MINUTE ITEM
This Calendar Item No. C42 was approved
Minute Item No. 42 by the California State
Commission by a vote of 3 to 0 at its
12/7/95 meeting.

CALENDAR ITEM
C42

A 4

S 1

PRC 7868

12/07/95
W 24529
Young

RECREATIONAL PIER LEASE

APPLICANT:

Walt S. Hoefler and Mary R. Hoefler
15122 Sperry Lane
Saratoga, California 95076

LOCATION:

Submerged land in Lake Tahoe, El Dorado County

EXHIBITS:

A. Site and Location Map.
B. Negative Declaration/Mitigation Monitoring Plan.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

This lease is conditioned on the Lessee's obtaining authorization from the Tahoe Regional Planning Agency for the existing buoy by December 7, 1997.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING: (PIER)

1. CERTIFY THAT A NEGATIVE DECLARATION, ND# 665, SCH# 95022043 , 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 "B", ATTACHED HERETO.

4. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTION 6370, ET SEQ.

CEQA
FINDING: (Buoy)

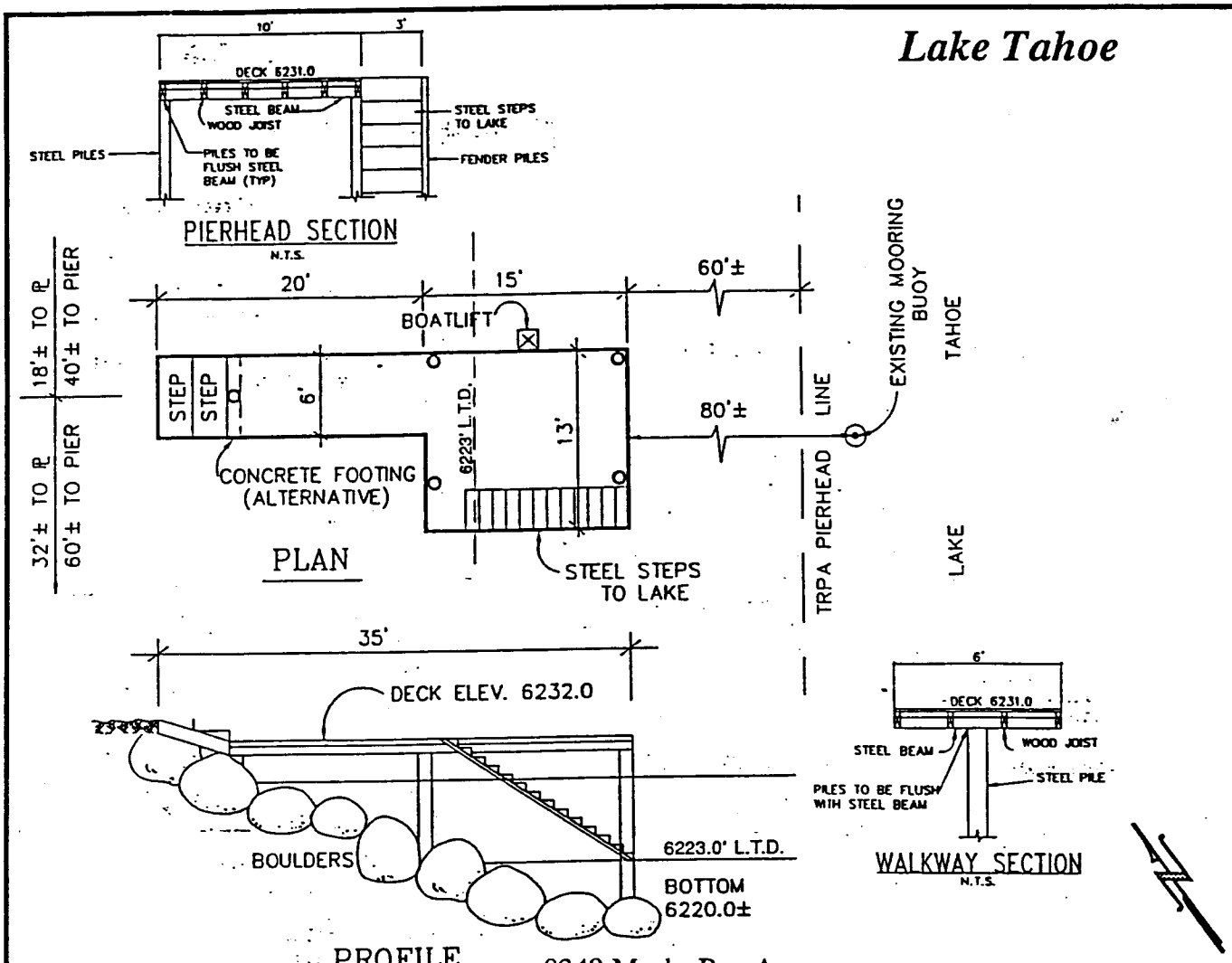
1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, CONSTRUCTION OF SMALL STRUCTURES, 2 CAL. CODE REGS. 2905 (C) (3).

SIGNIFICANT LANDS
INVENTORY FINDING:

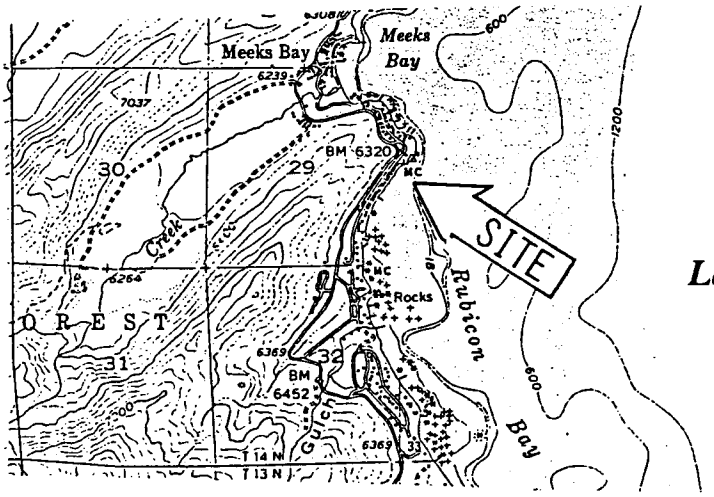
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTION 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO WALT S. HOEFLER AND MARY R. HOEFLER, OF A TEN-YEAR RECREATIONAL PIER LEASE FOR THE STATE'S SOVEREIGN LANDS BELOW THE ELEVATION OF 6223.0 FEET LAKE TAHOE DATUM UNDER APPLICANT'S PIER AND BUOY AS DEPICTED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, BEGINNING DECEMBER 7, 1995; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5.



