

MINUTE ITEM

This Calendar Item No. C15  
was approved as Minute Item  
No. 15 by the State Lands  
Commission by a vote of 3  
to 0 at its 4-28-93  
meeting.

CALENDAR ITEM

C15

A 4  
S 1

04/28/93  
PRC 6819  
J. Ludlow

APPROVE A RECREATIONAL PIER PERMIT

APPLICANT:

Howard W. Stokes and Sharon L. Stokes  
25698 Elena Road  
Los Altos Hills, California 94022

AREA, TYPE LAND AND LOCATION:

A parcel of submerged land located in Lake Tahoe at Meeks Bay, El Dorado County.

LAND USE:

Reconstruction of an existing authorized pier, addition of a low level boatlift, retention of two mooring buoys, one of which was previously unauthorized.

PROPOSED LEASE TERMS:

Initial period:  
Five years beginning April 28, 1993.

CONSIDERATION:

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

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003

APPLICANT STATUS:

Applicant is owner of the upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee, processing fee, environmental fees and Fish and Game fee have been received.

STATUTORY AND OTHER REFERENCES:

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

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AB 884:

06/13/93

**OTHER PERTINENT INFORMATION:**

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15025), the staff has prepared a Proposed Negative Declaration identified as EIR ND 613, State Clearinghouse No. 93022022. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

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

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. The subject pier was reconstructed in the summer of 1992 without authorization from the State Lands Commission. This project proposes to authorize, after-the-fact, the retention of the reconstructed pier, the addition of a low level boatlift, retention of one previously authorized buoy and retention of one previously unauthorized mooring buoy.
4. The repair consisted of removal and replacement of all rotten wood pilings, cross-pieces, and decking for the pier. The repair was accomplished through the use of a floating barge with a pile driver. Access to the site was completely from the water for both materials and equipment.
5. No materials were stored or placed, nor was any activity associated with the construction conducted above the low water line of the subject property. This procedure prevented any disturbance to the habitat of *Rorippa subumbellata*, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species.

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6. Staff has determined that the project, as presented herein, is subject to the Department of Fish and Game fee pursuant to AB 3158, Chapter 1706, Statutes of 1990 (Section 711.4 of the Fish and Game Code).
7. The permit includes special language in which the permittee agrees to protect and replace or restore, if required, the Rorippa habitat.
8. This property will be physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.
9. 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.
10. 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.
11. The issuance of this permit supersedes any prior authorization by the State Lands Commission at this location.

**APPROVALS OBTAINED:**

Tahoe Regional Planning Agency, El Dorado County, U.S. Army Corps of Engineers.

**FURTHER APPROVALS REQUIRED:**

State Lands Commission

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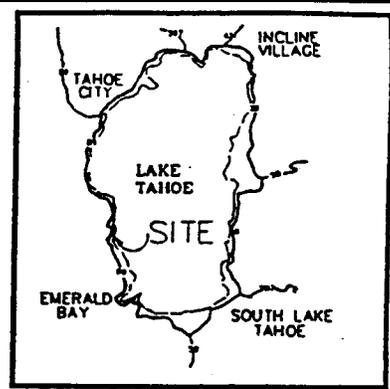
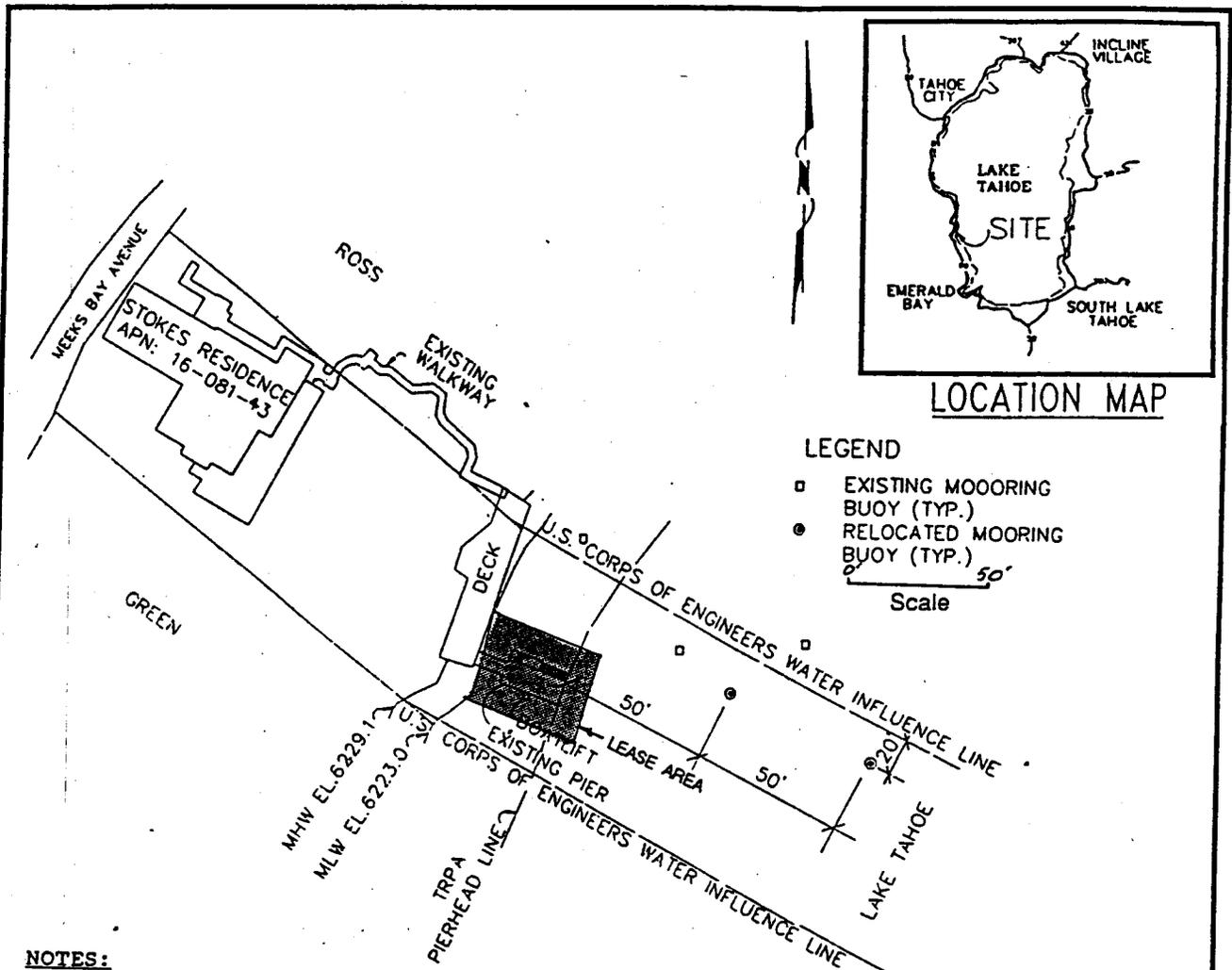
**EXHIBITS:**

