

MINUTE ITEM

This Calendar Item No. 28
was approved as Minute Item
No. 28 by the State Lands
Commission by a vote of 3
to 0 at its 7/10/89
meeting.

CALENDAR ITEM

- 28

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07/10/89
PRC 7167
J. Ludlow

APPROVAL OF A RECREATIONAL PIER PERMIT

APPLICANT: James R. Barrow and Marjorie A. Barrow
865 Portola Road
Portola Valley, California 94025

AREA, TYPE LAND AND LOCATION:
A parcel of submerged land located in Lake
Tahoe at Carnelian Bay, Placer County.

LAND USE: Extension, use, and maintenance of an existing
pier.

TERMS OF PROPOSED PERMIT:
Initial period: Five-years beginning July 10,
1989.

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

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fees and processing costs have been
received.

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

MINUTE ITEM
The Calendar Item No. 28
is approved as a Minute Item
by the State Lands Commission
to show a proposed
to show a proposed

CALENDAR ITEM NO. 28 (CONT'D)

AB 884: 07/24/89.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15025), the staff has prepared a Proposed Negative Declaration identified as EIR ND 463, State Clearinghouse No. 89030615. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

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

- 2. The project to be approved is for a thirty-foot extension to an existing pier. On March 2, 1988, Calendar Item CO2, Item No. 1, the Commission approved the reconstruction of subject pier.
- 3. Construction of the new pier extension will be performed by barge with pile driver and crane and the debris will be hauled away by barge.

Materials will be neither stored or placed on, nor will any activity associated with the construction be conducted above, the low waterline of the subject property. This will prevent any disturbance to what may be considered a Tahoe Yellow Cress (Rorippa) habitat.

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4. In order to determine the other potential trust uses in the area of the proposed project, the staff contacted representatives of the following agencies: TRPA, Department of Fish and Game, County of El Dorado, and the Tahoe Conservancy. None of these agencies expressed a concern that the proposed project would have a significant effect on trust uses in the area. The agencies did not identify any trust needs which were not being met by existing facilities in the area. Identified trust uses in this area would include swimming, boating, walking along the beach, and views of the lake.
5. All permits covering structures in Lake Tahoe will include a condition subsequent that if any structure authorized is found to be in nonconformance with the Tahoe Regional Planning Agency's shorezone ordinance and if any alterations, repairs, or removal required pursuant to said ordinance are not accomplished within the designated time period, then the permit will be automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof.
6. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

Placer County, Tahoe Regional Planning Agency,
California Department of Fish and Game,
Lahontan Regional Water Quality Control Board,
and United States Army Corps of Engineers
(GPO16-10).

FURTHER APPROVALS REQUIRED: None.

- EXHIBITS:
- A. Land Description.
 - B. Location Map.
 - C. Placer County Letter of Approval.
 - D. Negative Declaration.

