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 5/26/94
meeting.

CALENDAR ITEM

C10

A 4

S 1

05/26/94
W 24853
Gordon

PRC 5402

TERMINATION OF
GENERAL PERMIT - RECREATIONAL USE PRC 5402.1
TERMINATION OF
TEMPORARY GENERAL PERMIT - RECREATIONAL USE PRC 5402.1
ISSUANCE OF GENERAL LEASE - RECREATIONAL USE

APPLICANT:
The Gar Wood Restaurant
P.O. Box 1133
Carnelian Bay, California 96140

AREA, TYPE LAND AND LOCATION:
A 0.112-acre parcel, fourteen (14) 0.029-acre circular parcels and three (3) 0.0018 circular parcels of submerged land located in Lake Tahoe at Carnelian Bay, Placer County.

LAND USE:
Modification and maintenance of a pier and the construction of a 105 foot extension thereto; plus the placement and maintenance of a field of fourteen (14) mooring buoys, of which two (2) have been previously authorized, and three (3) navigational marker buoys, respectively; all utilized for noncommercial recreational boating purposes.

CURRENT PERMIT TERMS:
(GENERAL PERMIT - RECREATIONAL USE PRC 5402.1)

Permit period:
4 years beginning September 1, 1990.

Public liability insurance:
Combined single limit coverage of $1,000,000.00.

Consideration:
$575.00 per annum; five-year rent review.

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

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2. The permit is conditioned on the County of Placer's authorization and consent of any of the subject facilities found to be on or adjacent to County lands.
3. The permit restricts any residential use of the facilities.
4. The permit requires refuse containers for the disposal of vessel-generated trash.
5. The permit conforms to the Lyon/Fogerty decision.
6. The permit is conditioned on the right of public access along the shorezone lakeward of the ordinary high water line.
7. The permit is conditioned on permittee's retention of the public trust area and the Rorippa habitat area in its natural condition.

CURRENT PERMIT TERMS:
(TEMPORARY GENERAL PERMIT - RECREATIONAL USE PRC 5402.1)

Permit period:
89 days beginning July 19, 1993.

Public liability insurance:
Combined single limit coverage of $1,000,000.00.

Consideration:
$1,116.00.

Other Considerations:
$1,848 as to a period of three years, being 1990, 1991, and 1992, for a varying number of previously existing unauthorized mooring buoys.

Special:
1. The permit is conditioned on permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.
2. The permit is conditioned on the consent of the adjacent littoral landowners.
3. The permit prohibits any residential use of the facilities.
4. The permit conforms to the Lyon Fogerty decisions.
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 applicant's acquisition of all other necessary permits from federal, State, and local government entities.

PROPOSED LEASE TERMS:

Lease period:

5 years beginning June 1, 1994.

Public liability insurance:

Combined single limit coverage of $2,000,000.00.

Special:

1. Lessee agrees to provide Lessor on or before September 1, 1994, with acceptable evidence of its interest in the subject littoral upland or this lease is automatically terminated, effective upon Lessor's written notice.
2. The lease is conditioned on lessee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.
3. The lease is conditioned on the consent of the adjacent littoral landowners.
4. The lease restricts any residential use of the facilities.
5. The lease requires refuse containers for the disposal of vessel-generated trash.
6. The lease conforms to the Lyon/Fogerty decision.
7. The lease is conditioned on the right of public access along the shorezone lakeward of the ordinary high water line.
8. The lease is conditioned on lessee's retention of the public trust area and the Rorippa habitat area in its natural condition.

CONSIDERATION:

$2,632.06 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is lessee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee, processing costs 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:
11/09/94

OTHER PERTINENT INFORMATION:
1. This is an application to extend applicant's pier by 105 feet to a total length of 235 feet and to permanently add a field of fourteen (14) mooring buoys, of which two (2) have been previously authorized, with three (3) navigational marker buoys for the purpose of providing noncommercial public access to and from Lake Tahoe for the benefit of applicant's upland restaurant and the general public. This is also an application to replace applicant's current permit that will expire August 31, 1994, coincident with the end of the term of applicant's upland lease. Applicant advises staff, it will be acquiring the ownership of the littoral upland by an option to purchase provided by the terms of its upland lease.

2. At its August 22, 1990, meeting, in Minute Item 10, the Commission authorized the issuance of General Permit - Recreational Use PRC 5402.1, dated January 2, 1991, to The Gar Wood Restaurant for a pier and two (2) mooring buoys. This permit expires August 31, 1994. Staff recommends the permit be terminated and replaced with the lease proposed herein.

3. At its July 19, 1993, meeting in Minute Item 5, the Commission authorized the issuance of Temporary General Permit - Recreational Use PRC 5402.1, dated August 5, 1993, to The Gar Wood Restaurant for the placement of a temporary field of fourteen (14) mooring buoys, of which two (2) had been previously authorized. This permit expired October 15, 1993 and staff recommends the termination of the permit effective on said date.

4. 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 ND 648, State Clearinghouse No. 94042017. 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))

5. A Mitigation Monitoring Plan has been prepared in conformance with the provisions of the CEQA. (Section 21081.6, P.R.C.)

6. 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.

7. Staff physically inspected the site for purposes of evaluating the impact of the activity on the Public Trust.

8. 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.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency; United States Coast Guard; and County of Placer.

FURTHER APPROVALS REQUIRED:

State Lands Commission; California Department of Fish and Game; Lahontan Regional Water Quality Control Board; and United States Army, Corps of Engineers.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

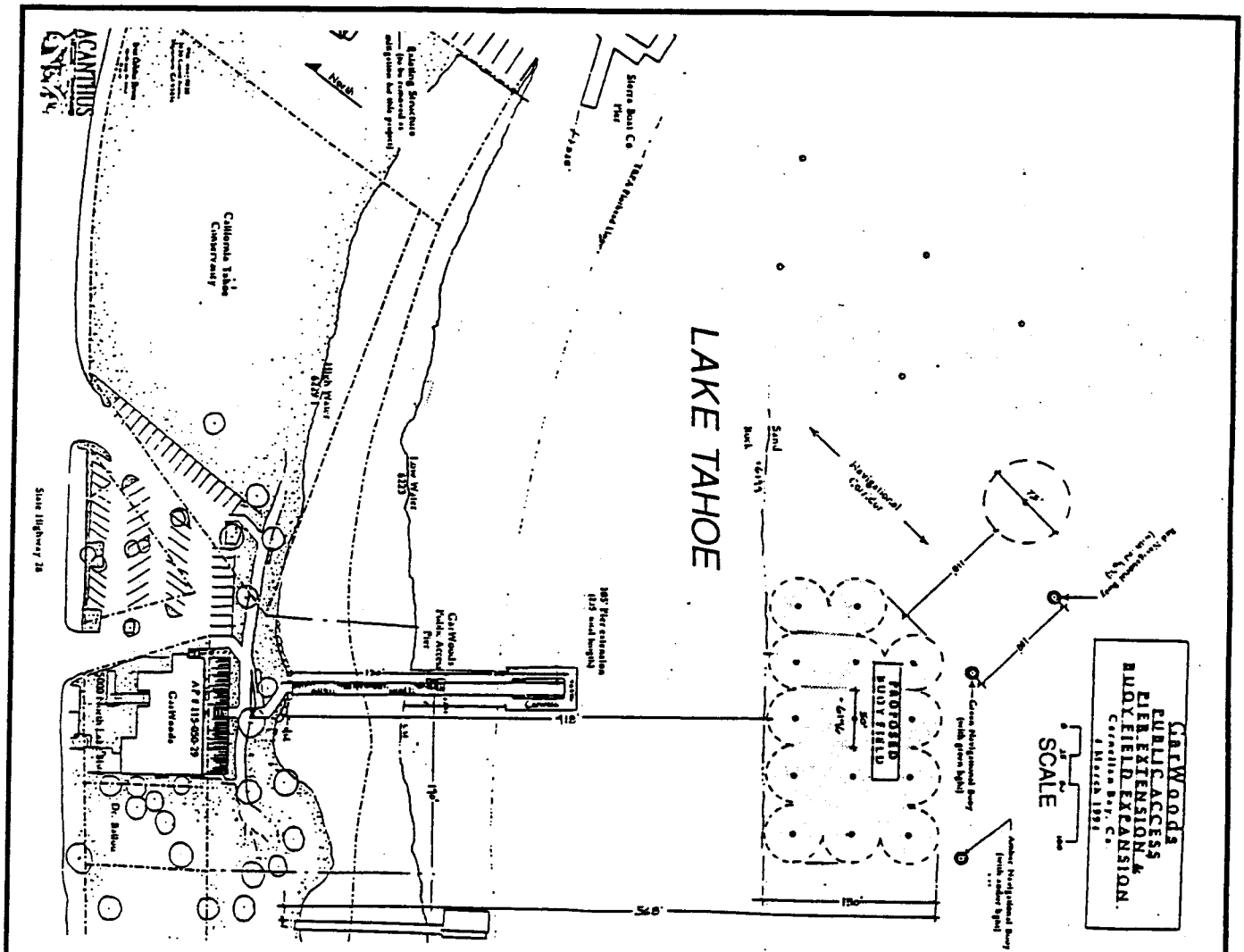
1. CERTIFY THAT A PROPOSED NEGATIVE DECLARATION, ND 648, STATE CLEARINGHOUSE NO. 94042017, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