- A: Site Map
- B: Location Map
- C: El Dorado Letter of Approval
- D: Negative Declaration

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 613 STATE CLEARING HOUSE NO. 92022022, 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. ABOUT THE NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
4. AUTHORIZE ISSUANCE TO HOWARD W. STOKES AND SHARON L. STOKES, OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING APRIL 28, 1993, FOR THE RETENTION AND RECONSTRUCTION EXISTING PIER, THE ADDITION OF A LOW LEVEL BOATLIFT, AND RETENTION OF TWO EXISTING MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.
5. FIND THAT THE ISSUANCE OF THIS PERMIT SUPERSEDES ANY PRIOR AUTHORIZATION BY THE STATE LANDS COMMISSION AT THIS LOCATION.

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**LOCATION MAP**

- LEGEND**
- ◻ EXISTING MOORING BUOY (TYP.)
  - RELOCATED MOORING BUOY (TYP.)
- Scale 50'

**NOTES:**

THE PIER WAS REPAIRED TO EXISTING DIMENSIONS ONLY. NO INCREASE IN SIZE OCCURED IN SIGNIFICANT CONFORMANCE WITH THE U.S. ARMY CORPS OF ENGINEERS PERMIT NO. 7969.

THE EXISTING SUNDECK DOES NOT EXTEND LAKEWARD OF MEAN LOW WATER ELEVATION 6223.0 LAKE TAHOE DATUM PER THE CERTIFIED TOPOGRAPHIC AND COVERAGE SURVEY PREPARED BY TAHOE BASIN LAND SURVEYING, DATED MAY 22, 1992.

**EXHIBIT "A"**  
 PRC 6819  
 APN 016 - 081 - 043  
 Lake Tahoe  
 EL DORADO COUNTY  
 Sheet 1 of 2 Sheets



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.



