

MINUTE ITEM

This Calendar Item No. C04  
was approved as Minute Item  
No. 04 by the State Lands  
Commission by a vote of 2  
0 at its 3/2/92  
meeting.

CALENDAR ITEM

A 7

C 0 4

03/02/92  
PRC 5600  
J. Ludlow

S 1

APPROVE A RECREATIONAL PIER PERMIT

APPLICANT:

Wells Fargo Bank and Union Trust Company  
for the Grace R. Briggs Trust  
Trust Real Estate Department #6939  
525 Market Street, 17th Floor, MAC 0103-171  
San Francisco, California 94163

AREA, TYPE LAND AND LOCATION:

A parcel of submerged land located in Lake Tahoe at  
Sunnyside, Placer County.

LAND USE:

Proposed relocation and reconstruction of an existing  
authorized pier and one boathouse and the retention of two  
mooring buoys.

TERMS OF PROPOSED PERMIT:

Initial period:  
Five (5) years beginning March 2, 1992

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 the upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing and processing fees have been received.  
Environmental fees have been received. Mitigation  
monitoring fee has been received. Construction compliance  
bond has been received. The Department of Fish and Game fee  
has been paid.

CALENDAR ITEM NO. C 0 4 (CONT'D)

**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.

AB 884:

04/30/92

**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 577, State Clearinghouse No. 92012096. 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 Applicant proposes to remove an existing pier, which contains an old rock crib located on an adjoining parcel, and relocate and reconstruct a new open piling pier, approximately 235 feet to the east, on the subject parcel. The parcels are contiguous to each other. The new 190-foot pier will include one consolidated boathouse and two boatlifts. The project also includes the retention of two existing mooring buoys.
3. The Tahoe Regional Planning Agency has approved the Applicant's proposed pier removal and rock distribution plan dated November 21, 1991 and revised January 24, 1992, as included as Exhibit "B" within the attached proposed Negative Declaration.
4. The Applicant has received a letter of authorization from the Tahoe Regional Planning Agency acknowledging the retention of the two mooring buoys.
5. The float and chain of the mooring buoys shall be disconnected from the anchor and removed at the end of each boating season.

CALENDAR ITEM NO. C 0 4 (CONT'D)

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 process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
7. The pier will be constructed with an open steel piling supporting a wood deck. The boatlifts will be placed on the end of the pier.
8. The Department of Fish and Game has determined that the shorezone at this location is suitable habitat for Tahoe Yellow Cress (Rorippa). The Applicant has agreed to participate in the Interim Management Program for Rorippa subumbellata roll by incorporating the Rorippa construction guidelines into the project application.
9. Commission staff will monitor the construction of the proposed project in accordance with the Guidelines included within the Proposed Negative Declaration.
10. 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 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.
11. This property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust. Staff have determined the proposed project would not have an adverse effect on the public trust.

CALENDAR ITEM NO. C 04 (CONT'D)

12. 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.
13. 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.
14. 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.
15. The issuance of this permit supersedes any prior authorization by the State Lands Commission at this location.

**APPROVALS OBTAINED:**

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

**FURTHER APPROVALS REQUIRED:**

United States Army Corps of Engineers

**EXHIBITS:**

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

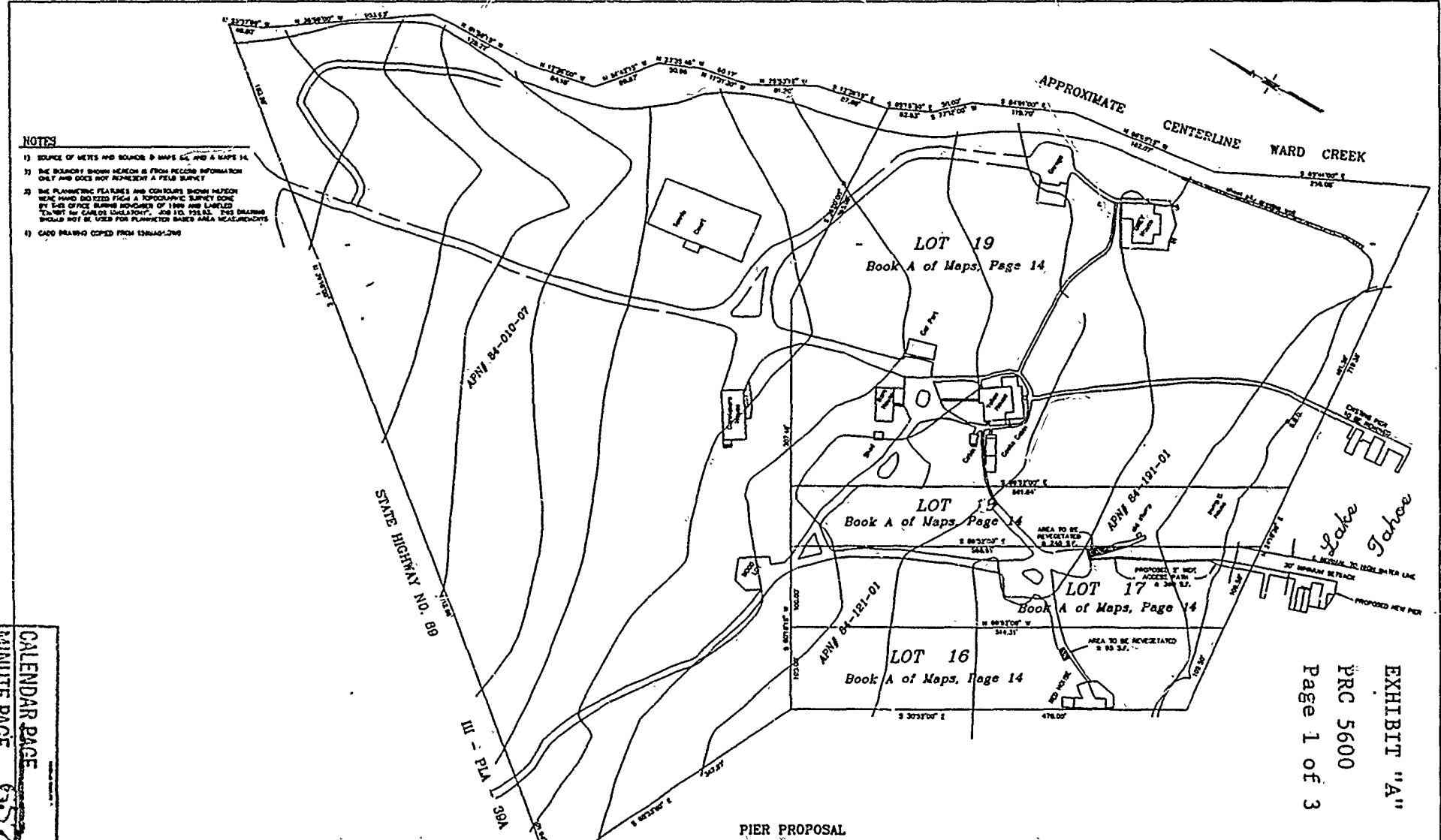
CALENDAR ITEM NO. C 0 4 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 577, STATE CLEARINGHOUSE NO. 92012096, 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 MONITORING PROGRAM ATTACHED AS EXHIBIT "F".
4. AUTHORIZE ISSUANCE TO WELLS FARGO BANK AND UNION TRUST COMPANY FOR THE GRACE R. BRIGGS TRUST OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING MARCH 2, 1992 FOR THE RECONSTRUCTION, USE AND MAINTENANCE OF A RECREATIONAL PIER, WHICH INCLUDES TWO LOW-LEVEL BOATLIFTS AND ONE BOATHOUSE, AND THE RETENTION OF TWO MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.
4. FIND THAT THE ISSUANCE OF THIS PERMIT SUPERSEDES ANY PRIOR AUTHORIZATION BY THE STATE LANDS COMMISSION AT THIS LOCATION.

