

MINUTE ITEM
This Calendar Item No. C02
was approved as Minute Item
No. 02 by the State Lands
Commission by a vote of 3
to 0 at its 7-5-94
meeting.

CALENDAR ITEM

C02

A 4
S 1

PRC 3775.1
07/05/94
W 25045
Young
PRC 7774

LAKE TAHOE LEASES AND RECREATIONAL PIER PERMITS
WITH NEGATIVE DECLARATIONS

APPLICANTS:

- A) Glenn E. Wilson (W 24045)
P.O. Box 272
Mountain View, CA 94042-0272
- B) Tri-Association (PRC 3775.1)
7001 West Lake Blvd.
Tahoma, CA 96142

LAND USE:

As listed on Exhibit "A" attached

TERM:

Initial Period: Five (5) years

CONSIDERATION:

Rent-free pursuant to Section 6503.5 of the P.R.C. (Item A)
\$82.32 per annum (Item B)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003

APPLICANT STATUS:

Applicants are owners of the upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Item A): Filing fee, processing costs, and environmental
fees have been received.

Item B): Filing fee, processing costs and
environmental fees 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.

CALENDAR ITEM. NO. C02 (CONT'D)

AB 884:

Item A: 8/10/94

Item B: 9/24/94

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 for each project as listed on the attached Exhibit "A". Such Proposed Negative Declarations were prepared and circulated for public review pursuant to the provisions of CEQA.

Based upon the proposed Negative Declarations, and the comments received in response thereto, there is no substantial evidence that the projects will have a significant effect on the environment. (14 Cal. Code Regs. 15074(b)).
2. A Mitigation Monitoring Program has been prepared for Item B in conformance with the provisions of CEQA (Section 21081.6, P.R.C.) and is attached as Exhibit "B". Item A was constructed prior to Commission authorization, therefore, no monitoring is possible.
3. These activities involve 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 projects, as proposed, are consistent with their use classifications.
4. These properties were physically inspected by staff for purposes of evaluating the impact of the proposed activities on the public trust.
5. The permit documents include specific provisions by which the Permittees agree to protect and replace or restore, if required, the habitat of *Rorippa subumbellata*, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species.

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6. No materials will be stored or placed, nor will any activity associated with the construction or maintenance of the project, be conducted above the low water line (elevation 6223 feet, Lake Tahoe Datum) of the subject property. This procedure will prevent any disturbance to the Rorippa or its habitat.
7. The permits are conditioned on Permittees' conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance. If any structure hereby authorized is found to be in nonconformance with the Tahoe Regional Planning Agency's Shorezone ordinance, and if any alterations, repairs, or removal required pursuant to said ordinance are not accomplished within the designated time period, the permit is automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof.

If the location, size, or number of any structure, authorized under these permits, is to be altered, pursuant to order of the Tahoe Regional Planning Agency, Permittee shall request the consent of the State to make such alteration.
8. The permits are conditioned on the public's right of access along the shorezone below the high water line (Elevation 6228.75 feet, Lake Tahoe Datum) pursuant to the holding in State v. Superior Court (Fogerty), 2 Cal. 3d. 240 (9181), and provides that the Permittees must provide a reasonable means for public passage along the shorezone, including, but not limited to, the area occupied by the authorized improvements.
9. Permittees agree to conserve the natural resources on the subject property and to prevent pollution and harm to the environment.
10. Staff has determined that the Department of Fish and Game Fee, dictated by Section 711.4 of the Fish and Game Code, is applicable to the projects presented herein. (Items A&B)
11. The issuance of these permits supersede any prior authorization by the State Lands Commission at this location. (Item B).

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CALENDAR ITEM NO. C02 (CONT'D)

EXHIBITS:

A: Applicants; Location; Land Use and Status; Property Description, ND# and State Clearinghouse #

B: Negative Declaration(s)/Monitoring Program(s)

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION WAS PREPARED FOR EACH OF THE PROPOSED PROJECTS LISTED ON THE ATTACHED EXHIBIT "A" PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE NEGATIVE DECLARATIONS AND DETERMINE THAT THE PROJECTS, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. ADOPT THE MONITORING PROGRAM ATTACHED AS EXHIBIT "B".
4. FIND THAT THESE ACTIVITIES ARE CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
5. AS TO ITEM A, AUTHORIZE THE ISSUANCE OF A FIVE YEAR PERMIT BEGINNING JULY 5, 1994; AS TO ITEM B, AUTHORIZE THE ISSUANCE OF A FIVE YEAR PERMIT BEGINNING MARCH 5, 1994; TO THOSE APPLICANTS LISTED ON THE ATTACHED EXHIBIT "A" AND BY REFERENCE MADE A PART HEREOF.
6. FIND THAT THE ISSUANCE OF THIS PERMIT SUPERSEDES ANY PRIOR AUTHORIZATION BY THE STATE LANDS COMMISSION AT THIS LOCATION. (ITEM B).

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STATE LANDS COMMISSION

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

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814

CHARLES WARREN
Executive Officer

May 10, 1994
File: W 25045
ND 654
SCH No. 94052017

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

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

The document is attached for your review. Comments should be addressed to the State Lands Commission office shown above with attention to the undersigned. All comments must be received by June 10, 1994.

Should you have any questions or need additional information, please call the undersigned at (916) 324-4715.



JUDY BROWN
Division of Environmental
Planning & Management



Attachment

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STATE LANDS COMMISSION

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

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

PROPOSED NEGATIVE DECLARATION

File: W 25045
ND 654
SCH No. 94052017

Project Title: Wilson Pier Realignment and Reconstruction and Modification

Project Proponent: Glenn Wilson, c/o Vail Engineering Corporation

Project Location: APN: 94-160-11, 1700 North Lake Boulevard, Tahoe City, Lake Tahoe, Placer County.

Project Description: Proposed realignment and reconstruction of a 6' x 152' recreational pier. Addition of the pierhead and reduction of the deck located at the landward terminus of the pier. The pier will be realigned parallel with water influence projection lines. The boathouse will be reconstructed to existing dimensions.

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.

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

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

File Ref: W 25045
R 01293

I BACKGROUND INFORMATION

A. Applicant:

Glenn E. Wilson
PO Box 272
Mountain View CA 94042 - 0272

B. Checklist Date: 04 / 29 / 94

C. Contact Person: Judy Brown

Telephone: (916) 324-4715

D. Purpose: To reconstruct a 6' X 152' private recreational pier, sundeck, boathouse and boat lift.

E. Location: Lake Tahoe, APN: 94 - 160 - 11, 1700 North Lake Blvd., Tahoe City, Placer County

F. Description: To bring the existing recreational pier more into conformance with TRPA Shorezone Ordinances, the existing pier will be dismantled, realigned and reconstructed to its previous dimensions.

G. Persons Contacted:

Brad Hubbard - US Army Corps of Engineers
Jim Lawrence - Tahoe Regional Planning Agency
Julie Horenstein - 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?.....	—	—	—
2. Disruptions, displacements, compaction, or overcovering of the soil?	—	—	X
3. Change in topography or ground surface relief features?.....	—	—	X
4. The destruction, covering, or modification of any unique geologic or physical features?	—	—	X
5. Any increase in wind or water erosion of soils, either on or off the site?	—	—	X
6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or estuary?.....	—	—	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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- 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 direction or rate of flow of ground waters?
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?
- 8. Substantial reduction in the amount of water otherwise available for public water supplies?
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves?
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs?

D. Plant Life. Will the proposal result in:

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

E. Animal Life. Will the proposal result in:

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

F. Noise. Will the proposal result in:

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

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

- 1. The production of new light or glare?

H. Land Use. Will the proposal result in:

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

I. Natural Resources. Will the proposal result in:

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

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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 health 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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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: 05 / 04 / 94

Judy A. Brown
For the State Lands Commission

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W.O. 7125.33M

**RE: PIER MODIFICATION/BOATLIFT - WILSON PROPERTY
PLACER COUNTY APN: 94-160-11**

PROJECT NARRATIVE

The project involves removing a partially collapsed pier and realigning, reconstructing, and modifying the existing pier to conform with agency standards. The modification includes the addition of the pierhead and reduction of the deck located at the landward terminus of the pier. The pier will be realigned parallel with the agency water influence projection lines. The existing wooden ramp access will be replaced with a modified stairway access from the top of the shoreline bluff to the pier deck in order to reduce the amount of coverage within the stream environment zone (SEZ). The existing wooden boathouse will be rebuilt to existing dimensions only. No increase in size or height is being proposed for this boathouse. The reconstruction will utilize steel piles and beams, 4" x 12" wood joists, and a cedar deck. These modifications will reduce the mass of the existing structure(s), and the construction technique will incorporate measures to enhance the scenic quality along this portion of the lake (See Submittal Drawings).

