MINUTE ITEM
This Calendar Item No. C10
was approved as Minute Item
No. 10 by the State Lands
Commission by a vote of 3
to 0 at its 11-9-93
meeting.

CALENDAR ITEM
C10

A 4

S 1

11/09/93
W 24889
Gordon
PRC 7743

GENERAL PERMIT - RECREATIONAL USE

APPLICANT:
San Marcos Properties
1 Gardiner Court
Orinda, California 94563

AREA, TYPE LAND AND LOCATION:
Four 0.0288-acre parcels of submerged land comprising a total of 0.115 acre located in Agate Bay, Lake Tahoe, at Tahoe Vista, Placer County.

LAND USE:
Installation and maintenance of four mooring buoys utilized for noncommercial recreational boating.

TERMS OF PROPOSED PERMIT:
Initial Period:
Five years beginning October 15, 1993.

Surety Bond:
None

Public Liability Insurance:
Combined single limit coverage of $1,000,000.

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 restricts any commercial utilization of the facilities without the Commission's prior written authorization.

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

CALENDAR PAGE	27
MINUTE PAGE	2194

5. 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.

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

CONSIDERATION:
$372 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:
02/22/94

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 631, State Clearinghouse No. 93092054. 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 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, United States Army Corps of Engineers, and County of Placer.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

A. Land Description/Location Map
B. Local Government Comment
C. Proposed Negative Declaration

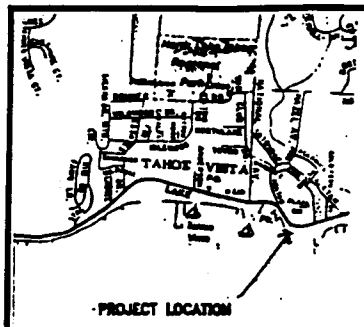
IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 631, STATE CLEARINGHOUSE NO. 93092054, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

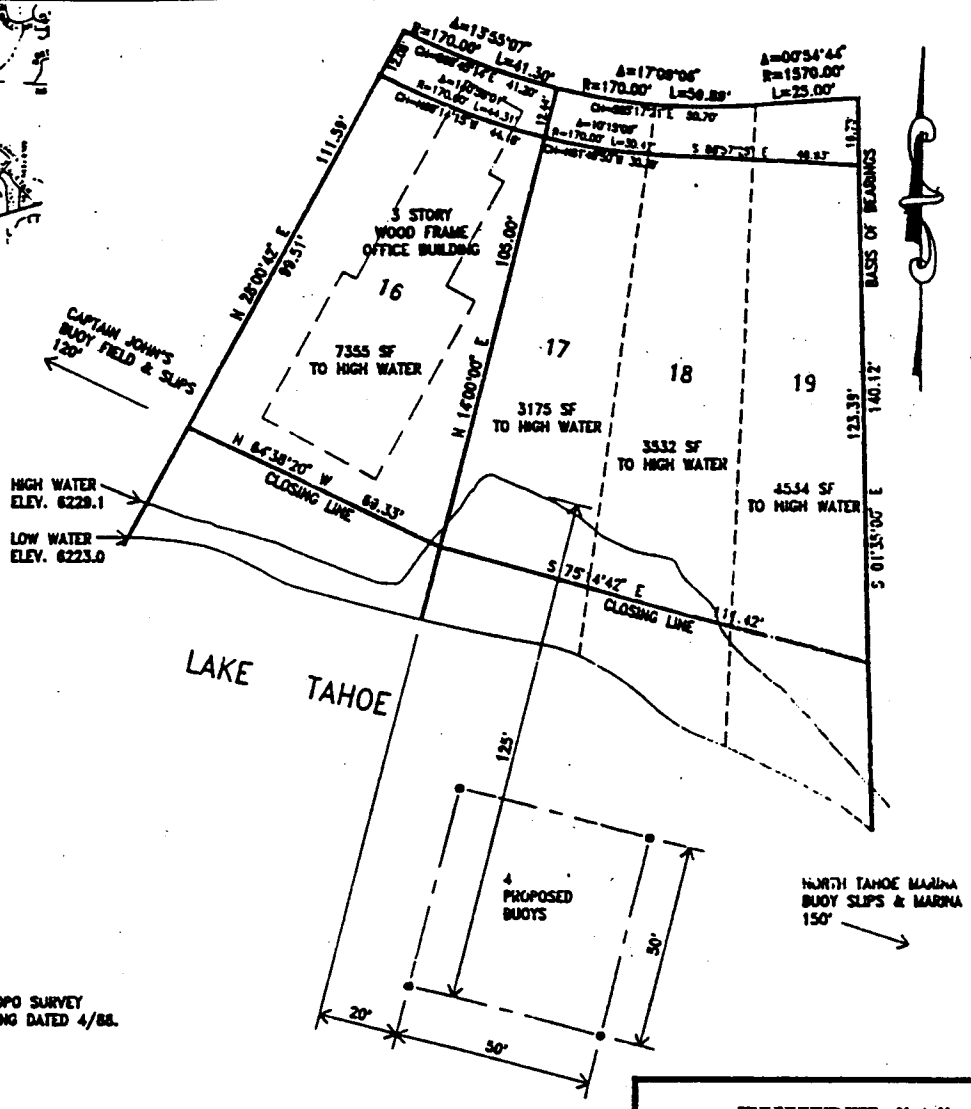
2. ADOPT THE NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