**NOTES**

- 1) SOURCE OF METES AND BOUNDS IS MAPS 64, AND A MAPS 14.
- 2) THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THE PLANNING FEATURES AND CONTOURS SHOWN HEREON WERE HAD DERIVED FROM A TOPOGRAPHIC SURVEY DONE BY THE OFFICE BEING BOUNDERS OF 1999 AND LABELED "EXHIBIT BY CARLOS ESCOBAR", JOB NO. 1999-11. THIS DRAWING SHOULD NOT BE USED FOR PLANNING BASED AREA MEASUREMENTS.
- 4) CAD DRAWING COPIED FROM 1304402.DWG



CALENDAR PAGE  
MINUTE PAGE 657

EXHIBIT "A"  
PRC 5600  
Page 1 of 3

**PIER PROPOSAL**

**SITE PLAN / COVERAGE EXHIBIT**  
BRIGGS TRUST PROPERTY / WELLS FARGO BANK  
BEING A PORTION OF SEC. 26, TOWNSHIP 10 NORTH, RANGE 18 EAST, M.D.M.  
PLACER COUNTY, CALIFORNIA

DATE PLOT DATE  
12.15.2007 12.15.2007  
SCALE  
HORIZONTAL 1" = 20'  
VERTICAL 1" = 50'

**HALE-TIPPIN**  
**CONSULTANTS**

DRAWING NUMBER  
CONTRACT NUMBER  
DATE  
12.15.2007  
1118  
1118-010

Sheet  
**A1**  
12.15.2007

| NO. | DATE     | BY  | DESCRIPTION |
|-----|----------|-----|-------------|
| 1   | 12.15.07 | ... | ...         |
| 2   | ...      | ... | ...         |
| 3   | ...      | ... | ...         |
| 4   | ...      | ... | ...         |
| 5   | ...      | ... | ...         |
| 6   | ...      | ... | ...         |
| 7   | ...      | ... | ...         |
| 8   | ...      | ... | ...         |
| 9   | ...      | ... | ...         |
| 10  | ...      | ... | ...         |

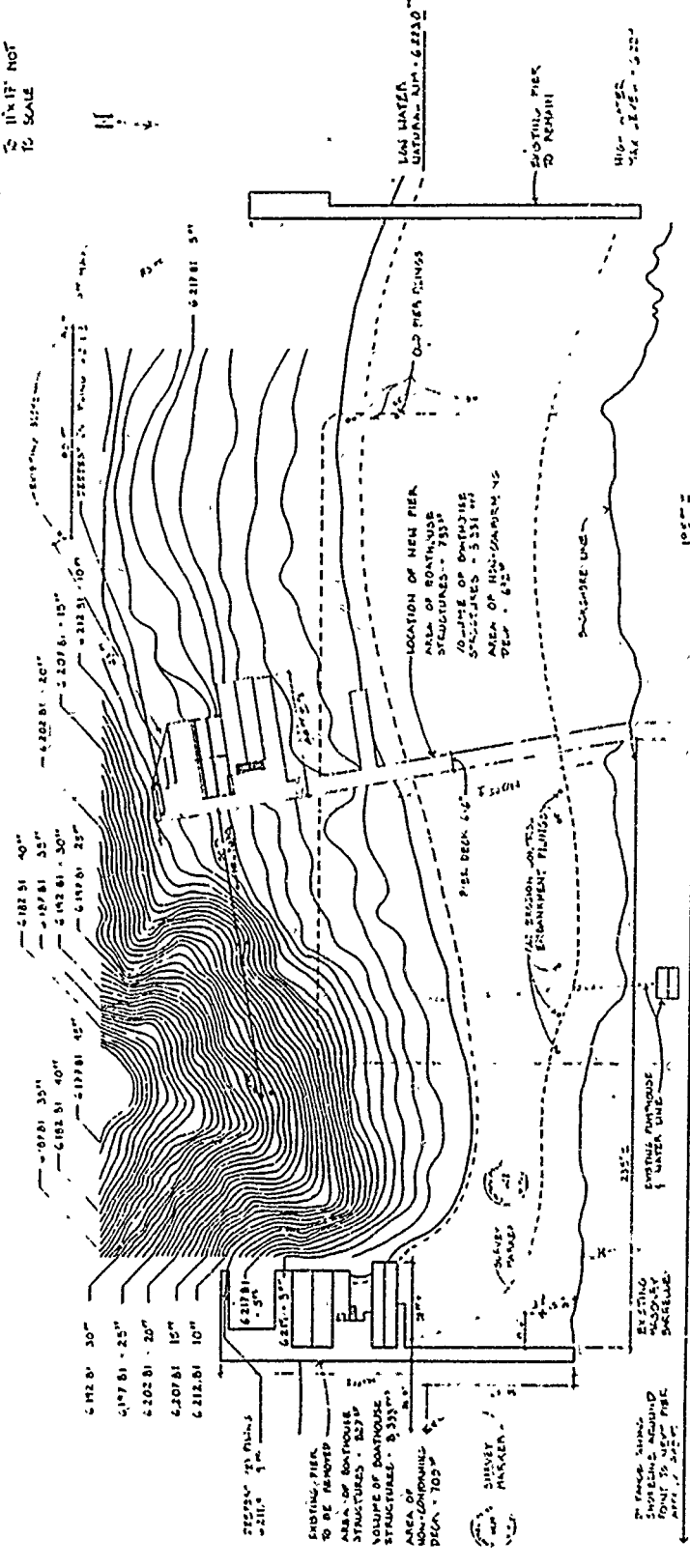
GRACE R BRIGGS  
TRUST TROPENY,  
SUNNYSIDE,  
LAKE TAHOE, CA.