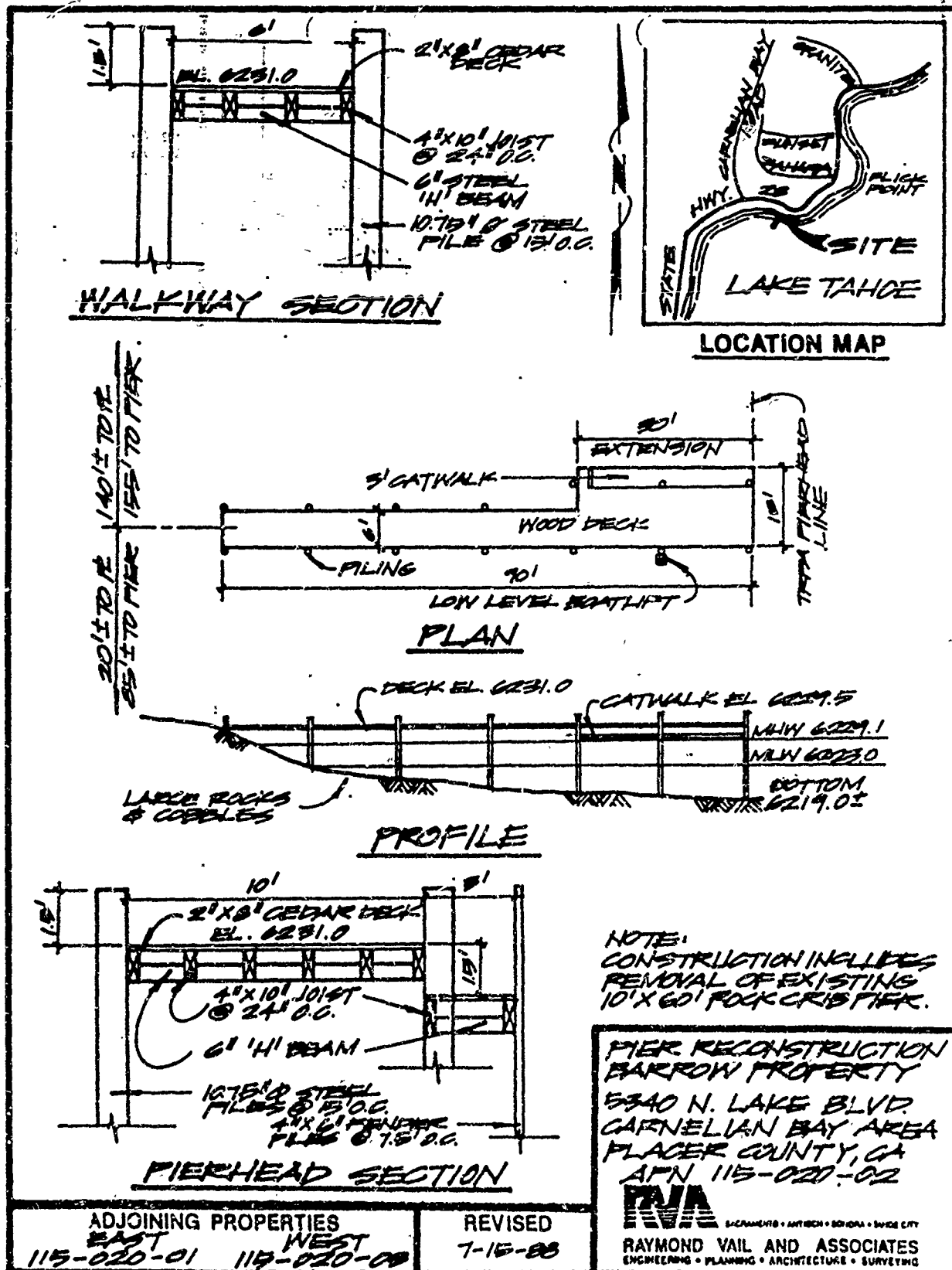
IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 463, STATE CLEARINGHOUSE NO. 89030615, 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. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE ISSUANCE TO JAMES R. BARROW AND MARJORIE A. BARROW OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING JULY 10, 1989; IN CONSIDERATION OF THE THIRTY-FOOT EXTENSION TO AN EXISTING PIER, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

PRC-7167..9

LAND DESCRIPTION



ADJOINING PROPERTIES	REVISED
EAST 115-020-01	7-15-88
WEST 115-020-02	

PREPARED JUNE 1, 1989, BY BIU-1.

NO. 7123 2001
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EXHIBIT "A"