3. 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 SAN MARCOS PROPERTIES OF A FIVE-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING OCTOBER 15, 1993; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $372, WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $1,000,000; FOR INSTALLATION AND MAINTENANCE OF FOUR MOORING BUOYS UTILIZED FOR NONCOMMERCIAL RECREATIONAL BOATING,ON THE LAND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

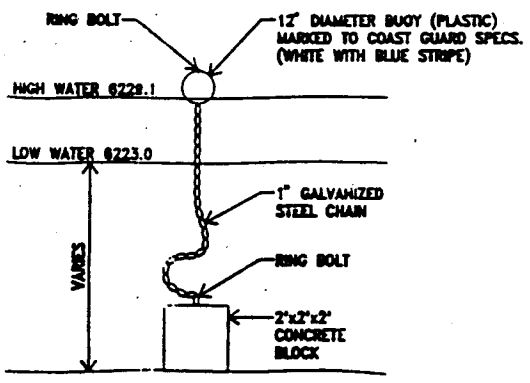


VICINITY MAP
No Scale



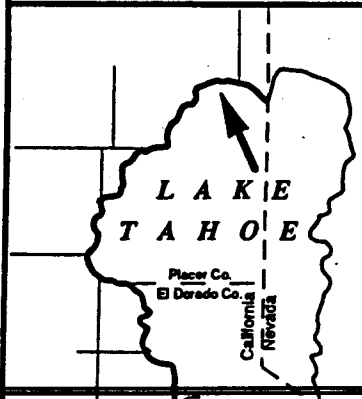
NOTE:
SURVEY INFORMATION TAKEN FROM TOPO SURVEY PREPARED BY K.B. FOSTER ENGINEERING DATED 4/88.

SCALE: 0' 40'



BUOY DETAIL
N.T.S.

EXHIBIT "A"
W 24889
APN 117 - 110 - 18
San Marcos Properties
Lake Tahoe
PLACER COUNTY



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"

Date: 4/29/93

File Ref: W 24889

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

Greetings:

Subject: Proposed Placement of Four (4) new Mooring Buoys in Agate Bay, Lake Tahoe at Tahoe Vista

Name: San Marcos Properties

Address: c/o Leah Kaufman
Planning & Consulting Services
P.O. Box 253
Carnelian Bay, CA 96140

Assessor's Parcel No. 117-110-18

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

Jan Christian
Associate Civil Engineer

CALENDAR PAGE	31
MINUTE PAGE	2198

EXHIBIT "C"

STATE OF CALIFORNIA

PETE WILSON, *Governor*

STATE LANDS COMMISSION

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

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814-7191

CHARLES WARREN
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: W 24889
ND 631
SCH No. 93092054

Project Title:	San Marcos Properties -- Four Recreational Buoys
Project Proponent:	San Marcos Properties
Project Location:	Lake Tahoe, APN 117-110-18, 7260 North Lake Blvd., Tahoe Vista, Placer County.
Project Description:	Proposed lease to place and use four private, recreational mooring buoys in a 50' square configuration.
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:

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

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

STATE LANDS COMMISSION

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

File Ref.: W 24889

I. BACKGROUND INFORMATION

A. Applicant: San Marcos Properties
1 Gardiner Court
Orinda, CA 94563
(510) 253-0963

Agent: Leah Kaufman
Leah Kaufman Planning & Consulting Services
PO Box 253
Carnelian Bay, CA 96140

B. Checklist Date: 9 / 9 / 93

C. Contact Person: Doug Miller

Telephone: (916) 322 - 7826

D. Purpose: Proposed lease to place and use four new private recreational buoys.

E. Location: 7260 North Lake Blvd., Tahoe Vista, Placer County, CA APN 117-110-18

F. Description: Proposed lease to place and use four private recreational mooring buoys in a 50 foot square configuration.