PIER PROPOSAL

MEASUREMENTS OVER 2018  
DATE LEVEL: 8 22 20  
DATE: 5/14/20  
MAY 2020 6:23 P

EXHIBIT "A"  
PRC 5600  
Page 2 of 3

NOTE: XEROX REDUCTION  
2" IF NOT  
TO SCALE



EXISTING PIERS  
TO BE REMOVED  
AREA OF BOATHOUSE  
STRUCTURES - 823P  
VOLUME OF BOATHOUSE  
STRUCTURES - 8331 cu ft  
AREA OF HIGH-COMPARTMENT  
DECK - 703

LOCATION OF NEW PIER  
AREA OF BOATHOUSE  
STRUCTURES - 7331  
VOLUME OF BOATHOUSE  
STRUCTURES - 5331 cu ft  
AREA OF HIGH-COMPARTMENT  
DECK - 652

CALENDAR PAGE 49  
MINUTE PAGE 658

GRACE R. BRIGGS TRUST PROPERTY SUNNYSIDE, LAKE TAHOE, CA

PIER PROPOSAL

UNASSIGNED 10-10-91  
 LARGE PLANT 4225 0  
 MANTUALL P.M. 4225 0  
 SMALL LEVEL GREEN

|                     |   |
|---------------------|---|
| 1 7/8" PIEN SITTING | 7 |
| 4" BIRD             | 8 |

STATE OF CALIFORNIA  
 COUNTY OF EL DORADO  
 CONSTRUCTION AREA  
 FOOTPRINT ON BEACH  
 10-10-91

PROJECT: PIEN SITTING  
 DRAWN BY: C. H. W.  
 CHECKED BY: [blank]  
 DATE: 7-2-91

A3C

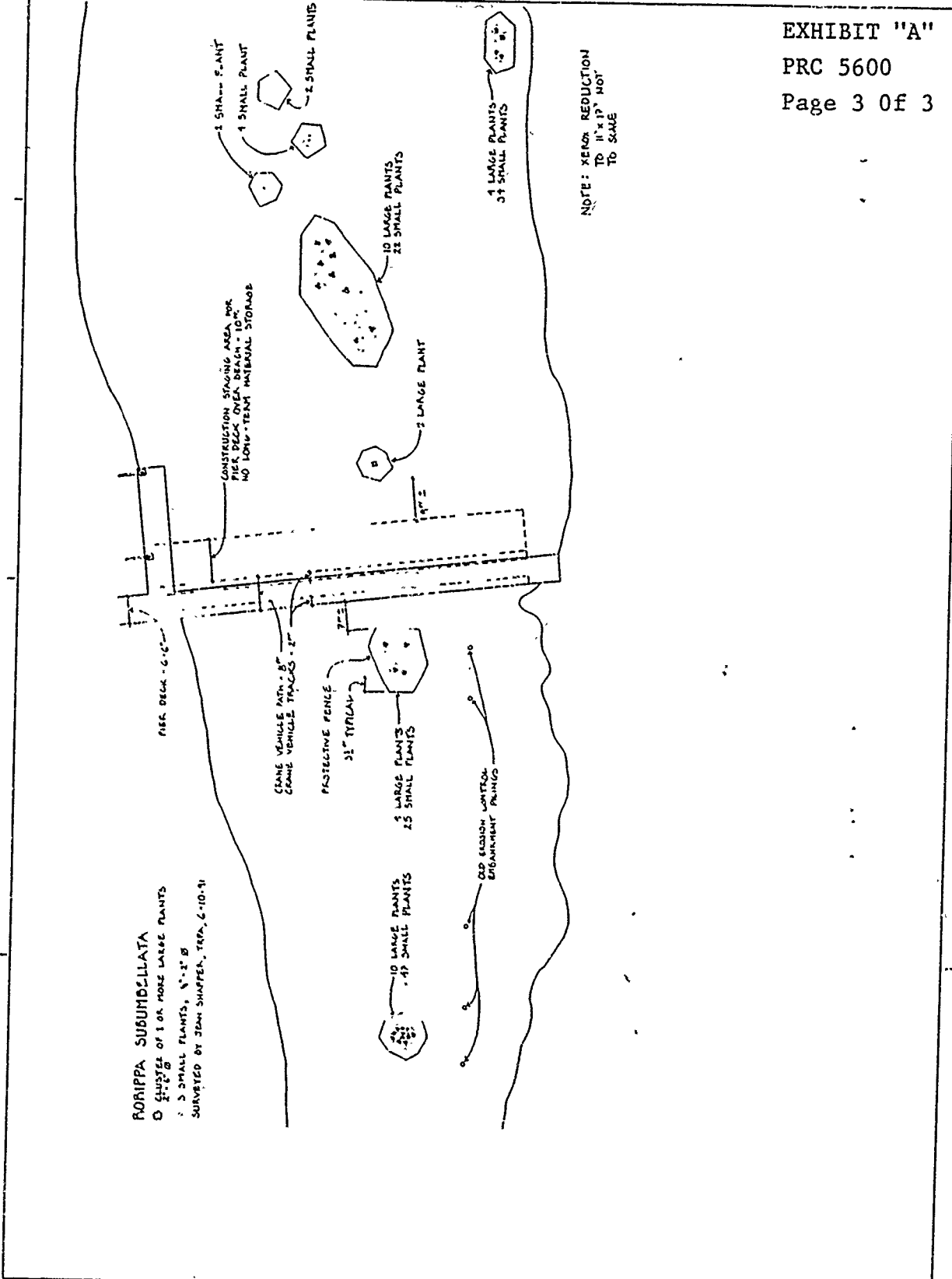


EXHIBIT "A"  
 PRC 5600  
 Page 3 Of 3

NOTE: XEROX REDUCTION TO 11" X 17" NOT TO SCALE

RORIPPA SUBUMBELLATA  
 0 1/2" x 1/2"  
 3 SMALL PLANTS, 8" x 2" x 8"  
 SURVEYED BY JOHN SHAPPEL, TRPA, 6-10-91



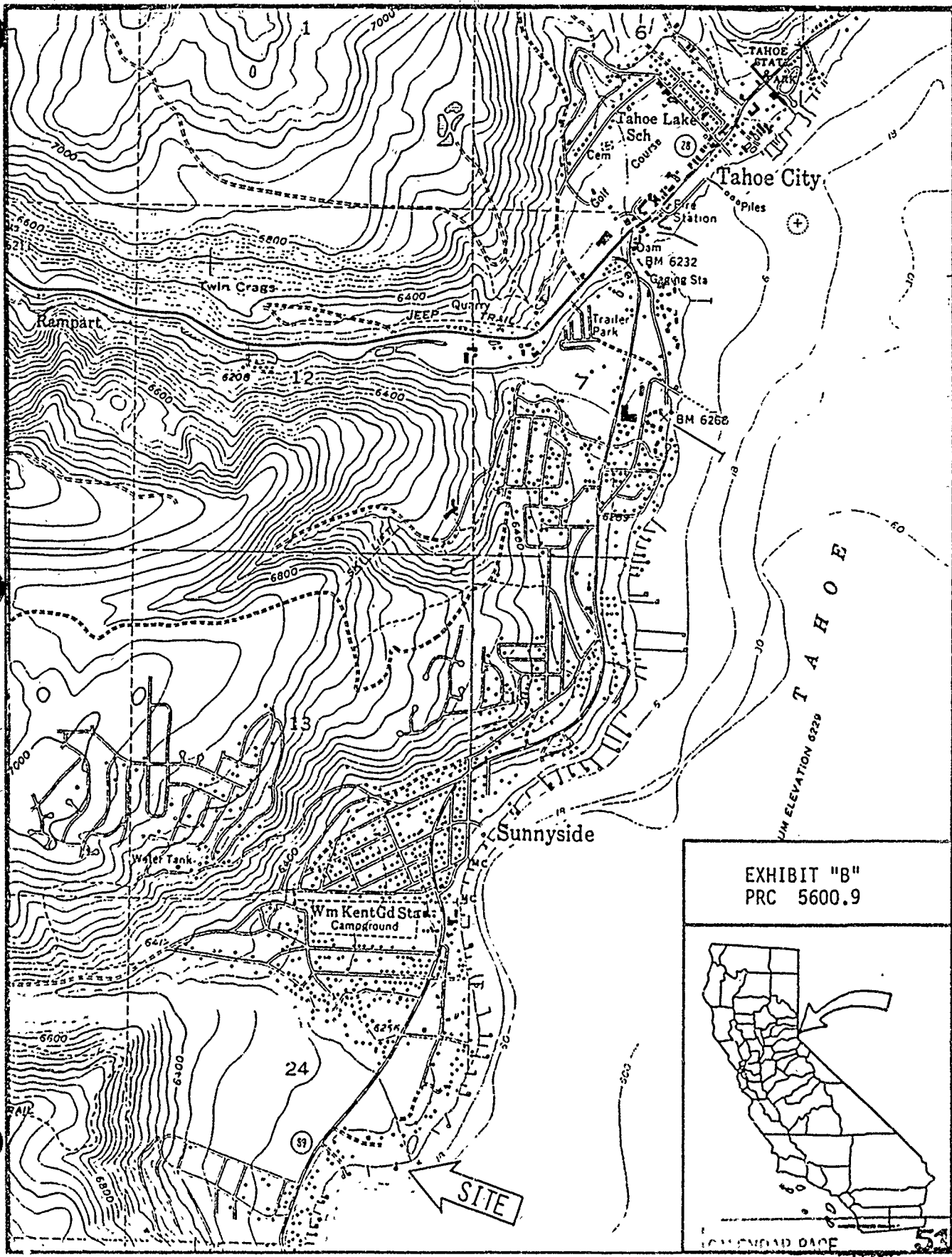


EXHIBIT "B"  
 PRC 5600.9



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MINUTE PAGE 660



T A H O E  
 MIN ELEVATION 6229



PLACER COUNTY

EXHIBIT "C"

PRC 5600  
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

October 11, 1989

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

Attention: Judy Ludlow

The County of Placer has received notice of the pier reconstruction project at 2400 West Lake Boulevard in Lake Tahoe, A.P.N. 084-191-01-00 project and has no objection to the pier repair/construction or the issuance of the State Lands Commission's permit.

If you have any questions, please feel free to call me at 889-7584.

COUNTY OF PLACER  
DEPARTMENT OF PUBLIC WORKS  
JACK WARREN, DIRECTOR

*Erick Erickson for ERE*

ERICK ERICKSON, P.E.  
ASSOCIATE CIVIL ENGINEER

JW:EE:mk

RECEIVED  
OCT 16 PM 1:12

EXHIBIT "D"

STATE OF CALIFORNIA

PETE WILSON, Governor

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

February 7, 1991

ERRATA - PROPOSED NEGATIVE DECLARATION, ND 577, SCH 92012096

Please replace the following pages and note the following minor corrections to the above-described document:

1. Page 10 - The numbered section below Introduction of Plants will now read "4. Reduction of Agricultural Crops." No corrections were made to the narrative for that section.
2. Page 12 - The last sentence in 4. Habitat Deterioration will now read "Habitat would not deteriorate from continued use."