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

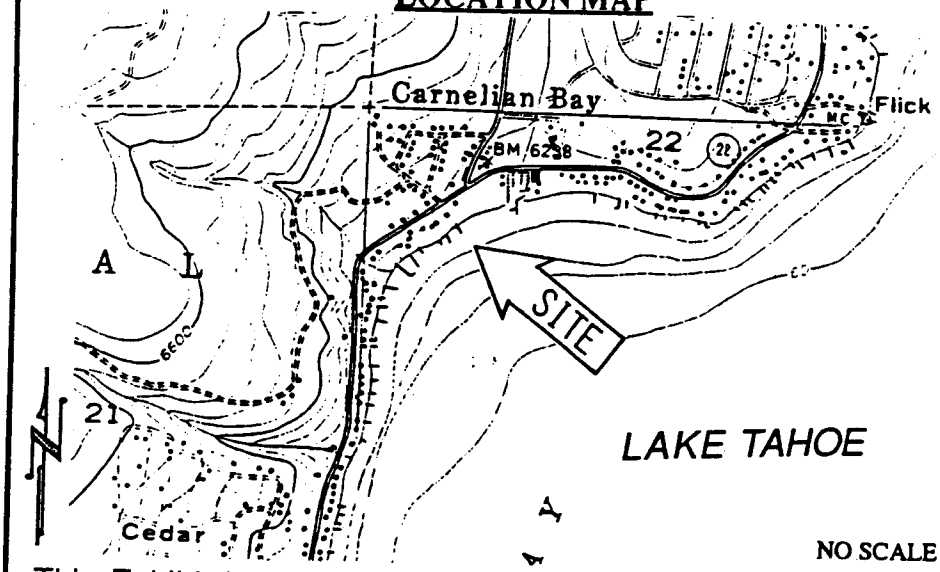
3. ADOPT THE MITIGATION MONITORING PLAN, AS CONTAINED IN EXHIBIT "C", ATTACHED HERETO.

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 TERMINATION OF GENERAL PERMIT - RECREATIONAL USE PRC 5402.1, DATED JANUARY 2, 1991, EFFECTIVE MAY 3, 1994, AND TEMPORARY GENERAL PERMIT - RECREATIONAL USE PRC 5402.1, DATED AUGUST 5, 1993, EFFECTIVE OCTOBER 15, 1993, AND THE ISSUANCE TO THE GAR WOOD RESTAURANT OF A 5-YEAR GENERAL LEASE - RECREATIONAL USE BEGINNING JUNE 1, 1994; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $2,632.06. WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $2,000,000.00; FOR MODIFICATION AND MAINTENANCE OF AN EXISTING PIER AND THE CONSTRUCTION OF A 105 FOOT EXTENSION THERETO; PLUS THE PLACEMENT AND MAINTENANCE OF A FIELD OF FOURTEEN (14) MOORING BUOYS AND THREE (3) NAVIGATIONAL MARKER BUOYS; ALL UTILIZED FOR NONCOMMERCIAL RECREATIONAL BOATING PURPOSES ON THE LAND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.



LOCATION MAP



NO SCALE

EXHIBIT "A"

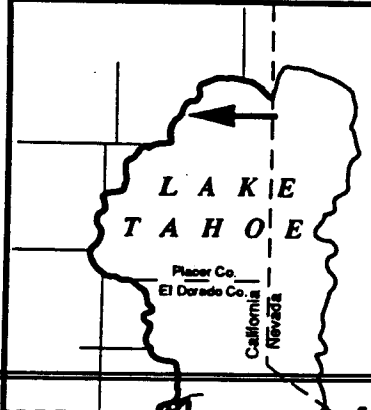
W 24853

APN 115- 050 - 29

Lake Tahoe

PLACER 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.

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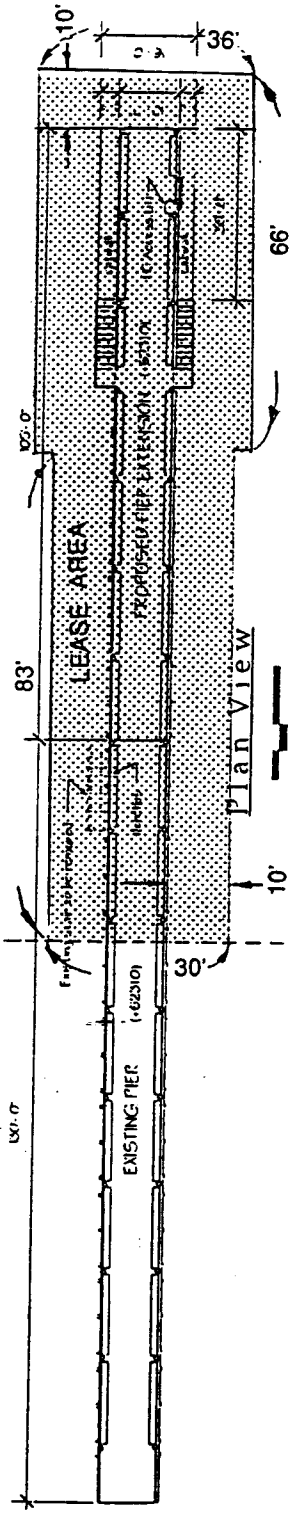
CG 4/94

LAKE TAHOE

GARWOOD'S PIER EXTENSION

March 1994



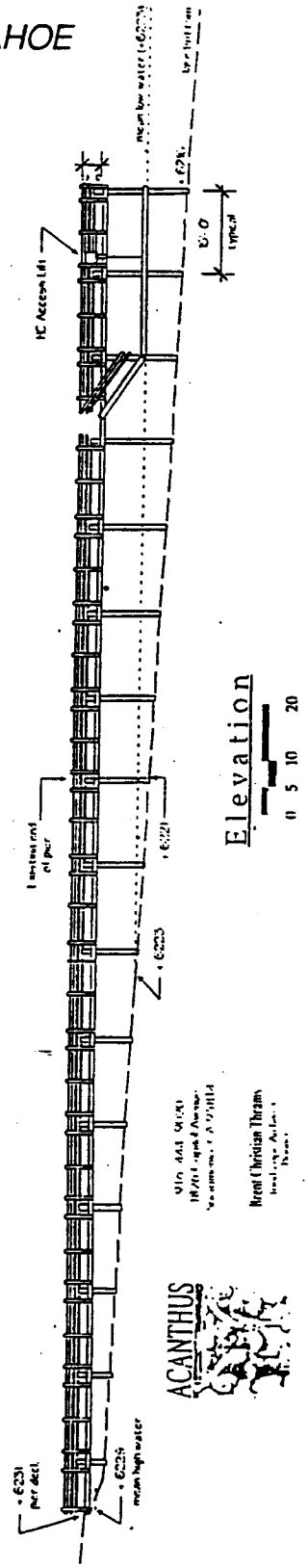


EXHIBIT "A"

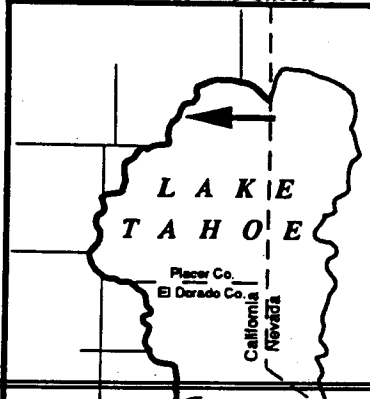
W 24853

APN 115- 050 - 29

Lake Tahoe

PLACER COUNTY

Sheet 2 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"

Date: 3/24/94

File Ref: W 24853
(PRC 5402.1)

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

Greetings:

Subject: Proposed 105 Foot Pier Extension Project; Two (2) Existing Authorized Mooring Buoys; Twelve (12) Proposed Mooring Buoys; and Three (3) Proposed Navigational Marker Buoys, All in Lake Tahoe at Carnelian Bay

Name: The Gar Wood Restaurant
Attn: Tom Turner

Address: P.O. Box 1133
Carnelian Bay, CA 96140

Assessor's Parcel No. 115-050-29

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

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PETE WILSON, Governor

STATE OF CALIFORNIA
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
CHARLES WARREN
Executive Officer

EXHIBIT "C"

PROPOSED NEGATIVE DECLARATION

File Ref.: W 24853
ND 648
SCH No. 94042016

Project Title: The Gar Wood Pier Extension and Permanent Buoy Field

Project Proponent: The Gar Wood Restaurant

Project Location: APN: 115-050-29, Carlenian Bay, Lake Tahoe, Placer County.

