

MINUTE ITEM
This Calendar Item No. C06
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/91
meeting.

CALENDAR ITEM

A 7
S 1

C 0 6

09/23/91
W 24482 PRC 7568
J. Ludlow

APPROVE A RECREATIONAL PIER PERMIT

APPLICANT:

Lawrence A. Krames, Trustee for the
Lawrence Krames Revocable Trust
312 - 90th Street
Daly City, California 94015

AREA, TYPE LAND AND LOCATION:

A parcel of submerged land located in Lake Tahoe near
Tahoma, Placer County.

LAND USE:

Proposed reconstruction, use, and maintenance of an existing
pier, including the installation of one low-level boatlift
and the retention of two existing previously unauthorized
mooring buoys.

TERMS OF PROPOSED PERMIT:

Initial period:
Five (5) years beginning September 23, 1991.

CONSIDERATION:

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

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee, processing costs, partial environmental fees,
and Fish and Game fee have been received.

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(ADDED pgs. 52-52.30)

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STATUTORY AND OTHER REFERENCES:

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

AB 884:

03/22/92

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 562, State Clearinghouse No. 91082097. 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. As noted, staff has circulated a Proposed Negative Declaration SCH NO. 91082097 for the subject facilities, and received no objection to any of these projects during the public comment period. However, staff has recently been informed by staff of the Department of Fish and Game (DFG) and staff of the Tahoe Regional Planning Agency (TRPA) that both agencies will be reviewing their policies regarding placement and use of buoys at Lake Tahoe, and may develop restrictions on such placement and use of buoys to address fish habitat and other environmental and recreational concerns. Staff, therefore, recommends that the Commission approve the facilities which are the subject of this calendar item, subject to the right of the Commission to amend or rescind such authorization during the term specified if appropriate to respond to concerns which may arise during the upcoming review by DFG and TRPA.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. §370, 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

CALENDAR ITEM NO. C 0 6 (CONT'D)

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 562, STATE CLEARINGHOUSE NO. 91082097, 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. AUTHORIZE ISSUANCE TO LAWRENCE A. KRAMES, TRUSTEE FOR THE LAWRENCE KRAMES REVOCABLE TRUST, OF A FIVE-YEAR RECREATIONAL PIER PERMIT, EFFECTIVE SEPTEMBER 23, 1991, FOR THE RECONSTRUCTION, USE, AND MAINTENANCE OF AN EXISTING RECREATIONAL PIER, INCLUDING THE INSTALLATION OF A LOW-LEVEL BOATLIFT AND THE RETENTION OF TWO MOORING BUOYS, AS ILLUSTRATED AND LOCATED ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF PROVIDED THAT, AT ANY TIME DURING ITS STATED TERM, THE COMMISSION MAY AMEND OR RESCIND THIS AUTHORIZATION AS IT PERTAINS TO BUOYS AS IT DEEMS NECESSARY TO ADDRESS CONCERNS WHICH MAY ARISE DURING THE UPCOMING REVIEW OF SUCH FACILITIES BY DFG AND TRPA.

CALENDAR ITEM NO. C 0 6 (CONT'D)

opinion that the project, as proposed, is consistent with its use classification.

4. The Applicant proposes to reconstruct an existing recreational pier, including the addition of a low-level boatlift and retention of two existing mooring buoys.
5. The Applicant has incorporated the Interim Management Program Construction and Access Guidelines (Guidelines) into the project description which will avoid disturbance to the Tahoe Yellow Cress (Rorippa subumbellata Roll), or its habitat, and the State Lands Commission has included those Guidelines as part of the Negative Declaration. Commission staff will monitor the construction of the proposed project in accordance with the Guidelines included within the Proposed Negative Declaration.

The Applicant has agreed to post a letter of credit to ensure compliance with the project modifications as described in the Proposed Negative Declaration, SCH No. 91082097.

Staff has determined that the project, as presented herein, is applicable to the Department of Fish and Game fee pursuant to AB 3158, Chapter 1706, Statutes of 1990 (Section 711.4 of the Fish and Game Code).

6. The project will be accomplished using a barge-mounted pile driver and all work will be completed from the water using floating equipment.
7. Materials will be neither stored nor placed, nor will any activity associated with the construction, be conducted above the low water line of the subject property. This procedure will prevent any disturbance to what may be considered Tahoe Yellow Cress (Rorippa subumbellata roll) habitat.
8. This property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.
9. 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,

CALENDAR ITEM NO. C 0 6 (CONT'D)

Department of Fish and Game, County of Placer, and the Tahoe Conservancy. None of these agencies expressed a concern that the proposed project would have a significant effect on the trust uses in the area. The agencies did not identify any trust needs which were not being met by existing facilities in the area. Identified trust uses in this area would include swimming, boating, walking along the beach, and views of the lake.