LOCATION MAP



Lake Tahoe

NO SCALE

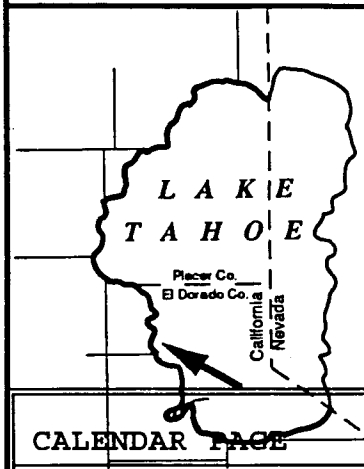
EXHIBIT "A"

W 24529

APN 16 - 081 - 06

Lake Tahoe

EL DORADO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as a waiver or limitation of any State interest in the subject or any other property.

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CG 10/95

STATE OF CALIFORNIA

PETE WILSON, *Governor*

STATE LANDS COMMISSION

GRAY DAVIS, *Lieutenant Governor*
KATHLEEN CONNELL, *Controller*
RUSSELL S. GOULD, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814-7187

ROBERT C. HIGHT
Executive Officer

EXHIBIT 'B'

February 15, 1995

File: W 24529
ND 665
SCH: 95022043

NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A PROPOSED NEGATIVE DECLARATION

(SECTION 15073 CCR & SECTION 21092 PRC)

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 State Lands Commission Regulations (Section 2901 et seq., Title 2, California Code Regulations) for a project application currently being processed by the staff of the State Lands Commission.

This document is attached for your review. Comments should be addressed to the State Lands Commission office shown above with attention to the undersigned. All comments must be received by March 17 , 1995.

The Negative Declaration will be considered for adoption at a meeting of the State Lands Commission no earlier than March 17, 1995. You will be notified of the date and location at least 10 days prior to the meeting.

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

Judy Brown

JUDY BROWN
Division of Environmental
Planning and Management

Attachment

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STATE OF CALIFORNIA

PETE WILSON, *Governor*

STATE LANDS COMMISSION

GRAY DAVIS, *Lieutenant Governor*
KATHLEEN CONNELL, *Controller*
RUSSELL S. GOULD, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814-7187

ROBERT C. HIGHT
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: W 24529

ND 665

Project Title: Hoefler Pier Reconstruction/Relocation

Proponent: Walt S. Hoefler - c/o Vail Engineering Corporation

Project Location: 8349 Meeks Bay Avenue, APN: 16-081-06, Lake Tahoe, El Dorado County

Project Description: Remove an existing 35' wooden pier, side ladders and davit; realign and reconstruct a 35' pier with wooden deck and steel pilings; construct a steel stairway in lieu of a catwalk; replace the davit with a new low-level boatlift. Construction access will occur from the lake side of the pier using a rubber-tired barge with pile driver.

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:

/____/ this 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 24529

I. BACKGROUND INFORMATION

A. Applicant:

WALT S. HOEFLER C/O VAIL ENGINEERING CORP

PO BOX 879

TAHOE CITY CA 96145

B. Checklist Date: 01 / 23 / 95

C. Contact Person: JUDY BROWN

Telephone: (916) 324-4715

D. Purpose: PROPOSED PIER AND BOATLIFT RECONSTRUCTION; RETENTION OF ONE EXISTING MOORING BUOY

E. Location: APN: 16 - 081 - 06; 8349 MEEKS BAY AVENUE, LAKE TAHOE, EL DORADO COUNTY

F. Description: REMOVE AN EXISTING WOODEN 35' PIER, SIDE LADDERS AND DAVIT; REALIGN AND RECONSTRUCT A 35' PIER TO CONFORM TO USACOE LOT LINE PROJECTION SETBACKS; CONSTRUCT A STEEL STAIRWAY ON THE SW SIDE OF THE PIERHEAD IN LIEU OF A CATWALK; REPLACE THE DAVIT WITH A NEW LOW-LEVEL BOATLIFT.

G. Persons Contacted:

COLEEN SHADE TAHOE REGIONAL PLANNING AGENCY

JIM LAWRENCE TAHOE REGIONAL PLANNING AGENCY

MARK ZUMSTEG CALIFORNIA 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, inlet, or lake?			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	No
B. Air. Will the proposal result in:			
1. Substantial air emissions or deterioration of ambient air quality?	___	___	X
2. The creation of objectional odors?	___	___	X
3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	___	___	X
C. Water. Will the proposal result in:			
1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters?	___	___	X
2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?	___	___	X
3. Alterations to the course or flow of flood waters?	___	___	X
4. Change in the amount of surface water in any water body?	___	___	X
5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	___	___	X
6. Alteration of the direct on or rate of flow of ground waters?	___	___	X
7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	___	___	X
8. Substantial reduction in the amount of water otherwise available for public water supplies?	___	___	X
9. Exposure of people or property to water-related hazards such as flooding or tidal waves?	___	___	X
10. Significant changes in the temperature, flow or chemical content of surface thermal springs?	___	___	X
D. Plant Life. Will the proposal result in:			
1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	___	___	X
2. Reduction of the numbers of any unique, rare or endangered species of plants?	___	___	X
3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	___	___	X
4. Reduction in acreage of any agricultural crop?	___	___	X
E. Animal Life. Will the proposal result in:			
1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?	___	___	X
2. Reduction of the numbers of any unique, rare or endangered species of animals?	___	___	X
3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	___	___	X
4. Deterioration to existing fish or wildlife habitat?	___	___	X
F. Noise. Will the proposal result in:			
1. Increase in existing noise levels?	___	___	X
2. Exposure of people to severe noise levels?	___	___	X
G. Light and Glare. Will the proposal result in:			
1. The production of new light or glare?	___	___	X
H. Land Use. Will the proposal result in:			
1. A substantial alteration of the present or planned land use of an area?	___	___	X
I. Natural Resources. Will the proposal result in:			
1. Increase in the rate of use of any natural resources?	___	___	X
2. Substantial depletion of any nonrenewable resources?	___	___	X

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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 heath hazards?	—	—	X
R. Aesthetics. Will the proposal result in:			
1. The obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	—	—	X

	Yes	Maybe	No
S. **Recreation.** Will the proposal result in:			
1. An impact upon the quality or quantity of existing recreational opportunities?	___	___	X
T. **Cultural Resources**			
1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?	___	___	X
2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?	___	___	X
3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	___	___	X
4. Will the proposal restrict existing religious or sacred uses within the potential impact area?	___	___	X
U. **Mandatory Findings of Significance.**			
1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	___	___	X
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	___	___	X
3. Does the project have impacts which are individually limited, but cumulatively considerable?	___	___	X
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	___	___	X

III. DISCUSSION OF ENVIRONMENTAL EVALUATION *(See Comments Attached)*

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

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

X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.

___ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date: 02/07/95

For the State Lands Commission
JUDY BROWN

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Form 13.20 (7/82)

PROJECT DESCRIPTION

Applicant proposes to remove, relocate and reconstruct an existing 35' recreational pier. A steel stairway will be constructed on the SW side of the pierhead in lieu of a catwalk. The existing davit will be replaced with a new low-level boat lift. The project will be removed and reconstructed as indicated in Attachment A, project narrative and construction method.

Removal and reconstruction will be accomplished using a rubber-tired barge with a pile driver. Caissons or sleeves will be used while pile driving. Anchorage of the barge will be to the existing structure and/or by lake anchors to ensure adequate stabilization of barge. If low water exists at the time of reconstruction, barge access and construction activity would occur within the width of the proposed pier plus the width of the barge.