Project Description: Proposed construction and placement of a 105' extension to an existing 130' public pier. Annual placement of 14 mooring buoys, including three lighted navigational buoys in Lake Tahoe, beyond the TRPA pierhead line and waterward of a mapped fish habitat area to provide free public access to an existing upland restaurant. The mooring buoys would be used between May 1 - October 15 annually. Construction of the pier extension would occur during the non-spawning season (July 1 - October 15), or as otherwise determined by the Department of Fish and Game through issuance of its Streambed Alteration Agreement.

Contact Person: Judy Brown Telephone: (916) 324-4715

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.

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STATE LANDS COMMISSION

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

File Ref.: W 24853

I. BACKGROUND INFORMATION

A. Applicant: The Gar Wood Restaurant
C/O Hoffman, Lien, Faccinto, Garnett & Lieberman
PO Box 7740
Tahoe City CA 96145

B. Checklist Date: 04 / 04 / 94

C. Contact Person: Judy Brown

Telephone: (916) 324-4715

D. Purpose: To provide free public access from the lake to the upland restaurant.

E. Location: Lake Tahoe, Carnelian Bay, waterward of APN: 115-050-29; NW 1/4 Sect. 22, T16N, R17E, MDM

F. Description: The applicant proposes to construct a 105' extension to an existing 130' public access pier. Construction of the pier includ bench seating, handrails and a handicapped boat lift. The applicant also proposes to relocate two existing mooring buoys and add 12 mooring buoys f a total of 14 mooring buoys to be placed in a grid pattern for free public use. The applicant will also place three navigational buoy markers to identi the lakeward limits of the buoy field and to delineate a navigational corridor leading to the shore. Construction of the pier extension would occur durir the non-spawning season (July 1 - October 15). Annual use of the buoy field would be seasonal (May 1 - October 15).

G. Persons Contacted:

Bruce Eisner - Tahoe Conservancy

Jim Lawrence - Tahoe Regional Planning Agency

Brad Hubbard - US Army Corps of Engineers

Nancy Haley

Mark Zumsteg - Department of Fish and Game

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

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

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	Yes	Maybe	N
B. Air. Will the proposal result in:			
1. Substantial air emissions or deterioration of ambient air quality?	—	—	-
2. The creation of objectional 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 direct on 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	N
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?	—	—	-
2. Possible interference with emergency response plan or an emergency evacuation plan?	—	—	-
K. Population. Will the proposal result in:			
1. The alteration, distribution, density, or growth rate of the human population of the area?	—	—	-
L. Housing. Will the proposal result in:			
1. Affecting existing housing, or create a demand for additional housing?	—	—	-
M. Transportation/Circulation. Will the proposal result in:			
1. Generation of substantial additional vehicular movement?	—	—	-
2. Affecting existing parking facilities, or create a demand for new parking?	—	—	-
3. Substantial impact upon existing transportation systems?	—	—	-
4. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	-
5. Alterations to waterborne, rail, or air traffic?	—	—	-
6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	—	—	-
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?	—	—	-
2. Police protection?	—	—	-
3. Schools?	—	—	-
4. Parks and other recreational facilities?	—	—	-
5. Maintenance of public facilities, including roads?	—	—	-
6. Other governmental services?	—	—	-
O. Energy. Will the proposal result in:			
1. Use of substantial amounts of fuel or energy?	—	—	-
2. Substantial increase in demand upon existing sources of energy, or require the development of new sources?	—	—	-
P. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
1. Power or natural gas?	—	—	-
2. Communication systems?	—	—	-
3. Water?	—	—	-
4. Sewer or septic tanks?	—	—	-
5. Storm water drainage?	—	—	-
6. Solid waste and disposal?	—	—	-
Q. Human Health. Will the proposal result in:			
1. Creation of any health hazard or potential health hazard (excluding mental health)?	—	—	-
2. Exposure of people to potential heath hazards?	—	—	-
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?	—	—	-

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	Yes	Maybe	N
S. Recreation. Will the proposal result in:			
1. An impact upon the quality or quantity of existing recreational opportunities?	—	—	—
T. Cultural Resources			
1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?	—	—	
2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?	—	—	
3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	—	—	
4. Will the proposal restrict existing religious or sacred uses within the potential impact area?	—	—	
U. Mandatory Findings of Significance.			
1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	—	—	
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	—	—	
3. Does the project have impacts which are individually limited, but cumulatively considerable?	—	—	
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	—	—	

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

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

_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: 04/07/94

For the State Land Commission

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ATTACHMENTS

A	Vicinity Map
A-1	Assessors Map
B	Site Plan of Pier Extension/Buoy Field
B-1	Mooring Buoy Detail
C	Profile of Pier Extension
D	Shoreline Navigation/Fish Habitat
E	Open Water Navigation
F	California Tahoe Conservancy Letter dated March 31, 1994

INITIAL STUDY/PROPOSED NEGATIVE DECLARATION
GAR WOOD PERMANENT PIER EXTENSION AND BUOY FIELD

Project Description

The applicant proposes to construct a 105′ extension to an existing 130′ public access pier. Construction of the pier extension would include bench seating and handrails to follow with the design of the existing pier, as well as construction of a catwalk on each side of the pierhead with a boat lift to provide access for the disabled to be placed on the north side of the pierhead.

The applicant also proposes to annually place (May 1 - October 15) up to a total of 14 mooring buoys for the purposes of providing free public access. The mooring buoys would be placed at a distance approximately 418′ lakeward of high water. The mooring buoys would provide seasonal public access from the lake to the existing upland restaurant and shore area. The configuration of the proposed buoy field is shown on Attachment B. This project is located in the water influence area of the Gar Woods Restaurant, APN 115-050-29, 5000 North Lake Boulevard in the community of Carnelian Bay.

Applicant proposes to use a rubber-tired barge mounted with a pile driver for construction and placement of the pier extension and buoy field. Construction access to the project site would be obtained from the lake side of the pier for piling and buoy field placement.

The Gar Woods Restaurant currently has authorization by the State Lands Commission, for an existing 130′ recreational pier and two mooring buoys. This proposal seeks annual authorization for placement of 12 additional buoys in a configuration acceptable to United States Army Corps of Engineers (USACOE), Tahoe Regional Planning Agency (TRPA) and US Coast Guard standards and conditions. The buoy field placement is shown on the attached Exhibits. The two existing, authorized buoys will be relocated to the buoy field and are included in the total number of 14 mooring buoys. The U.S. Coast Guard has required the applicant to place three lighted navigational marking buoys as shown on Attachment B to aid boaters in safely navigating to shore from deeper water. The mooring buoys and chains are to be removed seasonally between October 15 and May 1, as a condition of the TRPA permit.

In 1993, staff of the State Lands Commission prepared a Negative Declaration for the temporary placement of a mooring buoy field in the same location as the permanent buoy field proposed by this project.

Environmental Setting

The shorefront parcels in Carnelian Bay in the vicinity of the proposed project are pie shaped. This in turn creates a smaller water influence area available for use by the shorefront property owners as the projects extend lakeward. (Please refer to Attachment A.) The proposed project would extend into the water influence area available to the adjacent shorefront landowner, the California Tahoe Conservancy (Conservancy) The Conservancy has provided a letter dated March 31, 1994 stating no objection to this proposed project (Attachment F).

The lake bed substrate fronting the Gar Woods Restaurant is in an area identified and mapped by TRPA as fish habitat. TRPA staff have inspected the proposed buoy placement area and identified the extent to which fish habitat exists. TRPA staff have verified that the beginning of the buoy field placement at a distance of 418' from high water (or to elevation 6199' Lake Tahoe Datum) would be located in a sandy substrate area out of fish habitat. (See Attachment D). The pier extension would occur wholly within a fish habitat area. The construction timing for lakebed disturbance has been conditioned by the TRPA permit to occur between July 1 - October 15 to avoid impacts to fish spawning. TRPA has determined that the pier extension in fish habitat would not have a significant effect on the environment.