LAND DESCRIPTION

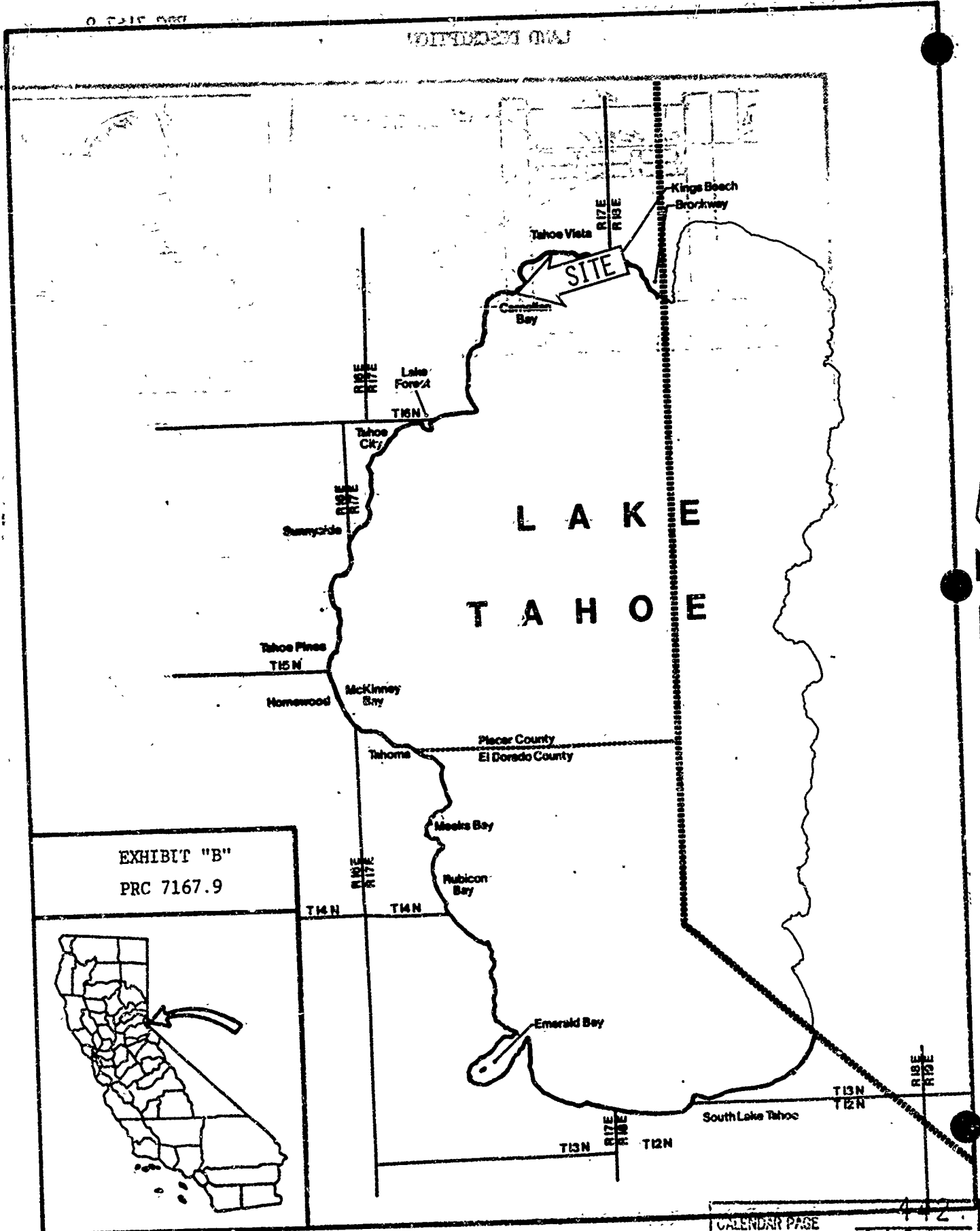


EXHIBIT "B"
PRC 7167.9



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PLACER COUNTY

DEPARTMENT OF PUBLIC WORKS

JACK WARREN, Director
JAN WITTER, Assistant Director
LARRY ODDO, Deputy Director
ALAN ROY, Deputy Director

- OPERATING DIVISION:
- Administration
 - Engineering
 - Equipment Maintenance
 - Road Maintenance
 - Special Districts
 - Surveying
 - Transportation

March 3, 1989

Judy Ludlow
California State Lands Commission
1807 - 13th Street
Sacramento, CA 95814

RE: PIER - SHOREZONE CONSTRUCTION

The County of Placer has reviewed the below referenced requests for construction activities within the Shorezone of Lake Tahoe. We have no objection to the construction activities described in the below applications contingent upon approval by your office.