3. Page 19 - Insertion of: U. Mandatory Findings of Significance. This page was inadvertently omitted.

  
JUDY BROWN  
Division of Environmental  
Planning and Management  
(916) 324-4715

ENCLOSURE PAGE 53  
DATE PAGE 662

The applicant has agreed to participate in the Interim Management Program for Rorippa subumbellata, Roll. and will adhere to all construction and access guidelines, Attachment "D".

2. Endangered Species.

Impacts to aquatic plants are expected as the old rock crib pier will be removed. There are no endangered aquatic plant species which will be affected by the pier removal. A site inspection for Rorippa subumbellata, Roll., a California-listed plant species, was conducted on the beach area by a qualified botanist. Identified specimens were subsequently fenced with 4' chicken wire fencing attached to 1/2" rebar posts. Two construction and access pedestrian pathways have been identified; one for removal of the existing rock crib pier, and one for construction of the relocated, open piling pier and boathouse, Attachment A1.

Applicant has received a Streambed Alteration Agreement which enables construction within the shorezone until March 30, 1992, to reduce impacts to habitat. As discussed in D-1, above, applicant will follow construction and access guidelines as indicated in the Interim Management Program for Rorippa subumbellata, Roll., Attachment "D".

3. Introduction of Plants

The pier pilings and buoy anchors will afford a hard substrate for sessile aquatic plants. The project site is located on a cobble substrate so introduction of the new pier will not create a new impact on plant populations. The mooring buoys are existing and not proposed; therefore, plants may exist on the anchors. There would be no new impact on plant populations, resulting from the existing mooring buoys.

4. Reduction of Agricultural Crops

The buoys and pier are and would be located in Lake Tahoe. No agriculture or aquaculture are carried out in this area. There will be no impact.

4. Habitat Deterioration

The project will involve dismantling an existing rock crib pier and constructing a new, open piling pier and boathouse at a new location approximately 235' to the west of the existing rock crib pier. This project will cause a temporary deterioration of the habitat during the dismantling of the rock crib pier and construction of the new pier; however this impact will be temporary and minimal. Construction in the water will be limited to the non-spawning season, as indicated by the California Department of Fish and Game. The two mooring buoys have existed and do not cover a significant lakebed area. Habitat would not deteriorate from continued use.