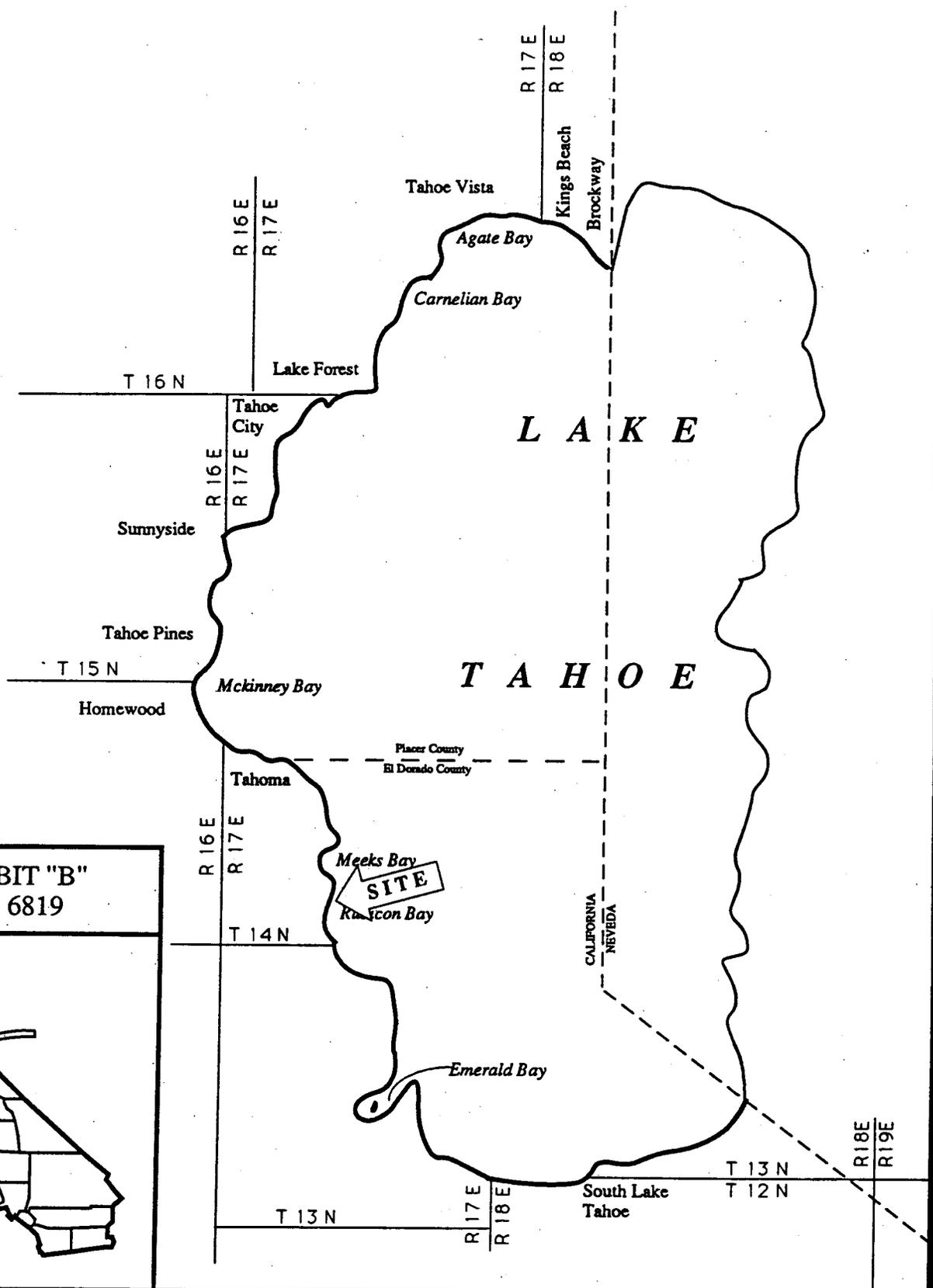


EXHIBIT "B"  
PRC 6819



EXHIBIT "C"

PRC 6819

Date: 3-10-92

File Ref: PRC 6819.1

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

Greetings:

Subject: A Pier Repair/Reconstruction Project, Plus an Existing Deck and Boat-mooring Buoy in Lake Tahoe at Meeks Bay

Name: Howard W. Stokes and Sharon L. Stokes

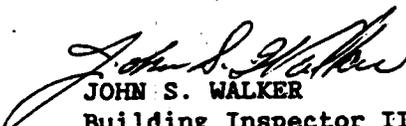
Address: 25698 Elena Road  
Los Altos, California 94022

Assessor's Parcel No. 016-081-43

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

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

El Dorado County  
Community Development Department

  
JOHN S. WALKER  
Building Inspector III

1750L

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EXHIBIT "D"

**STATE LANDS COMMISSION**

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

EXECUTIVE OFFICE  
1807 - 13th Street  
Sacramento, CA 95814-7187  
  
CHARLES WARREN  
Executive Officer

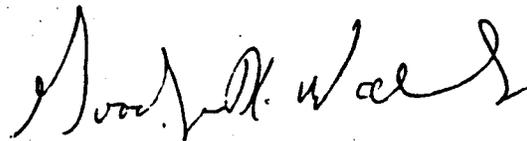
February 8, 1993.  
File: PRC 6819  
ND 613

**NOTICE OF PUBLIC REVIEW OF A PROPOSED NEGATIVE DECLARATION  
(SECTION 15073 CCR)**

A Negative Declaration has been prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA guidelines (Section 15000 et seq., Title 14, California Code Regulations), and the State Lands Commission Regulations (Section 2901 et seq., Title 2, California Code Regulations) for a project currently being processed by the staff of the State Lands Commission.

The document is attached for your review. Comments should be addressed to the State Lands Commission office shown above with attention to the undersigned. All comments must be received by March 10, 1993.

Should you have any questions or need additional information, please call the undersigned at (916) 322-0530.



GOODYEAR K. WALKER  
Division of Environmental  
Planning and Management

Attachment

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**STATE LANDS COMMISSION**

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

EXECUTIVE OFFICE  
1807 - 13th Street  
Sacramento, CA 95814-7187  
  
CHARLES WARREN  
Executive Officer

**PROPOSED NEGATIVE DECLARATION**

File: PRC 6819  
ND 613  
SCH No. 93022022

Project Title: Stokes Pier Reconstruction  
Proponent: Howard W. Stokes  
Project Location: Meeks Bay Vista, Lake Tahoe, El Dorado County.  
Project Description: Unauthorized repair of an existing pier, installation of a low-level boatlift, and permitting of two existing mooring buoys.  
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 6819

I. BACKGROUND INFORMATION

A. Applicant: Howard W. Stokes Agent: Vail Engineering Corp. (Kevin Agan)  
25698 Elena Road P.O. Box 879  
Los Altos, CA 94022 Tahoe City, CA 96145

B. Checklist Date: 2 / 8 / 93

C. Contact Person: Goodyear K. Walker

Telephone: ( 916 ) 322-0530

D. Purpose: Permit unauthorized reconstruction of an existing pier.

E. Location: Meeks Bay Vista, APN 16-081-43, Lake Tahoe, El Dorado County.

F. Description: Unauthorized reconstruction of an existing pier, installation of a low-level boatlift, and permitting of two existing mooring buoys.

G. Persons Contacted: Kevin Agan, Vail Engineering Corp.  
Art Champ, U.S. Army Corps of Engineers  
Jon Paul Kiel, 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? . . . . .   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2. Disruptions, displacements, compaction, or overcovering of the soil? . . . . .  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3. Change in topography or ground surface relief features? . . . . .   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4. The destruction, covering, or modification of any unique geologic or physical features? . . . . .   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 5. Any increase in wind or water erosion of soils, either on or off the site? . . . . .  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake? . . . . . | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? . . . . .  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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Yes Maybe No

B. Air. Will the proposal result in:

- 1. Substantial air emissions or deterioration of ambient air quality?
- 2. The creation of objectionable odors?
- 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

C. Water. Will the proposal result in:

- 1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters?
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?
- 3. Alterations to the course or flow of flood waters?
- 4. Change in the amount of surface water in any water body?
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?
- 6. Alteration of the direction or rate of flow of ground waters?
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?
- 8. Substantial reduction in the amount of water otherwise available for public water supplies?
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves?
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs?

