

MINUTE ITEM
This Calendar Item No. C07
was approved as Minute Item
No. 07 by the State Lands
Commission by a vote of 3
to 0 at its 4-28-93
meeting.

CALENDAR ITEM

C07

A 4
S 1

04/28/93
PRC 4315
Gordon

RECREATIONAL PIER PERMIT

APPLICANT:

John F. Otto and
Barbara M. Otto, Trustees
P.O. Box 2858
Sacramento, California 95812

AREA, TYPE LAND AND LOCATION:

Two parcels of submerged land located in Lake Tahoe near
Carnelian Bay, Placer County.

LAND USE:

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

PROPOSED PERMIT TERMS:

Initial period:
Five (5) years beginning April 28, 1993.

CONSIDERATION:

Nonmonetary, pursuant to Section 6503.5 of the P.R.C.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and estimated processing costs have been
received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

05/17/93

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OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$710.33.
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 612, State Clearinghouse No. 93022016. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

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

3. Staff has determined a soils and vegetation report is not required for this project. Any disturbance of the lake bed is anticipated to occur waterward of the lake's ordinary low water line, being elevation 6,223.00 feet, Lake Tahoe Datum, which is an area outside of the normal habitat appearing to support the Rorippa Subumbellata, Roll., the State-listed endangered plant commonly known as the Tahoe Yellow Cress.
4. Commission staff will monitor the construction activities of the proposed project in accordance with the provisions set forth in the Proposed Negative Declaration and Monitoring Program.
5. Applicant's previous Recreational Pier Permit will expire August 27, 1993. This is an application to replace that permit, reconstruct, modify and extend the length of the existing pier, plus bring one existing unauthorized mooring buoy under permit.
6. If any structure hereby authorized is found to be in nonconformance with the Tahoe Regional Planning Agency's Shorezone ordinance, and if any alterations, repairs, or removal required pursuant to said ordinance are not accomplished within the designated time period, then this permit is automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof. If the location, size, or number of any structure hereby authorized is to be altered, pursuant to order of the Tahoe Regional Planning Agency, Permittee shall request the consent of the State to make such alteration.

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7. All permits issued at Lake Tahoe include special language in which the permittee agrees to protect and replace or restore, if required, the habitat of *Rorippa Subumbellata*, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species.
8. The Applicant has been notified that the public has a right to pass along the shoreline and the permittee must provide a reasonable means for public passage along the shorezone area occupied by the permitted structure.
9. In order to determine the potential trust uses in the area of the proposed project, the staff contacted representatives of the following agencies: Tahoe Regional Planning Agency, California Department of Fish and Game, County of Placer, and the Tahoe Conservancy. None of these agencies expressed a concern that the proposed project would have a significant effect on the trust uses in the area. The agencies did not identify any trust needs which were not being met by existing facilities in the area. Identified trust uses in this area would include swimming, boating, walking along the beach, and views of the lake.
10. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
11. The issuance of this permit supersedes any prior authorization by the State Lands Commission at this location.

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers, State Lands Commission

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EXHIBITS:

- A. Land Description
- B. Location Map
- C. Local Government Comment
- D. Negative Declaration
- E. Monitoring Program

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A PROPOSED NEGATIVE DECLARATION, EIR ND 612, STATE CLEARINGHOUSE NO. 93022016, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. ADOPT THE MONITORING PROGRAM ATTACHED AS EXHIBIT "E".
4. 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 JOHN F. OTTO AND BARBARA M. OTTO, TRUSTEES, OF A FIVE-YEAR RECREATIONAL PIER PERMIT BEGINNING APRIL 28, 1993 FOR THE RECONSTRUCTION, MODIFICATION AND MAINTENANCE OF ONE EXISTING PIER AND MAINTENANCE OF ONE EXISTING MOORING BUOY, ALL UTILIZED FOR BOAT MOORING PURPOSES ON THE LAND DESCRIBED AND DELINEATED ON EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.
6. FIND THAT THE ISSUANCE OF THIS PERMIT SUPERSEDES ANY PRIOR AUTHORIZATION BY THE STATE LANDS COMMISSION AT THIS SITE.

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EXHIBIT "A"

PRC 4315.9

LAND DESCRIPTION

Two parcels of land in Lake Tahoe, Placer County, State of California, more directly described as follows:

PARCEL 1 - Pier

A parcel of land lying immediately beneath a pier and a low level boat lift mechanism, TOGETHER WITH the necessary use area extending 10 feet beyond its extremities, said structures are situate adjacent to and easterly of that land described in that certain deed recorded July 22, 1965 in Volume 1073, page 80, in the Official Records of Placer County.