F. Noise

1. Noise Increases.

The dismantling of the existing rock crib pier and construction of the open piling pier will involve a period of moderate increases to existing noise levels as the existing pilings are cut at grade level and as the new pilings are being set. Noise from pile driving is anticipated to last several days. Noise from work crew vehicles arriving and leaving the site will occur at beginning and end of work days during construction of the proposed facilities. No new noise will occur from the continued existence or use of the two existing mooring buoys.

2. Severe Noise

The dismantling of the existing rock crib pier and construction of the open piling pier may cause periods of extreme noise as equipment is being used. These episodes would be brief, lasting seconds or minutes in duration. Some severe noise may arise periodically from boat use of the pier and buoys during engine operation; however, these occurrences would be brief and are not new impacts to the area.

U. Mandatory Findings of Significance

1. Degrade the Quality of the Environment

The proposed project will be conducted during non-spawning periods identified by the Department of Fish and Game, and as authorized by the Tahoe Regional Planning Agency in conjunction with the State Lands Commission and the U.S. Army Corps of Engineers.

In addition, precautions have been identified and previously discussed in Section D, above, which will protect and preserve the State-listed, endangered plant species Rorippa subumbellata, Roll., and its habitat.

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

The proposed project, when completed, would allow sediment transport to occur naturally and produce a positive effect to fish congregating at the mouth of Ward Creek during fish spawning. The scenic quality for the Ward Creek area will be enhanced by the relocation and design of the open piling structure. The dismantling of the rock crib pier structure and the construction of the open-piling pier structure will be performed utilizing the recommendations of the Construction and Access Guidelines of the Interim Management Program for Rorippa subumbellata, Roll., a state-listed, endangered plant species. The proposed project will result in an overall net benefit to the environment.

3. Individually Limited Impacts Which Are Cumulatively Considerable

This proposed project will not adversely change the environmental impacts which presently occur as a result of the existence of a recreational pier for nearly the past 100 years; however, as described in U-2, above, positive environmental benefits will result from the proposed changes.

4. Substantial Adverse Effects on Human Beings

This project as proposed will not, during construction, nor during its authorized use, present or cause substantial adverse effects on human beings either directly or indirectly.

EXHIBIT "D"

STATE OF CALIFORNIA

PETE WILSON, Governor

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


January 28, 1992  
File: PRC 5600  
ND 577

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

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

The document is attached for your review. Comments should be addressed to the State Lands Commission office shown above with attention to the undersigned. All comments must be received by February 28, 1992.

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

  
JUDY BROWN  
Division of Environmental  
Planning and Management

Attachment

|     |
|-----|
| 57  |
| 666 |

**STATE LANDS COMMISSION**

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

EXECUTIVE OFFICE  
1807 - 13th Street  
Sacramento, CA 95833

CHARLES WARREN  
Executive Officer

**PROPOSED NEGATIVE DECLARATION**

File: PRC 5600  
ND 577  
SCH No. 92012096

Project Title: Wells Fargo/Grace Briggs Trust Pier Reconstruction

Proponent: Wells Fargo/Grace Briggs Trust

Project Location: Lake Tahoe, Sunnyside, APNs 84-191-01 & 84-121-01, Placer County.

Project Description: Proposed dismantling of a rock crib pier, and relocation and construction of an open pile pier, and retention of two existing mooring buoys.

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.

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



ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 5600

I. BACKGROUND INFORMATION

A. Applicant: Wells Fargo/Grace Briggs Trust
c/o Hoffman, Lien, Faccinto and Lieberman
P. O. Box 7740
Tahoe City, CA 96145

B. Checklist Date: 12/ 18 / 91

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

D. Purpose: To dismantle an existing rock crib pier and to relocate and
construct an open pile pier. Retain two existing mooring buoys.

E. Location: Lake Tahoe, Sunnyside, APN: 84-191-01 and 84-121-01, Placer
County.

F. Description: The rock crib pier will be dismantled by hand. The rocks will be
stored at an approved upland location. An open piling pier will be con-
structed at a location 235' south of the existing rock crib pier.

G. Persons Contacted:
Coleen Shade, TRPA
Kevin Roukey, Corps of Engineers
David Zezulak, Calif. Dept. of Fish and Game

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

Table with 3 columns: Question, Yes, Maybe, No. Contains 7 rows of environmental impact questions with checkboxes and 'X' marks.

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

DATE PAGE 60  
 FILE PAGE 669

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

END PAGE  670

DATE PAGE 670

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)

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

Date: 01/ 16. / 92

*Judy Brown*  
 For the State Lands Commission PAGE 62  
 Judy Brown MINUTE PAGE 621  
 Form 13-20 (7/82)

## PROJECT DESCRIPTION

The applicant proposes to remove, an existing rock crib pier, which includes rock cribbing, two boathouses, two boatlifts and approximately 60 cubic yards of rock. In addition, the applicant proposes to relocate and construct an open-piling pier and two electrically-operated boatlifts and to retain two existing mooring buoys. The project location is just south of Ward Creek, waterward of APN: 84-191-01 (existing pier) and 84-121-01 (proposed pier), Sunnyside, Lake Tahoe, Placer County.

The existing rock crib will be dismantled and transported from the beach area using the pathways and shore areas as delineated on Attachment A.1. & A.3.1 and as described on Attachment B. The rocks from the existing rock crib pier will be removed and stored on the applicant's upland property at a location acceptable to the Tahoe Regional Planning Agency. All of the existing pier pilings will be cut off at the existing grade level. The deck and boathouse structure will be dismantled and the material stored or disposed of at an approved upland site.

An open pile pier, one consolidated boathouse and two boatlifts will be constructed at a location approximately 235' west of the existing rock crib pier. The new pier includes the addition of 50' of decking to reach the same water depth as that previously authorized for the existing pier with rock cribbing (which is proposed to be removed). To comply with present Tahoe Regional Planning Agency Shorezone Ordinances, new piers must be located a minimum of 200' from stream inlets. The relocation of the open piling pier will comply with this requirement.

The applicant also seeks authorization for two existing mooring buoys which are also included within the discussion of this environmental document. The buoys are located waterward and parallel to the shoreline between the proposed pier reconstruction location and the pier located immediately adjacent to the west. Refer to Attachment A2. The buoys are approximately 70 feet apart in distance. The northernmost buoy is located approximately 79 feet south and waterward from the applicant's proposed pier relocation, and the southernmost buoy is located approximately 71 feet to the north of the adjacent pier to the south.

The first phase of the project will be to set the pier pilings for the relocated, open pile pier. Setting of the pilings will be accomplished by a rubber-tired amphibious vehicle equipped with a crane/pile driver. A floating barge will be used as a staging platform over the water.

Access for placement of the new pier piles will be from the water. New pier construction landward of low water (elev. 6223' LTD) will occur within the area identified on Attachment A.3.0.. An access pathway from the upland to the new pier has also been identified for construction personnel access and for applicant's use of the pier. Refer to Attachment A-1. All Rorippa subumbellata, Roll. plants on the applicant's property have been identified and fenced to avoid potential impacts which may result from the dismantling and reconstruction activity. Refer to Attachment A-3.0.