CONSTRUCTION METHOD

The demolition and construction activity associated with this pier is to be performed by a rubber-tired barge with a pile driver. Caissons or sleeves will be used if sediment is resuspended while pile driving. Anchorage of the barge will be to the existing structure and/or by lake anchors to ensure adequate stabilization of barge. During low water seasons, barge access and construction activity around the structure will be restricted to a "footprint" established by the width of either the existing or proposed pier plus the width of the barge placed adjacent to it. This access "footprint" will minimize, to the greatest extent feasible, disturbance to the lakebottom and shoreline. All construction wastes will be collected onto the barge and disposed of at the nearest dumpster or sanitary landfill site. Storage of construction materials directly on the shoreline or within 50 feet of the beach bluff will be prohibited. Small boats and tarps will be utilized under construction areas in order to prevent discharge of construction waste or materials to the lake. If disturbed lakebottom sediments are found as a result of construction activities, the affected areas will be hand rolled and/or rock cobble will be hand picked in order to reconsolidate the shoreline/lakebottom sediments.

Environmental Setting

The project site was inspected on November 9th by a qualified botanist, Lynda Nelson, who examined the soils and vegetation of the project site. A habitat evaluation report dated November 20, 1993, including colored photographs of the project site, was prepared and submitted to the Department of Fish and Game for consultation regarding the Tahoe Yellow Cress, a California-listed, endangered plant. The report concluded that the project site does not contain Tahoe Yellow Cress plants. The report is on file in the offices of the State Lands Commission.

The report describes the backshore (elev. 6229 to elev. 6226) as almost entirely comprised of scattered small cobbles 3-6" in diameter comprising approximately 30-40% of the ground cover with the remainder bareground and vegetation 50-60%.

The nearshore (elev. 6223' to elev. 6226') is described as sparsely vegetated. The substrate was comprised primarily of small to medium sized cobbles 3-6" diameter with some 6-10" occupying approximately 97% of the area.

The project site is located in fish spawning habitat.

The project site presently contains a wooden deck, boathouse and retaining wall located in the backshore. A wooden walkway leads from the elevated deck waterward to approximately 7 sets of double piles with no decking. Several water intake pipelines are located parallel to and south of the existing wooden walkway which serve the upland residential uses. The nearest piers to this project are located 400' to the north, and 150' to the south.

The center line of the proposed pier, once realigned and reconstructed will be 40' to the southern property line and 70' to the northern property line.

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III. DISCUSSION OF ENVIRONMENTAL EVALUATION

A. Earth

1. Unstable, Changes in Geologic Substructure

The proposed project does not require significant depth disturbance to the lake bed. Existing wooden pilings would be removed. Steel pilings will be driven to 6' or to refusal in the new alignment as depicted on Attachment A, Sheet 1 of 2, revised 11/93. No significant impacts would occur.

2. Disruptions, displacement, compaction.

Steel pilings will be driven into the lakebed substrate a minimum of 6' or to refusal. This is not considered to be a significant impact to soils.

3. Topography

No fill or grading is proposed. The pier structure would be realigned and reconstructed. No impacts to topography would result from this proposed project.

4. Destruction, Covering or Modification of Unique Geologic Features

This project involves reconstruction of an existing pier involving no net increase in coverage of lakebed substrate.

5. Increase in Wind or Water Erosion of Soils

This project involves realignment and reconstruction of an existing recreational pier in Lake Tahoe. No new impervious structures are proposed. No impacts to wind or water erosion of soils are anticipated.

6. Deposition/Erosion

The proposed pier reconstruction is of open pile design. There would be no impacts to deposition or erosion resulting from this project. No significant impacts are anticipated.

7. Exposure of people or property to geologic hazards.

The existing pier is supported by piling which is driven into the lakebed substrate. The pier as proposed would not extend to the existing TRPA pierhead line. This

project would not create geological hazards.

B. Air

1. Substantial air emissions or deterioration of ambient air quality

During the reconstruction of the pier, minor emissions of diesel fumes would be created by the barge which is proposed for use. The diesel emissions would occur daily until completion of the project, a total of approximately four weeks. These fumes would be dispersed by the air current and are not considered significant.

Continued use of the recreational pier by the upland residents when operating motorized watercraft would periodically contribute to the overall air quality of the Lake Tahoe Basin. This impact would continue and fumes from gasoline-powered watercraft would also disperse in the air currents. No new air quality impacts would result from this proposed project. No significant impacts have been identified.

2. Creation of objectionable odors

The odor of diesel fumes may be experienced from the operation of the barge during the reconstruction of the pier. This impact is considered to be minor and temporary.

Gasoline fumes may be temporarily noticeable when motorized engines of watercraft are started periodically within the vicinity of the pier. This impact is not considered to be significant.

3. Alteration of air movement

This project proposes realignment and reconstruction of an existing recreational pier and reconstruction of an existing deck and boathouse located in the backshore. In addition, TRPA has approved reconstruction of the access stairway leading from the blufftop residence to the shore. No new buildings are proposed which would affect air movement. No significant impacts would occur.

C. Water

1. Changes in Currents

This reconstruction project would not significantly

effect the water currents in the shorezone of this project area. No significant impacts are anticipated.

2. Absorption rates, Drainage Patterns, Runoff

No new impervious structures are proposed as part of this project, therefore there would be no changes to absorption rates, drainage patterns or water runoff resulting from this project.

3. Alterations to Course or Flow

This project is located within the body of Lake Tahoe. It would not impact the course or flow of waters entering or leaving Lake Tahoe. There would be no significant impact.

4. Changes in Amount of Surface Water

Realignment and reconstruction of this recreational pier would not have an impact upon the amount of surface water in Lake Tahoe. There would be no significant impact.

5. Discharges

There may be a minor amount of turbidity experienced during the removal of wooden pilings and the driving of steel pilings. This impact will be minimized through the proposed use of turbidity screens around the construction area and/or use of caissons or sleeves during the pile driving activity. In addition, small boats with tarps will be placed beneath the reconstruction areas within the waterway, where necessary, to prevent construction debris from entering lake waters. No significant impacts would occur.

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

The geology of the project area is composed of glacial and alluvial deposits. The realignment and reconstruction of the existing pier would not create an alteration to any ground water flows. The project is not located within a stream inlet nor near any known underwater spring. No significant impacts would occur.

7. Quantity of Ground Water

No. refer to C-6, above.

8. Public Water Supplies

The proposed project does not involve alteration or construction of aquifers or public water lines. No impacts would occur.

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

Neither partial reconstruction of the existing recreational pier nor its continued use would expose people or property to water-related hazards. The pier is constructed at a height above the identified high water elevation of 6228.75'. No significant impacts would occur.

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

There are no known thermal springs in the vicinity of the existing pier proposed for reconstruction. No significant impacts would occur.

D. Plant Life

1. Diversity of Species

There would be a temporary change in aquatic sessile plants during the removal of the wooden pilings and during the placement of the new steel piling. This is not considered to be a significant impact. The indigenous aquatic flora will begin recolonizing the area shortly after completion of the project.

2. Unique, Rare or Endangered Species

The shoreline surrounding Lake Tahoe is within the range of State-listed Tahoe Yellow Cress, Rorippa subumbellata, Roll.. A soils and vegetation survey was conducted which concluded that the project site did not contain Rorippa nor was the substrate considered suitable habitat. Staff of the State Lands Commission has reviewed the report. The report is concurrently being considered by the California Department of Fish and Game staff pursuant to the California Endangered Species Act.

If the site is considered to contain potential Tahoe Yellow Cress habitat, the Interim Management Program Construction, Access and Conservation Guidelines (attached) would be incorporated into the project description to avoid a significant impact to the habitat

of Tahoe Yellow Cress.

3. Introduction of new species

This project does not propose placement of vegetation. No impacts would occur.

4. Reduction in acreage of agricultural crop

This project would occur within the body of Lake Tahoe. No impacts would occur to agricultural crops.

E. Animal Life

1. Change in the Diversity of Species

There would be a temporary change in aquatic animal life within the reconstruction area. Indigenous aquatic animals will reoccupy the new materials of the reconstructed pier. The project is located in an area identified by TRPA as fish spawning habitat targeted for restoration. The project would be conducted during the non-spawning season identified by DFG to be July 1, to October 1, or as otherwise indicated by the staff of the Department of Fish and Game through authorization of a Streambed Alteration Agreement, to minimize impacts to spawning habitat. No significant impacts are anticipated.

2. Unique, Rare or Endangered Species

There are no known rare or endangered aquatic animals reported within the project area. No significant impacts are anticipated.

3. Introduction of New Species

The proposed pier repair 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

The project is located in an area determined by TRPA to be mapped fish habitat. TRPA has issued its permit which includes a Finding of No Significant Impact to the environment. The project has been conditioned by TRPA to occur during the non-spawning season (July 1 - October 1) to avoid significant effects to fish spawning habitat.

F. Noise

1. Increase in Existing Noise Levels

There would be a temporary, intermittent increase in the existing noise levels during the pile driving activity of the reconstruction of the existing pier and for the operation of the barge during the removal of the wooden pilings. Continued use of the pier for recreational purposes may create temporary bursts of noise when motorized watercraft engines are started in the vicinity of the pier. The pier is used for private recreation by the applicants and are not proposed for commercial uses. There would be no significant impacts from the proposed project to existing noise levels.