All construction wastes will be collected onto the barge and disposed at an approved location. Small boats and tarps will be used under construction areas in order to prevent discharge of materials into lake waters.

The pier and buoy are proposed to be permitted by the State Lands Commission. The mooring buoy is represented by the applicant as an existing project which has been in place prior to enactment of CEQA. The mooring buoy has been acknowledged by TRPA, see Attachment E.

ENVIRONMENTAL SETTING

The proposed project is located in Meeks Bay, El Dorado County (APN: 16-081-06), lakeward of 8349 Meeks Bay Avenue, Lake Tahoe. The upland terrain from the pier to the residence is a steep bluff, see Attachment C.

The pier to be removed and reconstructed is supported by piling driven into the lakebed substrate which consists of boulders, see Attachments C and D. The substrate of the project site was site verified by TRPA staff and characterized as "prime fish habitat", Attachment "F".

The projected site was checked within the TRPA 1993 Shorezone Inventory to ascertain if the project was capable of supporting the California-listed plant species, Tahoe Yellow Cress. The database indicated that the project site did not contain nor was the substrate capable of supporting Tahoe Yellow Cress.

There are seven or more recreational piers located to the north of this project and approximately three to four recreational piers located to the south of this project. The piers mentioned are on successively adjacent parcels and are comparative in length to this project.

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III. DISCUSSION OF ENVIRONMENTAL EVALUATION HOEFLER PIER RELOCATION/RECONSTRUCTION

A. Earth

1. Stability, Geologic Substructures

This project involves complete removal and realignment of the existing wooden piles and recreational pier structure and replacement with steel piles, wooden decking and a steel stairway. During placement of new steel piles, concrete footings may be used in lieu of driving the piles into the substrate to stabilize the pier structure where pilings cannot be driven due to the number of boulders in the area. No significant impacts have been identified.

2. Compaction, Overcovering of the Soil

As discussed in A.1., above, old wooden pilings will be removed and new steel pilings will be placed. The proposed alignment of the pier will coincide with TRPA and United States Army Corps of Engineers setback requirements. The substrate area to be covered by the reconstructed pier would be new, but the size of structure and amount of area to be covered would be equivalent to that occupied by the previous pier structure. No significant impacts have been identified.

3. Topography

There are no known changes to the ground surface to accomplish this project. No impacts have been identified.

4. Geologic Features

The lake bed substrate at the project location is comprised of large boulders. Concrete footings may be used during placement of the new pilings if pilings cannot be driven due to the existence of boulders. No significant impacts have been identified.

5. Wind, Water Erosion of Soils

Access to perform the reconstruction work will be achieved from the lake side of the project by a rubber-tired barge. Access to the pier from the upland bluff-top residence is via an existing steep foot path. The proposed project which includes realignment and reconstruction of the existing recreational pier would not have an impact to erosion or depositional processes which would normally occur in a boulder substrate. The project is located within the body of the lake. No stream inlets are present within the project

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influence area. No significant impacts have been identified.

6. Erosion, Deposition

No significant impacts are anticipated, refer to discussion in A.5., above.

7. Geologic Hazards

There are no known geologic hazards at or near the project site. No significant impacts are anticipated.

B. Air

1. Emissions/Deterioration

This project would involve the use of a barge and pile driver. The amphibious watercraft will access the site from the lake side of the project. Some emissions will result from the construction equipment. This impact will be minor and temporary, lasting during the repair activity which may take several weeks. Continued operation of the applicant's boat for the use of the pier and buoy would be a minor contribution to the cumulative air emissions within the Lake Tahoe Basin. The California Environmental Protection Agency has been evaluating air emissions from boat engines and is taking steps to minimize air emissions from boat usage. No significant impacts are anticipated from this proposed project.

2. Objectionable Odors

This project does not propose the use of any hazardous materials for the reconstruction of the existing pier. Some odors will be experienced from emissions of the waterborne vessel and equipment used to drive the piles. The pile driving activity is anticipated to take approximately ten working days. Continued use of the pier and buoy would create some odors as boats arrive and leave. The existing and proposed use of this pier and buoy is for the applicant only. No commercial activity is proposed at the project site. The impacts are considered to be insignificant.

3. Air Movement, Moisture, Temperature, Climate

This project does not propose the placement of any structure which would affect the air movement, moisture or temperature, or any change in climate, locally or regionally. No significant impacts would occur.

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C. Water

1. Currents, Water Movements

This project does not propose any new intake or to discharge any fluids or materials into the lake waters.

2. Absorption, Drainage, Runoff

This project does not propose the construction or placement of any new impervious structures. No significant impacts to drainage or runoff would result from this project.

3. Flood Waters

The pier is located within the body of Lake Tahoe. The proposed reconstruction activity would not have a significant impact upon the lake water elevation. The pier is of open piling design with support pilings and/or footing placed into/on the lakebed substrate. No significant impacts have been identified.

4. Surface Water

No significant impacts have been identified as discussed in C.3., above.

5. Discharge, Dissolved Oxygen

This project would cause minimal turbidity to lake waters during the removal of the existing wooden piling and placement of new steel piling. Specific water quality measures proposed include:

a) Use of caisssons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement;

b) Placement of a boat and/or tarp under the construction area to prevent debris from enter the lake waters;

c) Collection of waste materials onto the barge and disposed at an approved site.

Continued use of the mooring buoy would not significantly affect the water quality of Lake Tahoe.

6. Flow of Ground Waters

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New steel pilings would replace the existing wooden pilings. The pilings would be driven into the lake bed a minimum of 6' or to the point of refusal and/or concrete footings will be used as necessary where boulders prevent pile driving. The pier is located within the body of Lake Tahoe. Reconstruction activity would not affect the flow of ground water. The existing mooring buoy anchor rests on the lake bottom and would also not affect flows of ground water. No significant impacts have been identified.

7. Quantity of Ground Waters

This project does not propose to extract or use existing ground water; therefore, there would be no impact on ground water quantity.

8. Reduction of Public Water Supplies

This project does not propose the extraction, use or contamination of water used for an existing public water supply. No impacts have been identified.

9. Water-Related Hazards

The proposed project involves the total reconstruction and realignment of an existing recreational pier. No expansion is proposed which could be determined to be a water-related hazard. Other piers exist within the vicinity with comparable length. The existing mooring buoy has been in place for a number of years and has been acknowledged by TRPA. No significant impacts have been identified.

10. Temperature, Flow or Chemical Content

There are no known thermal springs in the vicinity of this project; therefore no impact is anticipated.

D. Plant Life

1. Diversity of Species

The proposed lakebed disturbance for the total reconstruction and realignment of this pier will occur from approximately elevation 6234 lakeward, which is above the high water elevation of Lake Tahoe. The lake bed substrate is primarily boulders. The wooden pilings to be removed may have served as substrate for a now established sessile plant population. Replacement of the pilings will cause a minor population loss of aquatic plants at the site.