The nearest waterward facility to the north of the proposed project is the Sierra Boat Works Buoy Field which contains a combination of permitted buoys and several unauthorized buoys which have been placed by unknown individuals. The nearest waterward facility to the south is a recreational pier two parcels away and a distance of approximately 190' from the existing Gar Woods pier and approximately 250' to the proposed buoy field placement.

The proposed buoy field and pier extension are within the littoral zone of influence of property owned by the California Tahoe Conservancy. The lakefront properties immediately adjacent to the Gar Woods Restaurant consist of the Lake Tahoe Conservancy property to the North and a private residence to the immediate south. Neither adjacent ownerships include piers or buoys, except for a present overflow of the several unauthorized mooring buoys which extend into the waters fronting the Tahoe Conservancy.

A portion of the proposed buoy field also extends in front of the private residence to the south. The owner of that property has agreed, in writing, to the proposed placement.

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

A. Earth

1. Unstable, Changes in Geologic Substructure

No. The proposed annual buoy field placed for seasonal use is confined to the surface, with the buoy anchors resting on the sandy lake bottom. New pier pilings would be added in an area containing cobble substrate. The addition of these structures would not create any unstable conditions or change any geological structure.

2. Disruptions, displacement, compaction.

Each buoy anchor covers about three square feet of lake bottom's sandy substrate on a 50 foot grid spacing. The 14 anchors in this proposed buoy field will cover about 42 square feet of lake bottom. 14 new pier pilings would be driven into the existing cobble substrate to accommodate the pier extension. One or two additional piling may be needed to accommodate the handicapped lift. Caissons, a piling sleeve placed over each new piling, would be used during the pile placement to minimize lakebed disturbance. This project would not create any new significant impacts to the lakebed.

3. Topography

No. This project would not create any changes in ground surface relief. The buoy anchors rest on the lake bottom. The pier pilings are set into the lakebed and would not alter the topography of the substrate. This project does not involve any excavation or filling of earthen materials. This project would 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. The new pier pilings placed for the pier extension would not significantly 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, sandy lake bottom and placed on a 50 foot grid system underwater and will not create any new erosion. The proposed pier extension is an open piling design. There would be no new erosion of soils which could be classified as significant.

6. Deposition/Erosion

No. This buoy field project is located on the relatively flat, sandy lake bottom under water. The new pier pilings for the pier extension are of open piling design and would be driven into a cobble substrate. This project would not create any channel changes nor affect siltation.

7. Exposure of people or property to geologic hazards.

No. The buoy field is a relatively static project. The pier pilings are located on a cobble substrate. Neither components of this project are likely to induce any seismic instabilities or ground failures.

B. Air

1. Substantial air emissions or deterioration of ambient air quality

No. This project would include the annual seasonal placement of 14 mooring buoys in a grid fashion spaced 50' apart. The mooring buoys would be used by the navigating public to enable waterward access to the upland restaurant and lakeshore area.

TRPA has determined that the buoy field and pier extension would not significantly affect the air quality in this regional plan area. Some diesel fumes would be emitted in the immediate vicinity of the project from the diesel engine on the barge during the placement of new pier pilings. There would be some emissions emitted from motor boats. Both types of fumes would be immediately dispersed by the constantly prevailing wind.

There would be no significant change in boat usage with the placement of this buoy field and pier extension.

2. Creation of objectionable odors

No. The construction and placement of the pier extension may cause a short-term odor as described in B-1, above. The continued use of the pier, once extended, and the annual seasonal placement of 14 buoys would not create objectionable odors. There may be some minor odors from motor boats using the buoys and/or accessing the pier, but these would be immediately dispersed by the constantly prevailing wind.

3. Alteration of air movement

No. The annual placement and seasonal use of the 14 buoys and the permanent pier extension would not create any major changes in air movements, temperature, climate, nor create any abnormal weather conditions.

C. Water

1. Changes in Currents

No. The open 50 foot spacing of the temporary buoy field is of a static nature and will not create any changes in water currents or movements. The permanent pier extension is of open pile design and would not significantly change the existing water currents.

2. Absorption rates, Drainage Patterns, Runoff

No. The open design of the 50 foot spacing of the temporary buoy field is of a static nature and will not affect absorption rates, drainage patterns, etc. The permanent pier extension is of open piling design with a wooden deck and hand rails. No new impervious surfaces are proposed. No impacts of drainage patterns or runoff are anticipated.

3. Alterations to Course or Flow

No. The buoy field or pier extension located within Lake Tahoe would not create any new effects upon course, flow or flood waters.

4. Changes in Amount of Surface Water

No. The buoy field is static in nature and would not affect the area of surface water at Lake Tahoe. The buoys and chains would be removed at the end of the boating season annually (October 15 - May 1). The pier extension and buoy field placement would not create any significant changes to the surface water of Lake Tahoe.

5. Discharges

No. Placement and seasonal use of the buoy field would not change the water quality. The permanent pier extension may cause some turbidity during the placement of new pilings into the lakebed substrate. This impact would be minimized by the use of caissons or turbidity curtains during the pile driving activity. This project would not create any new significant impacts affecting 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 buoy field is a relatively shallow operation and should not affect ground water flows. The new pier pilings placed for the extension of the pier are driven into the lakebed 6′ or to refusal. There should be no impact to the rate or flow of ground water resulting from this project.

7. Quantity of Ground Water

No. This project would not alter any aquifers nor consume any ground water. There would not be any changes to ground water quantity caused by the annual seasonal placement of the buoy field or caused by the placement of the permanent pier extension.

8. Public Water Supplies

No. This is not a water consuming project. The annual placement of the seasonal buoy field and the permanent pier extension would have no effect on public water supplies.

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

No. The buoy field and permanent pier extension would 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 temporary change in aquatic sessile plants during the installation of the new pier pilings and annual placement of the buoy field. This would not constitute a significant change. The buoy anchors placed on the sandy substrate would provide strata for aquatic sessile plants. The new pilings in the cobble substrate and the buoy anchors on the sandy substrate will actually enhance habitat for 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.. Public access to the restaurant would be provided from the temporary buoy field via a skiff-type boat which would transport individuals to the applicant's existing pier. In addition, that area of the shore is probably too disturbed to support Rorippa.

Construction access for the placement of the permanent pier extension would be from lake waters. The existing pier would accommodate public access to and from the lake. There would be no impact to the shoreline area within the known range of the plant's influence which would result from this project.

This project is located waterward of the low water contour of 6,223 feet. The pier extension would occur in cobble substrate and the mooring buoy anchors would rest in sandy substrate as previously described. The project is located in the water and not near any upland plants.

3. Introduction of new species

No. This project would not introduce new species to the area nor exclude existing species from becoming established.

4. Reduction in acreage of agricultural crop

No. This project would 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 and new pier pilings could displace some small benthic organisms. This impacts would have a minor effect. The buoy anchors and new pier pilings would create artificial structures on the lakebed substrate for small aquatic animals to use for escape. The pier extension would occur wholly within fish habitat To reduce impacts to fish habitat, TRPA has conditioned the project to limit construction during the non-spawning season, identified by TRPA to be between July 1, and October 15, by TRPA. The buoys and chains would be removed after each boating season. The buoy field and new pier pilings would not create any adverse significant effects to species diversity.

2. Unique, Rare or Endangered Species

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

3. Introduction of New Species

No. The buoy field and new pier pilings would 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 the Gar Woods Restaurant has been determined by TRPA to be mapped fish habitat for a distance of 410' from low water. TRPA has determined that the pier extension in fish habitat would not have a significant effect on the environment. The construction would occur within the non-spawning season identified to be July 1 - October 15, or as authorized by the Department of Fish and Game through issuance of its Streambed Alteration Agreement.

The mooring buoys would be placed in sandy substrate beyond the fish habitat area to avoid impacts to fish habitat. The buoys would be placed annually from May 1 - October 15, at which time the buoys and chains would be removed. This project is not considered as being significant to the aquatic animal habitat in this area.

F. Noise

1. Increase in Existing Noise Levels

There would be short-term additional noise during the placement of the buoy field anchors and during the placement of the new steel pilings supporting the pier extension. There would be some additional noise caused by motorboats arriving and leaving these structures; however, the patrons of the Gar Woods restaurant generally do not arrive at the same time nor do they use their boats at the same time. The vehicular noise from Highway 28 in front of the restaurant will over ride the noise created from boats arriving and leaving the pier and buoy field.