10. All permits issued at Lake Tahoe include special language in which the permittee/lessee agrees 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.
11. 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, then this 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 hereby authorized 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.
12. The Applicant has been notified that the public has a right to pass along the shoreline and the permittee must provide a reasonable means for public passage along the shorezone area occupied by the permitted structure.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, Department of Fish and Game, and Placer County.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

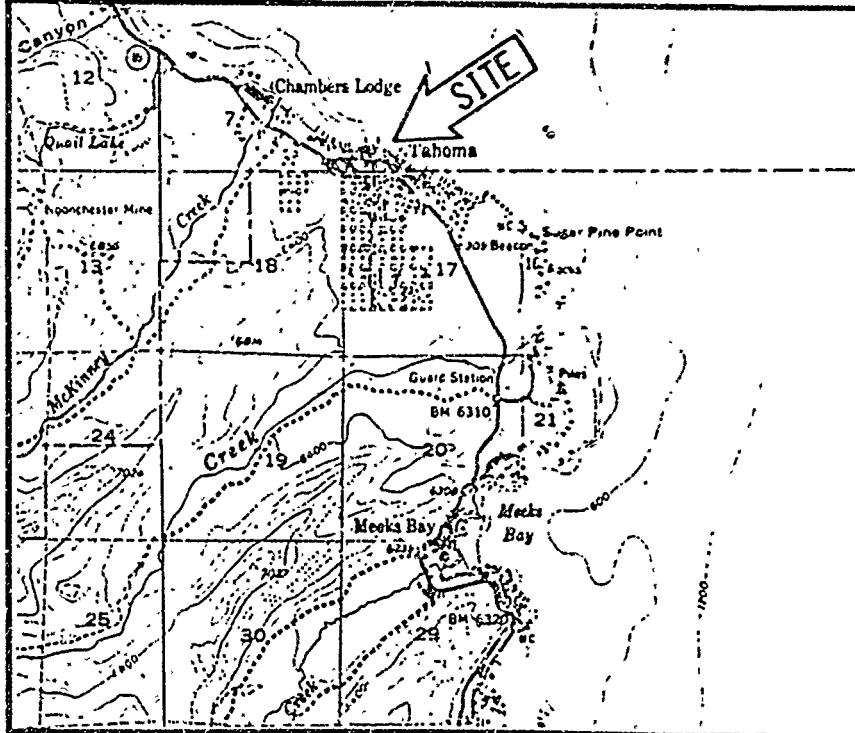
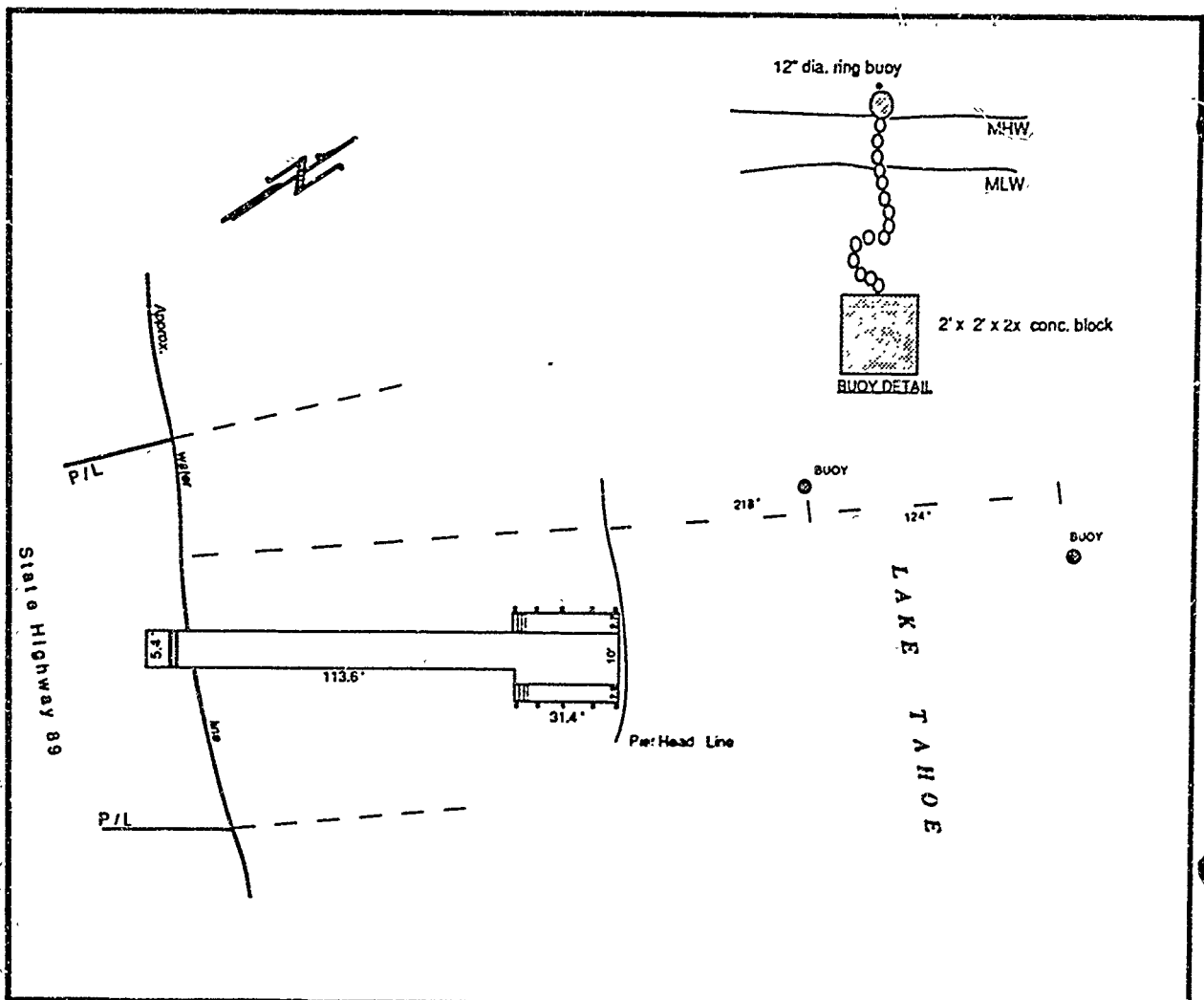
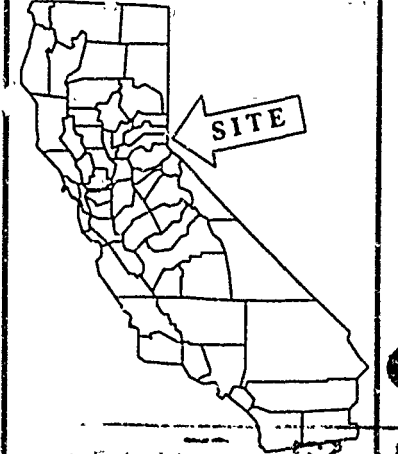