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

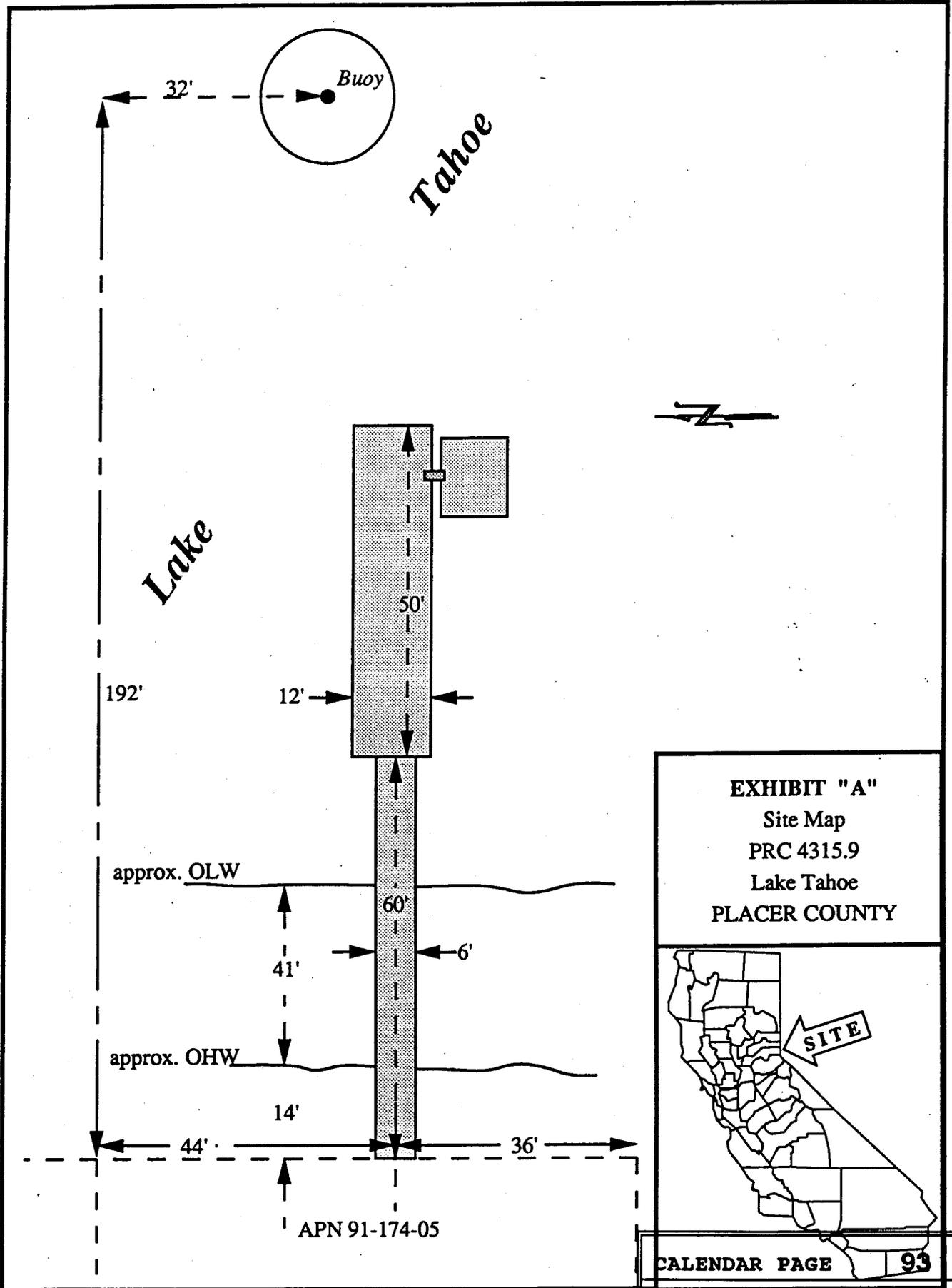
PARCEL 2 - Buoy

A circular parcel of land, having a diameter of 40 feet, said parcel lies 82 feet easterly of the above mentioned structures.

END OF DESCRIPTION

PREPARED OCTOBER, 1992 BY R.L N.C.

