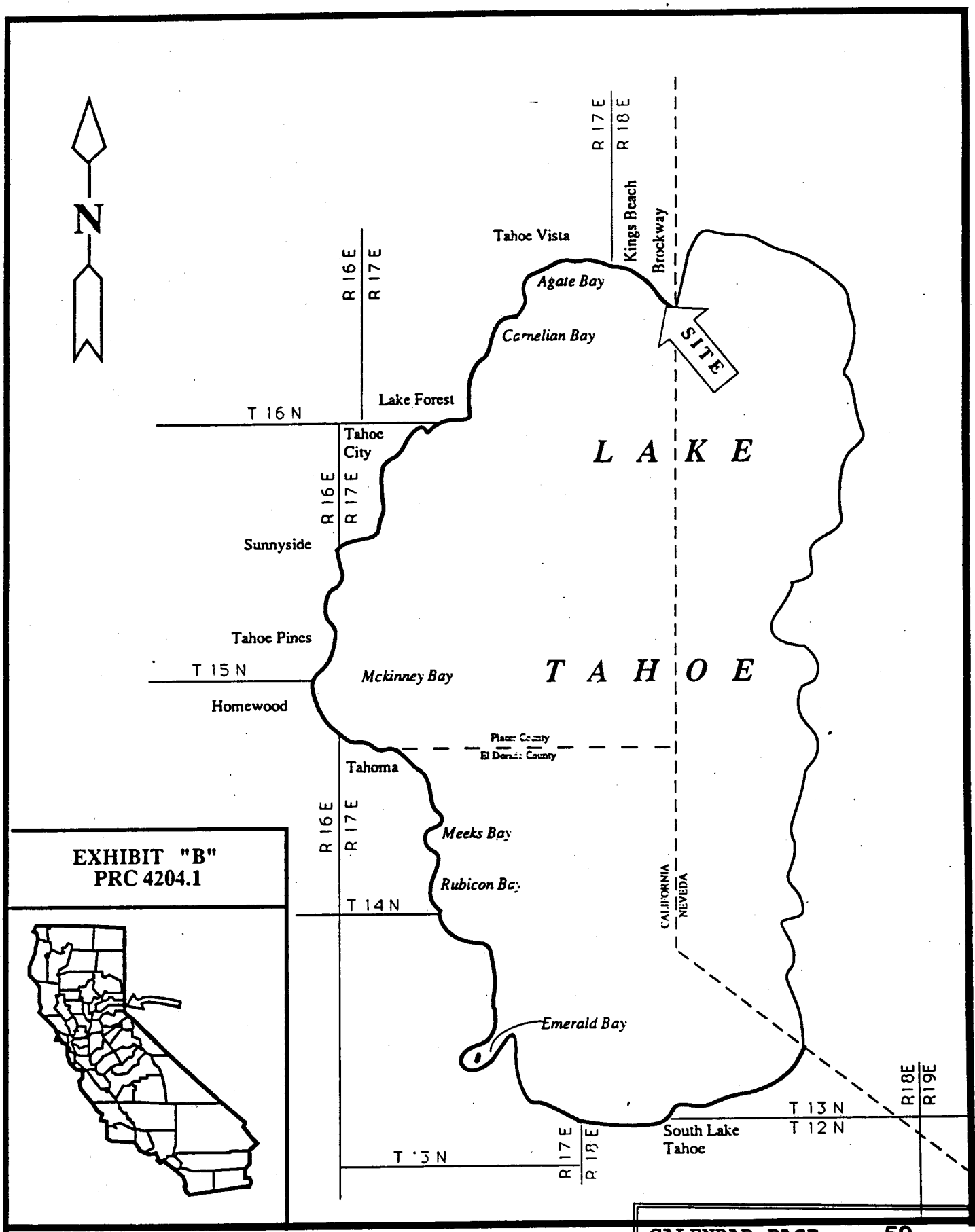


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EXHIBIT "C"

Date: 5-31-91

File Ref.: PRC 4204.1

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

Greetings:

Subject: Pier Reconstruction Project in Lake Tahoe near Kings Beach

Name: Carl D. Arnold, Jr., Trustee

Address: 6 "C" Street
Petaluma, CA 94952

Assessor's Parcel No. 90-282-19

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

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

County of Placer
Department of Public Works
Jack Warren, Director

Thomas Mong
For JAN CHRISTIAN

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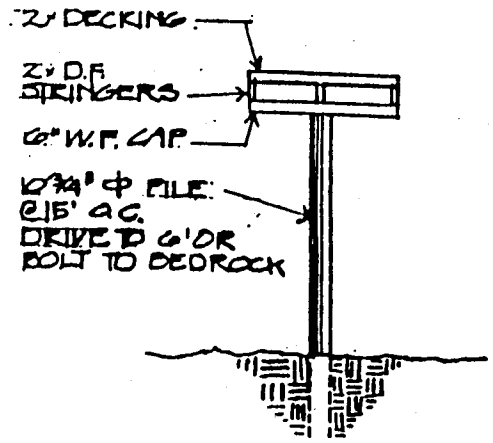
EXHIBIT "C"



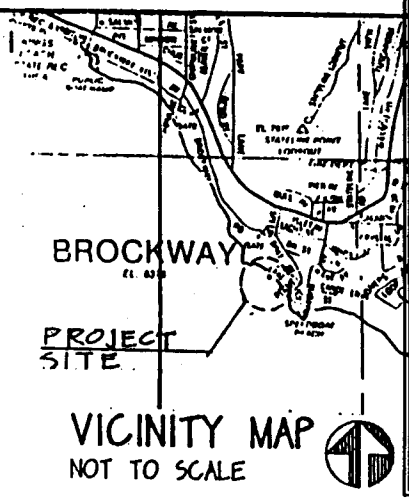
STEEL PILE SECTION
SCALE: 1"=8'-0"