D. Plant Life. Will the proposal result in:

- 1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?
- 2. Reduction of the numbers of any unique, rare or endangered species of plants?
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?
- 4. Reduction in acreage of any agricultural crop?

E. Animal Life. Will the proposal result in:

- 1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?
- 2. Reduction of the numbers of any unique, rare or endangered species of animals?
- 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?
- 4. Deterioration to existing fish or wildlife habitat?

F. Noise. Will the proposal result in:

- 1. Increase in existing noise levels?
- 2. Exposure of people to severe noise levels?

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

- 1. The production of new light or glare?

H. Land Use. Will the proposal result in:

- 1. A substantial alteration of the present or planned land use of an area?

I. Natural Resources. Will the proposal result in:

- 1. Increase in the rate of use of any natural resources?
- 2. Substantial depletion of any nonrenewable resources?

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		Yes	Maybe	No
<b>J. Risk of Upset.</b> 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"/>
<b>K. Population.</b> 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"/>
<b>L. Housing.</b> 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"/>
<b>M. Transportation/Circulation.</b> 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"/>
<b>N. Public Services.</b> 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"/>
<b>O. Energy.</b> 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"/>
<b>P. Utilities.</b> 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"/>
<b>Q. Human Health.</b> 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"/>
<b>R. Aesthetics.</b> 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"/>
<b>S. Recreation.</b> 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"/>

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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 / 8 / 93

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For the State Lands Commission

STOKES PIER REPAIR AND BOATLIFT INSTALLATION

PROJECT DESCRIPTION

PROJECT NARRATIVE

PRC 6819.1 authorizes a recreational pier and two mooring buoys. The proposed project involves the unauthorized reconstruction of the existing recreational pier and installation of an electric low level boat lift (hoist) immediately adjacent to the pier (See attached plan: Exhibit "A"), and reauthorization of the two existing mooring buoys. The repairs consisted of removal and replacement of all rotten wood pilings, cross-pieces, and decking for the pier. The reconstruction used 10.75" diameter steel pilings on approximate 15 foot centers, 6" steel "H" beams, 4" X 12" wood joists on 24" centers and 2" X 6" cedar decking. The repair was accomplished through use of a floating barge with a pile driver. Access to the site was completely from the water for both materials and equipment. The low level boat lift is affixed to a single self supportive 10 inch H beam driven into the lake bottom making the whole system independent of the pier. The H beam was driven at the same time the rest of the pilings were driven.

The first stage of the construction was to remove the old structure. Access was from the barge and the existing pier. Disturbance was restricted to the footprint of the existing structure. The pilings were removed by a clam-shell type attachment to the pile driver on the barge. The second phase consisted of driving six new steel piles spaced evenly around the perimeter of the pier. The new pilings were driven into the old piling holes of the existing structure. The pilings were all located below 6223 ft. and were driven by the pile driver mounted on the barge while it was anchored in the lake. Next the H beams were attached to the pilings, the joists mounted on the H beams and the decking installed. Finally, the boat lift was installed. This was all accomplished within the existing footprint of the pier. The materials generated by the demolition and materials for the reconstruction were captured by tarps under the pier, and were stored on the barge until they were hauled away for proper disposal.

The two existing mooring buoys are 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 buoys were in place prior to the TRPA Shorezone Ordinance adoption in May, 1976. The proposed project includes reauthorization of these two buoys.

CONSTRUCTION METHOD

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This project included the removal and replacement of the existing wood pilings with 10-3/4" diameter steel piling, installation of steel "H" beams, installation of new wood joists, and replacement of the wood decking. The low level boat lift was installed on the south side of the pier. Best practical control technology was employed to prevent earthen materials from being resuspended as a result of pier construction and from being transported to adjacent lake waters. The applicant used caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities from entering the lake. Small boats and/or tarps were placed under the reconstruction area as necessary to collect construction debris. If disturbed lakebottom sediments were found due to the construction activity associated with the installation of this project, the affected areas were hand rolled and/or rock cobble were hand picked to reconsolidate the lakebottom sediments. There was no storage of materials above the low water line of the subject property.

### DESCRIPTION OF ENVIRONMENTAL SETTING

The reconstruction project is located at 8381 Meeks Bay Avenue, Rubicon Bay area, El Dorado County, California. This is a private residence in the Meeks Bay subdivision, approximately 7 miles north of Emerald Bay by Highway 89. The present use of the area is private recreation. A pier and 2 buoys presently exist on site. The Meeks Bay shoreline is primarily steep and rocky, offering little habitat for Tahoe Yellow Cress (Rorippa subumbellata). The site was photosurveyed in January, 1992.

### SITE DESCRIPTION

The Stokes property and one of the two adjacent lots presently have piers and mooring buoys. The site is very steep, dropping 70 feet from the front property line to the low water level. The shoreline from the 6223 foot level up to approximately 6232 feet is covered by large (8 - 12 foot) boulders. From the backshore line at 6234 feet up to the level of the residence, at 6270 feet, the slope is covered with slightly smaller boulders, manzanita, and two pine trees.

A wood plank path and steps leads down to a wooden deck, which covers the boulder field at the water level. The pier extends from this deck.

The location of the two existing buoys is outside of all listed fish habitat. The buoys have been in place since prior to 1976, and this action merely recognizes this situation. The anchors for each buoy have long since become a part of the local benthic habitat, and no disturbance is proposed.