2. Exposure of People to Severe Noise Levels

Refer to response F-1, above.

G. Light and Glare

1. The production of new light or glare

The pier project is located within the TRPA pierhead line and will therefore not require special navigational lighting. No significant impacts of light or glare are anticipated.

H. Land Use

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

The proposed project does not involve expansion or placement of new facilities. Present land uses would continue. No significant impacts have been identified.

I. Natural Resources

1. Increase in rate of use

This project does not propose to change the consumption rate of any natural resources. No significant impacts are identified.

2. Substantial depletion of nonrenewable resources

No, refer to response I.-1., above.

J. Risk of Upset

1. Risk of explosion

The potential risk of fuel explosion during this pier repair project would be minimal. Diesel fuel would be used to operate the barge/vessel containing the pile driver. Reconstruction of the pier and continued use of the pier would be regulated by TRPA's permit which indicates that "...the discharge of petroleum products...is prohibited..and that no containers of fuel, paint, or other hazardous materials may be stored on the pier." No significant impacts have been identified which would result from this project.

2. Interference with Emergency Response Plan

The pier has existed within the body of Lake Tahoe. The length of the pier is within the TRPA pierhead line (see Attachment B, Sheet 1 of 2, revised 11/93). There would be no significant impacts to emergency response plans resulting from this proposed project.

K. Population

1. Alteration, Distribution, Density or Growth Rate

This project does not involve the need or demand for new housing. A residence exists on the upland parcel of this water influence area. No significant impacts have been identified.

L. Housing

1. Existing, or Demand for Additional

Refer to response K.1., above.

M. Transportation

1. Generation of substantial additional vehicular movement

No new or expanded structures are proposed as part of this project. There would be no changes to existing vehicular movement resulting from this project. No significant impacts have been identified.

2. Affect existing Parking facilities, Demand for New

See M-1, above.

3. Existing Transportation Systems

The applicant's access for continued use of the pier would be from Highway 28 (North Lake Boulevard). Existing driveways and roadways on the upland parcels would be used. No significant impacts have been identified.

4. Alterations to Present Patterns of Circulation

No, refer to response M.-3., above. In addition, access to the pier for the reconstruction work would be conducted from the water side of the pier by a barge/lark vessel equipped with rubber tires. The use of the construction vessel during the reconstruction of the pier would not significantly alter the present patterns of circulation existing within the lake.

5. Alterations to Waterborne, Rail or Air Traffic

The continued use of the pier, which exists within the TRPA pierhead line, would not create any new impacts to waterborne traffic. No significant impacts have been identified.

6. Increase in Traffic Hazards

The need for construction vehicle access to the upland will be limited as the pier will be primarily accessed from the lake for pile driving and removal activity. This project would not increase the possibility for traffic hazards.

N. Public Services

1. Fire protection

The recreational pier is located within the water

influence area of an upland blufftop residence. The proposed realignment and reconstruction of the existing pier would not alter existing services or require the need for new public services. There would be no impacts.

2. Police protection

Refer to response N.-1., above.

3. Schools

Refer to response N.-1., above.

4. Parks and Recreational Facilities

Refer to response N.-1., above.

5. Maintenance of public facilities

Refer to response N.-1., above.

6. Other Governmental Services

Refer to response N.-1., above.

O. Energy

1. Use of substantial amounts of fuel or energy

The realignment and reconstruction of the existing pier would not significantly impact the use of substantial amounts of fuel or energy. No construction of new electrical or fuel-powered equipment is proposed for placement on this pier. There would be no significant impact.

2. Increase in demand upon existing sources of energy

The reconstruction of the existing pier would not increase a demand upon existing sources of energy. Also refer to response O.-1., above.

P. Utilities

1. Power or natural gas

The reconstruction project would not require the placement of new power poles or lines. Existing sources

of power could be utilized from the upland residence. No new utilities are proposed. No impacts would result.

2. Communication systems

Refer to response P.-1., above.

3. Water

Refer to response P.-1., above.

4. Sewer or Septic Tank

Refer to response P.-1., above.

5. Storm or Water Drainage

Refer to response P.-1., above.

6. Solid waste and disposal

Refer to response P.-1., above.

Q. Human Health

1. Health hazard

The existing pier decking has been removed to eliminate a safety hazard to humans. Realignment and reconstruction of the pier would not present a safety hazard to humans. Retention and use of the pier would not affect human health.

2. Exposure of people to potential health hazard

During the reconstruction of the pier, odor from diesel fumes created by the barge, would be noticeable to persons located in the immediate vicinity. This would be a temporary minor impact. Gasoline fumes would be noticeable when motorized watercraft engines are started in the vicinity of the pier. This impact would be brief and intermittent and would not be a significant impact.

R. Aesthetics

1. Obstruction or scenic vista or view

The pier has existed at this site. TRPA has permitted

the pier realignment and reconstruction project. No new impacts would result from this project.

S. Recreation

1. Quality or quantity of existing recreational opportunities

This project does not propose to expand or extend the existing pier structure. The pier is located within the TRPA pierhead line. There would be no significant impacts to recreational opportunities resulting from this proposed project.

T. Cultural Resources

1. Prehistoric or historic archaeological sites

The recreational pier has extended from this parcel for many years. The realignment and reconstruction of this existing structure would not involve significant soil disturbances which would warrant an evaluation of prehistoric or historic archaeological sites. No impacts are identified.

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

This project involves reconstruction of an existing boathouse in the backshore. The boathouse has not been identified as a historical structure. No significant impacts have been identified.

3. Unique Ethnic Cultural Values

There are no known ethnic cultural values associated with this specific project site. The upland parcel has been developed with a residences and the pier structure has existed at this site. No impacts are identified.

4. Religious or Sacred Uses

There are no known religious or sacred uses of this project site. There would be no impacts.

U. Mandatory Findings of Significance

1. **Degrade quality of the environment**

Measures to prevent impacts to the environment have been incorporated into the project such as utilization of: turbidity screens, caissons, tarps and small boats to catch debris, barge with rubber tires which will access the pier from the lake side, and conducting the lakebed disturbance during the non-spawning season (July 1 - October 1). The quality of the environment would not be degraded from this proposed project.

2. **Short Term vs. Long-Term Environmental Goals**

The design of the recreational pier is open piling. The pier would be located within the TRPA pierhead which would not affect navigation and recreation. The proposed project involves realignment and reconstruction of an existing pier. There have been no significant impacts identified which would occur from this proposed reconstruction project.

3. **Impacts Individually Limiting, Cumulatively Considerable**

The proposed project involves the removal of existing wooden pilings and relocation and reconstruction of an existing private recreational pier, boathouse and deck. No cumulative impacts have been identified which would occur from the proposed project.

4. **Substantial Adverse Effects on Human Beings**

Refer to discussion in Q., above. No significant impacts are identified.

EXHIBIT B

MONITORING PROGRAM

WILSON PIER REALIGNMENT AND RECONSTRUCTION

APN: 94-160-11, PLACER COUNTY

1. **Impact:** The removal of the existing wood piling, and placement of new steel piling may cause turbidity to lake waters.

Project Modifications:

- a) Use of turbidity screens around the construction area;
- b) Use of caissons or cofferdams to prevent the release of resuspended sediments during pile placement;
- c) Use of small boats and/or tarps would be placed under the reconstruction area, as necessary, to collect construction debris; and,
- d) Collection of waste materials onto the barge for disposal in dumpsters or at an approved landfill site.

Monitoring:

Staff of the State Lands Commission, or its designated representative, would periodically monitor the construction site to ensure project modifications are implemented.

2. **Impact:** The proposed project is located in an area mapped by TRPA as fish spawning habitat and as such could have an impact on the habitat.

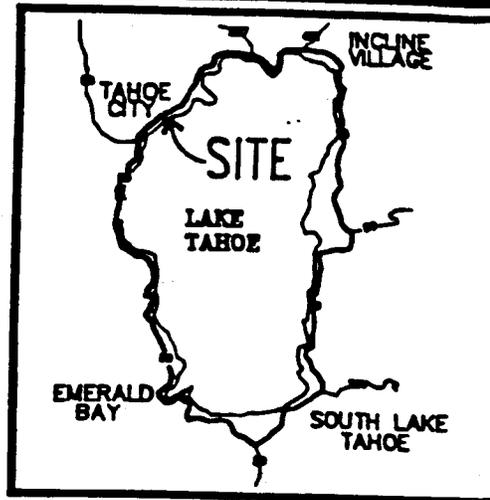
Project Modification:

- a) The repair work involving lakebed disturbance would be conducted during the non-spawning season as identified by TRPA and the CDFG.