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Placement of the new steel pilings could furnish new substrate for sessile aquatic plants. This impact would be minimal as the site is dominated by boulders and can furnish habitat for sessile aquatic plants.

2. Endangered Species

The proposed area of lake bed disturbance will occur from lake elevation 6233' lakeward. According to the 1993 Tahoe Regional Planning Agency shoreline survey, the project site does not contain habitat suitable to support the California-listed Tahoe Yellow Cress, an endangered plant species. The project site contains predominantly small boulders 1-3 feet in diameter with some 5' or more. Access to the site to conduct the reconstruction activity will take place from the lakeside of the pier by an amphibious rubber-tired barge with pile driver. No materials will be stored on the lake bed between elevation 6223' and elevation 6229' LTD. There would be no impacts to endangered species resulting from this project.

3. Introduction of Plants

Removal of the old wooden pilings may disturb sessile aquatic plants growing on them. New steel pilings will provide additional area for sessile aquatic plants to populate. The project is located in an area containing mostly small boulders which can provide a great amount of habitat for sessile aquatic plants. The mooring buoy anchor rests on the lake bottom. No significant impacts have been identified.

4. Reduction of Agricultural Crops

The pier and mooring buoy are located within the body of Lake Tahoe. No agriculture or aquaculture activities are conducted in this area. There would be no impact.

E. Animal Life

1. Animal Species Diversity

The proposed project is located in prime fish habitat according to TRPA staff site verification.

Replacement of the existing pier pilings could affect access to the lake bottom by burrowing organisms. Replacement of the existing pilings could impact fish and benthic organisms which were attracted to the pilings for grazing and shelter. Construction activity may be limited by the California Department of Fish and

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Game through issuance of a Streambed Alteration Agreement required to be obtained by the applicant for the conduct of this project.

TRPA has conditioned the use of the mooring buoy to be seasonally used between May 2 and October 14 of each year.

No significant impacts have been identified.

2. Rare Species

This lakebed substrate at the project site is predominantly small to large boulders. Timing of the construction activity for this project within a fish habitat area may be limited by the California Department of Fish and Game through issuance of the Streambed Alteration Agreement required to be obtained by the applicant prior to construction. No significant impacts have been identified.

3. New Species

This project does not propose the introduction of any new animal species into Lake Tahoe. There would be no impacts in this issue area.

4. Habitat Deterioration

The reconstruction activity would cause a temporary disturbance to fish habitat during the driving of new steel piling. The project area is located in a fish feeding and escape cover habitat. Timing of construction may be limited by the California Department of Fish and Game through issuance of the Streambed Alteration Agreement, required to be obtained by the applicant prior to construction. Continued use of the pier once reconstructed should not have any detrimental impact upon existing fish habitat. Continued use of the mooring buoy float and anchor, now to be seasonal use, should not have a significant impact upon fish habitat. No significant impacts have been identified.

F. Noise

1. Noise Increases

The proposed project would cause periodic, moderate increases to existing noise levels during the driving of steel pilings. Noise from pile driving activity may occur during work days for two to three weeks. Periodic intermittent increases in noise levels may be experienced during the continued use of the recreational pier for recreational boating. These impacts would be considered temporary, and

insignificant.

2. Severe Noise

Noise from pile driving activity may expose persons within the vicinity to periodic episodes of extreme noise levels. These noise increases may last seconds or minutes in duration. These brief occurrences are not considered to be significant impacts, as they are exempted under the Noise Limitations standards set forth in TRPA Code of Ordinances when TRPA has issued a construction permit; however, the temporary construction activity must take place between 8:00 a.m. and 6:30 p.m.. Periodic, brief increases to the existing noise levels would occur adjacent to the recreational pier and mooring buoy when motorized boat engines are used. Noise standards are monitored and enforced through TRPA ordinances. No significant impacts have been identified.

G. Light and Glare

1. New light or glare

The proposed project would be constructed during the hours of 8:00 a.m. to 6:30 p.m. No lighting for construction activity has been proposed. Colors proposed for the placement of the steel pilings, steel walkway and low-level boat lift must be of earth-tone color, and will be approved through compliance with TRPA permit conditions. No significant impacts have been identified.

H. Land Use

1. Alteration of the Present or Planned Land Use

This project does not propose new land uses at this location which would alter local use patterns. The pier to be reconstructed and relocated is proposed to be replaced within appropriate setbacks within the water influence area of the applicant's upland littoral property. No expansion of the pier is proposed. No significant impacts have been identified.

I. Natural Resources

1-2. Rate of Use of Natural Resources/ Depletion of Nonrenewable Resources

The proposed reconstruction of the existing recreational pier and continued

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seasonal use of the mooring buoy would not increase the rate of use of any natural resource, or loss of non-renewable resources. The pier would continue to be used for private recreational use of the applicant. No new facilities are proposed which would have a significant impact on the use of natural resources.

J. Risk of Upset

1. Explosion

Risk of explosion of fuel could occur during reconstruction of the pier or boat usage of the mooring buoy; however, TRPA permit conditions provide precautions to minimize this possibility. Such precautions include: no discharge of petroleum products into the Lake and, no containers of fuel, paint or hazardous materials may be stored on the pier. No significant impacts have been identified.

2. Emergency Response Plan

The recreational pier has existed at this location for many years. The proposed reconstruction and realignment of this pier does not include any extensions or modification to the dimensions of the pier which would interfere with any existing emergency response plan for this area. The mooring buoy is located approximately 80 feet from the end of the recreational pier and a distance of approximately 20 feet beyond the identified TRPA pierhead line. TRPA has acknowledged the mooring buoy as an existing facility, and has permitted its use to be seasonal between May and October. No significant impacts have been identified.

K. Population

1. Alteration, Distribution, Density, or Growth Rate

The proposed project is a replacement and realignment of an existing facility which is an accessory use to the existing upland residence. There would be no live-aboard vessels or increases in local population resulting from this project.

L. Housing

1. Affect Existing Housing/Demand for Additional Housing

The proposed project would not have any effects in this issue area. As indicated in K.1., above, it is an accessory use to the existing upland residence, and it is used for private recreational purposes of the applicant. No significant impacts have

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been identified.

M. Transportation/Circulation

1. Vehicular Movement

The project site will be accessed from the lake for reconstruction of the pier; therefore, there would be no additional vehicular movement within the project area to conduct this project. No new vehicular movement is anticipated for the continued use of the recreational pier, as no new capacity nor change in use is proposed. No significant impacts have been identified.

2. Parking

No new parking is proposed or required to conduct the proposed reconstruction activity. Parking is available for the applicant's use at the upland residence. No significant impacts have been identified.

3. Transportation Systems

No significant impacts have been identified, refer to discussion in M.1., above.

4. Circulation

The recreational pier would be removed, realigned and reconstructed with the same dimensions as the previous pier. Realignment is proposed to bring the pier location more into conformance with TRPA placement standards. Construction access will be obtained from the lake side of the pier. There would be no new impacts to the circulation or movement of people and/or goods. The existing mooring buoy will be used seasonally as indicated by TRPA permit #940299.