Dismantling or construction activity that proposes to disturb the lake bed will occur between December 1, 1991 and March 30, 1992 or between July 1 and September 15, 1992, or as designated by authorized staff of the Department of Fish and Game.

#### ENVIRONMENTAL SETTING

According to the Environmental Assessment prepared by the staff of the Tahoe Regional Planning Agency, dated August 21, 1989, the project site is located along the northern edge of a small bay referred to as Hurricane Bay, which is part of McKinney Bay on the west shore of Lake Tahoe.

Ward Creek enters Lake Tahoe approximately 185 feet to the east of the existing rock crib pier. A delta extends approximately 150 feet out into the Lake from the mouth of Ward Creek which has been formed from deposits of sediment from the creek. The delta forms a narrow shelf, at the outer edge of which the Lake bottom drops off to form a steep sandy slope.

The shoreline of Ward Creek contains cobbles ranging from 3 to 12 inches. There is a shallow slope from the high water line down to the outer edge of the shelf.

Bathymetric measurements at the site revealed a break in the along-shore shelf south of Ward Creek. The break is the head of a deep underwater canyon. An underwater landslide has been reported to have occurred within the past 20 years in the canyon, and staff have concluded that the shorezone in that location should be considered a natural hazard area. The proposed open piling pier has been located to avoid that hazard area.

The shorezone in the area of the proposed project is mapped spawning habitat on the Prime Fish Habitat Maps identified by the Tahoe Regional Planning Agency. Ward Creek is designated by TRPA as offering important fish habitat and is an important spawning stream.

The plant community of the project area is indicative of deep moist soils. The backshore vegetation is very natural and undisturbed. Species include: lodgepole and jeffrey pines, with aspen, alder, black cottonwood and willows. The understory includes sedges and horsetail rushes. The delta is sparsely vegetated with mullein, a few willows and some yarrow. There are significant numbers of Tahoe Yellow Cress (Rorippa subumbellata, Roll.) near the shoreline of the proposed project. Ward Creek is identified on the TRPA sensitive species map as one of the protected population sites for Rorippa subumbellata, Roll.. A soils and vegetation report was prepared by a qualified botanist which Commission staff have reviewed and determined to be adequate, and for which appropriate mitigation measures have been recommended and are discussed in Section D, below. In addition, the applicant has agreed to participate in the Interim Management Program for Rorippa subumbellata, Roll., conducted by the State Lands Commission, Attachment D.

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DISCUSSION OF ENVIRONMENTAL EVALUATION  
GRACE BRIGGS TRUST/WELLS FARGO PIER RELOCATION AND RECONSTRUCTION

PRC 5600

A. Earth

1. Stability, Geologic Substructures.

The project involves dismantling an existing rock crib pier, two boathouses and two existing boatlifts. An open piling pier and one consolidated boathouse will be relocated and constructed, including the installation of two electrically-operated boatlifts. The pier will be constructed with an open steel piling supporting a wooden deck.

The two existing mooring buoys cover a small portion of the lake bottom. Each buoy utilizes a concrete anchor block approximately two square feet in bottom area. This impact would be considered insignificant, and has occurred.

The project will not alter or cover any ground features or create unstable conditions.

A geotechnical report was prepared by Kleinfelder, in May, 1989, which recommends the proposed open-piling pier reconstruction location as in an area best suited to avoid affects to the dock if an underwater slide were to occur. A copy of the report is available for review on file in the offices of the State Lands Commission, 1807 13th Street, Sacramento, California 95814.

2. Compaction, Overcovering of the Soil.

The proposed pier reconstruction will involve the removal of an existing rock crib pier and wood pilings. The approximate total volume of rocks within the crib is 60 c.y. which will be removed by hand and transported to the upland by hand cart within the 4' wide pier access path and then stored on an approved upland area for consideration of later use.



A new, open piling pier will be constructed approximately 235' to the west, with a reduced, allowed non-conforming surface area compared to the rock crib pier which is being removed, (Refer to Attachment A.1.). The open construction of the pier will cover the lake bottom only where the pilings will be driven. No additional compaction or coverage will result from the proposed pier reconstruction.

The two existing mooring buoys cover a small portion of the lake bottom. Each buoy utilizes a concrete anchor block which covers approximately two square feet in bottom area. This impact would be considered insignificant.

3. Topography.

This project does not propose any grading or filling of the ground surface. The pier proposed for reconstruction will be an open-piling design. The pilings will be set with hydraulic pressure to minimize impacts to the lake bed. The two buoys each utilize a concrete anchor block approximately two square feet in bottom area. This impact is considered minimal.

4. Geologic features.

The bed of Lake Tahoe at this location is cobble substrate. The design of the pier is open piling to reduce impacts on the lake bed. The proposed reconstruction of the open piling pier will not affect any unique lakebottom features. As discussed in the Environmental Setting, above, the project is within the vicinity of a steep underwater canyon. The proposed open piling pier is located to avoid potential impacts which may result from an underwater landslide.

5. Wind, Water Erosion of Soils.

The pier pilings will be placed directly in the lake bed substrate. The two existing mooring buoys cover a small portion of the lake bottom. Each buoy utilizes a concrete anchor block approximately two square feet in bottom area. This action will not cause any erosion or significant disturbance to lake bottom profiles.

6. Erosion, Deposition.

The existing rock crib pier is located 185 feet west of Ward Creek. The location of the rock crib pier has interfered with the littoral transport of material moving from east to west along the shoreline from Ward Creek. Significant deposition has taken place between the pier and the mouth of ward Creek. The shoreline downdrift of the pier has eroded. Removal of the rock cribbing will allow the normal westward transport of material. The open piling pier to be constructed in place of the rock crib pier, at a location farther west, will not have a significant effect on the natural deposition or erosional processes.

The two existing mooring buoys cover a small portion of the lake bottom. Each buoy utilizes a concrete anchor block approximately two square feet in bottom area. They will have no significant effect on natural or erosional processes.

7. Geologic hazards.

Refer to response A-1, above.

B. Air

1. Emissions, Deterioration

This project involves an amphibious vehicle with a crane/pile driver which will be operated for a short duration and which will not substantially affect the deterioration of ambient air quality for the Lake Tahoe basin. Construction crew will arrive by car and truck during dismantling of the structures and during construction activity. Some emissions will result from the commuting workers. This impact will be small and temporary, lasting during the dismantling/construction period.