SHOREZONE TOLERANCE DISTRICT 6

LAND CAPABILITY DISTRICT
1a(1) + BACKSORE BUFFER 1b

PRIOR TRPA APPROVAL - 1/18/80

ADJACENT PARCELS:
EAST - A.P.N. 90-282-18
WEST - A.P.N. 90-250-33



VICINITY MAP
NOT TO SCALE

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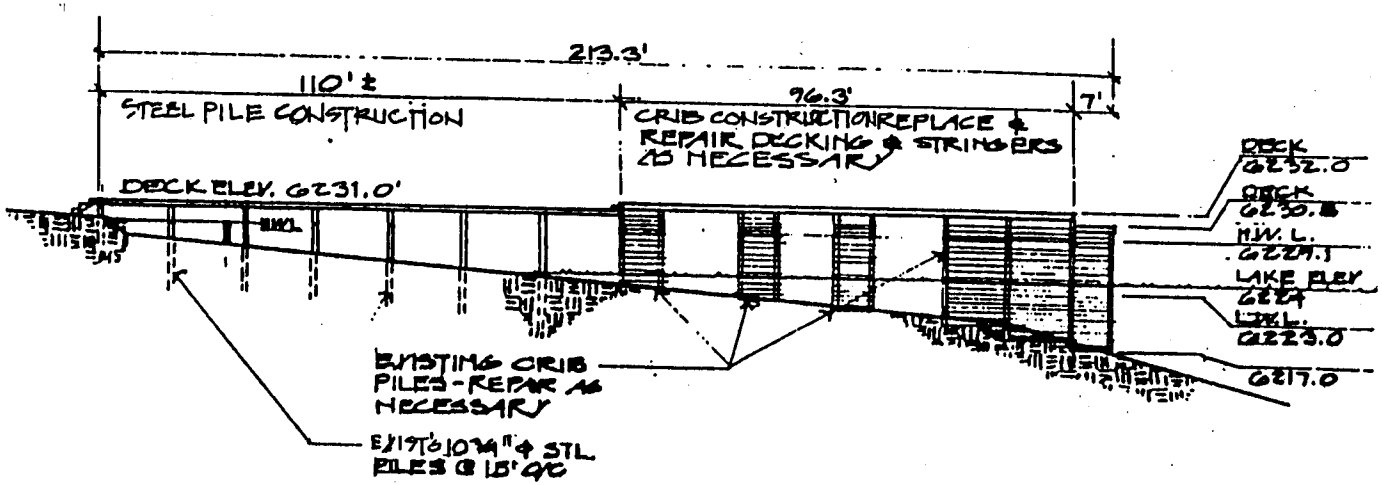

ELEVATION
SCALE: HORIZ.: 1"=40'
VERT.: 1"=20'

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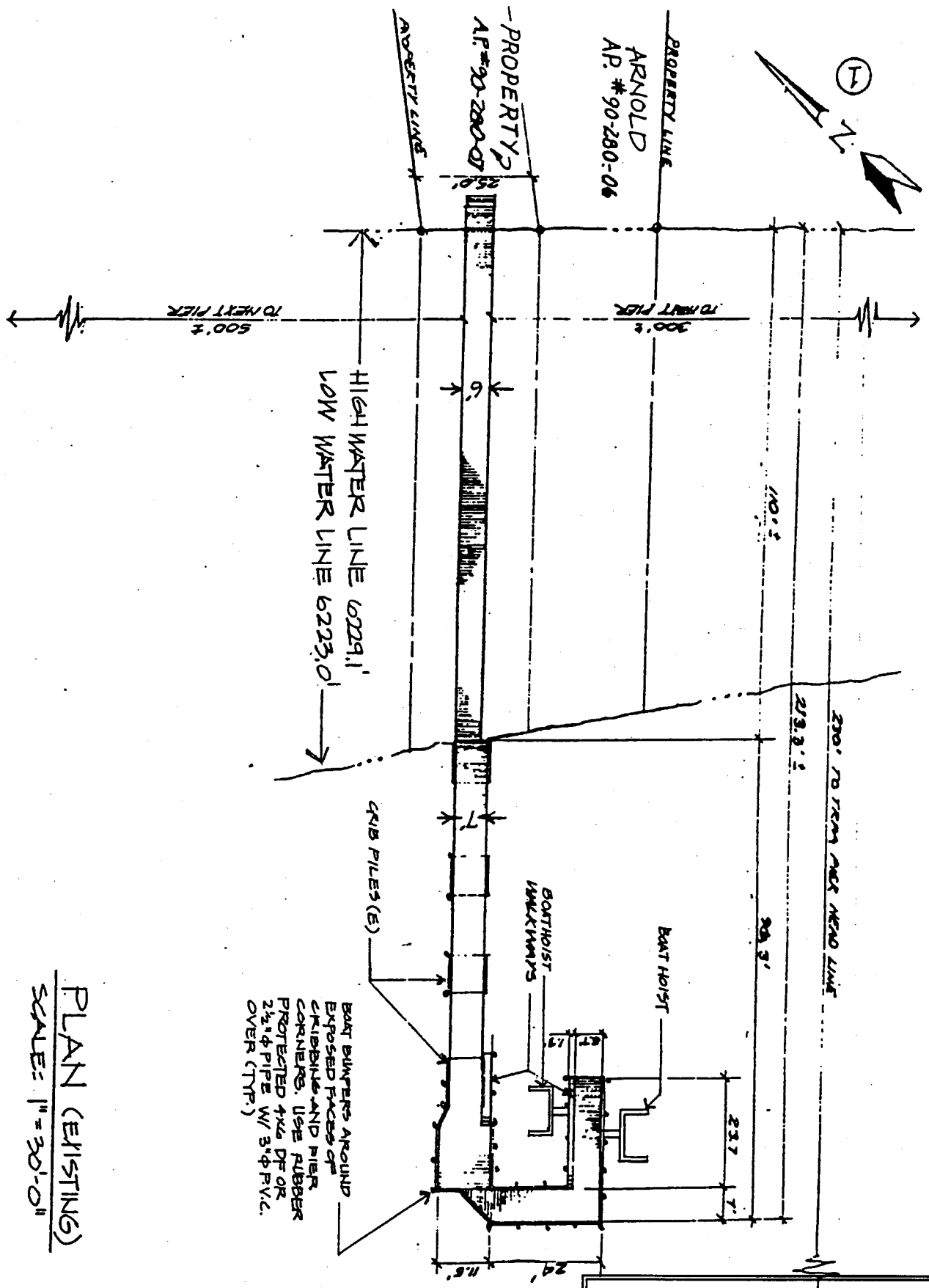
FOR CARL D ARNOLD AND ARNOLD FAMILY TRUST
MILEPOST NUMBER 6
PETALUMA