Monitoring:

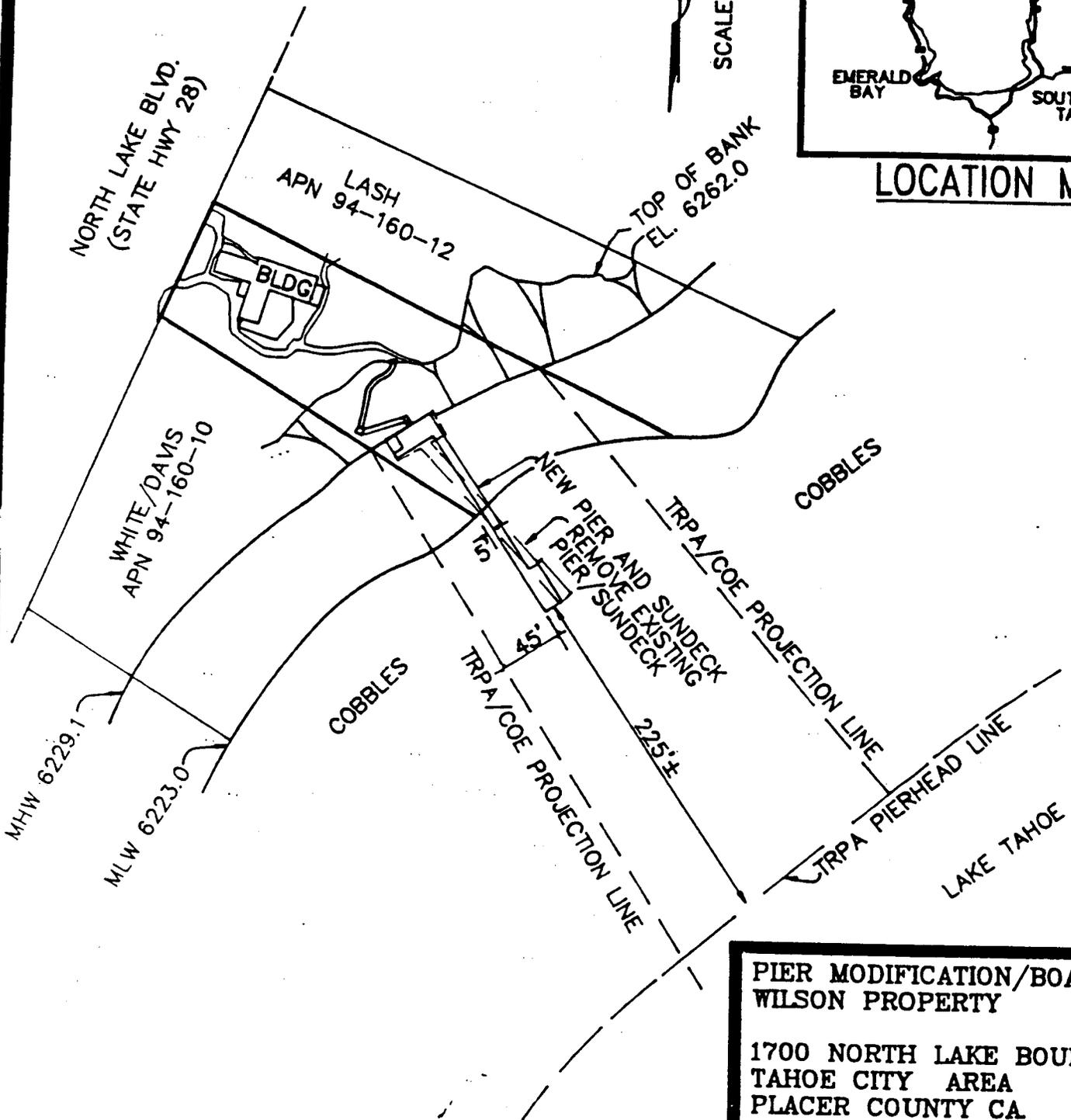
Staff of the State Lands Commission, its designated representative/and or TRPA staff would periodically inspect the project site to ensure implementation of the project modifications.

Attachment A



LOCATION MAP

SCALE: 1"=100'



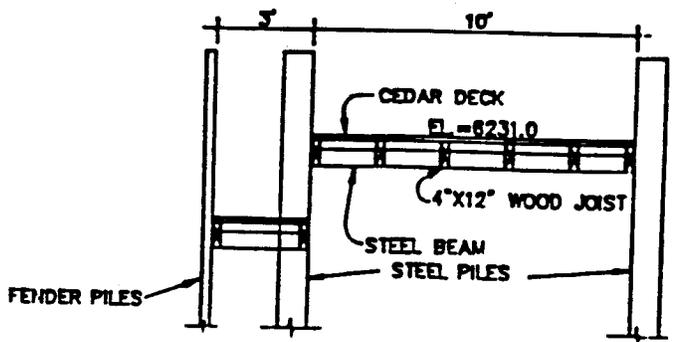
PIER MODIFICATION/BOATLIFT
WILSON PROPERTY

1700 NORTH LAKE BOULEVARD
TAHOE CITY AREA
PLACER COUNTY CA
APN: 94-160-11
JUNE 1993

ADJOINING PROPERTIES	
NORTH 94-160-12	SOUTH 94-160-10

REVISED
11/93

CALENDAR PAGE 84
ENGINEERING CORPORATION
TAHOE CITY, CALIFORNIA 94629-8417

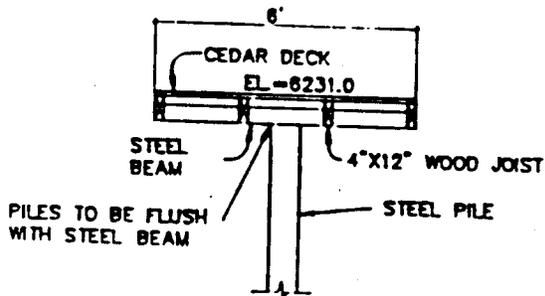
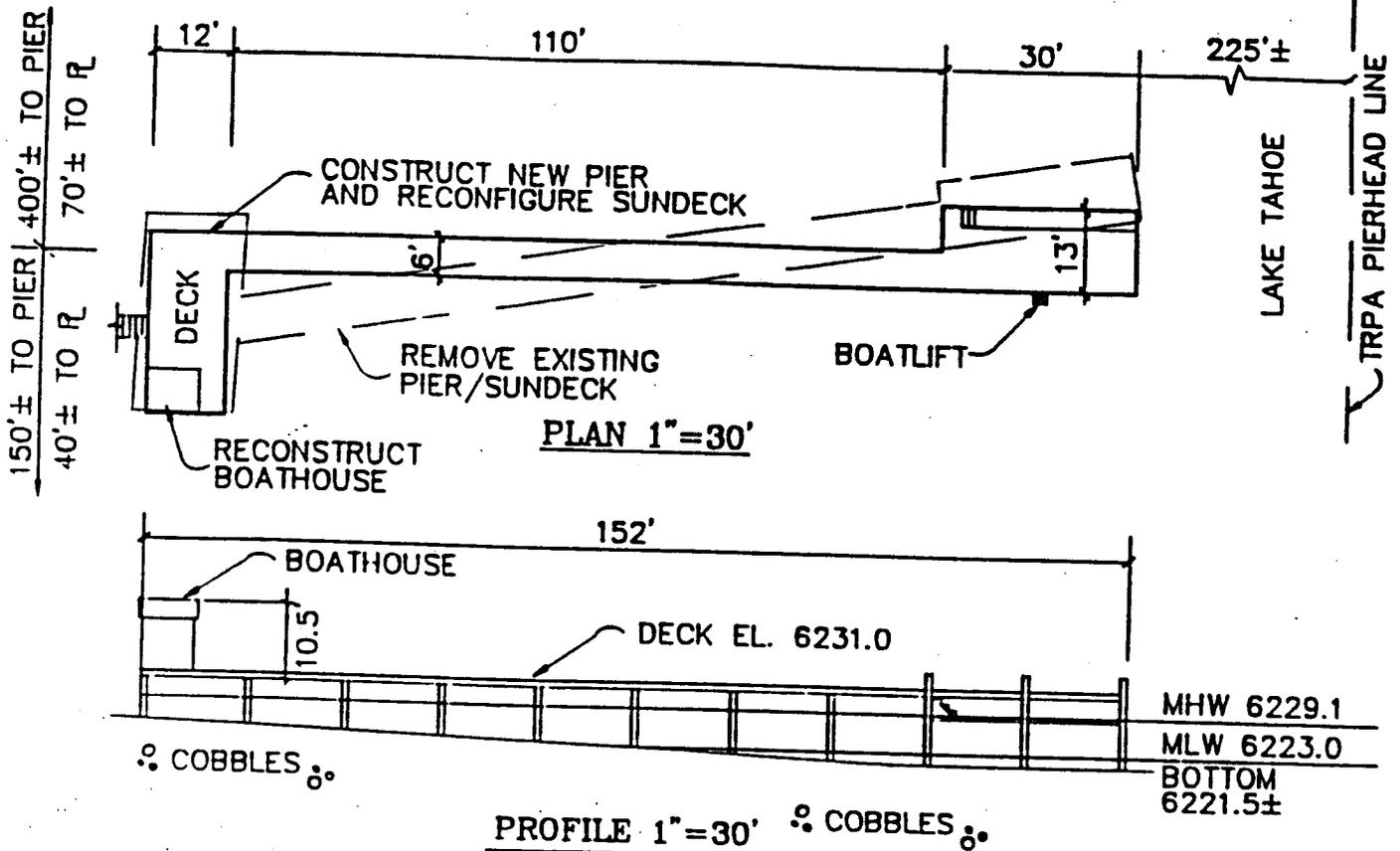


PIERHEAD SECTION
N.T.S.