### SUBSTRATE AND TOPOGRAPHY

Lakeward of the 6229.1 (MHW) level, down to the 6222.7 elevation contour, the shoreline is currently exposed, due to the low lake levels. The ~~slope of the beach area~~

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very steep between the 6,223 and 6,236 foot elevation contours, about 46 percent, and then decreases slightly, to 38 or 39 percent, between the 6,236 and 6294 foot level at the top property line. The entire shoreline within 300 feet of the proposed project is composed of 8 to 12 foot boulders underlain primarily with gravel. Plants have not colonized this exposed shoreline, but do grow on the slightly shallower slope above the 6236 foot level.

### VEGETATION

The backshore area west of the existing pier is vegetated with native plants. These include Jeffrey Pine (*Pinus jeffreyi*), White Fir (*Abies concolor*), Western Service Berry (*Amelanchier alnifolia*), and Mariposa Manzanita (*Arctostaphylos mariposa*).

### HABITAT EVALUATION

Tahoe Yellow Cress (*Rorippa subumbellata* Rollins) was first described by Reed C. Rollins in 1941 from a collection made at Meeks Bay in 1919 by A. A. Heller. It is endemic to the Tahoe Basin with the exception of a single collection made from Truckee, a few miles to the north. It is a member of the mustard family (Brassicaceae), and is characterized by yellow flowers with four petals and six stamens. The preferred habitat for *Rorippa* has been described as a uniform granitic sand of medium grain size found in moist backshore areas and dry sandy soils on backshore bluffs. *Rorippa* has also been found in finer grain sand and some gravel to small cobble size substratum.

The shoreline and backshore areas at the proposed project site are not suitable for *Rorippa*. These areas are made up of very steep slopes covered with large boulders, with no open sand patches.

### CONCLUSIONS

No specimens of Tahoe Yellow Cress (*Rorippa subumbellata* Rollins) were found on the Stoke's property. There is no appropriate habitat for *Rorippa* within 300 feet of the proposed pier repair. The substrate on the shoreline in the immediate vicinity of the pier repair project contained only small amounts of sand which is believed to be important in the characterization of potential habitat for *Rorippa*.

**DISCUSSION OF ENVIRONMENTAL EVALUATION  
STOKES RECREATIONAL PIER REPAIR  
AND BOATLIFT INSTALLATION**

PRC 6819.1

**A. Earth**

1. No. The pier reconstruction and boat lift project is confined to the surface and will not create any unstable conditions or change any geological structure. The existing buoys are anchored by a concrete block which rests on the lake bottom substrate and will not create any geological changes.
2. No. This operation will not overcover or disturb any new areas. The existing concrete buoy anchors cover about three square feet of lake bottom substrate each. There will be no overcovering of upland soils.
3. No. This project will not create any changes in ground surface relief. There will not be any excavating. The mooring buoy anchors rest on the lake bottom substrate. This is a minimal impact.
4. No. The geology in the project area consists of glacial and alluvial deposits. The lake bed at the site is steep and rock, without unique features. The removal and driving of replacement piles for the pier and the H beam for the boat lift will not change any geological or physical features nor will the existing buoy anchors resting on the lake bed substrate.
5. No. This pier reconstruction project is simply repairing an existing structure and attachment of a boatlift, and will have no effect on wind or water erosion on or off the site. The existing buoy anchors resting on the lake bottom will not cause any erosion or significant disturbance to the lake bed bottom profiles.
6. No. This project is a repair project confined to an existing structure which will not create any channel changes nor erosion of non-existent beach sands. The beach is comprised of boulders with very little sand present to erode. The buoy anchors resting on the lake bed substrate will not cause any erosion or significant disturbance to lake bottom profiles.
7. No. The reconstruction of the existing pier and installation of the low level boat lift are not deep enough to induce any seismic instabilities or ground failures. No impacts are anticipated.

**B. Air**

1. No. The reconstructed pier, boat lift, and existing buoys will not affect the air

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quality.

2. No. The reconstructed pier, boat lift, and buoys will not create objectionable odors. However, during construction hours, there was about a four week period when fumes from the diesel engine were noticeable in the immediate vicinity of the project.

3. No. The reconstructed pier, boat lift, and existing buoys will not create any major changes in air movements, temperature, or climate, nor create any abnormal weather conditions.

C. Water

1. No. The existing buoys, boat lift (H beam piling), and replaced piles supporting the pier are of a static nature and will not create any changes in water currents or movements.

2. No. The existing buoys, boat lift, and replaced pilings of the existing pier will not affect absorption rates, drainage patterns, etc. The area adjacent to the pier is submerged.

3. No. The repaired existing pier, boat lift, and existing buoys will not create any new effects upon flood waters.

4. No. The reconstructed pier, boat lift, and the existing buoys are static in nature and will not affect the surface water volume of Lake Tahoe.

5. No. Mitigation measures required by the Tahoe Regional Planning Agency (TRPA) included the use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile (includes H beams) placement activities from entering the lake. Small boats and/or tarps were placed under the reconstruction area as necessary to collect construction debris. The reconstructed pier, boat lift, and existing buoys will not change the water quality.

6. No. The geology of the project area is composed of glacial and alluvial deposits. The replacement of the existing pilings, the placing of the H beam for the boat lift, and the existing buoys are all relatively shallow operations and should not affect ground water flows.

7. No. There will not be any changes to ground water quantity caused by the existing buoys, installed boat lift, or repaired pier.

8. No. The existing buoys, boat lift, and the repaired existing pier will have no effect on public water supplies.

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9. No. The existing buoys, boat lift and repaired existing pier will not expose people or property to water-related hazards such as tidal waves or induce flooding.

10. No. There are no thermal springs in the vicinity. The project will not affect any thermal springs.

D. Plant Life

1. No. There could have been a temporary change in aquatic sessile plants during the reconstruction period which lasted approximately four weeks. This temporary change only affected the construction area which was isolated by a caisson. This did not constitute a permanent or significant change. The indigenous aquatic flora will shortly begin recolonizing the affected area now that the project has been completed. The buoy anchors have more surface area for sessile aquatic plants to colonize than the lake bottom surface they occupy. The impact to aquatic plants will be temporary.