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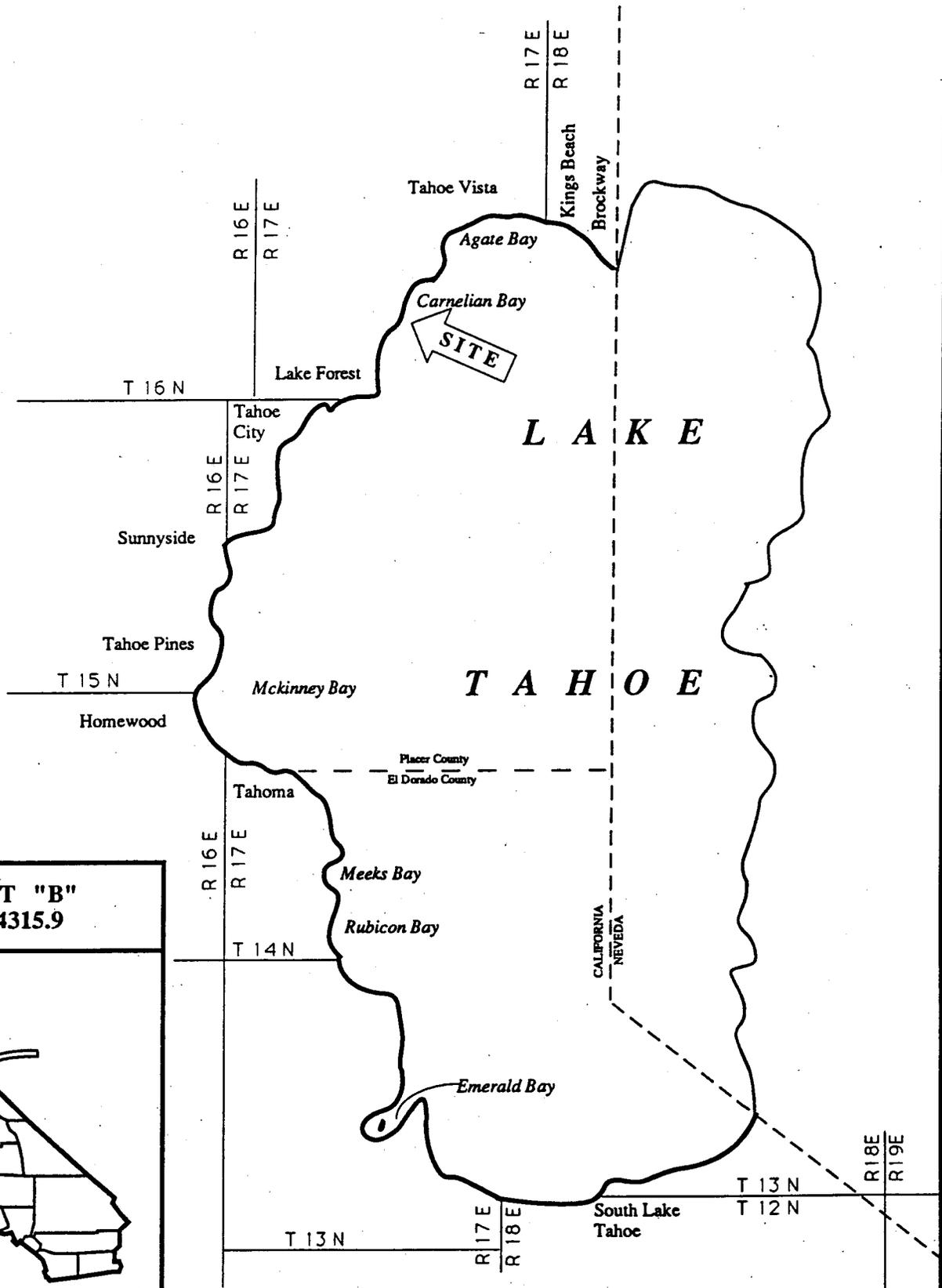


EXHIBIT "B"
PRC 4315.9



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Date: 9/15/92

File Ref: 4315.9

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

Greetings:

Subject: A Proposed Pier Extension and Low-level Boat Lift Relocation Project and an Existing Unauthorized Mooring Buoy Located in Lake Tahoe Near Carnelian Bay

Name: John F. Otto Family Trust and
Barbara M. Otto Family Trust

Address: P.O. Box 2858
Sacramento, CA 95812

Assessor's Parcel No. 91-174-05

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) 889-7485.

County of Placer
Department of Public Works
Jack Warren, Director

Jan Christian
JAN CHRISTIAN

92 SEP 18 PM 12:40
RECEIVED
STATE LANDS COMMISSION

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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 4315
 ND 612
 SCH No. 93022016

Project Title: Otto Pier Extension
 Proponent: John and Barbara Otto
 Project Location: 4420 North Lake Blvd., Cedar Flat, Lake Tahoe, Placer County.
 Project Description: Proposed 30-foot extension to an existing pier, relocation of the boatlift, and authorization of an existing mooring buoy.
 Contact Person: Goodyear K. Walker Telephone: 916/322-0530

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.