EXHIBIT "A"
 Site Map
 W 24482
 APN 98-210-08
 LAKE TAHOE
 PLACER COUNTY



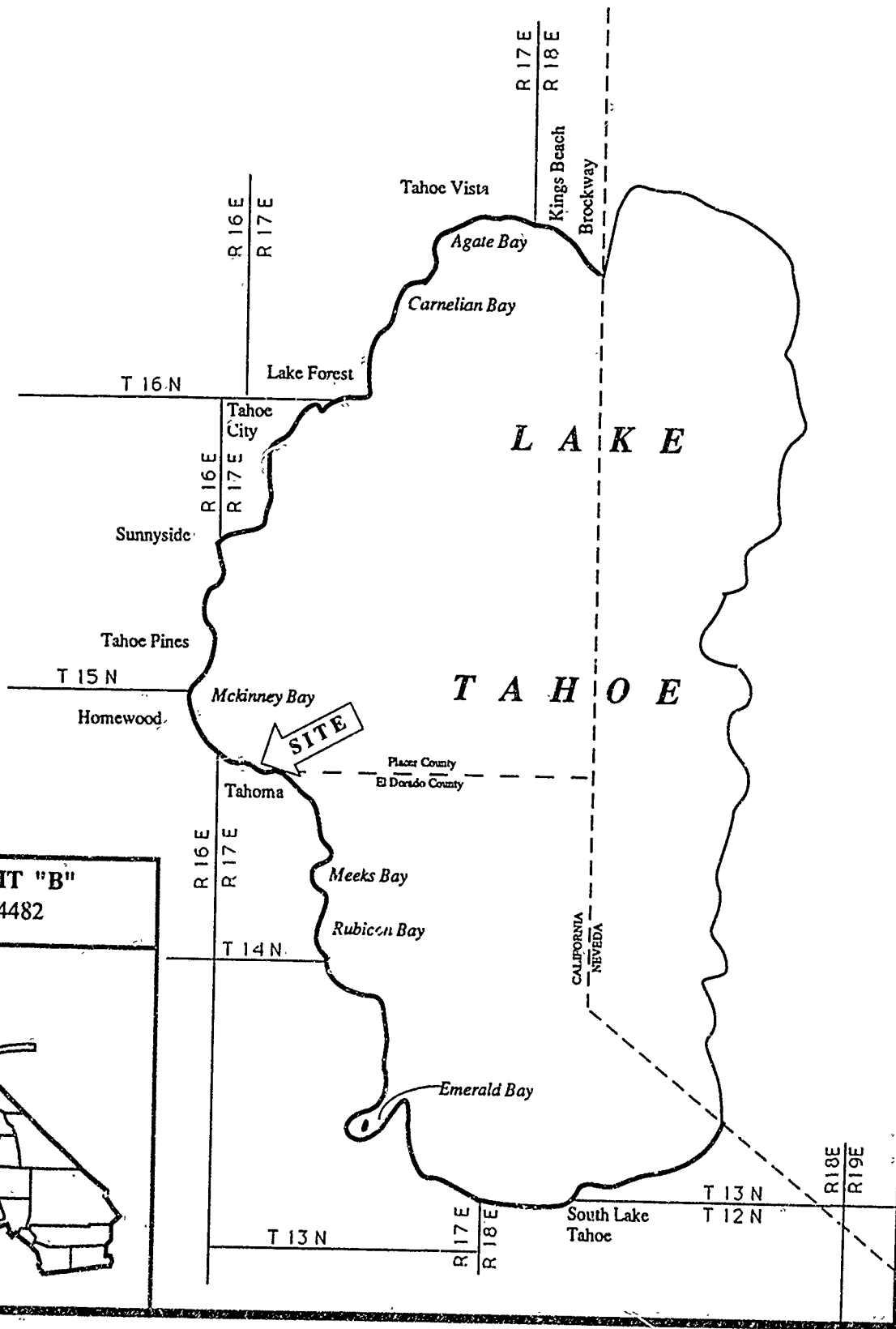


EXHIBIT "B"
W 24482



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EXHIBIT "C"

Date February 20, 1990

File Ref: W 24482

Ms. Judy Ludlow
California State Lands Commission
1807 13th Street
Sacramento, California 95814

Subject: Building Permit for Pier (Pier replacement)

Name: Lawrence Krames

Address 312 90th Street

Daly City, California 94015

Placer County Assessor's Parcel No. 98-210-08

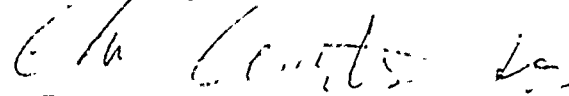
Upland Address: 6970 West Lake Boulevard, Tahoma

Dear Ms. Ludlow:

The County of Placer has received notice of the above-referenced project in Lake Tahoe and has no objection to the pier repair/ construction or to the issuance of the State Lands Commission's permit.