Lean Kauman
PLANNING & CONSULTING SERVICES
P.O. Box 253 Carnelian Bay 96711

Proposed Multiple Use PIER REPAIR
S.W. OF SPEEDBOAT AVE, LAKE VISTA SUB.
A.P.N. 90-282-19 PLACER COUNTY, CA

SHEET 1 OF 2

EXHIBIT "C"



NOTE:
SEE V10" SCALE "IMPERVIOUS COVERAGE SURVEY"
PREPARED BY KENNETH R ARNETT DATED 2/12/91
FOR MORE DETAILED INFORMATION REGARDING PARCEL

PLAN (EXISTING)
SCALE: 1" = 30'-0"

PRIOR T.R.P.A. APPROVAL
1-18-80

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SHEET			
2 OF 2	Proposed Multiple Use PIER REPAIR S.W. OF SPEEDBOAT AVE. LAKE VISTA SUB. A.P.N. 90-282-19 PLACER COUNTY, CA	FOR CARL D ARNOLD AND ARNOLD FAMILY TRUST MILEPOST INDUSTRIES NUMBER 6 C STREET PETELUMA, CA 94952	Leah Kaufman PLANNING & CONSULTING SERVICES P.O. Box 253 Carnelian Bay 95711

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 4204
ND 616
SCH No. 93032088

Project Title: Arnold Crib Pier Repair & Boatlift Installation

Project Proponent: Carl B. Arnold, III, Trustee

Project Location: Lake Tahoe, Kings Beach, 125 Speedboat Avenue, Brockway, CA, APN 90-282-19, Placer County.

Project Description: Repair rock cribs, replace decking, install two boatlifts, and restore shore/fish habitat to its natural status.

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

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

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

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

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

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STATE LANDS COMMISSION

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II
Form 13.20 (7/82)

File Ref.: PRC 4204.1

I. BACKGROUND INFORMATION

A. Applicant: Carl B. Arnold III, Trustee Agent: Leah Kaufman

6 "C" Street Planning & Consulting Services

Petaluma CA 94952 PO Box 253

Carnelian Bay CA 95711

B. Checklist Date: 3 / 23 / 93

C. Contact Person: Doug Miller

Telephone: (916) 322-7826

D. Purpose: Authorization for crib repair, installation of two boat lifts and restoration of shore/fish habitat project.

E. Location: 125 Speedboat Ave., Brockway, CA - Kings Beach, Lake Tahoe, Placer County APN 90-282-19

F. Description: Repair rock cribs, replace decking, install two boat lifts, and restore shore/fish habitat to its natural status.

G. Persons Contacted:

Leah Kaufman - Agent - Planning and Consulting Services

Ginger Tippett - Army Corps of Engineers

Kim Johnson - Tahoe Regional Planning Agency

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

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

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

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

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	Yes	Maybe	No
S. Recreation. Will the proposal result in:			
1. An impact upon the quality or quantity of existing recreational opportunities?	—	—	X
T. Cultural Resources			
1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?	—	—	X
2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?	—	—	X
3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	—	—	X
4. Will the proposal restrict existing religious or sacred uses within the potential impact area?	—	—	X
U. Mandatory Findings of Significance.			
1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	—	—	X
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	—	—	X
3. Does the project have impacts which are individually limited, but cumulatively considerable?	—	—	X
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	—	—	X

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

See Attached

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

___ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

_X_ 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: 3 / 23 / 93

Douglas R. Miller, Jr.
For the State Lands Commission

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PROJECT DESCRIPTION

PROJECT NARRATIVE

PRC 4204.1 proposes authorization for the use of an existing rock crib pier for recreational purposes. The proposed Arnold multiple-use pier project will consist of repairing an existing rock crib and open pile pier. The rock cribs to be repaired are depicted in exhibit A. The steel pilings were replaced several years ago and require no additional work.

All repairs will be made lakeward of low water and include:

- replacement of deck
- repair to rock cribs
- addition of two low level boat lifts

All work will be done within the footprint of the existing structure. No increase in land coverage or modifications in size of shape to the existing pier will occur. Construction will be by barge which will anchor to the pier or in the lake bottom as required to stabilize the barge on the lake.

CONSTRUCTION METHOD

All access to the construction site will be by water on the barge. There will be no construction activity on the pier extension above the low water elevation of 6223 feet. Anchorage of barge will be to existing structure and/or anchors required for adequate stabilization. All construction wastes will be collected onto barge and disposed at the nearest sanitary landfill site. Small boats and tarps will be placed under construction areas to provide collection of construction debris preventing any discharge of wastes to the lake. There will be no crib or pier construction activities or materials stored above the low water line of the subject property. Work on the pier and crib will be done one section at a time. If disturbed lake bottom sediments are found due to the construction activity associated with the installation of this project, the affected area will be hand rolled and/or rock cobble to be hand picked to reconsolidate the lake bottom sediments. Work will be phased in one construction season (May 1 to October 1993).