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ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 4315

I. BACKGROUND INFORMATION

A. Applicant: John and Barbara Otto Agent: Gary R. Taylor
P.O. Box 2858 P.O. Box 1715
Sacramento, CA 95812 Crystal Bay, NV 89402

B. Checklist Date: 2 / 3 / 93

C. Contact Person: Goodyear K. Walker
Telephone: (916) 322-0530

D. Purpose: Pier extension and authorization of an existing buoy.

E. Location: Cedar Flat, Carnelian Bay, Lake Tahoe, Placer County.

F. Description: Proposed 30-foot extension of an existing pier, relocation of the boatlift, to the end of the pier, and authorization of an existing mooring buoy

G. Persons Contacted: Gary R. Taylor, Consultant
Tahoe Regional Planning Agency
Department of Fish & Game

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

Table with 3 columns: Question, Yes, Maybe, No. Rows include: 1. Unstable earth conditions... 2. Disruptions, displacements... 3. Change in topography... 4. The destruction, covering, or modification... 5. Any increase in wind or water erosion... 6. Changes in deposition or erosion... 7. Exposure of all people or property to geologic hazards...

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Yes Maybe No

B. Air. Will the proposal result in:

- 1. Substantial air emissions or deterioration of ambient air quality? Yes Maybe No
- 2. The creation of objectionable odors? Yes Maybe No
- 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? Yes Maybe No

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? Yes Maybe No
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff? Yes Maybe No
- 3. Alterations to the course or flow of flood waters? Yes Maybe No
- 4. Change in the amount of surface water in any water body? Yes Maybe No
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? Yes Maybe No
- 6. Alteration of the direction or rate of flow of ground waters? Yes Maybe No
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? Yes Maybe No
- 8. Substantial reduction in the amount of water otherwise available for public water supplies? Yes Maybe No
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves? Yes Maybe No
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs? Yes Maybe No

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)? Yes Maybe No
- 2. Reduction of the numbers of any unique, rare or endangered species of plants? Yes Maybe No
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? Yes Maybe No
- 4. Reduction in acreage of any agricultural crop? Yes Maybe No

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)? Yes Maybe No
- 2. Reduction of the numbers of any unique, rare or endangered species of animals? Yes Maybe No
- 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? Yes Maybe No
- 4. Deterioration to existing fish or wildlife habitat? Yes Maybe No

F. Noise. Will the proposal result in:

- 1. Increase in existing noise levels? Yes Maybe No
- 2. Exposure of people to severe noise levels? Yes Maybe No

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

- 1. The production of new light or glare? Yes Maybe No

H. Land Use. Will the proposal result in:

- 1. A substantial alteration of the present or planned land use of an area? Yes Maybe No

I. Natural Resources. Will the proposal result in:

- 1. Increase in the rate of use of any natural resources? Yes Maybe No
- 2. Substantial depletion of any nonrenewable resources? Yes Maybe No

		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?	<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)

(See Attached)

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

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

Date: 2 / 3 / 93

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Goodyear K. Walker
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 For the State Lands Commission
 GOODYEAR K. WALKER

PROJECT DESCRIPTION

PROJECT NARRATIVE

PRC 4315.9 authorizes an existing multi-use pier, sundeck and boat lift. The proposed project involves the authorization of the extension of the existing recreational pier for another 30 feet, the installation of a catwalk on the new extension, the moving of the boatlift over deeper water, and the authorization of an existing, but unauthorized, mooring buoy. The extension will take place waterward of the ordinary low-water level of 6223.0 feet. The construction will be accomplished using a floating barge. Access to the site will be completely from the water for both materials and equipment.

The proposed project consists of a 30 foot extension to an open piling recreational pier existing on the site. A catwalk, 3 feet wide, will be added to the new northern side of the pier. An existing boat lift will be removed and reinstalled 30 feet lakeward, over the 6220.0 foot contour. A total of four metal pier pilings will be installed, all from a barge anchored in the water. The proposed extension is in compliance with the Tahoe Regional Planning Agency's adopted scenic quality guidelines, and the end of the new extension is 15 feet landward of the designated TRPA pierhead line.

A single unauthorized mooring buoy currently exists approximately 82 feet from the end of the pier. It will be approximately 90 feet from the nearest buoy to the north, and 80 feet from the nearest buoy to the south. The buoy is attached to the upper end of a one inch chain of which the lower end is attached to a cast concrete anchor which rests on the lake bottom displacing about three square feet each. The mooring buoy and associated chain must be removed during the non-boating season, from October 15 to May 1, to allow anglers to fish additional areas previously occupied by buoy. Since this buoy postdates the adoption of the Shorezone Ordinance in May, 1976, they may have to be removed within two years.