2. No. There are no rare or endangered species on the property. In the analysis of the property photosurvey for Tahoe Yellow Cress (Rorippa subumbellata) the habitat was found to be unsuitable for TYC.

3. No. The pier reconstruction and boat lift project and the existing buoys would not introduce new species to the area nor bar existing species from becoming established.

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

E. Animal Life

1. No. There was a temporary disruption in aquatic animal life confined to the actual reconstruction area by the caissons. The construction period lasted approximately four weeks. Upon completion of the project, the indigenous aquatic fauna will re-occupy any voids created during the repair operation. The existing buoys will not create any new effect on aquatic animal life because of its existence.

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

3. No. The pier reconstruction and boat lift project would not introduce any new species to the area nor create a new barrier to aquatic animals.

4. No. The reconstruction project would not reduce the aquatic animal habitat

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area upon completion. The existing buoys will not change the existing habitat.

F. Noise

1. No. The repaired private recreational pier and new boat lift will not increase existing noise levels, nor will the existing buoys. There was a short term additional noises during the reconstruction period, but there will not be an increase in long term noise levels.

2. No. The repaired pier with its new boat lift will not create any new severe noise levels; however, there was a temporary period when the noise levels increased during the period of reconstruction. Upon completion of the project, the noise levels returned to normal. The construction personnel were subjected to higher noise levels, but they wore hearing protective devices. The general public were not exposed to this increased noise level because the private property between the project and Highway 89 acted as a buffer. The existing buoys will not affect noise levels.

G. Light and Glare

1. No. Neither the reconstructed pier, boat lift, nor the existing buoys will result in creating new light or glare.

H. Land Use

1. No. The repair of the existing private recreational pier and installation of a boat lift will not alter the present or planned use of the area. The existing pier and buoys serve a private residence and not the general public. There are presently buoys and piers on adjacent properties. There is a pier and buoys to the north of the property line, and there is a pier to the south of the property line. This project will not substantially alter the land use in the area.

I. Natural Resources

1. No. The continued seasonal recreational use of this private pier and buoys by the Stokes family will not create any new effects upon the use rate of any natural resource.

2. No. The Stokes family's seasonal use of their private recreational pier and buoys will not create any changes which could deplete any nonrenewable resource.

J. Risk of Upset

1. No. The project involved the dismantling and reconstruction of an existing pier. The barge being used is diesel operated which reduced the risk of explosion. Hazardous materials were not to be used during the reconstruction phase, but

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mitigation measures were planned in the event that there was an accidental spill. Small boats and/or tarps were placed under the reconstruction area as necessary to collect construction debris. The use of caissons or vertical cylinders (sleeves) was required to prevent the release of resuspended sediments during the pile placement activities from entering the lake during reconstruction. The past limited seasonal use of this and adjacent private family recreational piers have not demonstrated a risk of releasing hazardous substances, creating upset conditions, or explosions in the Lake Tahoe Basin. Precautions will be taken to minimize these risks.

2. No. The seasonal use of the Stokes' existing private recreational pier, and new low level boat lift, and buoys will not create an interference with any emergency response or evacuation plan.

**K. Population**

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

**L. Housing**

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

**M. Transportation/Circulation**

1. No. This is a private residence and the pier, boat lift, and existing buoys are for the benefit of the members of the Stokes family and not the general public. There are no facilities being added to attract more people. The use of this private residence will not be changed by this project nor will there be any substantial increase in vehicle movement created by this project.

2. 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 repaired pier, boat lift, and the existing buoys will not create any additional use or increase of use by the general

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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 repair project and existing buoys will not have any affect on additional energy consumption. The boat lift is powered by a 1 hp., single phase 230 volt, 60 cycle, 7.15 amp electric motor. This is equivalent to about sixteen 100 watt light bulbs. The lift is only used when lowering or raising the boat. This use will not constitute a substantial increase in energy being used in the Lake Tahoe Basin.

2. No. See #1 above.

P. Utilities

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

2. No. See #1 above.

3. No. See #1 above.

4. No. See #1 above.

5. No. See #1 above.

6. No. See #1 above.

Q. Human Health

1. No. This repaired private recreational pier, boat lift,

not create any new health hazards to humans.

2. No. The existing buoys and repaired private recreational pier will not expose people to any new potential health hazards.

R. Aesthetics

1. No. The Stokes' recreational pier and buoys are existing facilities. The only new facility being added is the boat lift. The reconstruction 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 repair of this private recreational pier will have no effect on public recreation in the area.

T. Cultural Resources

1. No. This project consists of repairing an existing private recreational pier, installing a boat lift adjacent to the pier, and maintaining two existing buoys. 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

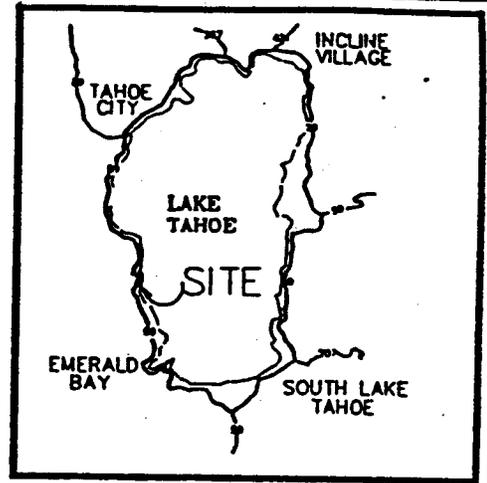
1. No. The pier is only to be repaired. There was about a four week period during reconstruction when the indigenous aquatic biota was displaced but will recolonize and return to normal after the project is completed. Mitigation measures, including caissons or vertical sleeves have been incorporated to protect Lake Tahoe during the reconstruction phase of the operation. The existing buoys will not create any new significant effects.