G. Persons Contacted:

Leah Kaufman - Leah Kaufman Planning and Consulting Services
Christina Hill - Leah Kaufman Planning and Consulting Services
Brad Hubbard - Army Corps of Engineers
Jim Lawrence - 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?			
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,			X
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?			X

CALENDAR PAGE 33
MINUTE PAGE 2200

	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

CALENDAR PAGE 34
MINUTE PAGE 2201

	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?	___	___	
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

CALENDAR PAGE 35
MINUTE PAGE 2202

	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?	—	—	—
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)

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: 9/15/93

Doug Miller
For the State Lands Commission

CALENDAR PAGE 36
MINUTE PAGE 2203

Project Description W24889

The applicant, San Marcos Properties, proposes to place four (4) new mooring buoys below the mean low waterline of Lake Tahoe, in the Vicinity of Tahoe Vista, APN 117-110-18 (old Tahoe Vista Block B subdivision lots 17, 18, & 19), 7260 North Lake Boulevard, Tahoe Vista, Placer County, Ca. The buoys will be located lakeward of the applicants parcel. The buoys would be located in an area not considered fish habitat. The four buoys would be placed in a 50 foot square configuration lakeward of low water. See Exhibit "A".

All mooring buoys shall removed at the end of each boating season and not reinstalled until the following boating season. The boating season is defined by Tahoe Regional Planning Agency (TRPA) as that period between May 1 and October 15.

The proposed four buoys will be placed on the sandy lake bottom from a floating barge.

Environmental Setting

The San Marcos Properties parcel is located adjacent to the lake in a commercial core of Tahoe Vista. There are marinas, restaurants, and a motel in the vicinity of the parcel. This parcel is zoned vacant - commercial potential -.

The parcel is well vegetated with native grasses and shrubs and trees which include Jeffrey Pine and Douglas-fir. There is a parking lot on the parcel which serves the business venture to the west. The sandy lake bed substrate fronting the parcel is in an area identified and mapped by TRPA as non-fish habitat.

The nearest westward waterward facility is located 120 feet to the west of parcel 17 and is Captain John's which has both a buoy field and slips. The nearest eastward waterward facility is located 150 feet to the east of parcel 18 and is the North Tahoe Marina which has buoy slips and a marina.

The shoreline surrounding Lake Tahoe is within the range of State-listed Rorippa subumbellata, Roll.. There would be no impact to the shoreline and what could be determined to be potential habitat for this endangered plant resulting from this temporary project.

This project is located below the low water contour of 6,223 feet which is sand substrate. The project is located in the water and not near any upland plants. The buoys will be placed in the lake by a floating barge and no flora will be disturbed.

DISCUSSION OF ENVIRONMENTAL EVALUATION

SAN MARCOS PROPERTIES FOUR RECREATIONAL BUOYS

W24889

A. Earth

1. Unstable, Changes in Geologic Substructure

No. The proposed project is confined to the surface, the four buoy anchors rest on the sandy lake bottom, and will not create any unstable conditions or change any geological structure.

2. Disruptions, displacement, compaction.

No. Each buoy anchor covers four square feet of lake bottom's substrate on a 50 foot grid spacing (a square configuration). The four anchors for these buoys will overcover 16 square feet of lake bottom. This project does not involve any excavation or filling of earthen materials. This project will not create any new significant impacts to the lakebed.

3. Topography

No. This project will not create any changes in ground surface relief. The buoy anchors rest on the flat sandy lake bottom and will not alter the topography of the substrate. This project does not involve any excavation or filling of earthen materials. This project will not create any new significant permanent impacts to ground surface relief.

4. Destruction, Covering or Modification of Unique Geologic Features

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 buoy anchors rest on the sandy lake bottom and will not alter or change any geological or physical features of the lakebed.