SHORELINE RESTORATION PLAN

TRPA stipulates that the shoreline and lakebottom shall be returned to a natural state as a part of the fish habitat restoration plan. The existing rock in the retaining wall will be redistributed in a contiguous manner between El. 6229.0 (at base of lake wall) and El. 6223.0 (mean low water) as stipulated by the Tahoe Regional Planning Agency (TRPA) and State Lands Commission (SLC) compliance inspector's discretion to meet the Fish Habitat Restoration Plan objectives. The rock to be used consists of the following diameters: small boulders 4"-8", medium boulders 8"-16", and large boulders 16"-24". All rocks utilized for dispersement will be obtained from on site. The small rocks will be taken from the retaining wall. The other rocks (medium and large) are located on the beach. All work will occur between May 1 and October 15 1993. The displaced cobbles will not be placed on existing vegetation. The work in these areas will be performed by hand with the aid of a wheelbarrow to reconsolidate and restore any disturbed shoreline rocks.

DESCRIPTION OF ENVIRONMENTAL SETTING

PRC 4204.1

This proposed pier and rock crib repair project is located at 125 Speedboat, Brockway, Placer County, California. This is a private residence in Placer County designated as APN 090-282-19, and zoned as TR-1 at north Lake Tahoe. The present use of the area is private recreation. Shoreline in this area begins at the retaining wall which is approximately at elevation 6229. The upland begins at the top of the bank behind the retaining wall. Landward of the bank the ground rises gradually. There are natural conifers, ponderosa pine, incense cedar, and white fir growing on the natural ground surface along with manzanita and ceanothus sp.

The shorezone in the area of the proposed project is mapped as prime fish habitat and designated for habitat restoration on the Prime Fish Habitat Maps identified by TRPA. The rocks will be redistributed from on site. The rocks will be dispersed over sandy areas, at the discretion of the SLC/TRPA inspector, to restore the shoreline (fish habitat) to its natural state. Additionally, there are existing piers located approximately 300 feet southeasterly and 500 feet northwesterly of the Arnold pier.

Since the pier and crib repair activities are below elevation 6223 feet or mean low water, a soils and vegetation report was not considered necessary for the pier construction portion of this project.

The shoreline fish habitat restoration project stipulated by TRPA will be performed by hand, with the aid of a wheelbarrow, and take place between the base of the lake wall (elev. 6226) and mean low water (6223 feet). TRPA will have surveillance monitors on the site while this work is being done. No Rorippa Subumbellata was found on the site, in August 1992, by TRPA personnel.

DISCUSSION OF ENVIRONMENTAL EVALUATION
ARNOLD RECREATIONAL
PIER AND ROCK CRIB REPAIR AND BOAT LIFT INSTALLATION

PRC 4204.1

A. Earth

1. Earth Conditions

No. The pier and crib repair and boat lift project is confined to the lake bed and not the surface and will not create any unstable conditions or change any geological structure. The shoreline restoration project restores the shoreline to its natural state which is beneficial to this area and will not create any negative significant environmental effects.

2. Compaction, Overcovering of Soil

No. The proposed pier and rock crib repair and installation of the two boat lifts will be essentially confined to driving two "H" beams into the lake bed (about 6 feet deep) to support the boat lifts. See exhibit "A". There will be no overcovering of lake bottom strata or upland soils during pier and crib repair because the project will take place in the footprint of the existing cribs and pier. The shoreline restoration project will eliminate the rock piles and restore the shoreline to its natural state.

3. Topography

No. This proposed pier and rock crib repair and installation of the two boat lifts will not create any changes in ground surface relief. There will not be any excavating. This project will not create any new significant impacts to ground surface relief. The shoreline restoration project will restore the shoreline to its natural state.

4. Unique Features

No. The geology in the project area consists of glacial and alluvial deposits. The lake bed at the site is relatively flat and lacks unique features. The proposed pier and rock crib repair and installation of the two boat lifts will not change any geological or physical features. The shoreline restoration project will restore the shoreline to its natural state by eliminating the man made rock piles.

5. Erosion

No. This proposed pier and rock crib repair and installation of the two boat lifts project will all be done within the footprint of the existing structure and will have no effect on wind or water erosion on or off the site. The shoreline restoration project will remove the rocks in the piles and place them in the sandy areas.

6. Siltation

No. This proposed pier and rock crib repair and installation of the two boat lifts project will all be done within the footprint of the existing structure and will not create any channel changes nor induce erosion. The existing buoys will not create any changes to silting. The shoreline restoration project will not create any silting.

7. Geologic Hazards

No. This proposed pier and rock crib repair and boat lift installation project is above the ground surface and will all be done within the footprint of the existing structure and will not create any new significant geological impacts or hazards. The shoreline restoration project, eliminating the man made rock piles and dispersing the rocks and cobbles to their original state by hand will not create any new geological impacts or hazards.

B. Air

1. Emissions

No. The completed pier and rock crib repair and installation of the two boat lifts will not affect the air quality. However, during construction hours, there will be about a six to eight week period when fumes from the diesel engine will be emitted in the immediate vicinity of the project. These emissions are immediately dispersed by the prevailing winds. Upon completion this proposed pier and rock crib repair and installation of the two boat lifts will not create any new significant emissions. The shoreline restoration project will not create emissions.

2. Odors

No. The completed pier and rock crib repair and installation of the two boat lifts will not create objectionable odors. However, during construction hours, there will be about a six to eight week period when fumes from the diesel engine will be noticeable in the

immediate vicinity of the project. These emissions are immediately dispersed by the prevailing winds. Upon completion this proposed project will not create any new significant emissions. The shoreline restoration project will not create any objectionable odors.