2. Objectionable Odors.

This project does not propose the use of any hazardous materials for the dismantling of the rock crib pier or for the construction of the open piling pier. Some odor will be experienced from emissions of the vessel used to drive the piles. The pile driving activity is anticipated to take approximately 30 days. The impacts are considered to be insignificant. Use of the pier and buoys will create some odors as boats arrive and leave. This impact will be minimal. The boatlifts would be electrically powered, and would generate no emissions.

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, as it is the dismantling of an existing rock crib pier and relocation and construction of an open piling pier and retention of two existing mooring buoys located within Lake Tahoe.

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 additional impervious structural area. The proposed pier does include reconstruction of a boathouse; however, the proposal would not exceed the overall surface area of the existing boat houses being dismantled. The proposed pier would extend to the same navigable depth as the existing pier; however, the additional decking required to accomplish this is considered to be insignificant.

3. Flood waters.

The existing rock crib pier, which is proposed to be dismantled, presently creates an artificial condition for water circulation along the shoreline of the Lake. The pier will be relocated farther to the west of the stream, in accordance with TRPA shorezone ordinances, and will be of open pile construction, to allow stream runoff to circulate naturally in the Lake. The proposed project also includes two existing mooring buoys, anchored on the bed of Lake Tahoe. The placement of these buoys will not affect the course or flow of flood waters.

4. Surface water.

This project does not propose to place fill material in any body of water. The rocks from the existing crib pier will be removed from the Lake bed. There would be no impacts to the Lake's water surface.

5. Discharge, dissolved oxygen.

This project will cause minimal turbidity to lake waters during the driving of piling into the lake bed. Specific water quality measures to be implemented include:

- a) Use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement 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. Flow of Ground Waters.

The pier pilings will be set at relatively shallow depths and will not affect the existing flow of ground water.

7. Quantity of Ground Waters.

The pier pilings are set at relatively shallow depths (approximately 6-8 feet, or to refusal) and do not serve as water acquisition facilities. The applicant may provide water to the proposed open pile pier from a connection to an existing water intake line which exists within the proposed pier's vicinity. The use would be minimal and intermittent. This use should not significantly affect ground water supplies.

8. Public Water Supply

The pier relocation/construction is not intended to be used for water acquisition. It will not affect water supplies.

9. Water-Related Hazards

The cumulative volume of the pilings will not induce flooding. The pier and buoys will not interfere with water movements to induce flooding.

10. Temperature, Flow or Chemical Content

There are no known thermal springs in the vicinity. The project will not affect any thermal springs.

D. Plant Life

1. Diversity of Species

The removal of the existing pier may impact current aquatic plant populations at the project site with the removal of the old pilings and rock cribbing. These pilings may have served as substrate for a now established sessile plant population. Removal of the pilings will cause a minor population loss of aquatic plants at the site.

Construction of the open piling structure could furnish a new substrate for sessile aquatic plants. This impact would be minimal as this site is dominated by a cobble substrate and can furnish habitat for sessile aquatic plants.

The project site contains Rorippa subumbellata, Roll. A soils and vegetation report has been prepared for the subject property involving the rock crib pier and boat houses removal, relocation and construction of an open pile construction pier with one consolidated boathouse.

The applicant has agreed to participate in the Interim Management Program for Rorippa subumbellata, Roll. and will adhere to all construction and access guidelines, Attachment "D".

2. Endangered Species.

Impacts to aquatic plants are expected as the old rock crib pier will be removed. There are no endangered aquatic plant species which will be affected by the pier removal. A site inspection for Rorippa subumbellata, Roll., a California-listed plant species, was conducted on the beach area by a qualified botanist. Identified specimens were subsequently fenced with 4' chicken wire fencing attached to 1/2" rebar posts. Two construction and access pedestrian pathways have been identified; one for removal of the existing rock crib pier, and one for construction of the relocated, open piling pier and boathouse, Attachment A1.

Applicant has received a Streambed Alteration Agreement which enables construction within the shorezone until March 30, 1992, to reduce impacts to habitat. As discussed in D-1, above, applicant will follow construction and access guidelines as indicated in the Interim Management Program for Rorippa subumbellata, Roll., Attachment "D".

3. Introduction of Plants

The pier pilings and buoy anchors will afford a hard substrate for sessile aquatic plants. The project site is located on a cobble substrate so introduction of the new pier will not create a new impact on plant populations. The mooring buoys are existing and not proposed; therefore, plants may exist on the anchors. There would be no new impact on plant populations, resulting from the existing mooring buoys.

2. Reduction of numbers of unique, rare or endangered species

The buoys and pier are and would be located in Lake Tahoe. No agriculture or aquaculture are carried out in this area. There will be no impact.

E. Animal Life

1. Animal Species Diversity

The proposed pier pilings could affect access to the lake bottom by burrowing organisms. This would not be a new impact as another pier is located on the adjacent parcel to the west. Removal of the existing rock crib pier and pilings could impact fish and benthic organisms which were attracted to the pilings for grazing and shelter. Until the plant population is established at the new pilings, there may be a temporary drop in fish population. The impacts would be minimal.

There will be no change in the existing plant population on the buoy anchors, as they have existed at this location for many years.

The existing rock crib pier to be removed and the area proposed for the relocated, open piling pier and boathouse are mapped by TRPA as being fish spawning habitat. Construction and dismantling activity involving disturbance to the lake bed will be conducted during non-spawning season, identified to be between December 1, 1991 and March 30, 1992, and between July 1 - September 15, to reduce impacts to fish habitat.

2. Rare Species

The existing rock crib pier may serve as shelter and food source to fish. During demolition and reconstruction, the fish population will be absent. The reconstruction impact should be minimal as fish will repopulate the site. The two existing mooring buoys cover a small portion of the lake bottom. Each buoy utilizes a concrete anchor block approximately two square feet in bottom area. There should be no impact on rare fish species.

3. New Species

The rock crib pier and boathouses removal and open piling reconstruction will remove and reintroduce habitat to this site. The impact will be minimal as the pier is dismantled, relocated and rebuilt. The two existing mooring buoys have existed at this location for many years. No new animal species will be introduced as a result of the proposed project.

4. Habitat Deterioration

The project will involve dismantling an existing rock crib pier and constructing a new, open piling pier and boathouse at a new location approximately 235' to the west of the existing rock crib pier. This project will cause a temporary deterioration of the habitat during the dismantling of the rock crib pier and construction of the new pier; however this impact will be temporary and minimal. Construction in the water will be limited to the non-spawning season, as indicated by the California Department of Fish and Game. The two mooring buoys have existed and do not cover a significant lakebed area. Habitat would deteriorate from continued use.

F. Noise

1. Noise Increases.

The dismantling of the existing rock crib pier and construction of the open piling pier will involve a period of moderate increases to existing noise levels as the existing pilings are cut at grade level and as the new pilings are being set. Noise from pile driving is anticipated to last several days. Noise from work crew vehicles arriving and leaving the site will occur at beginning and end of work days during construction of the proposed facilities. No new noise will occur from the continued existence or use of the two existing mooring buoys.