NOTES:
THE PIER IS PROPOSED TO BE BROUGHT INTO CONFORMANCE WITH AGENCY STANDARDS. THIS DOCUMENT IS FOR PERMIT PURPOSES ONLY.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO STARTING WORK AND IS RESPONSIBLE FOR SUPPLYING ANY CALCULATIONS AND PERMITS REQUIRED BY LOCAL BUILDING CODE.

Attachment B



WALKWAY SECTION
N.T.S.

**PIER MODIFICATION/BOATLIFT
WILSON PROPERTY**

1700 NORTH LAKE BOULEVARD
TAHOE CITY AREA
PLACER COUNTY CA.
APN: 94-160-11
JUNE 1993

ADJOINING PROPERTIES

NORTH
94-160-12

SOUTH
94-160-10

REVISED

**WALTER PAGE ENGINEERING
CORPORATION**

MINOR PAGE
LAKE TAHOE, CALIFORNIA (916) 263-2417

TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court
Elks Point, Nevada

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547
Fax (702) 588-4527

Attachment C

STATEMENT OF NO SIGNIFICANT EFFECT

PROJECT DESCRIPTION: Pier Repair/Modification

APN 94-160-11

PERMITTEE(S): Glenn Wilson

FILE # 930729

COUNTY/LOCATION: Placer / 1700 North Lake Boulevard

Staff Analysis: In accordance with Article VI of the Tahoe Regional Planning Compact, as amended, and Section 6.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.

MT

TRPA Chairman or Executive Director

10-28-93

Date

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Attachment D

INTERIM MANAGEMENT PROGRAM
FOR *Rorippa subumbellata* Roll.
(TAHOE YELLOW CRESS)

An interim management plan has been developed to eliminate the impacts caused by the construction of piers and appurtenant facilities along the shoreline of Lake Tahoe and to protect *Rorippa subumbellata* Roll. and its habitat from degradation. This interim plan will function until the final management plan is completed. This interim plan has the following elements: 1) the minimization of the area disturbed due to construction and access to and from the pier; and 2) conservation measures for the species along the shoreline of Lake Tahoe. These interim guidelines apply to any pier project which will disturb the Lake Tahoe shoreline between the elevations 6220' and 6228.75' LTD.

Construction and Access Guidelines

Construction of new piers, pier extensions, pier replacements, and pier modifications shall be governed by the following guidelines:

- 1) All construction activities shall be conducted from the water side of the pier. The area of disturbance of the lake bottom and shoreline shall be no greater than the footprint of the pier. Construction disturbance caused by the construction vehicle shall be limited to the area where the pier sets or an space of similar size directly adjacent to the pier. In no case shall the space disturbed be greater than that which the pier occupies or will occupy.
- 2) In areas having a cobble or sandy-cobble backshore, the beach and offshore substrate compacted by contact of the substrate with construction equipment shall be rolled to level the depressions created by the tracks of the construction vehicle. Any remaining compacted soils shall be loosened with pronged hand tools to reduce the compaction and then filled with comparable small cobbles taken from the backshore. These cobbles must be taken from the backshore without damaging the habitat or the species.
- 3) No equipment or materials shall be located or stored between elevation 6220' and 6232' LTD.
- 4) No construction activity at the site shall begin or proceed without the presence of the State Lands Commission designated mitigation monitor on site. The project applicant shall notify the designated mitigation monitor at least 14 days prior to when construction will commence.

- 5) Only one pedestrian path shall be allowed between the upland residence and the pier. Such path shall be bordered by native vegetation similar to willow, service berry, or manzanita. Prior to construction of the pedestrian path, a plan shall be submitted to the State Lands Commission showing the location of the path, the proposed vegetation planting, and the type of vegetation proposed as screening.
- 6) All existing individuals and colonies of *Rorippa subumbellata* on the project applicant's property shall be fenced to prevent damage during construction.

Conservation Guidelines

All applicants for projects which may impact the habitat or potential habitat of *Rorippa subumbellata* Roll. shall participate in the final conservation and management program set forth in the Management and Enhancement Plan for *Rorippa subumbellata*. For these interim guidelines the following shall be provided at the time of application:

- 1) The project applicant shall submit two copies of a report describing the soils and vegetation on the applicants property. The report shall emphasize the area located between elevations 6232' and 6223' LTD. Such report shall describe the texture and composition of the soil, the slope, and the existing vegetation types and their condition. Such report shall be submitted with a plan view map of the area at a scale of 1":10' and photographs of the mapped area.

Other

The project applicant shall be required to provide the State Lands Commission with a letter of credit to insure the compliance with all mitigation measures. The amount of the required letter of credit shall be established at the time of project approval. In the event that the mitigation measures and the conditions are not complied with as determined by the Commission's mitigation monitor, the letter of credit may be forfeited after a hearing before the State Lands Commission. Money forfeited by project applicants shall be used to remedy the impacts of the project and to conserve *Rorippa subumbellata*.

The project applicant shall also reimburse the State Lands Commission for all costs incurred by the State Lands Commission to monitor and enforce these and other requirements imposed on the project as provided by Section 21080.6 of the California Public Resources Code.

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STATE LANDS COMMISSION

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

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95833

CHARLES WARREN,
Executive Officer

April 5, 1994
File: PRC 3775
ND 647
SCH No. 94042011

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

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

The document is attached for your review. Comments should be addressed to the State Lands Commission office shown above with attention to the undersigned. All comments must be received by May 6, 1994.

Should you have any questions or need additional information, please call the undersigned at (916) 322-7826.



DOUG MILLER
Division of Environmental
Planning and Management



Attachment

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STATE LANDS COMMISSION

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

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814

CHARLES WARREN
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: PRC 3775
ND 647
SCH No. 94042011

Project Title: Tri-Association Multiple-Use Pier Repair

Project Proponent: Tri-Association

Project Location: Lake Tahoe, 7001 West Lake Blvd., APN 15-351-01, Tehama, El Dorado County.

Project Description: Replace original wood pilings with 10 3/4" steel pilings, 6" steel beams, 2" x 6" minimum cedar decking and replace floating catwalk.

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.

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

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PROJECT DESCRIPTION

PROJECT NARRATIVE

This pier was reconstructed under a Tahoe Regional Planning Agency permit dated May 26, 1988, but without authorization from the State Lands Commission. This project proposes authorization to retain and use the reconstructed pier, floating catwalk, and the 38 buoys in the previously authorized existing buoy field. PRC 3775.9 authorized the use of the original 90 foot long pier and buoy field, with 38 buoys for the Tri-Association. The Tri-Association includes the Water's Edge Homeowner's, Sugarpine Property Owner's, and Tahoe Cedars Property Owner's Associations, at 7001 West Lake Blvd., Tahoma, El Dorado County, A.P.N. 15-351-01 at Lake Tahoe, California.

The reconstruction project of the Water's Edge Condominiums consisted of the partial repair of the existing pier. The scope of the work included the replacement of the wooden piles with 10,75" diameter steel piles, 6" steel beams, 2" x 6" minimum cedar decking, and repair or replacement of the floating catwalk and electric service.

CONSTRUCTION METHOD

The wood pilings were cut off at ground level and loaded on the amphibious "Lark" vehicle and removed by the contractor. Reconstruction began by driving 10 3/4" diameter steel piles, utilizing the floating "Lark" vehicle, and welding steel crossbeams to each pair of piles forming bents. The bents are installed 14' 10 1/2" apart for the length of the pier. No materials or equipment were stored on the beach. The "Lark" vehicle has large flotation tires which did not affect the beach on the few occasions when it was necessary to beach the vehicle for the removal and replacement of piles. Anchorage for the barge or "Lark" vessel was to the existing structure and lake anchors to assure adequate stability of the barge while driving replacement piles. Barge access was restricted to the minimal amount necessary for equipment to perform the necessary construction tasks. All construction wastes were collected onto the barge and deposited at the nearest dumpster or sanitary landfill site. Any disturbed lakebottom sediments were hand rolled and rock cobble was hand picked to reconsolidate the shoreline/lake bottom sediments.

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DESCRIPTION OF ENVIRONMENTAL SETTING

The reconstructed pier and buoy lease project for the Tri-Association is located on the Water's Edge Condominium parcel which is located in the Tehama area on Highway 89 (West Lake Blvd.). The present use of the pier is private recreation for the members of the Tri-Association which serves the 378 families eligible to use the facility.