2. No. There was a short term, approximately four weeks, disruption of the lake environment in the immediate vicinity of the pier being repaired. This area was separated by the use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities as determined by TRPA. Upon completion of the project, the indigenous marine biota will recolonize and fill any voids created during the pier reconstruction. There will not be any long term significant changes created by this project.

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3. No. The Stokes' private family recreational pier is an existing facility. The pier repair project, the installation of a boat lift, and the existing buoys do not add or create impacts which will increase the propensity for considerable cumulative effects.

4. No. This private pier reconstruction project, boat lift, and the existing buoys will not create any new environmental effects which could create a significant adverse effect on human beings.

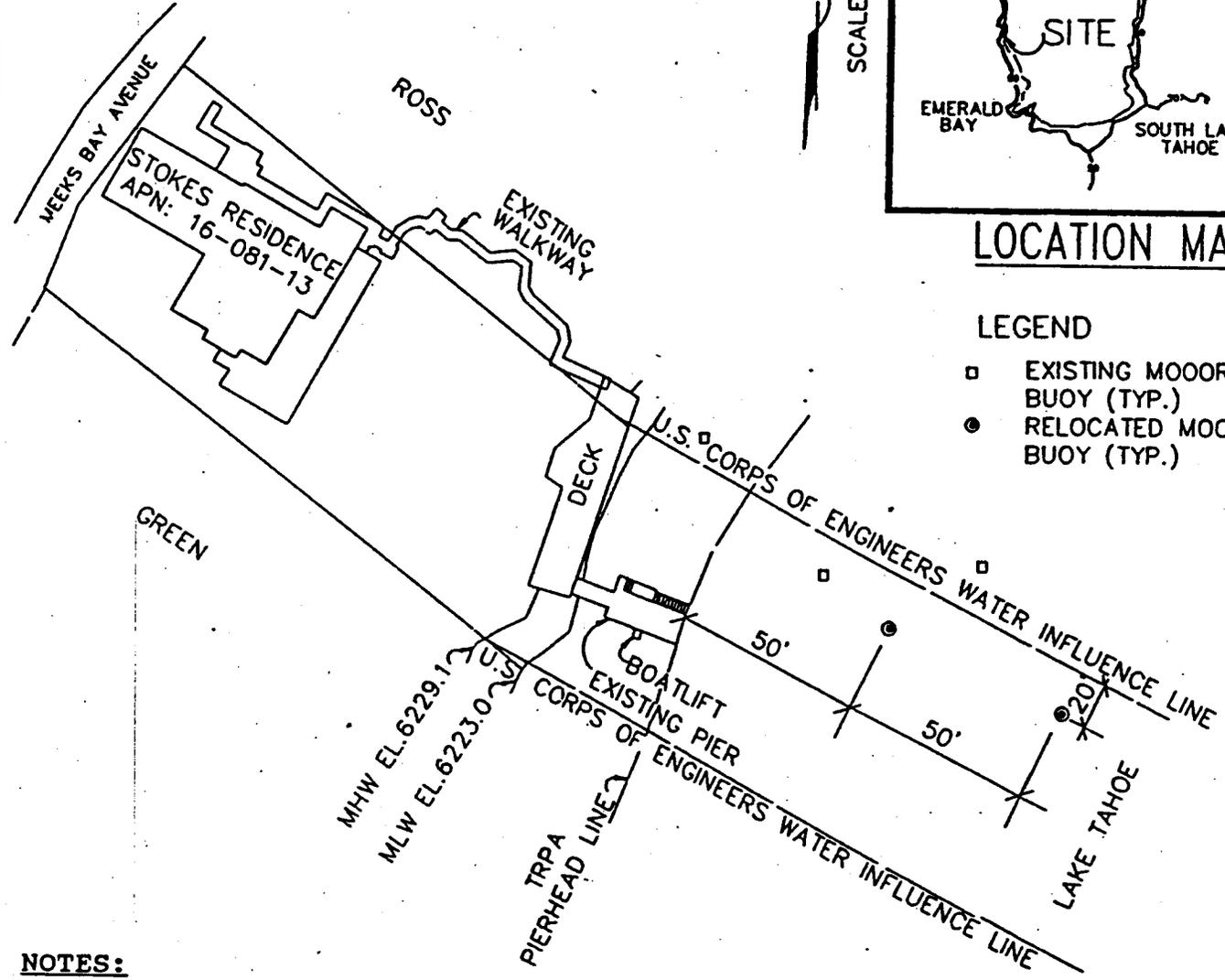


**LOCATION MAP**

SCALE: 1"=50'

**LEGEND**

- ◻ EXISTING MOORING BUOY (TYP.)
- RELOCATED MOORING BUOY (TYP.)



**NOTES:**

THE PIER WAS REPAIRED TO EXISTING DIMENSIONS ONLY. NO INCREASE IN SIZE OCCURED IN SIGNIFICANT CONFORMANCE WITH THE U.S. ARMY CORPS OF ENGINEERS PERMIT NO. 7969.

THE EXISTING SUNDECK DOES NOT EXTEND LAKEWARD OF MEAN LOW WATER ELEVATION 6223.0 LAKE TAHOE DATUM PER THE CERTIFIED TOPOGRAPHIC AND COVERAGE SURVEY PREPARED BY TAHOE BASIN LAND SURVEYING, DATED MAY 22, 1992.