5. Traffic

Construction traffic will be minimized through lakeside access to reconstruct the pier. No new impacts are anticipated to waterborne traffic, as the realignment of the pier has been determined to be adequate and thus the TRPA permit has been issued. Please refer to attachment "D", showing 40' to the adjacent pier to the north and 60' to the adjacent pier to the south from the proposed pier's center line. No significant impacts have been identified.

6. Hazards

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The proposed repair activity and access to the pier site would occur in the body of the Lake, therefore, no impacts to motor vehicles, bicyclists or pedestrians would occur. Continued use of the pier and mooring buoy within the body of the Lake would create no new impacts to this issue area.

N. Public Services

1.-6. Fire, Police, Schools, Parks, Public Facilities, Other Governmental Services

The proposed reconstruction of an existing recreational pier would occur within the same water influence area and include the same dimensions. Continued use of the pier and mooring buoy would not have a new effect on public services. No new facilities are proposed which would have a significant impact upon any of these issue areas.

O. Energy

1. Use

Minor amounts of fuel and electrical power would be required to conduct the reconstruction of the existing pier. These impacts would be temporary, lasting several weeks. Continued use of the existing pier and mooring buoy would not create a significant demand upon the existing sources of energy or require the development of new sources of energy.

2. Demand

As discussed in O.1., above, no significant impacts have been identified.

P. Utilities

1.-6. Power, Communication Systems, Water, Sewer, Storm Drainage, Solid Waste

The proposed reconstruction of the existing pier and retention of the mooring buoy would not significantly increase these issue areas. There is an existing residential dwelling located on the blufftop of the littoral property from which the pier presently extends. All needed services are provided for the residential dwelling. No significant features are proposed which would require a change to the existing utility systems.

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Q. Human Health

1.-2. Creation/Exposure to Health Hazard

Reconstruction of the existing recreational pier is needed in order to maintain a safe structure for the use of the applicant. All materials used are conditioned and enforced by TRPA and CDFG ordinances and regulations. Construction materials have been described in Project Description preceding environmental issue discussion. No significant impacts have been identified.

R. Aesthetics

The reconstruction activity will occur within the shoreline area where other similarly sized recreational piers occur with similar features and design. Colors to be used for the pier, stairway and boatlift will be regulated by the conditional TRPA permit requiring earth-toned colors that blend rather than contrast with the surrounding environment. No new significant impacts to the scenic view have been identified. Use of the mooring buoy has been conditioned by the TRPA permit to require seasonal use between May and October of each year. This condition may improve the visual appearance of this water influence area.

S. Recreation

Reconstruction of the existing recreational pier would occur totally within the water influence area of the applicant's littoral property. This should not impact adjacent recreational uses within the shoreline area. The existing mooring buoy has been acknowledged as an existing facility by TRPA (refer to Attachment E) and conditioned by TRPA for seasonal use as indicated in R., above. The pier to be reconstructed will remain the same length. No significant impacts have been identified.

T. Cultural Resources

1.4. Prehistoric/Archaeological Sites

The proposed pier repair activity will occur from approximately elevation 6233' waterward of the low water elevation 6223' (LTD). There are no known archaeological or ethnic sites at this location. Impacts to the lakebed anticipated from this proposed reconstruction activity are minor and would not require excavation of earth materials. The mooring buoy anchor rests on the lake bottom. No significant impacts are anticipated to prehistoric or archaeological features.

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U. Mandatory Findings of Significance

1. Degradation of the Environment

The pier to be reconstructed is located in a fish habitat area designated by TRPA to be feed and escape cover. The proposed repair activity may be limited as appropriate by the California Department of Fish and Game through issuance of the Streambed Alteration Agreement, required to be obtained by the applicant. The mooring buoy use has been conditioned by TRPA to be seasonal use between May and October of each year. No significant impacts have been identified.

2. Environmental Goals

The impacts which would be caused by the pier reconstruction/realignment and retention of the mooring buoy would be minimized as a result of the incorporation of project modifications such as: accessing the site from the lake side for pile driving; placing tarps or small boats under the construction area to prevent debris from entering the lake; using caissons or steel sleeves to prevent the resuspension of sediments during the pile driving activity; conducting the repair work in accordance with the CDFG Streambed Alteration Agreement; and seasonal use of the mooring buoy. It does not appear that environmental goals would be jeopardized by this proposed project.

3. Cumulative Impacts

The proposed reconstruction activity and retention of the pier and mooring buoy would not create any significant impacts as indicated in environmental issue areas described above.

4. Adverse Impacts

The proposed pier reconstruction activity and retention of the mooring buoy would not produce any significant adverse effects to human beings or the environment as discussed in the environmental issue areas above. In addition, this project will be monitored by the staff of the Tahoe Regional Planning Agency and the State Lands Commission to ensure project modifications are implemented.

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MONITORING PROGRAM W24529
HOEFLER PIER RECONSTRUCTION
8349 Meeks Bay Avenue
APN: 16-081-06, El Dorado County

1. Impact: The proposed repair activity will occur within designated fish habitat and may disturb it.

Project Modification:

The construction activity will be limited to the period July 1 - October 15, as designated by the California Department of Fish and Game through issuance of a Streambed Alteration Agreement. If disturbed sediments are found at the end of the reconstruction activity, the affected areas will be hand rolled and/or rock cobble will be hand picked in order to reconsolidate the shoreline/lakebottom sediments.

Project Monitoring:

Staff of the State Lands Commission, or its designated representative, will be notified prior to the start of construction and will inspect the project site periodically, coordinate this activity with other responsible agencies, and upon conclusion of the project, ensure project modifications are and have been implemented.

2. Impact: Access to the pier site is via a steep upland bluff and may therefore disturb the soils and vegetation during repair activities.

Project Modfiication:

The pier site will be accessed from the water via an amphibious barge with pile driver. No storage of equipment or materials is proposed on the beach. All storage of materials will be on the existing structure or on the barge.

Project Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically monitor the project site and coordinate with other responsible agencies to ensure project modifications are implemented.

3. Impact: The proposed repair activity may have the potential to create a discharge into lake waters affecting the water quality of the lake.

Project Modification: During the proposed repair activity, tarps or small boats will be placed under the construction area to prevenet debris from entering the lake. Caissons or steel sleeves will be used to prevent the resuspension of sediments during the driving of piles.

Project Monitoring: Staff of the State Lands Commission, or its designated representative, will periodically monitor the project site and coordinate with other responsible agencies to ensure project modifications are implemented.

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ATTACHMENT "A"

W.O. 7125.38Z

RE: PIER MODIFICATION/BOATLIFT - HOEFLER PROPERTY
EL DORADO COUNTY APN: 16-081-06

PROJECT NARRATIVE

The project involves removing an existing non-conforming pier and realigning, reconstructing, and modifying it to conform with agency standards. No increase in size or height is being proposed for this pier. The reconstruction will utilize steel piles and beams, wood joists and decking. A steel stairway into the lake is proposed in lieu of a catwalk to facilitate boat access from the end of the pier as large boulders along the shoreline prohibit access along the south side of the pier. The davit will be removed and a low level boatlift installed. Construction will incorporate measures to enhance scenic quality along this portion of the lake (see submittal drawings).