SITE DESCRIPTION

The Tri-Association property and the adjacent parcels presently have piers. There is a private recreational pier 250' to the north, and there is a private recreational pier 150' to the south of the Tri-Association pier. Access to this area is from Highway 89. The Rorippa subumbellata, Tahoe Yellow Cress (TYC) survey was done on July 17, 1993.

SUBSTRATE AND TOPOGRAPHY

The substrate was almost entirely composed of large rocks and cobble 7"-8" diameter on the north side of the existing pier and a sandy beach on the south side of the existing pier. The back shore of the Water's Edge parcel is approximately 6230' elevation and slopes gradually to the lake.

VEGETATION

The backshore area is dominated by native Jeffrey pine, white fir, incense cedar, willow, bittercherry, currant, mountain alder, and black cottonwood. The shoreline zone of the Water's Edge parcel is dominated by mullein, orchard grass, lemmon willow, lotus, narrowleaf plantain, and willowweed.

CONCLUSIONS

Tahoe Yellow Cress, Rorippa subumbellata ROLLINS does not appear to be present on the Water's Edge Condominium property's shoreline or back shoreline zones. The substratum present is comprised of large rocks and cobbles 7-8' diameter on the north side of the existing pier which is not habitat. The southside of the existing pier does contain a sandy shoreline and backshore, but the area appears to have been cleared of large boulders for the beach, and no Tahoe Yellow Cress was reported. The completed project appears to have created no negative impact to any existing or potential habitat for Tahoe Yellow Cress.

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B. Air. Will the proposal result in:

Yes Maybe N

- 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 direction or rate of flow of ground waters?
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?
- 8. Substantial reduction in the amount of water otherwise available for public water supplies?
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves?
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs?

D. Plant Life. Will the proposal result in:

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

E. Animal Life. Will the proposal result in:

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

F. Noise. Will the proposal result in:

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

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

- 1. The production of new light or glare?

H. Land Use. Will the proposal result in:

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

I. Natural Resources. Will the proposal result in:

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

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

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S. Recreation. Will the proposal result in:

Yes Maybe No

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.

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: 4, 5, 84

Doug Miller
 For the State Lands **CALENDAR PAGE 94**
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DISCUSSION OF ENVIRONMENTAL EVALUATION
TRI-ASSOCIATION RECREATIONAL PIER AUTHORIZATION

PRC 1797.9

A. Earth

1. Unstable Earth

The unauthorized reconstruction of the 90 foot pier and floating catwalk has already been completed. The reconstruction essentially drove steel pilings over the stumps of the original wood pilings. The reconstruction did not create fill areas or affect soil stability nor did it affect geologic structures in the area, and there was no change involved with the existing authorized buoy field; therefore, there will be no impacts.

2. Disruptions

The reconstruction operation, within the footprint of the pier, was accomplished with a rubber tired (flotation type tires) construction barge ("Lark" vehicle). No fill or excavations were associated with the project. A post-construction TYC survey was conducted by Lynda S. Nelson, Botanical Consultant, on July 13, 1993 for the applicant. A subsequent letter from Vail Engineering and the survey revealed no signs of soil or beach disturbance caused by the reconstruction work. The existing authorized buoy field was not altered; therefore, creating no change.

3. Change in Topography

The reconstruction did not involve earth moving. The pier was reconstructed with an open piling design which did not require any excavation. The "Lark" vehicle did not disturb the rock cobble nor cause any significant disruption to the topography at the site as determined by the post-construction site survey. The existing authorized buoy field was not altered; therefore, created no change.

4. Unique Geology

The project site is located along a portion of lake shore which is characteristic of much of the Lake Tahoe waterfront. The pier was reconstructed using an open pile and deck design which did not ~~cause any significant~~ disruption to the topography or geology at the site.

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5. Erosion

This proposed project authorizes the retention and use of the unauthorized reconstructed pier and floating catwalk. The reconstruction will not involve additional activity which would cause erosion by wind or water. The existing buoy field will not have any effect on erosion.

6. Deposition

This project proposes authorization for retention and use of the unauthorized reconstructed pier. The open piling construction of the existing pier, floating catwalk, and buoyfield will not affect littoral deposition or degradation of sands at the site.

7. Geologic Hazards

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The reconstructed pier is in place and will not create conditions to create earthquake hazards. The pilings are driven to shallow depths and will not create a seismic event.

B. Air

1. Air Emissions

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The existing reconstructed pier is in place and there will not be any construction activities to create any new emissions or impact ambient air quality. The pier does not generate air emissions. The use of recreation motor boats does create air emissions; however, the reconstructed pier will not increase the use rate of the motor boats. This project will not create any new significant air emissions.

2. Odors

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The pier exists and no new odors or emissions will result from this project. The use of motor boats does create air emissions; however, the reconstructed pier will not increase the use rate of the motor boats. This project will not create any new significant odors.

3. Climate

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This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The existing reconstructed pier will not create any major changes in air movements, temperature, or climate, nor create any abnormal weather conditions.

C. Water

1. Currents

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The existing replaced steel piles supporting the reconstructed pier are of a static nature and will not create any changes in water currents or movements.

2. Drainage

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. No new construction will occur resulting from authorization of this project. The pier reconstruction was accomplished without altering surface runoff. The completed pier does not affect drainage patterns or surface runoff.

3. Flood Waters

The existing reconstructed pier and floating catwalk will not create any new effects upon flood waters.

4. Surface Waters

The existing reconstructed pier is static in nature and will not affect the surface water volume of Lake Tahoe.

5. Discharge

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The reconstruction phase has been completed which eliminates construction materials entering the lake, and no materials are currently being discharged into the lake. There is no turbidity resulting from the piers presence.

6. Ground Waters

The geology of the project area is composed of glacial and alluvial deposits. The replacement of the existing pilings were relatively shallow operations and have not affected ground water flows or impacted any subsurface aquifers.

7. Ground Water Withdrawal

The existing reconstructed pier and floating catwalk does not affect ground water withdrawal.

8. Available Water

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The existing reconstructed pier and catwalk's use has not created any significant effect on available water.

9. Flooding

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The existing reconstructed pier will not expose people or property to water-related hazards such as tidal waves or induce flooding.

10. Thermal Springs

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. There are no thermal springs in the vicinity. The project will not affect any thermal springs.

D. Plant Life

1. Plant Species Diversity

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. A site survey was conducted by a qualified biologist for the applicant to assess the potential impacts caused by the reconstruction. Ms. Lynda S. Nelson's 1993 TYC inspection report revealed no negative impact to any existing or potential habitat to Tahoe Yellow Cress. The subsequent letter from Vail Engineering stated that the beach area was not altered before or after reconstruction. All construction activities were confined to the footprint of the pier. The existing pier and floating catwalk will not create any significant changes in plant species diversity.

2. Endangered plants

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. There are no rare or endangered species on the property. In the report for Tahoe Yellow Cress (Rorippa subumbellata) habitat, no TYC was found on the project

property. The vegetation present on the beach is not typical of TYC habitat, and the narrow beach, especially at higher lake levels, does not offer the right width for protective topography from rising lake water which is typical of TYC sites. The existing pier and floating catwalk will not create any new significant effects on rare or endangered plants.

3. New Species

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The existing reconstructed pier and floating catwalk will not introduce new species to the area nor bar existing species from becoming established.

4. Crops

The reconstructed pier and floating catwalk will not reduce the acreage of agricultural crops. There are no agriculture or aquaculture activities in this area; therefore, there will be no impacts.

E. Animal Life

1. Animal species diversity

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The pier has been reconstructed, and all construction activities were confined to the footprint of the pier. After the construction was completed the aquatic animals immediately began returning and filling the void of the impacted area. The open piling construction design and floating catwalk allows aquatic animals free movement beneath the pier and does not create a new significant impact on animal diversity.

2. Endangered Animal Species

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. There have not been any rare or endangered aquatic animals reported within the project area.

3. New Animal Species

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The pier reconstruction is completed and did not introduce any new species to the area nor create a new barrier to aquatic animals.

4. Habitat

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This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The unauthorized reconstruction work on the pier was completed in 1988 and no new impacts from construction operations resulted from the completed pier and floating catwalk project. The Department of Fish and Game has identified this area as fish spawning habitat. Construction work was limited to the general non spawning season (June 1 - October 1), or unless specifically designated by the Department of Fish and Game. This project to authorize continued use of this existing open piling designed pier with its floating catwalk did not create any new significant impacts on fish habitat.

F. Noise

1. Increased Noise Levels

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The reconstruction of the pier and floating catwalk is complete; therefore, there will not be any new noise impacts generated from Pier construction activities. The reconstructed pier and floating catwalk will neither increase the number of members in the homeowners association nor create an increased demand for additional power boats. Since there will not be any significant changes in the use rate of the motor boats at the pier facility, there will not be any significant increase in noise levels generated as a result of this completed project.