3. Climate

No. The repaired pier, two new boat lifts, and the shoreline restoration project will not create any changes in air movements, temperature, or climate, nor create any abnormal weather conditions.

C. Water

1. Currents

No. The proposed pier and rock crib repair and installation of the two boat lifts are of a static nature in the footprint of the existing structure and will not create any changes in water currents or movements.

2. Runoff

No. The proposed pier and rock crib repair and installation of the two boat lifts are of a static nature in the footprint of the existing structure and will not create any changes in absorption rates, drainage patterns, etc. The area adjacent to the pier extension is submerged.

3. Flood Waters

No. The proposed pier and rock crib repair and installation of the two boat lifts are of a static nature in the footprint of the existing structure and will not create any changes nor have any affect upon flood waters. The shoreline restoration project will not create any new effects upon flood waters in the lake.

4. Surface Water

No. The proposed pier and rock crib repair and installation of the two boat lifts are of a static nature in the footprint of the existing structure and will not create any changes nor have any affect upon the surface waters at Lake Tahoe. The shoreline restoration project is static in nature and will not affect the surface water at Lake Tahoe.

5. Turbidity

No. Mitigation measures required by the Tahoe Regional

Planning Agency (TRPA) include the applicant installing a turbidity screen around the rock cribs being repaired to prevent the release of resuspended sediments from entering the lake. Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris. The repaired pier and installed boat lifts will not change the water quality.

The shoreline restoration work is between the elevations of 6229 and 6223 MLW. The lake level at Lake Tahoe has risen to 6222 and will probably rise another two feet by July. This shoreline restoration project may not be completed before the water level rises; therefore, there may be mitigation measures as deemed necessary by the TRPA inspector to contain possible turbidity created with this restoration project.

6. Ground Water Flows

No. The geology of the project area is composed of glacial and alluvial deposits. The replacement of the pier deck and repair of the rock cribs will be done in the footprint of the existing pier and the two "H" beams supporting the boat lifts relatively shallow (about six feet deep) and should not affect ground water flows. The shoreline restoration project is a surface operation and will not affect ground waters.

7. Ground Water Quantity

No. This project will not alter any aquifers nor use any ground water. There will not be any changes to ground water quantity caused by the two "H" beams supporting the boat lifts, the repaired pier deck, and the repaired rock cribs. The shoreline restoration project is a surface project and will not affect ground water.

8. Water Supplies

No. This is not a water consuming project. The installed boat lifts, the repaired pier, and the shoreline restoration project will have no effect on public water supplies.

9. Flooding

No. The installed boat lifts, the repaired pier, and the shore line restoration project will not expose people or property to water-related hazards such as tidal waves or induce flooding.

10. Thermal Springs

No. There are no thermal springs in the vicinity which

could be affected by this project.

D. Plant Life

1. Species Diversity

No. There will be a temporary change in aquatic sessile plants during the rock crib repair period which will be approximately six to eight weeks. This temporary change will only affect the rock crib being repaired which will be isolated by a turbidity screen, caisson, etc. This will not constitute a permanent or significant change. The indigenous aquatic flora will shortly begin recolonizing the affected area after the project has been completed. The impact to aquatic plants will be temporary. All construction activiies will be conducted between May 1 and October 15, 1993, as stipulated by TRPA.

The shoreline restoration project (the rearranging of the rocks on the site above elev. 6223 feet) will be monitored by the TRPA monitor to minimize any damage to any existing plants.

2. Endangered Species

No. There were no rare or endangered species reported between the base of the lake wall at El. 6229 and low water at El. 6223 on the lake bed of the lake. Personnel from TRPA inspected the site in August 1992 and found no Tahoe Yellow Cress (TYC), Rorippa subumbellata. It was determined that a soils and vegetation report was not required because all repair work on the pier project is to be performed below elev. 6223. The shoreline habitat restoration project consists of redistributing the rocks on the site between elev. 6223 and 6229 feet. This will be done by hand with the aid of a wheelbarrow. A TRPA monitor will be in attendance to assure that rocks are not placed on any existing vegetation.

3. Introduction of Plants

No. The repaired pier, installed boat lifts, and shoreline restoration project will not introduce new species to the area nor exclude existing species from becoming established.

4. Agriculture Crops

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

E. Animal Life

1. Species Diversity

No. There will be a temporary disruption in aquatic animal life confined to the actual rock crib being repaired; however, the construction area will be isolated by turbidity screens. The construction period will be approximately six to eight weeks. Upon completion of the project, the indigenous aquatic fauna will begin to re-occupy any voids created during the repair operation. This project is in an area designated by the TRPA map as prime fish habitat and fish habitat restoration. The fish habitat restoration project will improve the fish habitat. The fish habitat or shoreline restoration project will not create any negative effects on animal life. The projects will be conducted between May 1, 1993 and October 15, 1993 as directed by the TRPA.

2. Endangered Animal Species

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

3. Introduction of New Animal Species

No. The shoreline restoration, pier repair, and installed boat lifts will not introduce any new species to the area nor create a new barrier to aquatic animals.

4. Habitat Deterioration

No. These completed projects will enhance the aquatic animal habitat area. TRPA has directed that the shoreline or fish habitat restoration plan be implemented during the construction phase of this pier extension project which will actually improve the fish habitat.

F. Noise

1. Increases

No. The completed projects and the existing buoys will not increase existing noise levels. There will be short term additional noise during and in the vicinity of the pier repair, but there will not be an increase in long term noise levels.

2. Severe Noise

No. The completed projects will not create any new

severe noise levels; however, there will be a temporary period when the noise levels increase during the period of pier repair; however, upon completion of this project, the noise levels will return to normal. The construction personnel will be subjected to higher noise levels, but they wear hearing protective devices. The general public will not be exposed to this increased noise level because the private property between the project the nearest street will act as a buffer and attenuate the construction noises.