CONSTRUCTION METHODS

The proposed project consists of a 30 foot extension to an open piling recreational pier existing on the site. A catwalk, 3 feet wide, will be added to the new northern side of the pier. An existing boat lift will be removed and reinstalled 30 feet lakeward, over the 6220.0 foot contour. One existing piling will be removed, and a total of four metal pier pilings will be installed, all from a barge anchored in the water.

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During the removal of the existing boatlift piling, and the installation of the new pilings, a caisson or outer sleeve will be emplaced around the area to contain any sediments suspended during the operation. If necessary, a turbidity curtain will be used to further contain any sediments.

The possibility exists that the level of Lake Tahoe will remain too low for a barge to be used for this project. In such a case, the work will be done from a lark vessel, a barge fitted with oversize tires. Such a vessel would be operated on the cobble bottom at the end of the proposed pier line without leaving the water or damaging the habitat.

Small boats and/or tarps will be placed under the construction area as necessary to collect any construction debris. There will be no storage of materials above the low water line of the subject property.

The proposed extension is in compliance with the Tahoe Regional Planning Agency's adopted scenic quality guidelines, and the end of the new extension is 15 feet landward of the designated TRPA pierhead line.

DESCRIPTION OF ENVIRONMENTAL SETTING

The proposed reconstruction project is located at 4420 North Lake Boulevard, Cedar Flat, Placer County, California. These are private residences in the Carnelian Bay area. The present use of the area is private recreation. A pier and boat lift presently exist on site, along with a single, unauthorized, mooring buoy. The shoreline at the project site is primarily rocky, with small boulders and cobbles. Since no work or disturbance will be done shoreward of the ordinary low water line, there will be no impacts to the shoreline habitats.

The site where the pier extension work will be done, and where the buoy will be moored on the lake bottom is on the border between prime fish habitat and non-prime fish habitat, according to Department of Fish and Game maps of the area. Surveys done on August 9 and 10, 1991, did not find any fish present on the site.

SITE DESCRIPTION

The Otto property and the two adjacent lots presently have piers. There is a back beach bank; the homes sit above the lake level on a small bluff. Retaining walls support the bluff in two levels. Although beach access is possible, using wooden steps down the bluff face, the use of the piers does not require any foot traffic between the elevation of 6232 ft. and 6223 ft.

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SUBSTRATE AND TOPOGRAPHY

The littoral zone at the project site consists of cobbles (3 to 12 inches in diameter), small boulders (1 to 3 feet in diameter) and patches of sand. The bottom becomes progressively more sandy with increasing distance from the shoreline. The water depth becomes 60 feet at a distance of 400 feet offshore. The slope of the bottom immediately offshore is approximately 15 %, becoming about 4 % as one proceeds into deeper water.

HABITAT EVALUATION

No fish were observed at the project site during two separate site visits. The habitat as observed should be able to support low densities of Piute Sculpin (Cottus beldingii), Lahontan Redside (Richardsonius egregius), Speckled Dace (Rhinichthys osculus), Mountain Whitefish (Prosopium williamsoni), Lahontan Mountain Sucker (Pantosteus lahontan), Tahoe Sucker (Catostomus tahoensis) and Rainbow Trout (Salmo gairdnerii). Other fish in Lake Tahoe tend to prefer the deeper waters of the lake, and would not be expected to be present. The site is not known to support any fish spawning.

CONCLUSIONS

The proposed extension of the multiple use pier on the Otto property will not impact known Rorippa habitat because there will be no work done shoreward of the ordinary low water mark.

The proposed extension to the existing pier would increase shading of the littoral benthic substratum by 360 square feet. This is not seen as a significant impact. The existing buoy would not involve any impacts to the environment.

DISCUSSION OF ENVIRONMENTAL EVALUATION
OTTO RECREATIONAL PIER REPAIR

PRC 4315.9

A. Earth

1. No. The pier extension project is confined to the water surface or the existing structure and will not create any unstable conditions or change any geological structure.
2. No. This operation will not overcover or disturb any new areas. The buoys are already in place, and will not overcover any new lake bottom.
3. No. This project will not create any changes in ground surface relief. There will not be any excavating.
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 will not change any geological or physical features.
5. No. This pier extension project will add on to an existing structure and will have no effect on wind or water erosion on or off the site.
6. No. This project is confined to an existing structure waterward of the ordinary low water mark which will not create any channel changes nor erosion of beach sands.
7. No. The pilings used to extend the existing pier are not deep enough to induce any seismic instabilities or ground failures. No impacts are anticipated.