5. Increase in Wind or Water Erosion of Soils

No. The buoys will be located on the relatively flat lake bottom and placed on a 50 foot grid system underwater and will not create any new erosion. There will be no change in or to the lake bottom which could be classified as significant.

6. Deposition/Erosion

No. This buoy placement project is located on the relatively flat lake bottom under water and will not create any channel changes nor affect siltation.

7. Exposure of people or property to geologic hazards.

No. This project is a relatively static project and not likely to induce any seismic instabilities or ground failures. The buoy anchors being relocated on the lake bottom 50 feet apart will not create any new significant geological impacts or hazards.

B. Air

1. Substantial air emissions or deterioration of ambient air quality

No. This project includes the placement of four mooring buoys placed in a square spaced 50 feet apart. The four buoys will not affect the air quality. However, during the location or construction hours, there will be about a two hour period when fumes from the diesel engine on the barge will be emitted in the immediate vicinity of the project. These emissions will be immediately dispersed by the prevailing winds.

There will be some emissions from motor boats, but these will be immediately dispersed by the constantly prevailing wind. Upon completion of this proposed project, boats arriving and leaving the buoys will create some new emissions; however, considering the size of the Lake Tahoe Basin, these are not considered significant emissions.

2. Creation of objectionable odors

No. The placement of four buoys will not create objectionable odors. However, during construction hours, there will be about a two hour period when fumes from the diesel engine on the barge will be noticeable in the immediate vicinity of the project. These emissions will be immediately dispersed by the prevailing winds. There may be some odors from the motor boats, but these will be immediately dispersed by the constantly prevailing wind. Upon completion this proposed project will not create any new significant emissions.

3. Alteration of air movement

No. The placement and use of the four buoys will not create any major changes in air movement, temperature,

climate, nor create any abnormal weather conditions.

C. Water

1. Changes in Currents

No. The open 50 foot spacing of the four buoys is of a static nature and will not create any changes in water currents or movements.

2. Absorption rates, Drainage Patterns, Runoff

No. The open design of the 50 foot spacing of the four buoys is of a static nature and will not affect absorption rates, drainage patterns, etc. The entire project area is submerged.

3. Alterations to Course or Flow

No. The four buoys in Lake Tahoe will not create any new effects upon stream course, flow or flood waters.

4. Changes in Amount of Surface Water

No. The four buoys are static in nature and will not affect the area of surface water at Lake Tahoe. This project is not considered a significant impact to the surface water of Lake Tahoe.

5. Discharges

No. The four buoys by themselves will not change the water quality. This project will not create any new significant effects resulting from turbidity upon completion.

6. Alteration of Direction or Rate of Flow of Ground Water

No. The geology of the project area is composed of glacial and alluvial deposits. The placement of the buoys on the sandy flat lake bottom is a relatively shallow operation and should not affect ground water flows.

7. Quantity of Ground Water

No. This project will not alter any aquifers nor consume any ground water. There will not be any changes to ground water quantity caused by the placement of the four buoys on the flat sandy lake bottom..

8. Public Water Supplies

No. This is not a water consuming project. The four

buoys will have no effect on public water supplies.

9. Exposure of people or property to Water-Related Hazards

No. The four buoys will not expose people or property to water-related hazards such as tidal waves or induce flooding.

10. Changes in Temperature, Flow, Chemical Content of Surface Thermal Spring

No. There are no thermal springs in the vicinity which could be affected by this project.

D. Plant Life

1. Diversity of Species

No. There could be a slight change in aquatic sessile plants with the installation of four buoy anchors which is not considered a significant change. The buoy anchors placed on the sandy substrate will provide strata for aquatic sessile plants. The indigenous aquatic flora will shortly begin colonizing on the buoy anchors after the project has been completed. The impact to aquatic plants will be positive because the anchors on the sandy substrate will actually enhance aquatic sessile plants.

2. Unique, Rare or Endangered Species

No. The shoreline surrounding Lake Tahoe is within the range of State-listed Rorippa subumbellata, Roll.. There would be no impact to the shoreline and what could be determined to be potential habitat for this endangered plant resulting from this temporary project.

This project is located below the low water contour of 6,223 feet which is sand substrate. The project is located in the water and not near any upland plants. The buoys will be placed in the lake by a floating barge and no flora will be disturbed.