G. Light and Glare

1. No. Neither the completed projects nor the existing buoys will result in creating any new significant light or glare.

H. Land Use

1. No. The extension of the existing private recreational pier and boat lifts along with the shoreline restoration project will not alter the present or planned use of the area. There are presently piers and buoys on adjacent properties. This project will not substantially alter the land use in the area.

I. Natural Resources

1. Increase in Use

No. The continued seasonal recreational use of the private pier by the Arnold family will not create any new effects upon the use of natural resources. The shoreline restoration project restores the natural resource of the shoreline and not its use by people.

2. Depletion of any Nonrenewable Resources

No. The Arnold family's seasonal use of their private recreational pier will not create any changes which could deplete any nonrenewable resource. The shoreline restoration project restores the natural resource of the shoreline which is an enhancement.

J. Risk of Upset

1. Risk of Explosion or Upset

No. The project involves the extension of an existing pier. The barge being used is diesel operated which

a minimal amount of lakebottom. 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 turbidity screens will be incorporated to protect Lake Tahoe during the reconstruction phase of the operation. With the mitigation measures incorporated into the repair process, this project will not create any long term significant degradational environmental effects.

The shoreline restoration project will restore the rock and cobble to the natural state of the shore line under the supervision of the TRPA and/or SLC monitors.

2. Short Term vs. Long Term Environmental Goals

No. There will be a short term, approximately four weeks, disruption of the marine environment in the immediate vicinity of the pier being extended. This area will be separated by a turbidity screen to prevent the release of resuspended sediments during pier repair and small boats with tarps will be utilized under that portion of the pier to intercept any construction material from entering the lake.

Upon completion of the project, the indigenous marine biota will re-colonize and fill any voids created during the pier extension construction. The shoreline restoration project will restore the shore to its natural state. There will not be any long term significant degradational environmental changes created by this project.

3. Cumulative Impacts

No. The Arnold family recreational pier is an existing facility. The shore line restoration project, the repair of the existing pier, and the two new boat lifts do not add or create any new significant impacts which will increase the propensity for considerable cumulative effects.

4. Adverse Effects on Human Beings

No. The shore line restoration, pier repair, and two new boat lifts will not create any new environmental effects which could create a significant adverse effect on human beings.

reduces the risk of explosion. Hazardous materials are not to be used during the construction 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 construction area as necessary to collect construction debris. The use of a turbidity screen surrounding the construction area, where the rock cribs are being repaired, will be required mitigation to prevent the release of resuspended sediments from entering the lake during repair operations on the rock cribs.

The past limited seasonal use of this and adjacent private family recreational piers have not demonstrated a risk of releasing hazardous substances, creating upset conditions, or explosions in the Lake Tahoe Basin. Precautions will be taken to minimize these risks.

2. Emergency Plan Response

No. The limited seasonal use of the Arnold's existing private recreational pier and low level boat lifts along with the shoreline restoration project will not create an interface with any emergency response or any evacuation plan.

K. Population

1. No. The limited seasonal use of the existing Arnold's recreational pier along with the shoreline restoration project will not alter the population in the Lake Tahoe Basin.

L. Housing

1. No. The Arnold's repaired pier and restored shoreline will not create a demand for additional housing.

M. Transportation/Circulation

1. Vehicular Movement

No. This is a private pier and the two new boat lifts are for the benefit of the members of the Arnold family and not the general public. There are no facilities being added to attract more people. The use of this private pier which has been repaired will not be changed nor will there be any substantial increase in vehicle movement created by this project. The shoreline restoration project will not affect transportation/circulation.

2. Parking

No. See #1 above.

3. Transportation System

No. See #1 above.

4. Circulation

No. See #1 above.

5. Traffic

No. See #1 above.

6. Traffic Hazards

No. See #1 above.

N. Public Services

1. Fire Protection

No. These are private residences and the repaired pier, new boat lifts, and restored shore line will not create any additional use or increase of use by the general public. These projects will not create any new demands on government agencies and services such as fire, police protection, parks and recreation, road maintenance, etc.

2. Police Protection

No. See #1 above.

3. Schools

No. See #1 above.

4. Parks and Recreation Facilities

No. See #1 above.

5. Maintenance of Public Facilities

No. See #1 above.

6. Government services

No. See #1 above.

O. Energy

1. Fuel and Energy

No. The repaired pier and two boat lifts will not significantly create any new energy consumption. Each of the two boat lifts is powered by a 1 hp., single phase 230 volt, 60 cycle, 7.15 amp electric motor. When operated, a boat lift uses about the same energy equivalent to 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. The shoreline restoration project doesn't consume fuel or energy.

2. Existing Energy Sources

No. See #1 above.

P. Utilities

1. Power or Natural Gas

No. The restored shoreline, repaired pier, and addition of two boat lifts will not create any significant changes in utilities. These projects are for the private use of the Arnold family. There will be no additions to the existing facilities which will significantly affect the current uses of power, communications, water, septic tanks, storm water drainage, or solid waste disposal.

2. Communication Systems

No. See #1 above.

3. Water

No. See #1 above.

4. Sewer or Septic Tanks

No. See #1 above.

5. Storm Water Drainage

No. See #1 above.

6. Solid Waste Disposal

No. See #1 above.

Q. Human Health

1. Health Hazard

No. The shoreline restoration, pier repair, and two new boat lifts will not create any new health hazards to humans.

2. Exposure of People to Health Hazards

No. The shoreline restoration, pier repair, and new boat lift projects will not expose people to any new potential health hazards.