B. Air

1. No. The extended pier will not affect the air quality.
2. No. The extended pier 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, but this is a short-term, temporary impact.
3. No. The extended pier will not create any major changes in air movements, temperature, or climate, nor create any abnormal weather conditions.

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C. Water

1. No. The new piles supporting the pier extension are of a static nature and will not create any changes in existing water currents or movements. The buoy anchor is too small to create such changes.
2. No. The piles of the extended pier will not affect absorption rates, drainage patterns, etc. The area adjacent to the pier is normally submerged.
3. No. The project will not create any new effects upon flood waters.
4. No. The extended pier 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's use of small boats and/or tarps placed under the reconstruction area as necessary to collect construction debris.
6. No. The geology of the project area is composed of glacial and alluvial deposits. The replacement of the existing pilings is a relatively shallow operation and should not affect ground water flows.
7. No. There will not be any changes to ground water quantity caused by the extended pier.
8. No. Extending the existing pier will have no effect on public water supplies.
9. No. Extending the existing pier will not expose people or property to water-related hazards such as tidal waves or induced flooding.
10. No. There are no thermal springs in the vicinity. The project will not affect any thermal springs.

D. Plant Life

1. No. The pilings that are being used to extend the pier are in very shallow water, due to the low lake levels. The construction will take place from the water, or from the existing structure.
2. No. There are no rare or endangered species on the property.
3. No. The pier extension will not introduce new species to the area nor bar existing species from becoming established.

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4. No. There are no agriculture or aquaculture activities in this area; therefore, there will be no impacts.

E. Animal Life

1. No. The construction period will be approximately four weeks. Upon completion of the project, the indigenous fauna will re-occupy any voids created during the repair operation. The existing buoy anchor may have displaced some benthic life originally, but has become a substrate over time. The buoys will be removed from October 15 to May 1 of each year to allow trolling.
2. No. There have not been any rare or endangered animals reported within the project area.
3. No. The pier extension will not introduce any new species to the area nor create a new barrier to animals.
4. No. The extension project will not reduce the habitat area upon completion. The buoy anchor will eliminate a very small portion of the lake bottom available for some forms of benthic life, and will provide new habitat for other forms.

F. Noise

1. No. The extended private recreational pier will not increase existing noise levels. There will be short term additional noises during the construction period, but there will not be an increase in long term noise levels.
2. No. The extended pier will not create any new severe noise levels; however, there will be a temporary period when the noise levels increase during the period of construction. 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. The general public will not be exposed to this increased noise level because the private property between the project and Highway 28 will act as a buffer.

G. Light and Glare

1. No. The extended pier will not result in the creation of new light or glare.

H. Land Use

1. No. The extension of the existing private recreational pier will not alter the present or planned use of the area. The existing pier serves a private residence and not the general public. There are

presently piers and CALENDAR PAGE	106
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buoys on adjacent properties. 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 by the owners of the property and their family will not create any new effects upon the use rate of any natural resource.
2. No. The seasonal use of this private recreational pier will not create any changes which could deplete any nonrenewable resource.

J. Risk of Upset

1. No. The project involves the dismantling and construction of an existing pier. The barge being used is diesel operated which reduces the risk of explosion. Small boats and/or tarps will be placed under the construction area as necessary to collect construction debris. The past limited seasonal use of this and adjacent private family recreational piers and buoys have not demonstrated a risk of releasing hazardous substances, creating upset conditions, or explosions in the Lake Tahoe Basin.
2. No. The seasonal use of the existing private recreational pier does not interfere with any emergency response or evacuation plan.

K. Population

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

L. Housing

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

M. Transportation/Circulation

1. No. This is a private residence and the pier is for the benefit of the property owners and not the general public. There are no facilities being added to attract more people. The use of this private residence will not be changed by this project nor will there be any substantial increase in vehicle movement created by this project. The buoys and pier will not interfere with existing boat traffic in the area, due to the spacing and location of the facilities.

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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 extended pier will not create any additional use or increase of use by the general public. This project will not create any new demands on government agencies and services such as fire, police protection, parks and recreation, road maintenance, etc.
2. 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 extension project will not have any affect on additional energy consumption.
2. No. See #1 above.

P. Utilities

1. No. The extension of the private recreational pier will not create any changes in utilities or utility usage. 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.

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Q. Human Health

1. No. This extended private recreational pier will not create any new health hazards to humans.
2. No. The extended private recreational pier will not expose people to any new potential health hazards.