A 5 mph speed limit, as a mitigation measure, would minimize any noise from motor boats arriving and departing from the pier and buoy field. With a 5 mph speed limit enforced by the Gar Woods Restaurant for boats entering and leaving their facilities, it is not anticipated that there would 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 would be a temporary period when the ambient noise levels increase during the period when the new pilings are placed for the pier extension and when the buoy field anchors are being located. Noise experienced during the use of the pier and buoy field would be minimized by the imposition of a 5 mph speed limit when entering or leaving the pier and buoy field. A temporary increase in the noise level would be experienced during pile driving activity. This impact would be of a temporary nature and is not considered significant.

G. Light and Glare

1. The production of new light or glare

No. The design of the pier extension does not include any new lighting. The applicant is required by the U.S. Coast Guard to install navigational safety lighting for the buoy field. Three navigational buoys will be placed to mark the limits of the buoy field and to identify a clear navigational channel for boaters. The following is a description of the navigational lighting: one red navigational buoy with red light; one green navigational buoy with green light, and one amber navigational buoy with amber light. (Please refer to Attachment B.) The pier extension and buoy field would 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 properties. This project would not significantly alter the land use in the area.

I. Natural Resources

1. Increase in rate of use

No. The permanent pier extension is constructed of steel pilings and wood decking. Once constructed, the pier would not require consumption of natural resources. The mooring buoy field is not a natural resource consuming project by itself, and would not create any new significant effects upon the use rate of the natural resources.

2. Substantial depletion of nonrenewable resources

No. The permanent pier extension and buoy field are not a natural resources consuming project. The buoy field and pier extension would not create any changes which could deplete any nonrenewable resource.

J. Risk of Upset

1. Risk of explosion

No. Construction and use of the permanent pier extension and the establishment of an annual, seasonally-used 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 mitigation of a 5 mph speed limit this possibility would be minimized. Additionally, there is no fuel facility at this project site which would also help minimize the possibility of explosion.

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

2. Interference with Emergency Response Plan

No. The physical location of this pier extension and buoy field within lake waters would not create an interference with any emergency response or any evacuation plan. The mooring buoys do not extend beyond the navigational limits of other mooring buoys and piers occurring in this shoreline area.

To aid nighttime navigation, the applicant has been required by the U.S. Coast Guard to install navigational safety lighting. During the placement of the temporary buoy field, in 1993, no significant impacts to emergency response plans or safe navigation were reported.

K. Population

1. Alteration, Distribution, Density or Growth Rate

No. The placement of the permanent pier extension and the annual seasonal use of the buoy field would not alter the population in the lake basin. These facilities would not increase or even affect the population of the Lake Tahoe Basin.

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L. Housing

1. Existing, or Demand for Additional Housing

No. The placement and use of the pier and buoy field would not create a demand for additional housing.

M. Transportation

1. Generation of substantial additional vehicular movement

No. The upland restaurant has existing provisions for parking to accommodate customers. Proposed placement of the pier extension and buoy field would facilitate the public's access to and from the lake. 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. Affect Existing Transportation Systems

No. The restaurant is located at the southwestern corner of Highway 28 and Center Street. Proposed construction and use of the permanent pier extension and annual seasonal use of the buoy field described would not affect existing transportation systems related to the restaurant.

4. Alterations to Present Patterns of Circulation

No. There would be a small skiff used to ferry people from the buoy field to the pier extending from the Gar Woods Restaurant. TRPA has approved this project and determined that there would not be a significant effect on the environment.

5. Alterations to Waterborne, Rail or Air Traffic

The permanent pier extension and proposed seasonal use of the buoy field, up to a total of 14 mooring buoys, may have a minor impact on waterborne circulation from the south to the north. (Please refer to the attached exhibits.) The facilities do not extend beyond other facilities in the Carnelian Bay area (Attachment D).

The buoys would be placed from May 1 - October 15, annually as a condition of the TRPA permit. Between October and May the buoys and chains would be removed.

Waterborne circulation from the north of the proposed project would not be significantly affected as the existing buoy field of Sierra Boat Works extends a considerable distance beyond the identified TRPA pierhead line. The TRPA pierhead line is a mapped limit to which private recreational piers may extend. There are provisions within TRPA Ordinances which allow this limit to be exceeded by facilities which have obtained multiple-use recognition. This project has been approved by TRPA as a multiple-use designation.

In addition, a navigational corridor, as depicted in the attached exhibits, of 100' in width would be maintained between the proposed buoy field and the adjacent Sierra Boat Company buoy field. The proposed buoy field is for day use only. No overnight tie-up of boats would be allowed. The U.S. Coast Guard has required that the applicant install navigational lighting to identify a navigational channel and to identify the lakeward limits of the buoy field.

The Gar Woods pier and buoy field are proposed for free public use. This dedication has been offered for the life of the project, and is consistent and compatible with the current and forseeable future land uses of the adjacent California Tahoe Conservancy property.

The issue of seasonal timing of the placement and removal of the buoy floats and chains has not been resolved between TRPA and the Department of Fish and Game. TRPA staff have set dates (May 1 - October 15) to coincide with their identified grading season, for convenience of enforcement and ensuring lakewide compliance. Department of Fish and Game staff has indicated that May 1 is too early for buoy placement; however, they have also indicated that budget constraints would affect monitoring each site for enforcement. Commission staff recommend the use of TRPA buoy placement and removal dates until an interagency buoy enforcment program can be established.

Commission staff conclude that while there may be competing uses within the public trust area, there appears to be a balance of those uses as proposed by this project.

6. Increase in Traffic Hazards

No. This project would not create any increase in traffic hazards to motor vehicles, bicycles, or pedestrians.

N. Public Services

1. Fire protection

No. This project would supply an alternative method of providing public access to and from the Gar Woods Restaurant and not create any additional use or increase of use by the general public. This project would 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

This project includes permitted aids to navigation lighting as required by the U.S. Coast Guard and could affect the number of projects which the U.S. Coast Guard must monitor for permit compliance. The proposed project was in place for the summer of 1993 without recorded incident and is therefore determined not to be a significant effect.

O. Energy

1. Use of substantial amounts of fuel or energy

No. The authorized use of the pier, once extended, and annual seasonal use of the buoy field would not add or create any additional new uses for fuel or energy. The boating season is normally from Memorial Day to Labor Day and there would not be any increase in fuel or energy consumption created by this seasonally-placed buoy field. The pier and buoy field do not consume substantial amounts of energy 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. This proposed seasonal buoy field would provide public access to and from the Gar Woods Restaurant to Lake Tahoe and would not create any significant changes in utilities. This project is for free public access to the Gar Woods Restaurant and lakeshore. There would be no additions to this seasonal buoy field which would significantly affect the current uses of power, communications, water, septic tanks, storm water drainage, or solid waste disposal presently available at the Gar Woods Restaurant.

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 permanent pier extension and annual seasonal use of the buoy field to provide public access to and from Lake Tahoe to the Gar Woods Restaurant would not create any new health hazards to humans. A skiff, at no public expense, would be provided to transport boaters to and from the Gar Woods pier. No health hazards have been identified.

2. Exposure of people to potential health hazard

No. The authorized use of the pier extension and seasonal use of the buoy field as an alternative public access from the Lake to and from the Gar Woods Restaurant would not expose people to any new health hazards. During use of the temporary buoy field in the summer of 1993, no health hazards were identified or reported.

R. Aesthetics

1. Obstruction of scenic vista or view

No. The proposed project would be visible from Highway 28. A scenic quality analysis was prepared for the potential scenic impacts which may result from the pier extension and buoy field. The analysis was submitted to TRPA for review. Mitigations were required to lessen the overall impacts of the restaurant, pier and buoy field within the scenic corridor.

The TRPA permit authorization found that the project would not create a degradation of any of the environmental thresholds and would result in an improvement of the scenic threshold. The project would result in a scenic quality improvement because of landscaping and screening that would occur to the restaurant and parking lot, and the removal of an abandoned building located on the adjacent California Tahoe Conservancy property. In addition, the TRPA permit required the applicant to remove four unauthorized mooring buoys within the water influence area of the California Tahoe Conservancy (see Attachment D).

S. Recreation

1. Quality or quantity of existing recreational opportunities

No. As mentioned in Transportation. M-5, above, the proposed project would be a competing public trust use of providing public access to and from Lake waters and the shore vs. existing recreational navigation and trolling performed in the water influence area proposed to be occupied by these facilities. The nearest waterward facilities to the north of the proposed project is the Sierra Boat Works buoy field, identified on Attachment A, which also extends a considerable distance into lake waters.