CONSTRUCTION METHOD

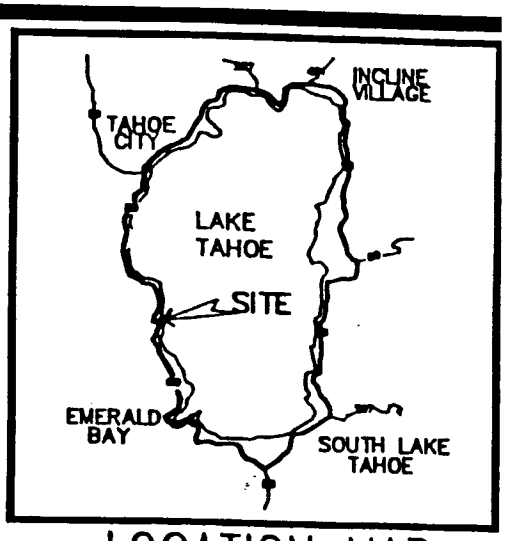
The demolition and construction activity associated with this pier is to be performed by a rubber-tired barge with a pile driver. Caissons or sleeves will be used if sediment is resuspended while pile driving. Anchorage of the barge will be to the existing structure and/or by lake anchors to ensure adequate 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.

NOTES:
THIS PIER IS PROPOSED TO BE BROUGHT INTO CONFORMANCE WITH THE AGENCY REQUIREMENTS.

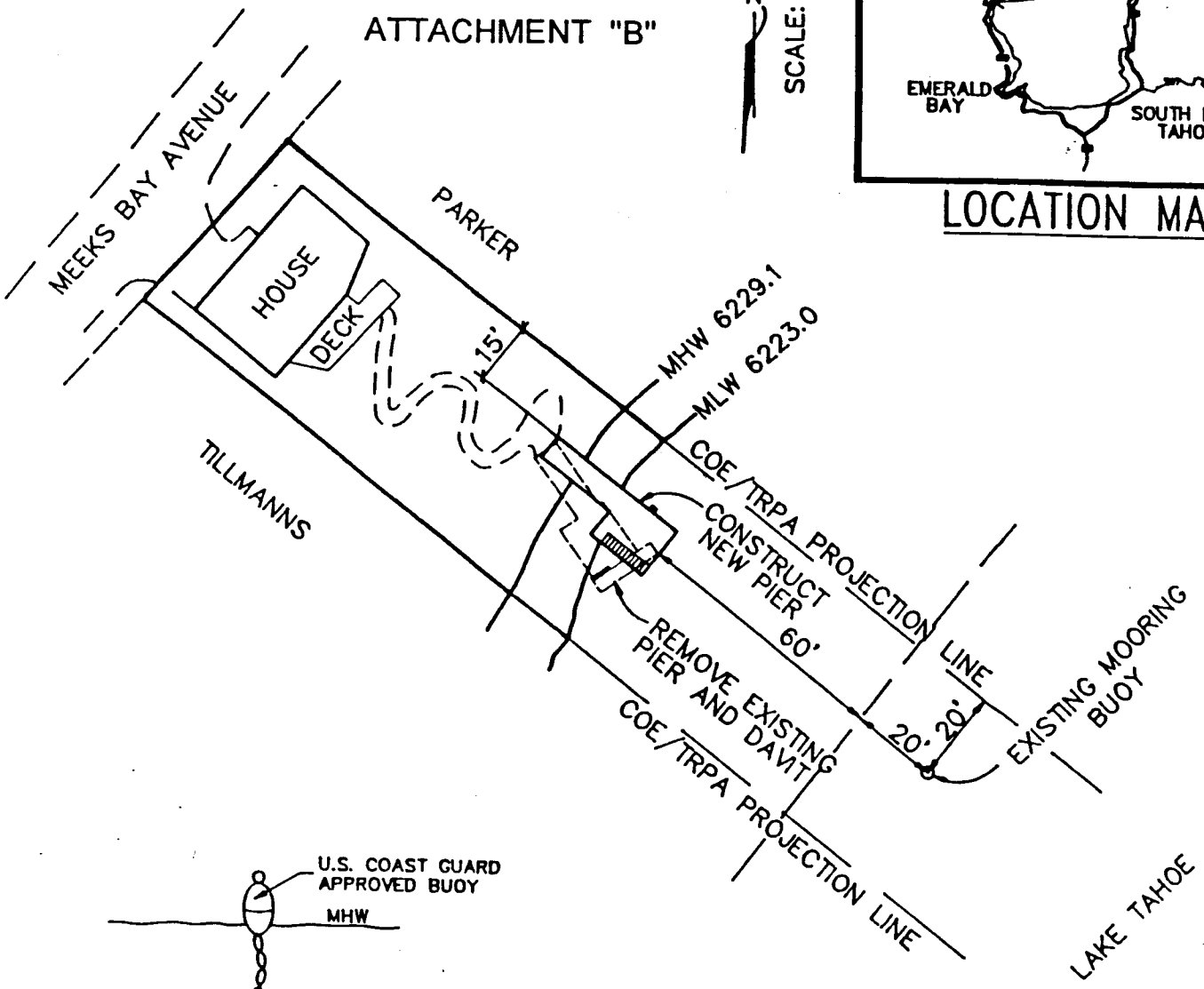
THIS DRAWING IS FOR PERMIT PURPOSES ONLY AND SHALL NOT BE USED FOR A CONSTRUCTION DOCUMENT.

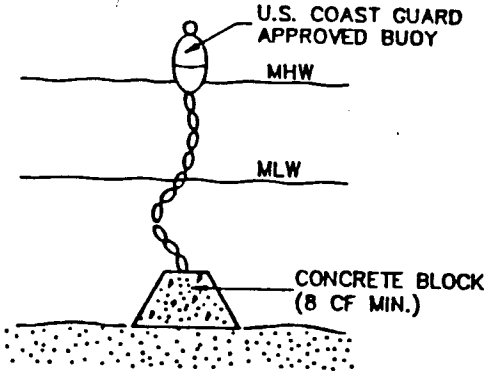
ATTACHMENT "B"

SCALE: 1"=40'



LOCATION MAP





BUOY DETAIL
N.T.S.