If you have any questions, you may reach me at (916) 889-7584

Sincerely,



ERICK ERICKSON
Associate Civil Engineer

RECEIVED

FEB 22 1990

PLACER COUNTY
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DATE PAGE

STATE LANDS COMMISSION

LEO T. McCARTHY, Lieutenant Governor
RAY DAVIS, Controller
MAS W. HAYES, Director of Finance

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

August 20, 1991
File Ref.: W 24482
EIR ND: 562

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

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 September 20, 1991.

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

Judy Brown

JUDY BROWN. (4)
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

EIR ND: 562

File Ref.: W 24482

SCH. NO.: 91082097

Project Title: KRAMES PIER RERECONSTRUCTION

Project Proponent: Lawrence Krames

Project Location: Lake Tahoe, 6970 West Lake Boulevard, Placer County, near
Tahoma, APN: 98-210-08.

Project Description: Reconstruction of an existing recreational use pier and addition
of one boat hoist. Retention of two existing mooring buoys.
There will be no increase in coverage or modification to
existing dimensions of the pier. Measures have been
incorporated into the project to protect and conserve Rorippa
Subumbellata, Roll. and its habitat.

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.: W24482

I. BACKGROUND INFORMATION

A. Applicant: Lawrence Krames
c/o Hale-Tippin Consultants
P. O. Box 5399
Tahoe City, CA 95730-5399

B. Checklist Date: 08 / 14 / 91

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

D Purpose: Reconstruction of an existing recreational pier. Consideration of the retention of two existing mooring buoys. Addition of one boathoist.

E Location: Lake Tahoe, 6970 West Lake Boulevard, Tahoe, Placer County
 APN: 98-210-08

F Description: Removal of an existing recreational use pier and replacement with 145 x 5.5 foot pier with a 15.5 foot wide pierhead. There will be no increase in coverage or modification to existing dimensions of the pier. Construction includes 12-inch wood piles spaced at 15-foot centers, 4-inch by 8-inch beams and 2-inch by 8-inch decking. Measures have been incorporated into the project to ensure the

G Persons Contacted protection and conservation of Rorippa Subumbellata, Roll. or its habitat.
Coleen Shade, TRPA
James Messersmith, Department of Fish and Game
Kevin Rouckey, U.S. Army Corps of Engineers

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Disruptions, displacements, compaction, or overcovering of the soil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Change in topography or ground surface relief features? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. The destruction, covering, or modification of any unique geologic or physical features? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Any increase in wind or water erosion of soils, either on or off the site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Changes in deposition or erosion of beach sands, or change 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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Yes Maybe No

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?

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J. *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 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)

See 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: 08/ 14 / 91

Judy Brown
 For the State Lands Commission
 JUDY BROWN
 CALENDAR PAGE = 52.13
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 FORM 13.20 (7/82)

DISCUSSION OF ENVIRONMENTAL EVALUATION
LAWRENCE KRAMES
PIER RECONSTRUCTION

W 24482

A. Earth

1. No. The project will not alter or cover any ground features or create unstable conditions.
2. No. The proposed pier reconstruction will involve the removal of existing wood pilings and replacement with 12" steel pilings for support which will be driven into the lake bed. A 2' x 8' decking will be constructed on the pilings, approximately 6 feet above the lake bed. This open construction will not cover the lake bottom. No additional compaction or coverage will result from the proposed reconstruction of the pier.
3. No. This project does not propose any grading or filling of the ground surface. The pilings will be set with hydraulic pressure to minimize impacts to the lake bed. This impact is considered minimal.
4. No. The bed of Lake Tahoe at this location is rocky with scattered cobbles. The design of the pier is open piling to reduce impacts on the lake bed. The proposed reconstruction of the existing pier will not affect any unique lakebottom features.
5. No. The pier pilings will be placed directly in the lake bed substrate. This action will not cause any erosion or significant disturbance to lake bottom profiles.
6. No. This project involves the reconstruction of an open piling pier which will not cause the accrual of silts affecting the deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the bed of the lake.
7. No. This project proposes the reconstruction of an existing open piling pier within the shores of Lake Tahoe. The depths of installation of the pilings will be shallow and should not include seismic instabilities or ground failures.

B. Air

1. No. This project involves a barge-mounted pile driver which will be operated for a short duration which will not substantially affect the deterioration of ambient air quality for the Lake Tahoe Basin.
2. No. This project does not propose the use of any hazardous materials for the reconstruction of the existing pier; however, some odor will be experienced from emissions of the vessel from which the piles will be driven.
3. No. 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, as it is a reconstruction of an existing, open piling pier located within the lake.