2. Severe Noise

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The pier reconstruction is complete. There will not be any new severe noises generated from the completed pier construction activities. There will not be any new significant increases in severe noise levels caused by the continuing use of the pier by motor boats idling to and from the pier.

G. Light and Glare

1. Light

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The reconstructed pier and floating catwalk has not resulted in creating new light

or glare; therefore, CALENDAR PAGE 100

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such impacts are considered non significant.

H. Land Use

1. Land Use

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The repaired recreational pier has not altered the present or planned use of the area. The existing repaired pier serves the Tri-Association's members which use the facility. This facility is not for use by the general public. There are presently piers on adjacent properties. There is currently a pier 250 feet to the north and a pier 150 feet to the south of this pier. This project will not substantially alter the land use by the general public in the area. This project will not create any new significant land use impacts.

I. Natural Resources

1. Natural Resources

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The continued seasonal recreational use of this private pier by the Tri-Association's members will not create any new effects upon the use rate of any natural resource.

2. Resource Depletion

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The Tri-Association's continued seasonal use of their private recreational reconstructed pier has not created any changes which could deplete any nonrenewable resource.

J. Risk of Upset

1. Explosion

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. There will be no risk of upset, explosion, or release of hazardous materials as a result of construction because the pier reconstruction has already been completed. The risk of explosion from the fumes of motor boats is a possibility; however, ~~there are no~~ fueling facilities associated with the pier which reduces

this risk. This is an open piling designed pier with no storage facilities, and the constructed pier by itself creates no new significant changes which would cause an explosion or create an upset of hazardous materials.

2. Emergency

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The seasonal use of the Tri-Association's existing private recreational pier will not create an interface with any emergency response or evacuation plan.

K. Population

1. Population

The seasonal use of the existing Tri-Association's recreational pier by the three associations eligible to use it will not alter the population in the lake basin.

L. Housing

1. Housing

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The seasonal use of this existing private recreational pier by the members of the Tri-Association will not create a demand for additional housing.

M. Transportation/Circulation

1. Additional Vehicular Movement

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. This is a private recreational pier for the families who are members of the Tri-Association and not the general public. There are no facilities being added to attract more people. The use of this private pier will not be changed by this project nor will there be any substantial increase in vehicle movement created by this project.

2. Demands for New Parking

No. See #1 above.

3. Impacts on Transportation Systems

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No. See #1 above.

4. Alteration to Patterns of Circulations

No. See #1 above.

5. Alterations to patterns of traffic

No. See #1 above.

6. Increase in Traffic Hazards

No. See #1 above.

N. Public Services

1. This project proposes authorization for retention and use of the unauthorized reconstructed pier and 30' extension. This is a private facility for the exclusive use of the members of the Tri-association, and the repaired pier facility 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 Agencies

No. See #1 above.

O. Energy

1. Use of Fuel or Energy

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating

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catwalk. This is a private facility for the exclusive use of the members of the Tri-association, and the repaired pier facility will not create any additional use or increase of use by the general public. The completed pier repair project will not have any affect on additional energy consumption. This use will not constitute a substantial increase in energy being used in the Lake Tahoe Basin.

2. Increased Energy Demands

No. See #1 above.

P. Utilities

1. Electrical Power or Natural Gas

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floatation catwalk. The reconstructed Tri-Association's recreational pier will not create any changes in utilities. This is a private facility for the exclusive use of the members of the Tri-association. The repaired pier facility will not create any additional use or increase of use by the general public. There will be no additions to the existing facilities which will significantly affect the current uses of power, communications, water, septic tanks, storm water drainage, or solid waste disposal.

2. Communication systems

No. See #1 above.

3. Water

No. See #1 above.

4. Sewer or Septic Tanks

No. See #1 above.

5. Storm Drains

No. See #1 above.

6. Solid Waste Disposal

No. See #1 above.

Q. Human Health

1. Creation of Health Hazards

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floatation catwalk. This project and the repaired private recreational pier will not create any new health hazards to humans.

2. Exposure to Health Hazards

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floatation catwalk. This project and the existing repaired private recreational pier will not expose people to any new potential health hazards.

R. Aesthetics

1. Scenic Views

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floatation catwalk. The Tri-Association's existing recreational pier are existing facilities. There are no new facilities being added to distract from the view of Lake Tahoe. The reconstruction of the pier will not be a distraction from the aesthetics of this residential recreational area consisting of homes, piers, buoys and boats.

S. Recreation

1. Recreational Opportunities

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The completed repair of this private recreational pier has not created any new significant effects on public recreation in the area.

T. Cultural Resources

1. Historic Sites

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floatation catwalk. The reconstruction of the existing private recreational pier was completed within the footprint of the existing pier with the exception of the floatation catwalk over the lake. There are no identified cultural, ethnic, religious, or sacred uses pertinent to this project area. The proposed project will not create any new significant effects to the cultural resources.

2. Historic Buildings
No. See No.# 1 above.

3. Ethnic Cultural Values
No. See No.# 1 above.

4. Religious or Sacred Uses
No. See No.# 1 above.

U. Mandatory Findings of Significance

1. Resource Degradation

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The pier has already been reconstructed in its original footprint with its floating catwalk and has been used since 1988. This proposed authorization will not create any new significant environmental impacts.

2. Short-Long Term Disadvantages

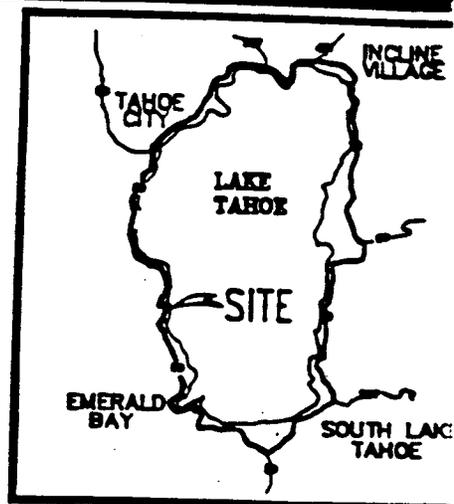
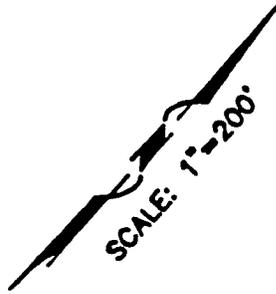
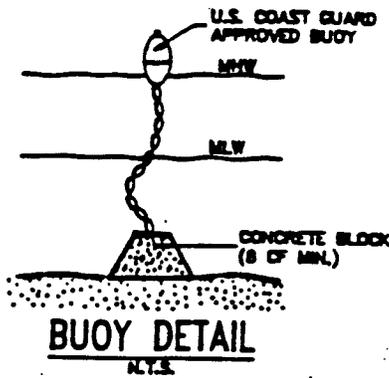
This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. The existing pier has already been reconstructed and extended. No adverse impacts have been created by this project in regards to the short or long term environmental goals of the area.