The proposed buoy field would be used seasonally, as conditioned by the TRPA permit, between May 1 - October 15. The pier extension would be permanent and would displace previous users of that water area. The applicant has proposed to allow free public access to and use of the pier and buoy field.

Staff have identified no significant impacts to recreation which would result from this project.

T. Cultural Resources

1. Prehistoric or historic archaeological sites

No. This proposed buoy field contains 14 buoys which are located in the waters of Lake Tahoe as described previously. The buoy anchors rest on the lake bottom without disturbing the sand. The new pier pilings to accommodate the 105' extension would be driven into the lakebed substrate a minimum of 6' or to refusal. There are no identified cultural, 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 buoy field would be used seasonally (May 1 to October 15, 1993) to coincide with other TRPA shorezone enforcement/compliance efforts administered lakewide. The anchors of the buoys would rest on the sandy lake bottom without causing any significant environmental degradation to either the lake or the sandy substrate. Additionally, the buoys and chains would be removed as described above. The proposed pier extension would be conducted during the non-spawning season to minimize impacts to fish habitat. This project would not create any long term significant degradational environmental effects.

2. Short Term vs. Long-Term Environmental Goals

No. This project would provide free seasonal public access to and from the waters of Lake Tahoe to the upland Gar Woods Restaurant. The pier extension would provide long-term, continuous, free public access from the upland out over the lake waters.

The buoy anchors rest on the sandy lake bottom without creating any significant effects. The proposed permanent pier extension would be constructed during the non-fish spawning season identified to be July 1 - October 15. Upon completion of the project, the buoy anchors and pier pilings would provide habitat for marine biota. There would not be any long term significant environmental changes created by this project. This project would benefit the general public, as well as enhancing the access to and patronage of the existing restaurant.

3. Impacts Individually Limiting, Cumulatively Considerable

No. The buoy field was placed in the summer of 1993 on a trial basis. At the end of the use season (October 15), no hazards or safety problems were reported.

The impact to existing public trust uses within the project area appear to be balanced by providing free public access and use of the pier and buoy field.

4. Substantial Adverse Effects on Human Beings

No. The proposed permanent pier extension and seasonal-use buoy field would not create any new substantial adverse effects on human beings which have not been mitigated to a level of insignificance.

MONITORING PROGRAM
GARWOOD PIER EXTENSION AND BUOY FIELD

1. Impact: The project area proposed for the pier extension is located within a fish habitat area as identified by TRPA staff and as such could result in a significant impact to fisheries.

Project Modification:

The pier extension involving disturbance to the lake bed would occur during the non-spawning season identified by TRPA staff to be July 1 - October 15 to avoid significant impacts to fisheries. Lake bottom disturbance is prohibited by the TRPA permit. The applicant is required to notify the staff of the Division of Environmental Planning and Management a minimum of 10 working days prior to beginning construction of the pier extension or placement of the buoy field and the date of conclusion of construction and placement of the facilities.

Monitoring:

Staff of the State Lands Commission or its designated representative would be notified by applicant of the beginning and ending dates of construction to enable staff inspection of the project during the construction activity and upon project completion.

2. Impact: The proposed pier extension and placement of the buoy field could contribute to cumulative scenic impacts of the upland restaurant and parking area as viewed from Highway 28.

Project Modification:

A scenic quality analysis was prepared and submitted to TRPA staff. TRPA has conditioned the proposed project to include scenic quality improvements of landscaping and screening to the restaurant and parking lot, and the removal of an abandoned building located on adjacent California Tahoe Conservancy property. In addition, TRPA has required the applicant to remove four existing unauthorized mooring buoys within the water influence area of the California Tahoe Conservancy. TRPA has determined that compliance with these measures would result in the improvement of the scenic threshold for the project plan area.

Monitoring:

TRPA staff, through issuance of its conditional permit, would be responsible for monitoring and enforcing compliance with the above-described scenic project modifications.

3. Impact: The location of the buoy field is located beyond the identified TRPA pierhead line, which indicates a potential for a hazard to navigational safety.

Project Modification:

The applicant proposes to install navigational safety lighting, as required by the U.S. Coast Guard, to prevent hazards to navigation.

Monitoring:

Staff of the State Lands Commission, and/or the U.S. Coast Guard would monitor the project site at night to verify that the buoy field lighting has occurred, and to monitor its success in achieving navigational safety.

4. Impact: The proposed project involves the placement of new pier pilings to accomplish the proposed pier extension. The pile driving activity may cause turbidity of lake waters.

Project Modification:

The applicant proposes the use of caissons during pile driving activity. This would minimize impacts to water quality.

Monitoring:

Staff of the State Lands Commission, or its designated representative, would monitor the project site during construction to ensure compliance with the project modification proposed.

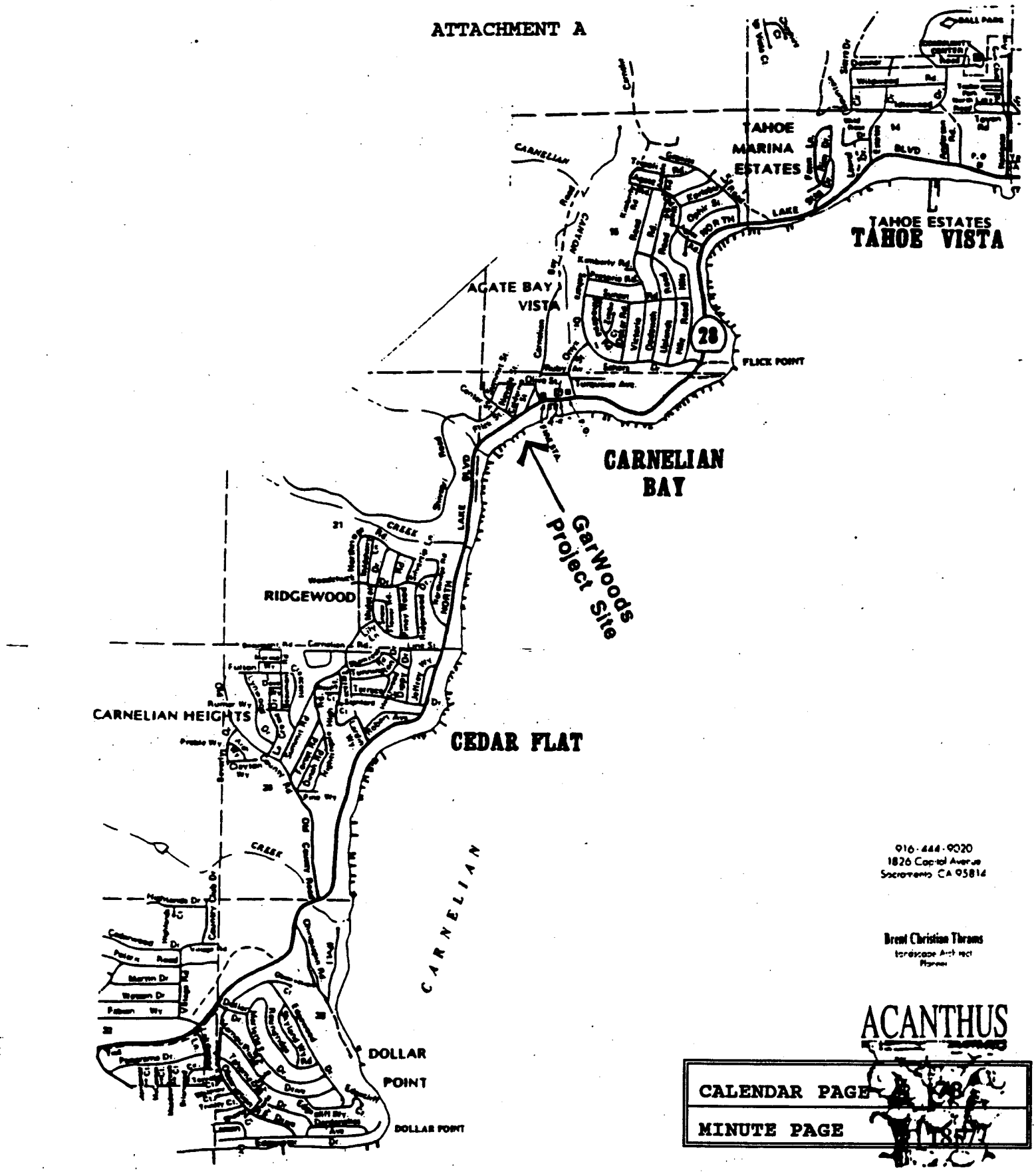
GarWoods

VACINITY MAP

Carnelian Bay, Ca.