C. Water

1. No. This project does not propose to intake or discharge any fluids or materials into the lake waters.
2. No. This project does not propose the placement of any new, impervious structures.
3. No. This project will not affect the course or flow of flood waters, as it is the reconstruction of an open piling pier within the body of the lake and the retention of two existing mooring buoys which are anchored on the bed of Lake Tahoe.
4. No. This project does not propose to place fill material in any body of water.
5. No. This project will cause minimal turbidity to lake waters during the driving of replacement piling into the lake bed. Specific water quality measures to be implemented include:
 - a) Use of caissons or vertical cyclinders (sleeves) to prevent the release of resuspended sediments during pile removal and replacement activities;
 - b) Small boats or tarps will be placed under the construction area as necessary to collect construction debris; and,
 - c) Waste materials will be collected onto a barge or dumpsters for disposal at an approved landfill site.

6. No. The pier pilings will be set at relatively shallow depths and will not affect the existing flow of ground water.
7. No. This project does not involve the disturbance to any aquifers or propose significant cuts or excavation that would affect the quantity of ground waters.
8. No. This project does not propose the consumption of any public water supply.
9. No. This project does not propose new construction of habitable or office building structures; however, the existing structure which is proposed for reconstruction is subject to natural wave action under normal circumstances and increased wave action during inclement weather experienced at this elevation.
10. No. No thermal springs have been identified within the proposed project area.

D. Plant Life

1. No. A report has been prepared by a qualified botanist which describes the existing soils and vegetation of the project site. Measures have been incorporated into the project which will protect and conserve Rorippa and what may be considered potential habitat. In addition, the applicant has agreed to participate in the Interim Management Program for the Rorippa and its habitat (Attachment 2), which has been prepared in accordance with State Lands Commission authorization Minute Item 27, July 10, 1989.
2. No. See response to #1, above.
3. No. This project does not propose new landscaping. Please refer to response to #1, above.
4. No. This proposed project does not involve any agricultural land. The proposed construction activities will occur within the lake and immediate upland area.

E. Animal Life

1. No. The pilings could affect access to the lake bottom by burrowing organisms. Fish and benthic organisms could be attracted to the pilings for grazing and shelter. The impacts would be minimal.
2. No. The TRPA has determined that there will be no significant effect on fish habitat which may result from the proposed reconstruction of the pier and has issued their permit for this project. When the pier has been reconstructed, fish will repopulate the site, as the lakebed site contains natural material suitable for fish habitat. The project also includes the retention of two existing mooring buoys intended for permanent placement. The northerly buoy is located approximately 220' from the high water line and 50' southerly of the northern property line and the southerly buoy is located approximately 218' lakeward of the high water line and 20 feet northerly of the southern property line. Impacts to fish habitat from the placement of two mooring buoys for which a concrete block rests on the lake bottom for each, are considered to be minimal and have already occurred.
3. No. The reconstruction of this pier will introduce new habitat. The impact will be minimal as piers which furnish similar habitat currently occupy sites near the project location. No new animal species will be introduced as a result of this project.
4. No. This proposed project is located in an area designated prime fish spawning habitat per TRPA fish habitat maps; however, TRPA has determined that the project, as proposed, will not have a significant effect on the environment. In addition, the construction season will be limited to the period of June 15 - September 15, unless specifically authorized by the Department of Fish and Game.

F. Noise

1. No. There will be a temporary, unavoidable increase in the existing noise levels within the area during the construction activity involving the driving of piles into the lake bed. This impact is considered to be insignificant.
2. No. See response to #1, above.

G. Light and Glare

1. No. This proposed project does not involve the placement of lighting fixtures. The new deck will be of wood construction and color, similar in appearance to that which currently exists. The steel piles will be dark in color and nonreflective, thereby minimizing potential visual impacts.

H. Land Use

1. No. The proposed project does not involve a substantial alteration to the present or planned land use of the area, as it involves the reconstruction of an existing pier within an area for which other existing recreational/residential uses are located.

I. Natural Resources

1. No. This proposed project does not involve the consumption of any natural resources.
2. No. See #1, above.

J. Risk of Upset

1. No. This proposed project does not involve the use of any hazardous substances beyond the fuel to be consumed by the construction vessel. The primary materials used for construction will be wood and steel.
2. No. The proposed partial reconstruction of the existing pier will not interfere with the existing emergency response or evacuation plan for this area.

K. Population

1. No. This proposed project does not include habitable or employment structures or buildings. The existing pier is used for private recreation in accordance with the TRPA Shorezone Ordinances.

L. Housing

1. No. This proposed project will not affect existing housing or create a demand for additional housing. A single-family dwelling exists on the immediate upland parcel within a residential use area.

M. Transportation

1. No. Construction access to the pier will be from the lake side which will minimize vehicular movement required.
2. No. Access to this project will be accomplished from the lake side of the pier. This project does not propose any commercial uses requiring the need for additional parking areas to be constructed.
3. No. This proposed project involves partial reconstruction of a private recreational pier which will not substantially affect existing transportation systems beyond that which presently exists.
4. No. This project will not affect current land or water traffic, as the proposed construction activity will take place in the lake within the footprint of the pier.
5. No. This proposed project involves reconstruction of an existing pier and retention of two existing mooring buoys which will not create new affects to existing waterborne traffic. As indicated previously, the mooring buoys are located approximately 220' and 342' lakeward of the high water mark. The most lakeward buoy located within the adjacent vicinity of these buoys extends approximately 90 feet farther lakeward than the buoys of this proposal, and is located within the lake to the north. Other buoys exist within the immediate vicinity lakeward of adjacent parcels, which would not cause any changes to previous navigation patterns prior to the placement of the two buoys of this proposal.
6. No. This proposed project does not involve substantial vehicular movement or truck trips.