3. Introduction of New Plant Species

No. The placement of four buoys will not introduce new species to the area nor exclude existing species from becoming established.

4. Reduction in Acreage of Agricultural Crop

No. The placement of four buoys 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. Change in the Diversity of Species

No. The buoy anchors could displace some small burrowing marine animals at a rate of four square feet per anchor or 16 square feet for the four buoys on the sandy substrate. The buoy anchors will create artificial structures on the flat sandy substrate for small aquatic animals to use for escape. The boating season has been identified to be between May 1 and October 15 by TRPA to minimize the impact on fish spawning habitat. The buoys will be removed after the boating season. The four buoys will not create any adverse significant effects affecting species diversity.

2. Unique, Rare or Endangered 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 Species

No. The four buoys will not introduce any new species to the area nor create a new barrier to aquatic animals.

4. Deterioration to Existing Fish or Wildlife Habitat

No. The shoreline area lakeward of this parcel has been determined by TRPA to be mapped as non-fish habitat. This project as a result of its static nature and being beyond the fish habitat area is not considered as being significant to the aquatic animal habitat in this area.

F. Noise

1. Increase in Existing Noise Levels

No. There will be short term additional noises for about a two hour period during the placement of the four buoys, but there will not be an increase in long term noise levels created by the buoy field itself. There will be some additional noise caused by motorboats arriving and leaving; however, people do not normally arrive or leave their buoys at the same time nor do they use their boats at the same time.

The vehicular noise from Highway 28 in this busy area will override the noise created from boats arriving and leaving the buoy field. It is not anticipated that there will be any new increases in ambient noise levels generated from this proposed project which can be considered significant.

2. Exposure of People to Severe Noise Levels

No. There will be a temporary period when the ambient noise levels increase during the period when the buoys are being placed. Upon completion of the project, noise levels will return to normal. The construction personnel will be subjected to higher noise levels, but they wear hearing protective devices. The additional noise of motor boats arriving or leaving the buoys is not considered as severe noise levels generated from the proposed project and therefore are not considered as significant.

G. Light and Glare

1. The production of new light or glare

No. There are no lights associated with this project consisting of four US Coast Guard approved mooring buoys. This project consisting of four buoys will not result in creating any new significant long term light or glare.

H. Land Use

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

There are presently piers and buoys on adjacent commercial properties. This project will not significantly alter the land use in the area.

I. Natural Resources

1. Increase in rate of use

No. The four buoys are not a natural resource consuming project by themselves, and will not create any new significant effects upon the use rate of the natural resources.

2. Substantial depletion of nonrenewable resources

No. The four buoys are not a nonrenewable resource consuming project by themselves. The four buoys will not create any changes which could deplete any nonrenewable resource substantially.

J. Risk of Upset

1. Risk of explosion

No. The establishment of a temporary buoy field poses very little risk of explosion. There is always the possibility of risk of explosion from motor boats

colliding and gasoline fumes igniting; however, with the light use of motor boats this close to shore this possibility is minimized. Additionally, there is no fuel facility associated with the four proposed buoys which will also help minimize the possibility of explosion.

The past limited seasonal use of commercial and recreational buoy fields have not demonstrated a risk of releasing hazardous substances, creating upset conditions, or creating explosions in the Lake Tahoe Basin. This project will not create any new significant situations which could lead to explosions.

2. Interference with Emergency Response Plan

No. The physical location of these four buoys, within the legal 350 foot zone from shore, will not create an interface with any emergency response or any evacuation plan.

K. Population

1. Alteration, Distribution, Density or Growth Rate

No. The four buoys associated with the parcel will not alter the population in the lake basin. The temporary seasonal use of these four buoys will not increase or even affect the population of the Lake Tahoe Basin.

L. Housing

1. Existing, or Demand for Additional Housing

No. The addition of the four mooring buoys for the parcel will not create a demand for additional housing.

M. Transportation

1. Generation of substantial additional vehicular movement

No. The proposed placement of the four buoys are for the private use of the parcel and not for commercial or the use of the general public. No additional upland parking would be needed as a result of this project. No impacts are anticipated.

2. Affect existing Parking facilities, Demand for New Parking Facilities

See M-1, above.

3. Existing Transportation Systems

No. The four buoys are for the use of the owners of the

parcel and not the general public. The proposed temporary seasonal placement of the four buoys for private use would not affect existing transportation systems related to the restaurant.