- | | | |
|-----|-----------------------------|------------|
| 1. | E.S. Bertagnolli | PRC 3209.9 |
| 2. | Charlotte and Robert Angell | W 24144 |
| 3. | Sweet/Avanessian | PRC 5022 |
| 4. | Wickland | PRC 3599 |
| 5. | Lyons/Hawkins | WP 5884 |
| 6. | Mein - 83-162-28 | PRC 6714 |
| 7. | Mein - 83-162-31 | W 24134 |
| 8. | McFarland | PRC 3659 |
| 9. | Gibb | WP 3652 |
| 10. | Crabtree | W 21445 |
| 11. | English | W 1124.38 |
| 12. | Wallis | PRC 4314 |
| 13. | Metas | W 24103 |
| 14. | Barrow | PRC 7167.9 |
| 15. | Nahas | PRC 4066 |
| 16. | Hicks | W 21665 |

Should you have any questions or if I can be of further assistance, please call at your convenience.

COUNTY OF PLACER
DEPARTMENT OF PUBLIC WORKS
JACK WARREN, DIRECTOR

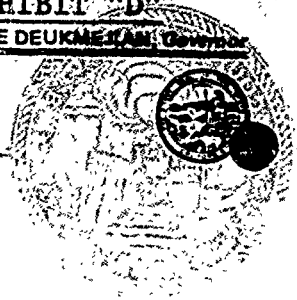
James McLeod
JAMES MCLEOD
ASSISTANT CIVIL ENGINEER

JN:ms

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STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

PLACER COUNTY



DEPARTMENT OF PUBLIC WORKS

PROPOSED NEGATIVE DECLARATION

EIR ND 463

File Ref.: PRC 7167.9

SCH#: 89030615

Project Title: Barrow Tahoe Pier
Project Proponent: James Barrow
Project Location: Lake Tahoe, Carnelian Bay, Placer County

Project Description: Removal of existing rock crib pier; construction of private recreational pier - extended by 30 feet, on steel piles, with a low level boat lift

Contact Person: Dan Cohen Telephone: (916) 324-8497

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:

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

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

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ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref. PRC 7167.9

I. BACKGROUND INFORMATION

A. Applicant: James Barrow
5340 N. Lake Blvd.
Tahoe City, CA 95730
Placer County - APN:115-020-02

B. Checklist Date: 3 / 3 / 89

C. Contact Person: Dan Cohen
Telephone: (916) 324-8497

D. Purpose: Private pier reconstruction

E. Location: Carnelian Bay, Lake Tahoe, South of Flick Point

F. Description: Remove existing rock crib pier and construct new pier
with 30-foot extension on steel piles, with a low level
boat lift.

G. Persons Contacted: TRPA; CA 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?
3. Change in topography or ground surface relief features?
4. The destruction, covering, or modification of any unique geologic or physical features?
5. Any increase in wind or water erosion of soils, either on or off the site?
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?
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, or ground failure, or similar hazards?

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B. *Air.* Will the proposal result in:

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

C. *Water.* Will the proposal result in:

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

D. *Plant Life.* Will the proposal result in:

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

E. *Animal Life.* Will the proposal result in:

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

F. *Noise.* Will the proposal result in:

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

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

- 1. The production of new light or glare?

H. *Land Use.* Will the proposal result in:

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

I. *Natural Resources.* Will the proposal result in:

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

Risk of Upset. Does the proposal result in:

Yes Maybe No

- 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?
- S. **Recreation.** Will the proposal result in:
 - 1. An impact upon the quality or quantity of existing recreational opportunities?

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T. Cultural Resources.

Yes, Maybe, No

- 1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archaeological site? Yes Maybe No
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? Yes Maybe No
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? Yes Maybe No
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area? Yes Maybe No

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? Yes Maybe No
- 2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? Yes Maybe No
- 3. Does the project have impacts which are individually limited, but cumulatively considerable? Yes Maybe No
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Yes Maybe No

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

- C.5. Pile driving activity will result in temporary, localized impact to water quality. Caissons or sleeve will be used when sediment is resuspended during pile driving. Anchorage of barge will be to existing structure. Small boats (John boats) and tarps will be placed under construction areas to provide for collection of debris, and prevent discharge of wastes into the lake.
- F.1 Construction will cause a temporary increase in noise during normal work hours.
- G.1 Steel pilings may result in new glare which did not occur with wood pilings. This result is not anticipated to have a significant adverse effect.

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: 3 / 7 / 89

[Signature]
 For the State Lands Commission

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