N. Public Services

1. No. This proposed project involves the reconstruction of an existing recreational pier which will not require additional public services beyond that which exists for this area.
2. No. See #1 above.
3. No. See #1 above.
4. No. See #1 above.
5. No. See #1 above..
6. No. See #1 above.

O. Energy

1. No. This proposed project does not include construction, placement, or use of any utilities. Minor amounts of local fuel will be consumed during the barge-mounted pile driving activities which will be of short-term duration, and is considered to be an insignificant impact.
2. No. See #1 above.

P. Utilities

- 1.-6.No. See #1, Energy, above.

Q. Human Health

1. No. The materials to be used in this proposed project, as described, will not create any hazard to human health.
2. No. The proposed reconstruction activity will prevent the possibility of exposing humans to an unsafe condition by maintaining the structure in an acceptable state of repair.

R. Aesthetics

1. No. The proposed reconstruction of an existing open piling pier will not create any new aesthetic impact to this area.

S. Recreation

1. No. A recreational pier exists at this site and is proposed to be reconstructed. This proposal will not change the existing recreational opportunities available within the project vicinity. The nearest public recreational facility exists within approximately 1/2 mile to the south.

T. Cultural Resources

1. No. The proposed project does not involve any new disturbance beyond the existing footprint of the pier.
2. No. This proposal does not involve the demolition or construction of any buildings.
3. No. See response to #1, above.
4. No. See response to #1, above.

U. Mandatory Findings of Significance

1. No. The proposed pier reconstruction will not create any new impacts beyond that which have occurred to place the pier originally. The soils and vegetation on the project site have been evaluated for potential impacts to Rorippa subumbellata, Roll. and measures have been incorporated into the project to minimize impacts to Rorippa or its habitat. The Tahoe Regional Planning Agency has determined, through their permitting process, that the project, as proposed, will not have a significant effect on the environment. Please note that TRPA is not currently authorizing the placement of any mooring buoys. Turbidity caused by construction activities to drive the replacement piles into the lake bed will be minimized using caissons or sleeves covering the new piles before being driven. The construction season will be limited to the period June 15 - September 15 to avoid impacts to fish spawning habitat, unless specifically authorized by the Department of Fish and Game.
2. No. The project proposes reconstruction of an existing pier which will not increase cumulative environmental effects to this segment of the shoreline of Lake Tahoe.
3. No. This project does not propose new construction beyond that which has been previously authorized.
4. No. Construction activities, as proposed, will not cause substantial adverse effects on human beings.

MONITORING PROGRAM
LAWRENCE KRAMES
PIER RECONSTRUCTION

W24482

1. Impact: The project will cause minimal turbidity to lake waters during the driving of replacement pilings into the lake bed.

Project Modification:

Applicant will implement:

- a) Use of caissons or vertical cyclinders (sleeves) to prevent the release of resuspended sediments during pile removal and replacement activities;
- b) Small boats or tarps will be placed under the construction area as necessary to collect construction debris; and,
- c) Waste materials will be collected onto a barge or dumpsters for disposal at an approved landfill site.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will verify project modifications have been met on site before and during the pile driving activity.

2. Impact: The project site has the potential for containing habitat for the State-listed, endangered plant, Rorippa subumbellata, Roll.

Project Modification:

- a) All construction activities will be conducted from the water side of the pier. The area of disturbance of the lake bottom and shoreline will be no greater than the footprint of the pier. Construction disturbance caused by the construction vehicle will be limited to the area where the pier sets or a 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;

- b) The beach and offshore substrate compacted by contact of the substrate with construction equipment will be rolled to level the depressions created by the tracks of the construction vehicle. Any remaining compacted soils will be loosened with pronged hand tools to reduce the compaction and then filled with comparable small cobbles taken from the backshore. The cobbles will be taken from the backshore without damaging the habitat or its species.
- c) No equipment or materials will be located or stored between elevation 6220' and 6232' LTD.
- d) No construction activity at the site will begin or proceed without the presence of the State Lands Commission mitigation monitor on site.
- e) One pedestrian path will be identified between the upland residence and the pier. This path will be bordered by native vegetation similar to willow, service berry, or manzanita. Prior to construction of the pedestrian path, a plan will 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;
- f) All existing individuals and colonies of Korippa subumbellata on the project site will be fenced to prevent damage during construction.

Applicant will notify staff of the State Lands Commission at least 14 days prior to when construction will commence. Upon completion of the reconstruction activities, the applicant or his agents will return the site to its original condition as nearly as practical.

Monitoring:

Staff of the State Lands Commission, or its designated representative will be on the construction site prior to and during reconstruction of the pier and pedestrian path to monitor all project modifications including site restoration.

3. Impact: This reconstruction project is located in an area designated fish spawning habitat and may have the potential to disturb such habitat if construction activities were to occur during spawning season.

Project Modification:

The project will be constructed during the period June 15 - September 15, unless specifically authorized by letter from the Department of Fish and Game or within the conditions of the Streambed Alteration Agreement. Applicant will notify staff of the State Lands Commission at least 14 days prior to when construction will commence.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will be on the construction site before and during construction activities to verify applicants ability to construct within a time period which may deviate from the June 15 - September 15 condition of the Department of Fish and Game Streambed Alteration Agreement.