PIER MODIFICATION/BOATLIFT
HOEFLER PROPERTY

8349 MEEKS BAY AVENUE
EL DORADO COUNTY, CALIFORNIA
APN: 16-081-08
DECEMBER 1993

ADJOINING PROPERTIES
NORTH APN: 16-081-39
SOUTH APN: 16-081-07

REVISED

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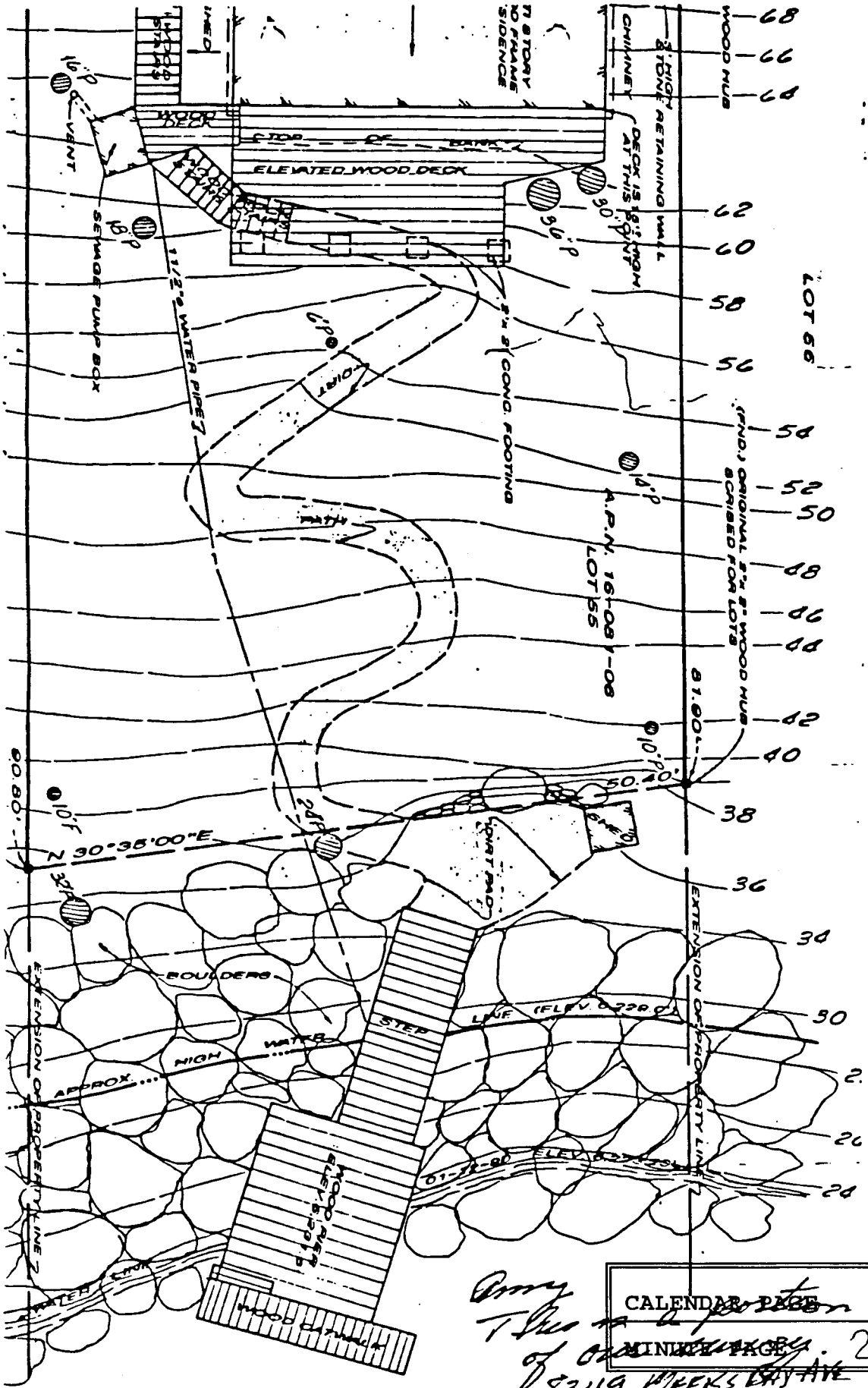
TAHOE CITY, CALIFORNIA (916) 583-3417

SHEET 1 OF 2

W.O. 7125.387

ATTACHMENT "C"



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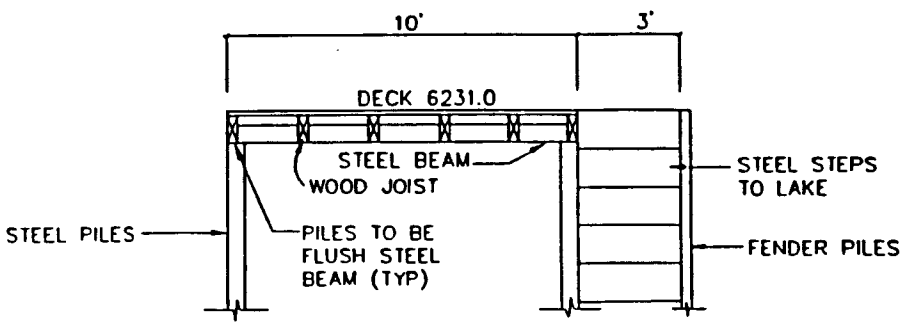
8349 Meeks Bay Ave
APN 016-081-061

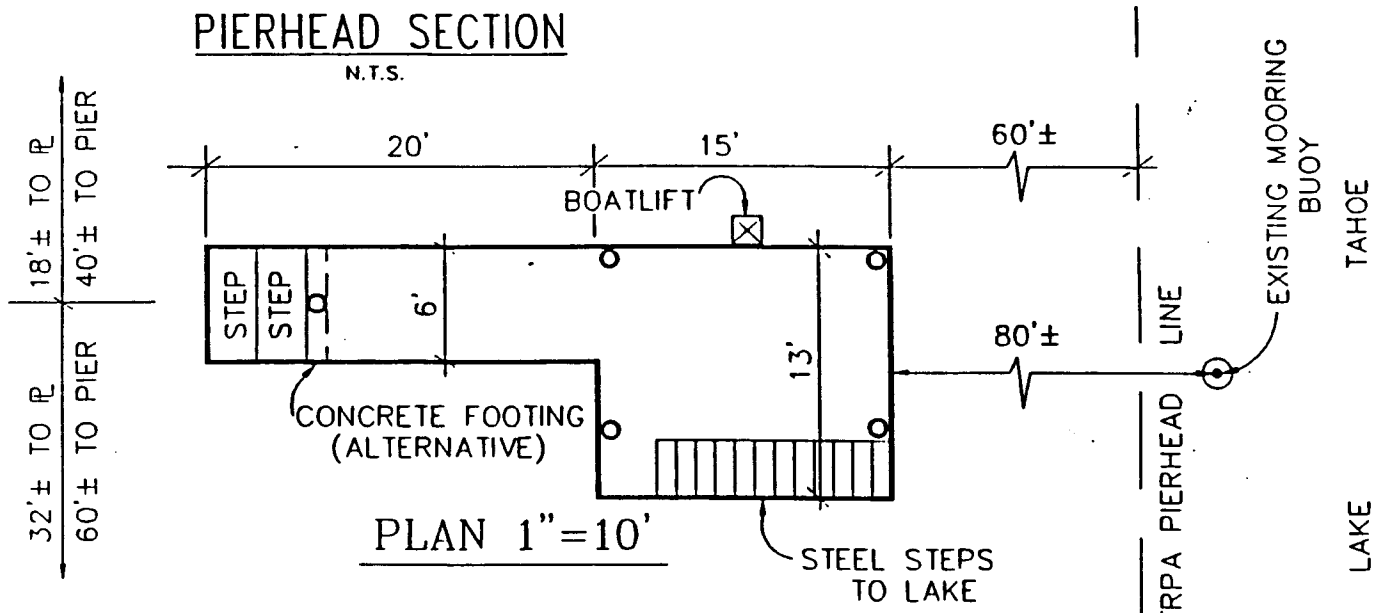
ATTACHMENT "D"