R. Aesthetics

1. No. The Arnold recreational pier is repaired in its own footprint and is an existing facility, and is not considered a distraction from the aesthetics of this residential recreational area consisting of homes, piers, boat lifts, buoys and boats.

S. Recreation

1. No. These projects will not result in significant effects on public recreation in the area.

T. Cultural Resources

1. Archaeological Sites

No. The repaired existing pier, and two new boat lifts are on the lake. The shoreline restoration project consists of moving rocks and restoring the beach to its natural state. There are no identified cultural, ethnic, religious, or sacred uses pertinent to this project area which could be significantly affected.

2. Historic Buildings

No. See No.# 1 above.

3. Ethnic Cultural Values

No. See No.# 1 above.

4. Religious/Sacred Uses

No. See No.# 1 above.

U. Mandatory Findings of Significance

1. Environmental Quality Degradation

No. The open pile design of the pier extension displaces

a minimal amount of lakebottom. 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 turbidity screens will be incorporated to protect Lake Tahoe during the reconstruction phase of the operation. With the mitigation measures incorporated into the repair process, this project will not create any long term significant degradational environmental effects.

The shoreline restoration project will restore the rock and cobble to the natural state of the shore line under the supervision of the TRPA and/or SLC monitors.

2. Short Term vs. Long Term Environmental Goals

No. There will be a short term, approximately four weeks, disruption of the marine environment in the immediate vicinity of the pier being extended. This area will be separated by a turbidity screen to prevent the release of resuspended sediments during pier repair and small boats with tarps will be utilized under that portion of the pier to intercept any construction material from entering the lake.

Upon completion of the project, the indigenous marine biota will re-colonize and fill any voids created during the pier extension construction. The shoreline restoration project will restore the shore to its natural state. There will not be any long term significant degradational environmental changes created by this project.

3. Cumulative Impacts

No. The Arnold family recreational pier is an existing facility. The shore line restoration project, the repair of the existing pier, and the two new boat lifts do not add or create any new significant impacts which will increase the propensity for considerable cumulative effects.

4. Adverse Effects on Human Beings

No. The shore line restoration, pier repair, and two new boat lifts will not create any new environmental effects which could create a significant adverse effect on human beings.