4. Impact: The project has the potential to cause a spill or leak of construction equipment lubricant, oil, or gasoline into the waters of Lake Tahoe.

Project Modification:

The applicant will have a plan for immediate containment of any pollutants along with a procedure for cleanup and disposal. This will include having onsite absorbent materials such as oil booms and other appropriate materials and equipment.

Monitoring:

Applicant will provide to staff of the State Lands Commission, or its designated representative, with a copy of the containment plan and will approve any absorbent materials proposed for the implementation of such containment plan.

5. Impact: Reconstruction activities will involve dismantling of the deteriorated pier materials and storing of new materials which could affect the water and shorezone environment of Lake Tahoe.

Project Modification:

All materials removed from the site shall be salvaged or disposed of in an approved manner. Materials hauled from the site shall be transported in vehicles which have been appropriately outfitted so as to allow no leaking of fluids or littering along the haul route. All new material storage will be located above elevation 6232', and appropriate erosion control measures as specified within the Tahoe Regional Planning Agency Ordinances, will be implemented. Upon completion of the reconstruction activities, the applicant or his agents will return the site to its original condition as nearly as practical.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will verify on the construction site the disposition of all removed materials. All identified vehicles to be used to haul the deteriorated materials will be inspected prior to departure to the disposal site. Any proposed upland material storage site will be approved in advance by staff of the State Lands Commission. Staff will verify by site inspection that the site has been restored to its original condition.

**KRAMES PIER REPLACEMENT
PROCEDURAL GUIDELINE FOR REPLACEMENT OF EXISTING STRUCTURE
LOCATED AT APN # 98-210-08, PLACER COUNTY**

General Description of Work To Be Performed:

The project consists of the removal and disposal of an existing recreational use pier located at the subject Assessor Parcel Number on Lake Tahoe. The existing wood structure is approximately 152 feet long and consists of wood pilings, superstructure and decking. The entire structure is in advanced stage of deterioration to the point of being unsafe for its intended use.

The project as proposed involves replacing the existing facility with a new structure consisting of steel piling with steel cross members. The deck will be of wood construction supported on timber stringers.

Permits:

Prior to performing any work, the owner and his agents shall obtain all necessary permits and approvals and shall pay all fees including posting of bonds as required by TRPA and other permit issuing agencies.

Equipment & Tools:

All equipment and tools used on the project shall be in top mechanical condition with respect to hydraulic lines, hoses, fittings and smog control devices. All equipment and tools incorporated in the work shall be properly cleaned and free of dirt, grease, oil and other contaminants. All equipment to be incorporated in the work in direct contact with the waters of Lake Tahoe shall be inspected by the Reviewing Agencies for cleanliness and working condition prior to actual use in the lake.

Spill Containment Procedures:

In the event of a spill or possible contamination of the Lake and or the backshore, the owner and his agents shall have a plan for immediate containment of any pollutants along with a procedure for cleanup and disposal. This shall include having onsite absorbent materials such as oil booms and other appropriate materials and equipment.

**Demolition & Removal of the Existing Pier
and Associated Appurtenances:**

The owner and or his agents shall provide necessary sediment and turbidity containment devices (caissons or sleeves) in conjunction with removal of the existing pier facility. All materials removed from the site shall be salvaged or disposed of in an approved manner. Materials hauled from the site shall be transported in vehicles which have been appropriately outfitted so as to allow no leaking of fluids or littering along the haul route. All disposal sites shall be approved and the owner and or his agents shall submit written approval that they have permission to utilize the disposal site. If the parking area is used as a temporary storage site during the course of removing the existing pier, appropriate erosion control devices shall be installed.

Existing vegetation will be protected as necessary from construction activities through the use of protective fencing.

Installation of The New Pier and Associated Improvements:

The owner and or his agents shall procure all materials as necessary to perform the work including but not limited to piling, structural lumber, decking hardware and miscellaneous materials as may be required to provide a complete installation.

The above mentioned shall be delivered to an approved storage location within easy access of the pier replacement project. All stored materials shall be contained within erosion control facilities as appropriate.

The owner and or his agents shall install appropriate turbidity containment systems for the pile installation (such as open caissons or vertical cylinders). Small boats and traps shall be placed under the construction area to collect debris. Construction wastes shall be collected onto the barge and onshore dumpsters for subsequent removal to an approved landfill.

Caissons or vertical cylinders shall remain in place until such time as the clarity of the water within the turbidity containment device has reached acceptable background levels.

Final Cleanup of the Site:

Upon completion of the work, the owner and or his agents shall return the site to its original condition as nearly as practical.