16 June 1993

ATTACHMENT A



916·444·9020
1826 Capitol Avenue
Sacramento CA 95814

Brent Christian Thrams
landscape Architect
Planner

ACANTHUS

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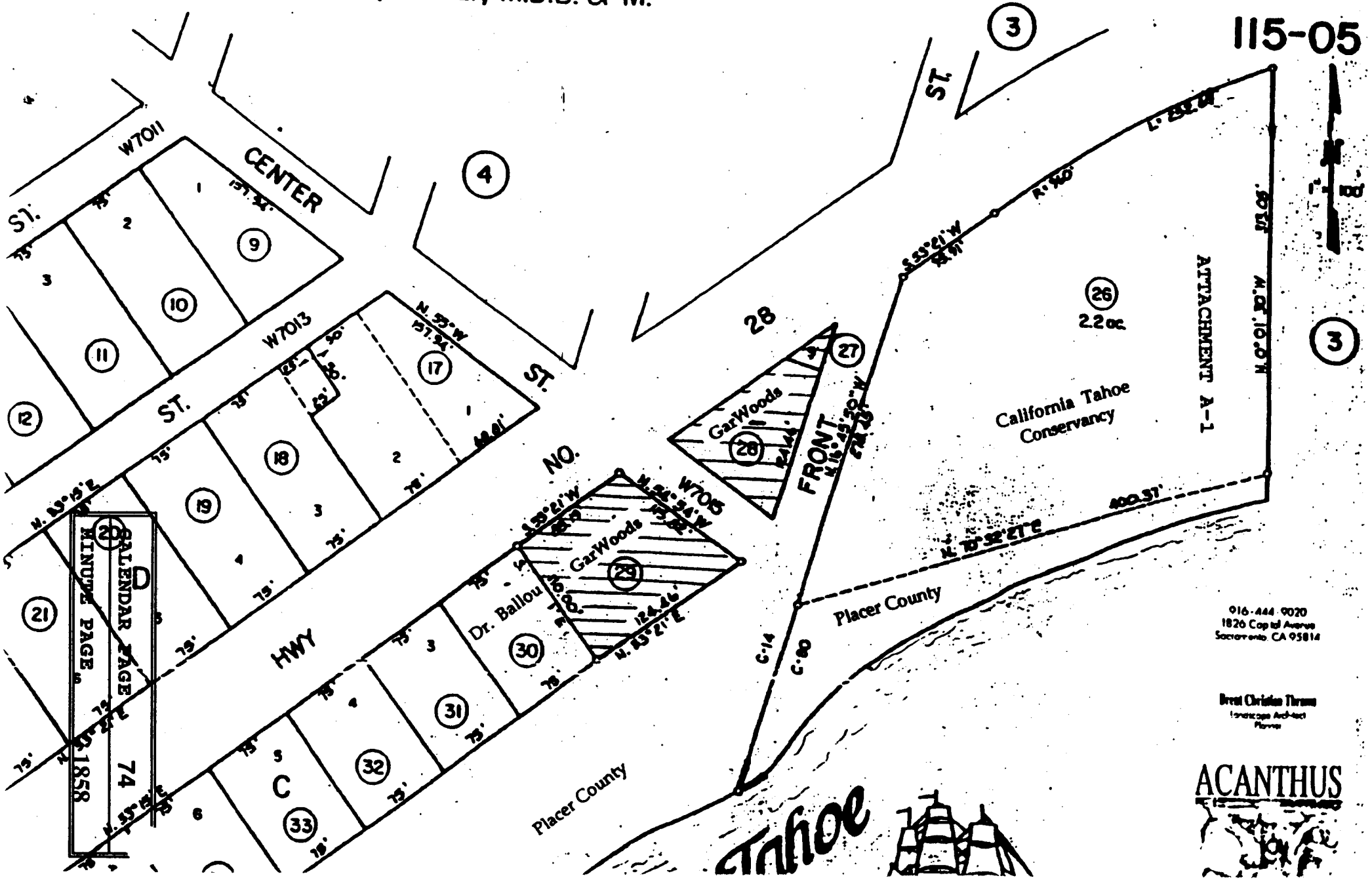
Assessors Map

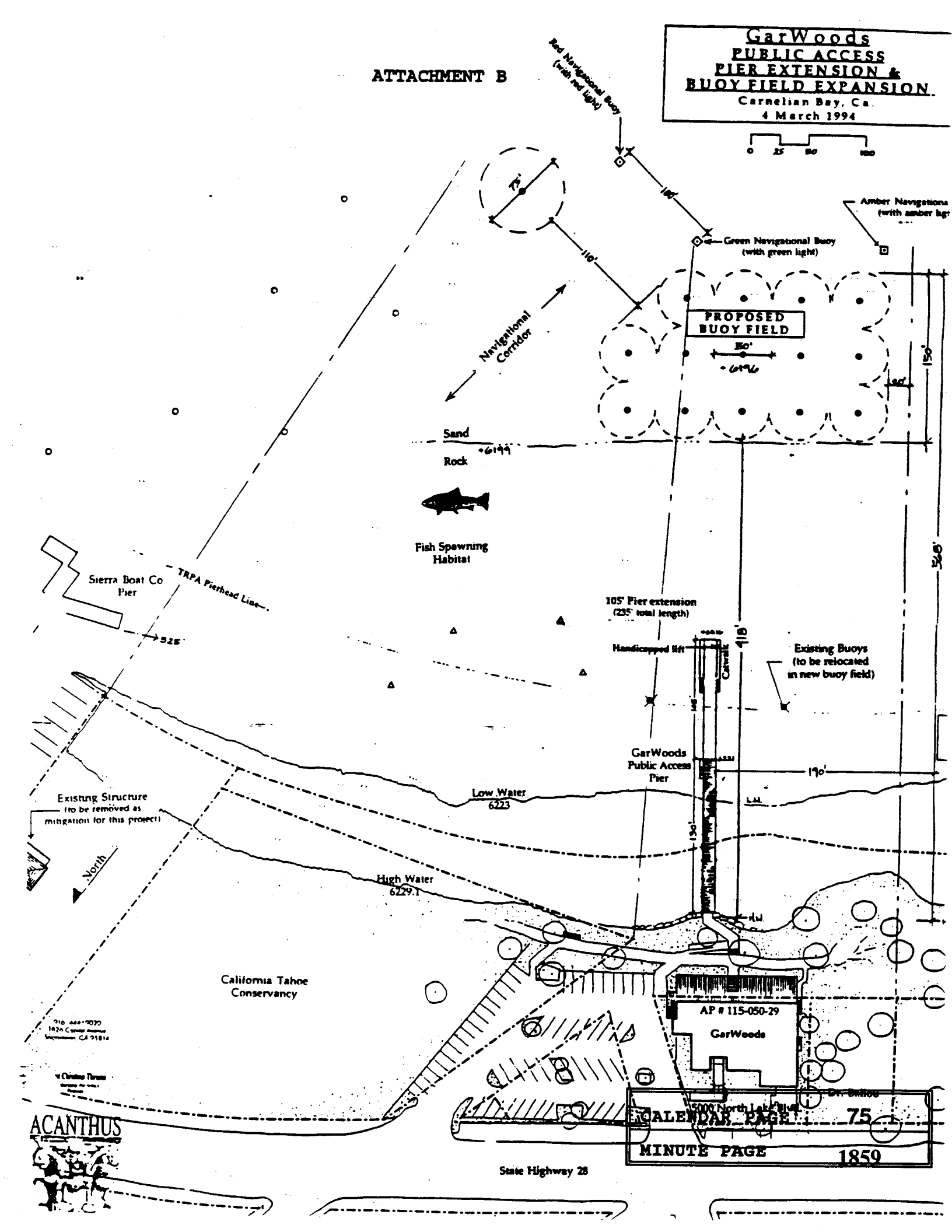
Carnelian Bay
1" = 100'

NW 1/4 SEC. 22, T. 16 N., R. 17 E., M.D.B. & M.