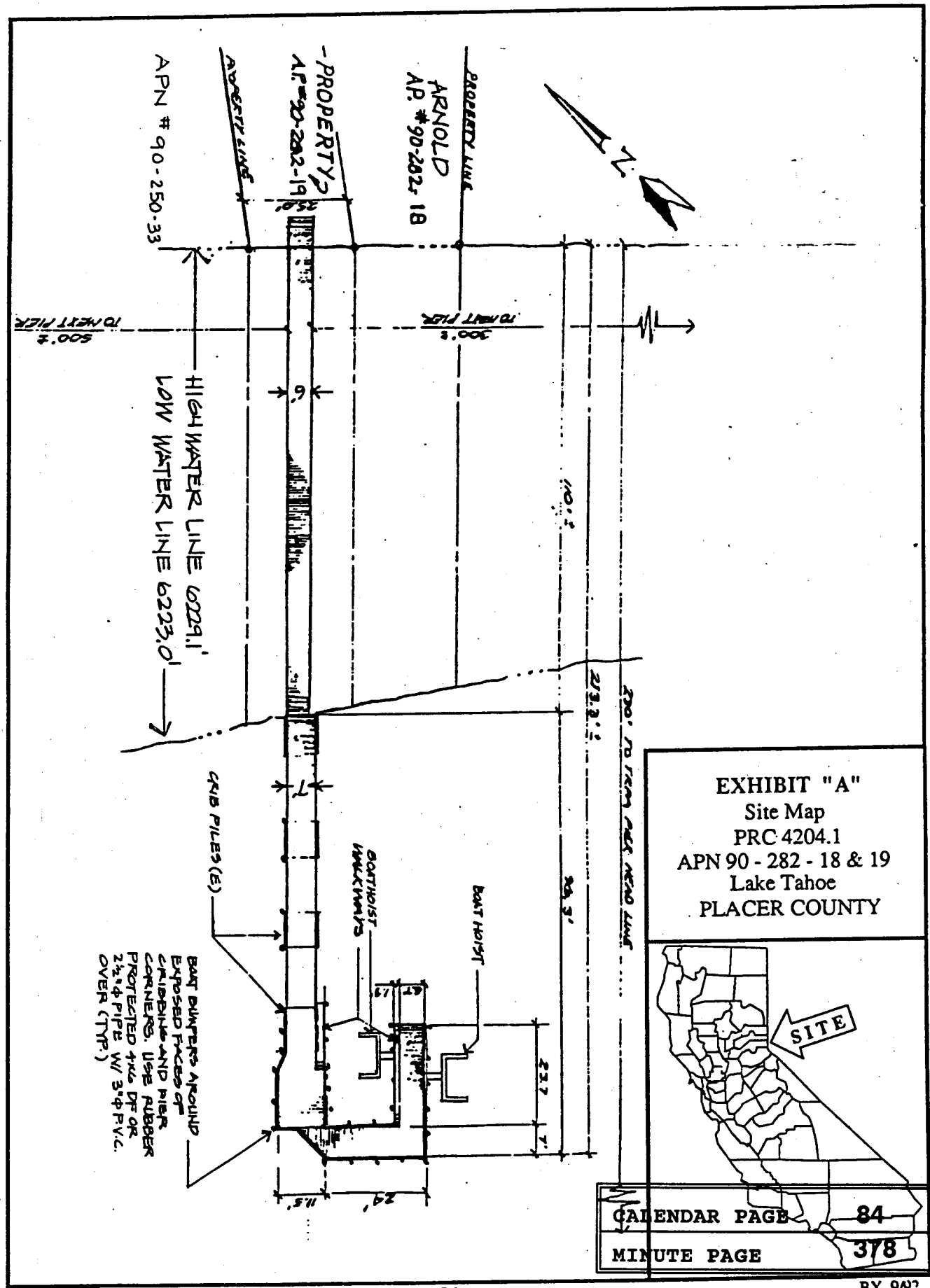

EXHIBIT "A"
Site Map
PRC 4204.1
APN 90 - 282 - 18 & 19
Lake Tahoe
PLACER COUNTY

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SHEET 2 OF 2

BY 9/92

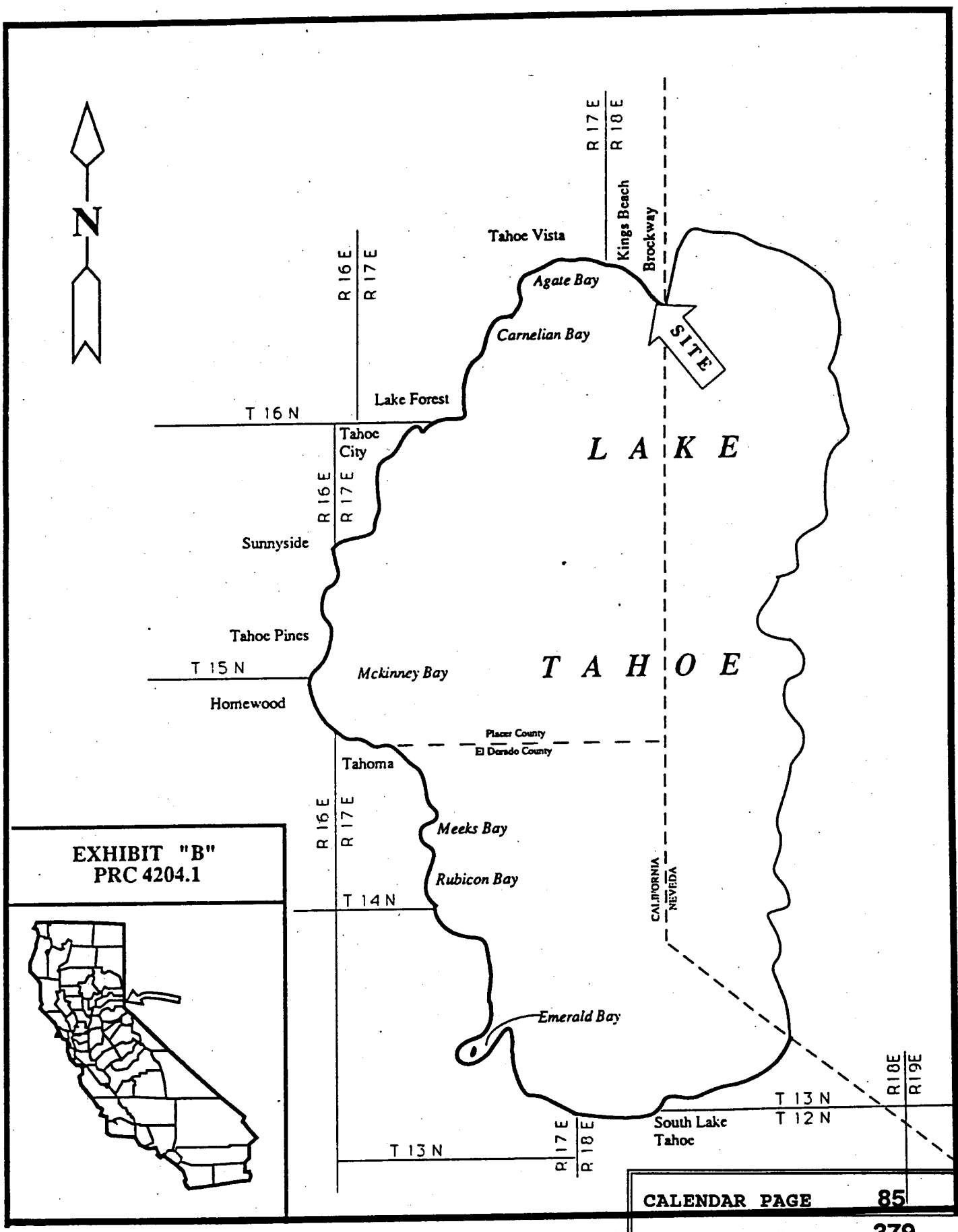
N
R 17 E
R 18 E
Kings Beach
Brockway
Tahoe Vista
R 16 E
R 17 E
Agate Bay
Carnelian Bay
SITE
Lake Forest
T 16 N
Tahoe City
L A K E
R 16 E
R 17 E
Sunnyside
Tahoe Pines
T 15 N
Mckinney Bay
T A H O E
Homewood
Placer County
El Dorado County
Tahoma
R 16 E
R 17 E
Meeks Bay
Rubicon Bay
T 14 N
CALIFORNIA
NEVADA
Emerald Bay
R18E
R19E
T 13 N
T 12 N
South Lake Tahoe
R 17 E
R 18 E
T 13 N
EXHIBIT "B"
PRC 4204.1

EXHIBIT "C"
MONITORING PROGRAM
FOR THE ARNOLD PIER REPAIR AND BOATLIFT INSTALLATION PROJECT

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

Project Modification:

a) The use of a turbidity screen surrounding the project area will be installed prior to the commencement of operations to prevent the release of resuspended sediments.

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 barge or lark vessels for disposal at an approved landfill site.

Monitoring:

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

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 May 1 - October 1, to reduce impacts to fish habitat.

b) TRPA has determined this area to be in need of fish habitat or shore line restoration which require that rocks will be replaced to form the natural habitat.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically site inspect the pier repair, boatlift installation and shoreline or fish habitat restoration project to ensure the proposed activity will occur within the allowable construction time period.