**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 6232' 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 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 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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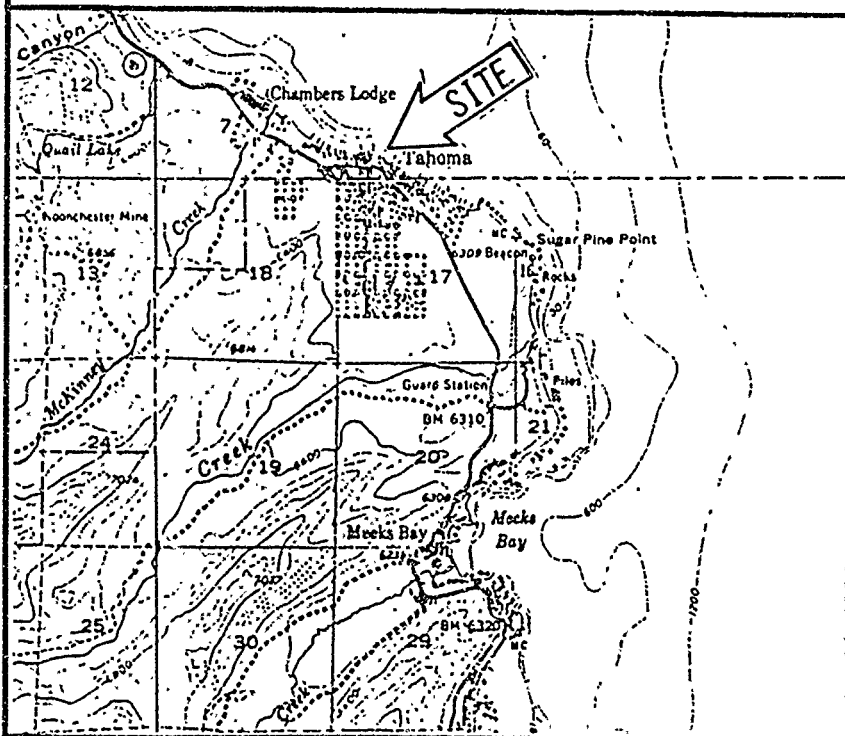
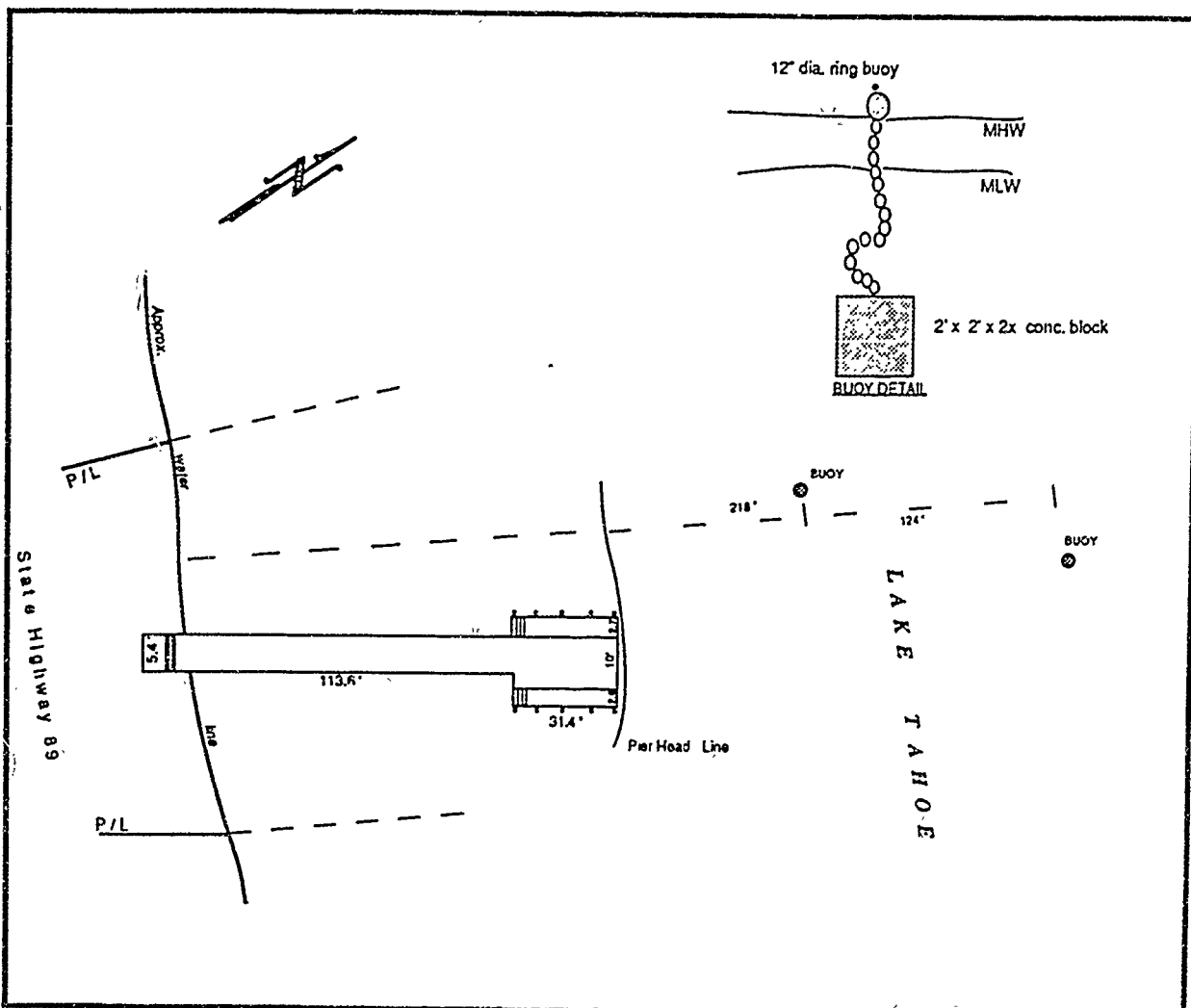


EXHIBIT "A"
 Site Map
 W 24482
 APN 98-210-08
 LAKE TAHOE
 PLACER COUNTY



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