R. Aesthetics

1. No. The Otto recreational pier and buoys are existing facilities. The pier is being extended by 30 feet to reach deeper water. The extension of the pier will not be a distraction from the aesthetics of this residential recreational area consisting of homes, piers, buoys and boats.

S. Recreation

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

T. Cultural Resources

1. No. 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 only to be slightly extended. There will be about a four week period during construction when the immediate project site will experience increased noise and the presence of the barge.
2. No. There will be a short term, approximately four weeks, minor disruption of the environment in the immediate vicinity of the pier being extended.
3. No. The Otto private family recreational pier is an existing facility. The pier extension project does not add or create impacts which could be seen to be significant in a cumulative sense. The bringing of an existing mooring buoy under permit coverage does not create a significant cumulative impact.
4. No. This private pier extension project and permitting of an existing mooring buoy will not create any new environmental effects which could create significant

adverse effect on human beings.

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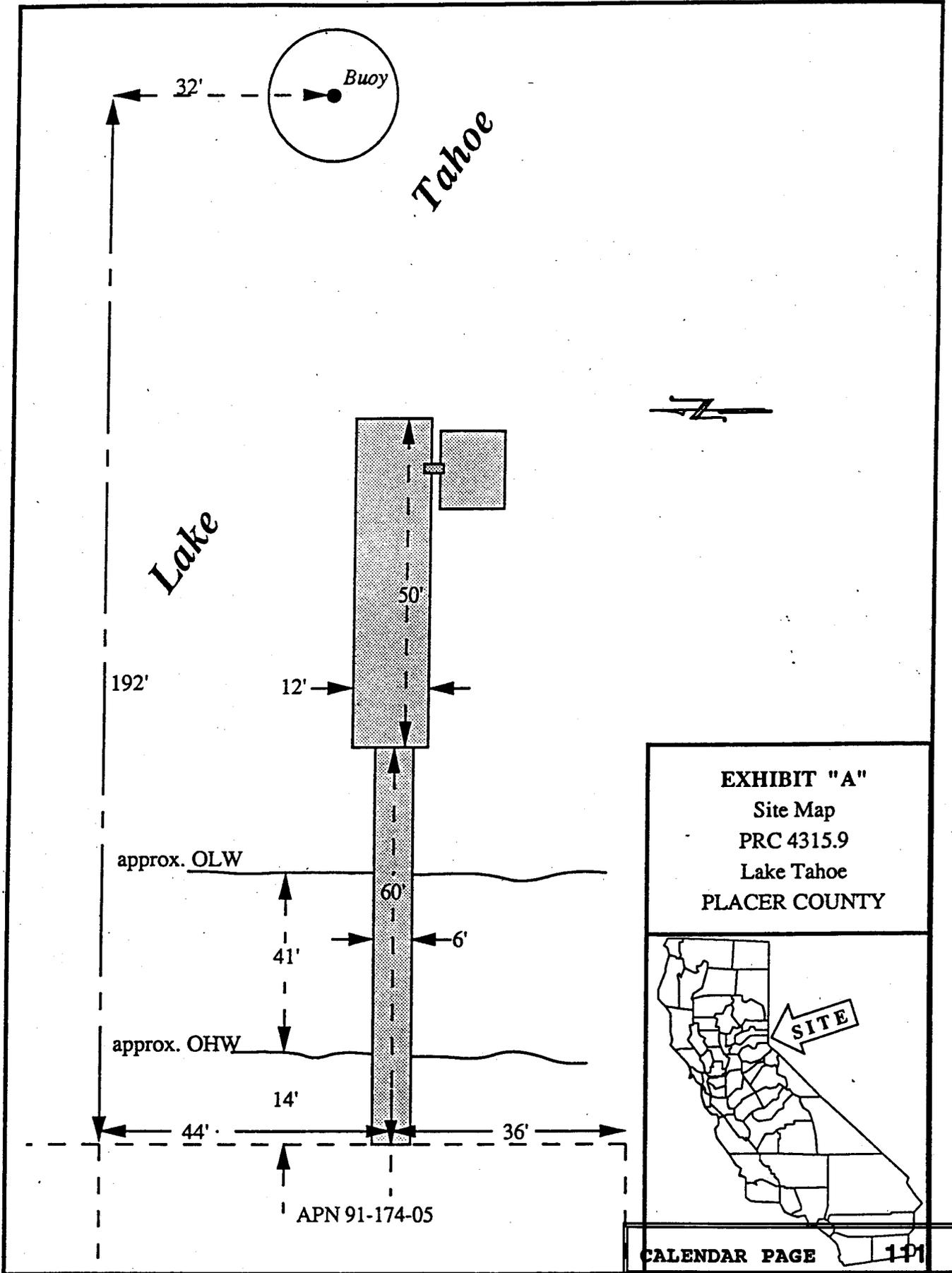