3. Cumulative Effects

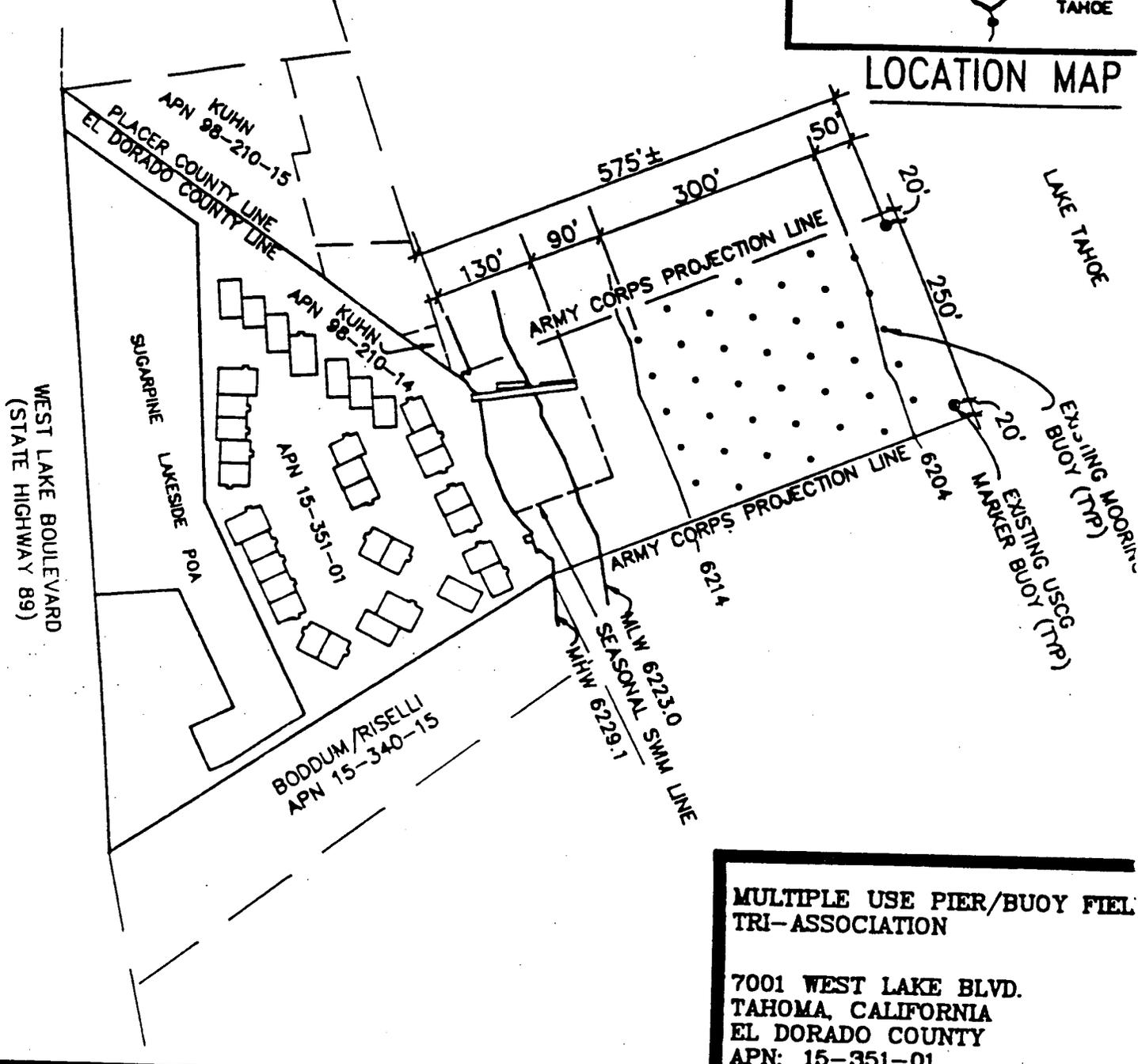
This project proposes authorization for retention and use of the unauthorized reconstructed pier and flotation catwalk. The Tri-Association's existing repaired pier and flotation catwalk is in current use, this project has not added to the cumulative effect of piers at Lake Tahoe.

4. Adverse Effects on Humans

This project proposes authorization for retention and use of the unauthorized reconstructed pier and floating catwalk. This existing pier facility has been reconstructed and the project has not create any new substantial adverse effects on human beings.



LOCATION MAP

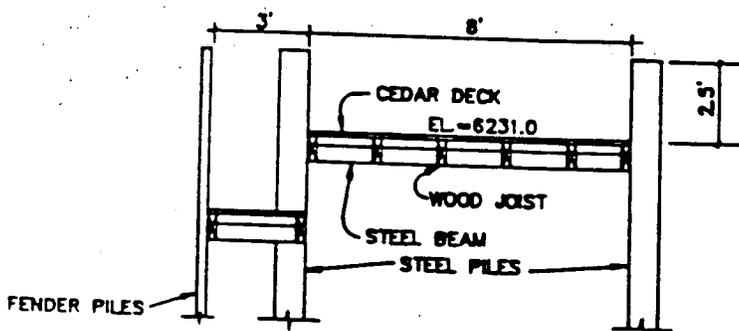
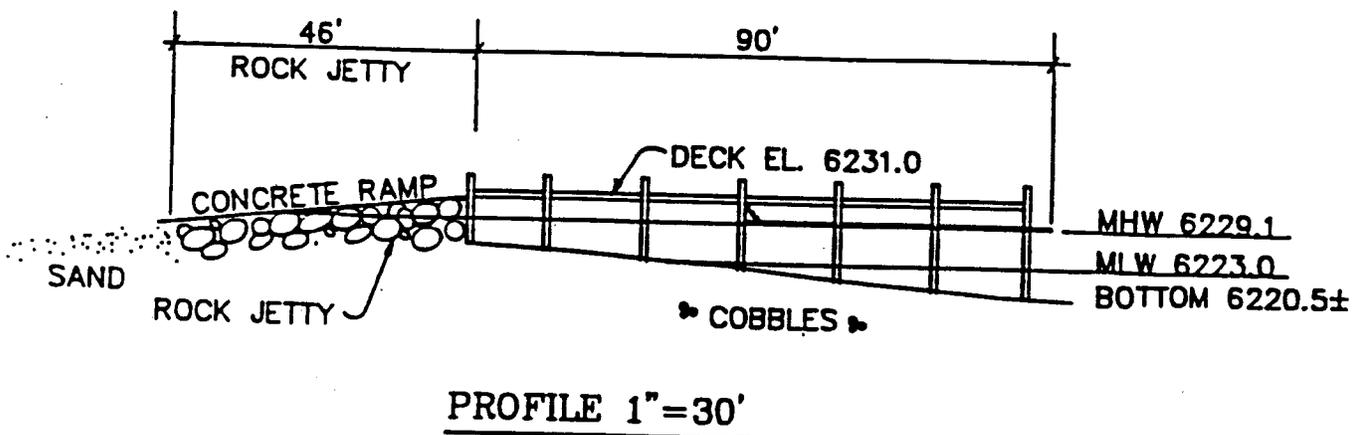
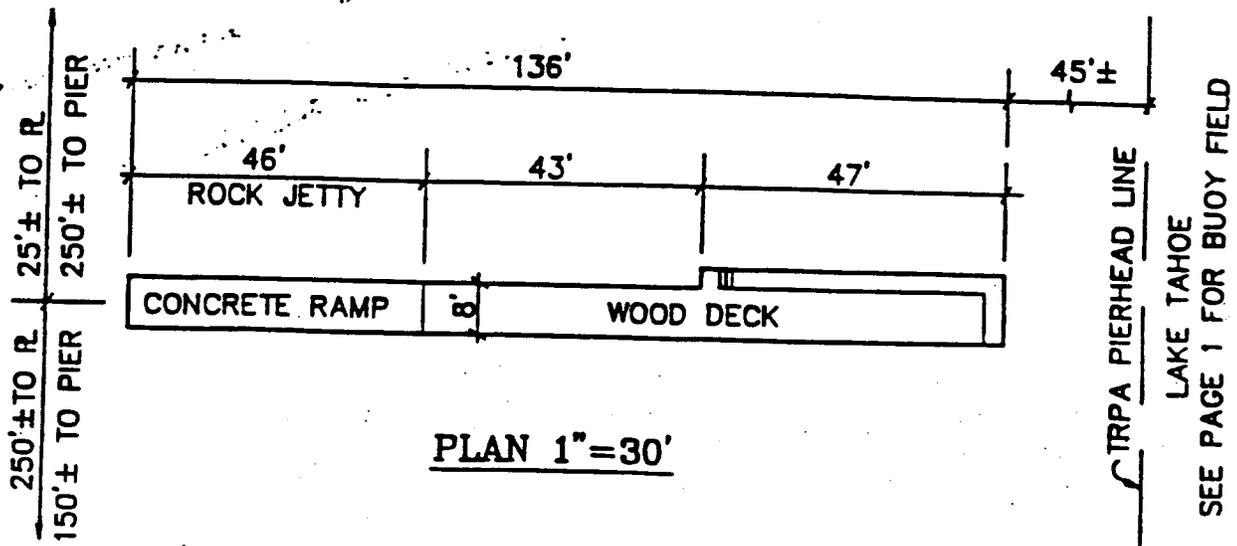


MULTIPLE USE PIER/BUOY FIELD TRI-ASSOCIATION
7001 WEST LAKE BLVD.
TAHOMA, CALIFORNIA
EL DORADO COUNTY
APN: 15-351-01
JANUARY 1994

VANDER PIGE ENGINEERING CORPORATION
P.L. NUMBER 24816 563-941

ADJOINING PROPERTIES	
NORTH APN 98-210-14	SOUTH APN 15-340-15

REVISED



NOTES:
 THIS DOCUMENT IS FOR PERMITTING PURPOSES ONLY. NO CONSTRUCTION ACTIVITY IS PROPOSED WITH THE EXCEPTION OF NORMAL MAINTENANCE ACCORDANCE WITH AGENCY REQUIREMENT

THE BUOY FIELD IS PROPOSING TO BECOME SEASONAL, WHEREBY THE BUOY FLOATS AND CHAINS ARE REMOVED BETWEEN OCTOBER 15 AND MAY 1 EACH YEAR.

MULTIPLE USE PIER/BUOY FIELD TRI-ASSOCIATION

7001 WEST LAKE BLVD.
 TAHOMA, CALIFORNIA
 EL DORADO COUNTY
 APN 15-351-01
 JANUARY 1994

WALTER PAGE ENGINEERING CORPORATION
 WALTER PAGE ENGINEERING CORPORATION
 7001 WEST LAKE BLVD., TAHOMA, CALIFORNIA (916) 863-2411

W.O. 7369.1

ADJOINING PROPERTIES

NORTH APN 98-210-14 SOUTH APN 15-340-15

REVISED