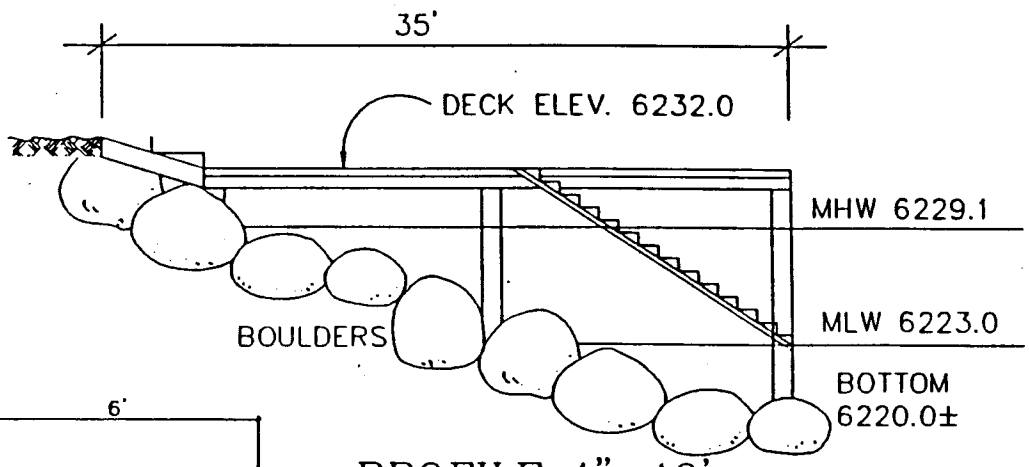
PIERHEAD SECTION
N.T.S.

NOTES:
THIS DRAWING IS FOR PERMIT PURPOSES ONLY AND SHALL NOT BE USED FOR A CONSTRUCTION DOCUMENT.

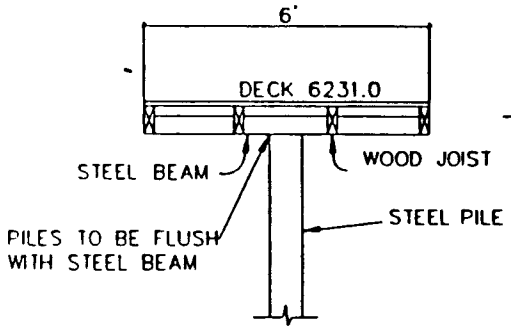
SHOULD FIELD CONDITIONS PREVENT THE LANDWARD PILING TO BE DRIVEN OR PINNED, A CONCRETE FOOTING MAY BE USED AS AN ALTERNATIVE METHOD.



PLAN 1"=10'



PROFILE 1"=10'



WALKWAY SECTION
N.T.S.

PIER MODIFICATION/BOATLIFT
HOEFLER PROPERTY

8349 MEEKS BAY AVENUE
EL DORADO COUNTY, CALIFORNIA
APN: 16-081-06

DECEMBER 1993
CALENDAR PAGE 112.27
ENGINEERING
ROUTE PAGE 2689

VAIL
TAHOE CITY, CALIFORNIA (916) 583-3417

ADJOINING PROPERTIES
NORTH APN 16-081-39
SOUTH APN 16-081-07

REVISED

W.O. 7125.38Z

TAHOE REGIONAL PLANNING AGENCY

P O Box 1038
Zephyr Cove, Nevada 89448-1038

308 Dorla Court
Elks Point, Nevada

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

ATTACHMENT "E"

July 19, 1993

Mr. Lee Roessler
P.O. Box 5848
Tahoe City, CA 96145

Subject: Acknowledgement of one existing buoy, APN 016-081-061, El Dorado County

Dear Mr. Roessler:

Based on evidence found in aerial photos, Tahoe Regional Planning Agency (TRPA) has been able to determine that one buoy did exist prior to the adoption date of the TRPA shorezone Ordinances (27 May 1976).

This letter officially acknowledges the one existing buoy for APN 16-081-06. There is no need for the owner to pursue a TRPA permit in addition to this acknowledgement. We do request, as a part of this acknowledgement, that the buoy be removed at the end of each boating season. Keep in mind that any relocation of buoy require a permit.

Please do not hesitate to call me if you have any questions regarding this matter.

Sincerely,

Jim Lawrence
Associate Planner
Project Review Division

cc: Judy Ludlow, California State Lands Commission
Ron Perrault, California State Fish and Game Department
Brad Hubbard, U.S. Army Corps of Engineers

W24529

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TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

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

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

RECEIVED
APR 15 1994
TAHOE REGIONAL PLANNING AGENCY

RECEIVED
JUL 15 1994

FISH HABITAT VERIFICATION REQUEST FORM
(IMPACT DETERMINATIONS)

ATTACHMENT "F"

Name: HOEFLER PIER PROJECT, c/o VAIL ENGINEERING, ATTN: TOD CARR

Mailing Address: P.O. BOX 879 City: TAHOE CITY

State: CA Zip: 96145 Phone: 916/583-3411

LOCATION OF FIELD CHECK

Assessor's Parcel Number: 16-081-06 County: EL DORADO

Street and #: 8349 MEEKS BAY AVE.

Lot #: 55 Subdivision: MEEKS BAY VISTA

Description of site (color of structure, distinguishing features, landmarks, etc): OLD WOODEN PIER WITH EXISTING BOAT HOIST LOCATED ON PIERHEAD.

Describe how lot can be recognized from off-shore in a boat: STEEP, ROCKY SHORELINE. ACCESS PATH MEANDERS THROUGH BACKSHORE SHRUB.

NOTE: PLEASE PROVIDE A WRITTEN PROJECT DESCRIPTION AND PROJECT SITE PLAN. Field verifications cost $50.00 and can only be performed when the shoreline is accessible either by land or by boat. Lots which are difficult to locate (i.e., no adjacent development, no natural landmarks, large lots, etc.) must have corners staked and identified. TRPA staff must have access to the lot.

Date 4/14/94 Signature of Property Owner or Authorized Agent

FOR OFFICE USE ONLY Need $50

Date Received 4/15/94 Fee 110 Receipt # 3393 Pd 4/20/94

Fish Habitat Classification Spawning See Comments

Date of Field Check 7-8-94 By COLLEEN SHADE and CINDY LAWRENCE

Comments Verified as Prime fish habitat. However, proposed project is not increasing pier footprint, therefore, there will be no additional impacts to the fisheries habitat. Any permit issued for the relocation/reconstruction should condition that no manipulation of the fish habitat (the boulders) shall occur.

✓ EA Not Required ___ EA Required ___ EIS Required

9/26/89
FORMS: Impact Determinations

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