EXHIBIT "A"
 Site Map
 PRC 4315.9
 Lake Tahoe
 PLACER COUNTY



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 JKH WWS

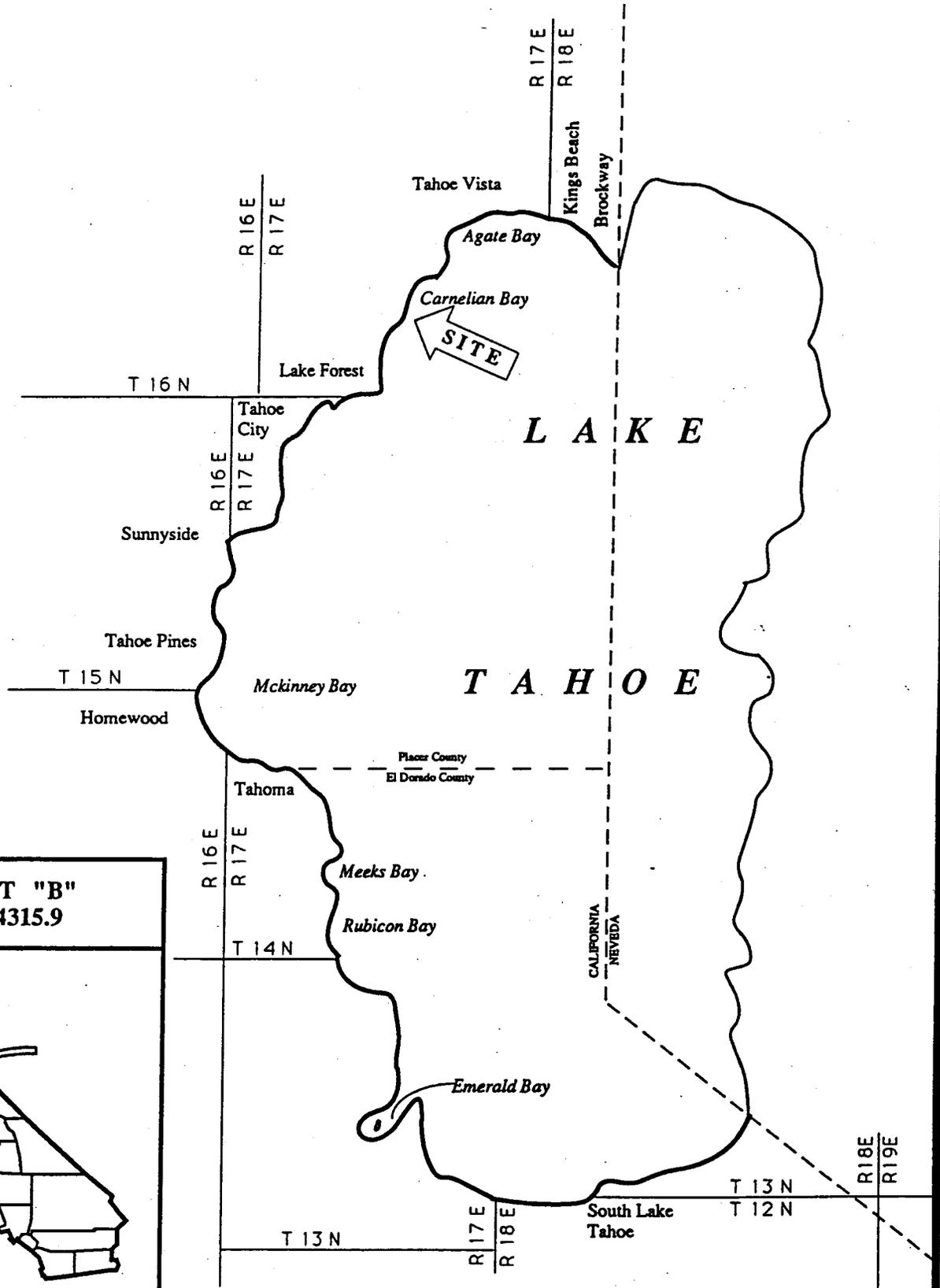


EXHIBIT "B"
PRC 4315.9



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EXHIBIT "E"
MONITORING PROGRAM
FOR THE OTTO PIER RECONSTRUCTION

1. Impact: The proposed project may have the possibility of an upset or spill of construction materials or debris.

Project Modification:

- a) Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris; and,
- b) Waste materials will be collected onto the barge 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 project during the placement of the pilings.