4. Alterations to Present Patterns of Circulation

No. The seasonal use of these four private mooring buoys will not create any significant alterations with respect to the present patterns of circulation or movement of people and /or goods.

5. Alterations to Waterborne, Rail or Air Traffic

Proposed placement of these four private seasonal mooring buoys in this area will not create any significant impacts or alterations to waterborne, rail or air traffic. The buoys would be in place from May 1 - October 15 which is considered the normal boating season by TRPA, after which time the buoys would be removed.

6. Increase in Traffic Hazards

No. These four private seasonal buoys situated in Lake Tahoe will not create any increase in traffic hazards to motor vehicles, bicycles, or pedestrians.

N. Public Services

1. Fire protection

No. These four private mooring buoys situated in Lake Tahoe are for the use of the owners of a private parcel and 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. Police protection

No. See #1 above.

3. Schools

No. See #1 above.

4. Parks and Recreational Facilities

No. See #1 above.

5. Maintenance of public facilities

No. See #1 above.

6. Other Governmental Services

No. See #1 above.

O. Energy

1. Use of substantial amounts of fuel or energy

No. The authorized use of the four private seasonal buoys will not add or create any additional new substantial uses for fuel or energy within the Lake Tahoe Basin. The boating season as determined by TRPA is from May 1 to October 15. The four buoys are not in themselves energy consuming, and are therefore, not fuel or energy dependant.

2. Increase in demand upon existing sources of energy

No. See #1 above.

P. Utilities

1. Power or natural gas

No. The four proposed seasonal mooring buoys are for the private recreational use of the private parcel owner and not for the use of the general public, and as a result will not create any changes in the rate of use of utilities. There will be no additions to the four seasonal buoys 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 Tank

No. See #1 above.

5. Storm or Water Drainage

No. See #1 above.

6. Solid waste and disposal

No. See #1 above.

Q. Human Health

1. Health hazard

No. The authorized use of the four seasonal buoys will not create any new health hazards to humans.

2. Exposure of people to potential health hazard

No. The authorized use of the four seasonal buoys will not expose people to any new potential health hazards.

R. Aesthetics

1. Obstruction or scenic vista or view

No. The aesthetics in this area is oriented toward residential - commercial boats, buoys, piers, etc., and the four buoys fit into the aesthetics of the area. The proposed project would be visible from Highway 28; however, the four buoys do not distract from the existing aesthetics of the area. The boating season is from May 1 to October 15 after which time the buoys are removed during the non boating season. Due to the seasonal nature of this project, and the fact that boats, buoys, and piers are a major part of the aesthetics of the area, this project is not considered as significant.

S. Recreation

1. Quality or quantity of existing recreational opportunities

No. These four buoys are for the private use of the parcel owner and are not for the use of the general public; therefore, there would be no significant impacts to recreation for the general public.

T. Cultural Resources

1. Prehistoric or historic archaeological sites

No. This proposed project is located on the sandy bottom of Lake Tahoe. The buoy anchors rest on the lake bottom without disturbing the sand. There are no identified sites, buildings, or structures, nor ethnic, religious, or sacred uses pertinent to this project area which could be significantly affected.

2. Adverse physical or aesthetics to prehistoric or historic building.

No. See No.# 1 above.

3. Unique Ethnic Cultural Values

No. See No.# 1 above.

4. Religious or Sacred Uses

No. See No.# 1 above.

U. Mandatory Findings of Significance

1. Degrade quality of the environment

No. The four recreational buoys are of a seasonal nature (May 1 through October 15). The anchors of the buoys will rest on the sandy lake bottom without causing any significant environmental degradation to either the lake or the sandy substrate. The four seasonal buoys will not create any long term significant degradational environmental effects.

2. Short Term vs. Long-Term Environmental Goals

No. The four recreational buoys and anchors will have a minimal if any effect on the marine biota of Lake Tahoe. There will not be any long term significant environmental changes created by this project.

3. Impacts Individually Limiting, Cumulatively Considerable

No. On a long-term basis, this project will add four buoys to the Lake Tahoe Basin; however, when considering the number of buoys in Lake Tahoe, this project is considered insignificant.

4. Substantial Adverse Effects on Human Beings

No. The proposed project of placing four private recreational mooring buoys on the flat sandy bottom of the lake will not create any new environmental effects which could create significant adverse effects on human beings.