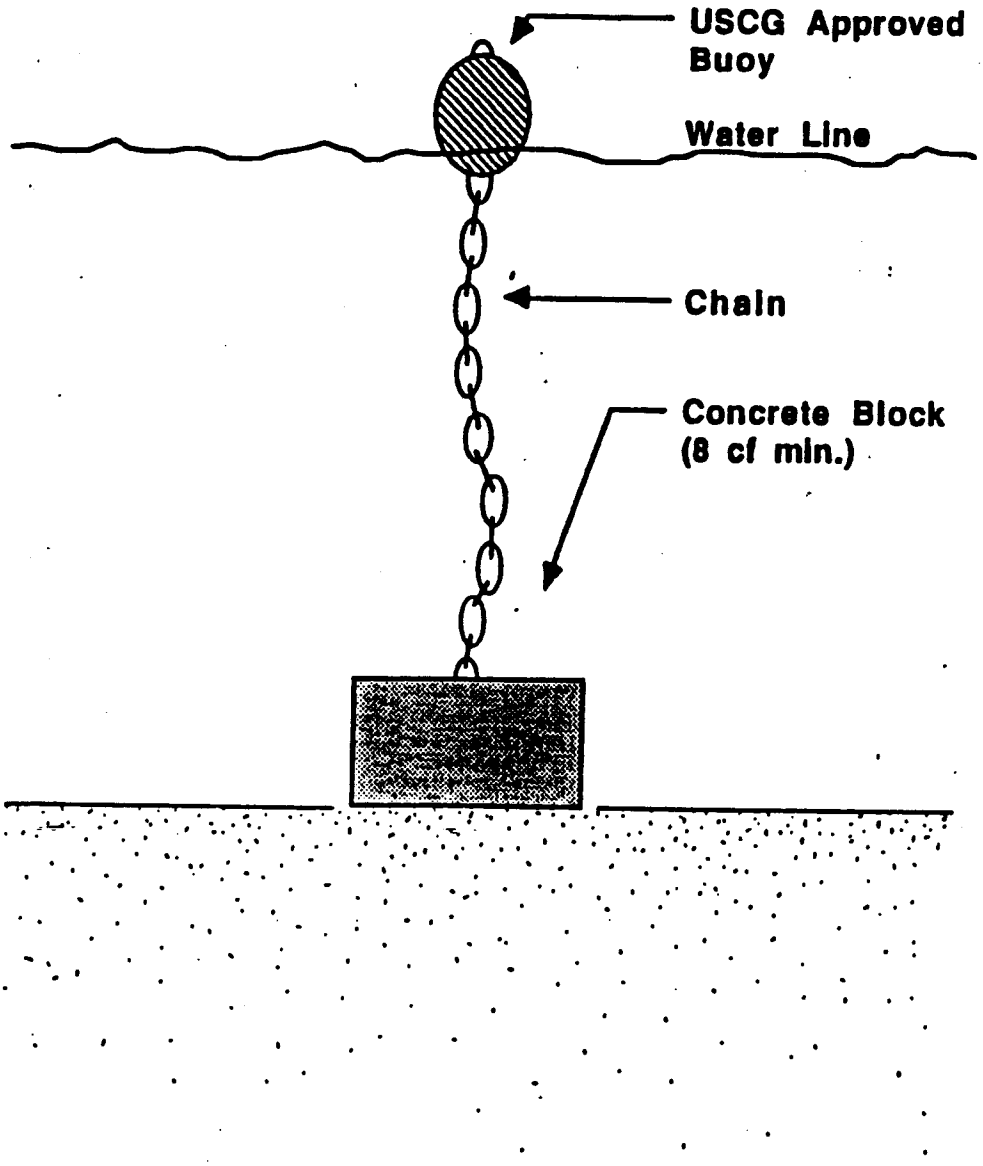


ATTACHMENT B

GarWoods
PUBLIC ACCESS PIER EXTENSION & BUOY FIELD EXPANSION
Carnelian Bay, Ca.
4 March 1994



ATTACHMENT B-1



Buoy Detail

NTS

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Landscape Architect
Planner

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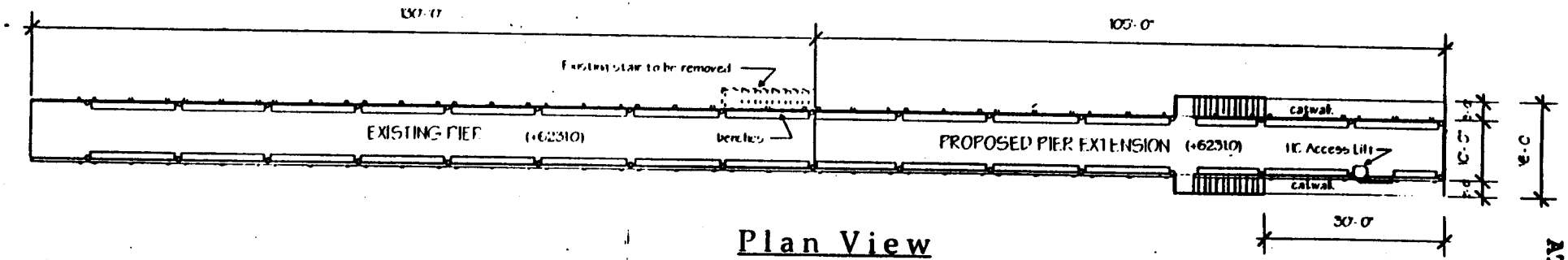
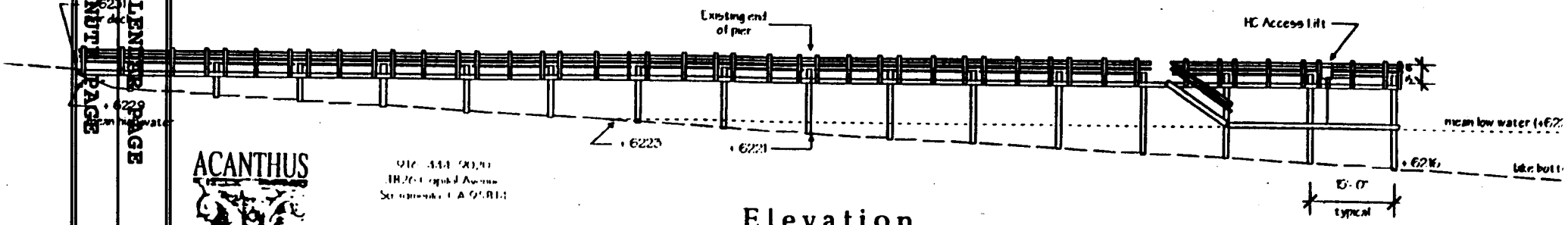
GARWOOD'S PIER EXTENSION

March 1994



Plan View

0 5 10 20



Elevation

0 5 10 20

ACANTHUS

Brent Christian Thrams

ATTACHMENT C

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STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA TAHOE CONSERVANCY
2161 LAKE TAHOE BOULEVARD (96150)
P.O. BOX 7758
SOUTH LAKE TAHOE, CA 96158
(916) 542-5580

ATTACHMENT F

March 31, 1994

Ms. Jane Sekelsky
Chief, Division of Land Management
State Lands Commission
1807 13th Street
Sacramento, CA 95814

Dear Jane:

Re: GarWoods Pier and Buoy Field Application

The California Tahoe Conservancy staff is actively reviewing the GarWoods Grill & Pier request to construct a pier extension and buoy field in Lake Tahoe. As you know, the Conservancy is the adjoining landowner to the east of the restaurant. Last year the Conservancy voted to lease littoral rights to Mr. Turner and cooperate in his temporary buoy field. This year, the Conservancy staff has agreed with Mr. Turner on the representation of a line delineating littoral rights in front of our respective properties for the express purpose of meeting a Tahoe Regional Planning Agency (TRPA) requirement that such a delineation be made. A map dated March 4, 1994, entitled GarWoods Public Access Pier Extension & Buoy Field Expansion, as reflected in the TRPA Staff Summary dated 3/4/94, and as approved by TRPA on March 23, 1994, is accurate in its depiction of this issue.

The Conservancy staff is following Mr. Turner's application with all agencies, including yours, to ensure that the Conservancy's interests are adequately protected. We are comfortable with Mr. Turner's application to your agency at this time because your analysis will help us make our recommendation to our board which has final approval authority over the project. The Conservancy staff and its CEQA consultants, the Department of General Services, Office of Project Development and Management, again anticipate working closely with your environmental review staff in the drafting and review of the necessary environmental document that must be circulated prior to project approval. As with last year's project review, the State Lands Commission would act as the Lead Agency and the California Tahoe Conservancy would act as a Responsible Agency.

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To Jane Sekelsky	From Bruce Eisner
Co. State Lands	Co. CTC
Dept.	Phone #
Fax # original to follow in the mail	

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Please let me know if this letter does not meet the requirement you conveyed to Mr. Turner in your March 10, 1994 correspondence. Thank you again for all your assistance in ensuring a timely review of this project.

Sincerely,

Bruce A. Eisner
Program Manager-Acquisition
and Resource Management

cc: Mr. Tom Turner
GarWoods Grill & Pier
P.O. Box 1133
Camelian Bay, CA 96140