**PIER REPAIR/BOATLIFT  
STOKES PROPERTY**

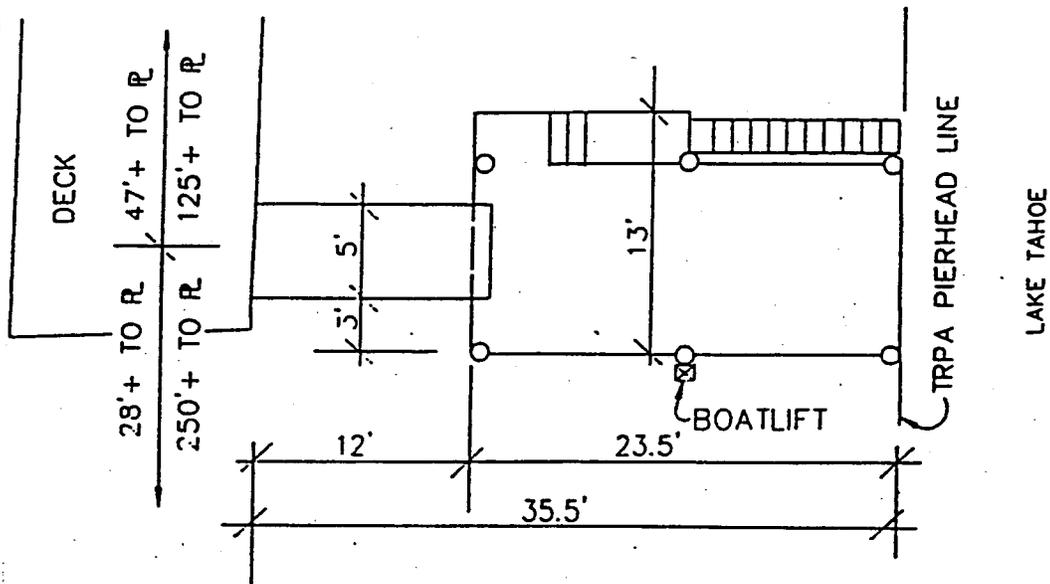
8381 MEEKS BAY AVENUE  
RUBICON BAY AREA  
EL DORADO COUNTY, CA.  
APN: 16-081-43

JUNE 1992 CALENDAR PAGE 217  
**WATL ENGINEERING**  
MINUTE PAGE CORPORATION

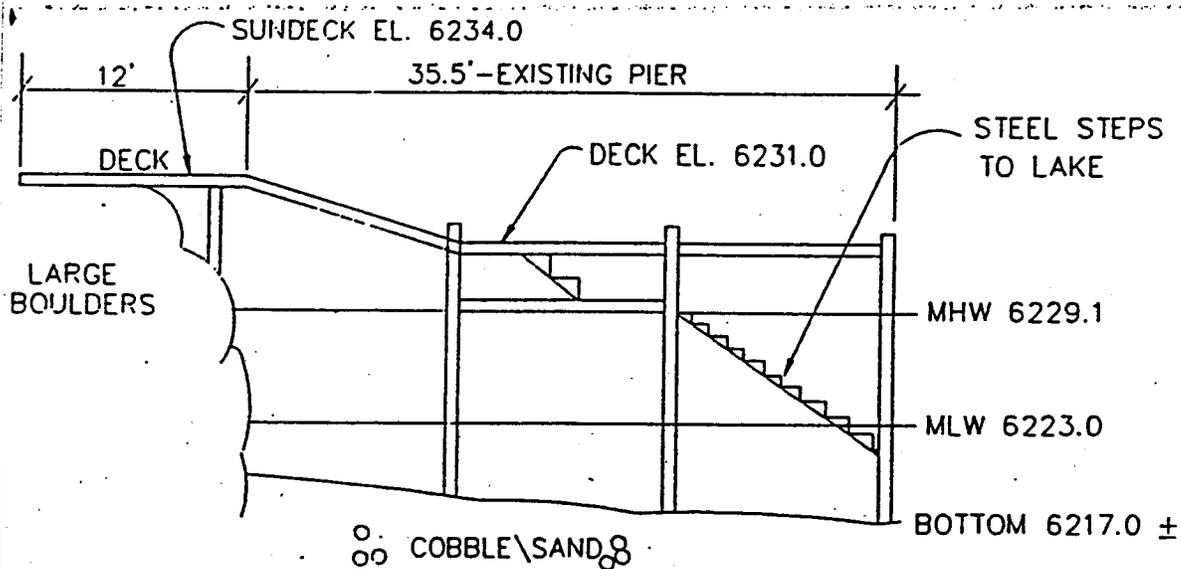
TAHOE CITY, CALIFORNIA (916) 583-3417

ADJOINING PROPERTIES	
SOUTH 16-081-37	NORTH 16-081-42

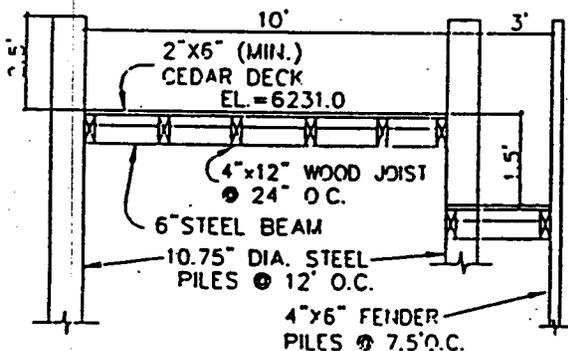
REVISED



PLAN 1"=10'



PROFILE 1"=10'



PIERHEAD SECTION  
H.T.S.

PIER REPAIR/BOATLIFT  
STOKES PROPERTY

8381 MEEKS BAY AVENUE  
RUBICON BAY AREA  
EL DORADO COUNTY, CA.

APN: 16-081-43

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ADJOINING PROPERTIES  
SOUTH NORTH  
16--081- 37 16--081-42

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