2. Severe Noise

The dismantling of the existing rock crib pier and construction of the open piling pier may cause periods of extreme noise as equipment is being used. These episodes would be brief, lasting seconds or minutes in duration. Some severe noise may arise periodically from boat use of the pier and buoys during engine operation; however, these occurrences would be brief and are not new impacts to the area.



G. Light and Glare

1. The proposed project will be constructed during daylight hours so light from construction will not occur. However, while the project is being constructed, navigational safety lights will be placed on each pier. The applicant does not propose any navigational lighting; however, low-level lighting will be installed for periodic nighttime use of the pier for architectural and safety purposes. The two mooring buoys are for recreational mooring purposes, and will continue to be maintained and used in accordance with all state and federal regulatory agencies.

H. Land Use

1. The open piling pier and boatlifts would be located within the shore area immediately east of an area containing another pier and buoys. The two mooring buoys of this project are already existing. There is no new use proposed for this location to alter local use patterns. The closest pier is located approximately 195 feet west of the proposed pier relocation site. The nearest pier located to the east of the proposed pier reconstruction is approximately 910 feet.

I. Natural Resources

1.-2. Resource Use

The pier, boatlifts, and buoys will not increase resource depletion or loss of non-renewable resources. The proposed pier relocation and reconstruction will include electrical service to two boatlifts which have previously been operated manually. This impact is considered to be minimal. The pier, boatlifts and buoys will be used only for recreational boats and use.

J. Risk of Upset

1. The project involves dismantling an existing rock crib pier and boathouses and relocation and reconstruction of an open pile construction pier and one consolidated boathouse. Two existing mooring buoys are proposed for continued use. Risk of explosion of fuel could occur during reconstruction of the pier and boathouse. However, best construction management precautions as indicated by TRPA permit conditions will be taken to minimize this possibility. The pier, boatlifts and mooring buoys will be used for recreational purposes. Possibility of explosion will be minimal.
2. Emergency Response Plan

The pier, boatlifts and buoy anchors are to be located in an area a short distance east of an existing pier and buoys. These structures will not create a new impact upon emergency vessel movements in the area.

K. Population

1. The proposed project will not affect the population density or growth patterns within the area. The pier, with its boathouse and boatlifts and the two existing mooring buoys are intended for private recreational use by the applicant. There will be no live-aboard vessels or increases in local population.

L. Housing

1. The pier, with its boathouse and boatlifts along with the two existing mooring buoys are intended for use by the applicant. The boathouse will act as a shelter for the applicant's recreational vessels, and is not for residential use.

Housing structures exist upon the upland parcel from which the rock crib pier will be dismantled and the open piling pier, boathouse and boatlifts will be placed and from which the existing mooring buoy anchors are presently located.

M. Transportation

1. Vehicular Movement

The pier, boathouse, boatlifts and mooring buoys are intended for the applicant's use. No new vehicular traffic will result from use of the pier, boathouse, boatlifts and buoys. Construction vehicles will access the site from existing roads leading from the highway. This impact is considered to be minimal in relation to overall vehicle traffic for this area.

2. Parking

The pier, boathouse, boatlifts and mooring buoys are intended for the applicant's private use. No new parking facilities will be created or required for their use. A residential structure and appurtenant buildings exist on the upland parcel which accommodate parking needs for the recreational pier structure.

3. Transportation Systems

The proposed project will not create new impacts on existing or future transportation systems. The removal of the existing rock cribbing from the pier will be accomplished by hand and transported across an identified pathway to the upland by hand cart with rubber tires. The crane, mounted on the amphibious vehicle, will dismantle the larger portions of the existing boathouses and pier deck. They will be placed on the existing deck and then removed to the upland utilizing the identified upland access pathway. The proposed pier construction will be accessed by water for setting of the piles. Construction vehicles will be required to access the project site from the upland for construction of the boathouse structure and decking and for providing electrical service and water to the proposed open piling pier. Construction access will be accomplished through the use of existing roadways and paths used by the existing upland dwellings. This impact upon the existing transportation system of this area is considered to be minimal.

4. Circulation

The pier, boathouse, boatlifts and mooring buoys will be located within the vicinity to the east of an existing pier and mooring buoys. Once the existing rock crib pier is dismantled, topline trollers will be afforded greater access to the Ward Creek stream inlet to Lake Tahoe, as the open piling pier will be relocated 195 feet to the west of the existing rock crib pier. The nearest pier to the west of the proposed pier reconstruction is approximately 195 feet. The nearest pier to the east of the proposed pier reconstruction is approximately 910 feet, thus allowing a greater area for trolling in prime fish habitat. Two mooring buoys and their anchors have existed at the project site for many years, (refer to Attachment E, for TRPA acknowledgement). The reconstruction of the pier with its boathouse and boatlifts and the retention of the two existing mooring buoys will not adversely affect current land or water traffic circulation beyond that which currently exists.

5. Traffic

Refer to response, M-4, above.

6. Hazards

The proposed project involves dismantling of a rock crib pier structure which includes two existing boathouses and two boatlifts and construction of an open pile pier, one consolidated boathouse and two boatlifts. Two existing mooring buoys will be retained. All facilities will be located in Lake Tahoe and their use will not pose a hazard to motor vehicles, pedestrians or bicyclists.

N. Public Services

- 1-6. The proposed project involves dismantling of an existing rock crib pier, two boathouses and two boatlifts and relocation and construction of an open piling pier, one consolidated boathouse and installation of two electrically-operated boatlifts. The mooring buoys have existed at this location for many years. These structures will not create a new impact on public services including fire and police protection, school and park facilities, road maintenance or other public services. No significant impacts will occur.

O. Energy

1. Use

Fuel and electricity will be required for construction as well as to operate the recreational boats and boat lifts. The electrical service to the boatlifts will be the only new use of energy, which is not considered to be a substantial impact.

2. New Energy

Refer to response O-1, above.

P. Utilities

1-6. The pier will not create a significant impact on utilities including power, water, sewerage and waste or communications. All utilities for the above services presently exist on the upland parcel. Installation in and use of the boatlifts will require a minor amount of additional electrical power which will be connected from services available on the upland parcel. Water service to the pier will be obtained from a connection to applicant's existing water service line in the vicinity of the proposed pier. The open piling pier and boathouse will contain low-level lighting required for architectural and safety purposes. This proposal does not include aids to navigation lighting. These impacts are considered to be minimal.

Q. Health Hazards

1-2. The pier will be constructed with steel pilings, steel and wood framing and wood decking. The mooring buoy anchors are made of concrete, and the floats will be comprised of and placed seasonally in accordance with TRPA, U.S. Coast Guard, U.S. Army Corps of Engineers, and Department of Fish and Game standards, specifications and conditions. These materials will not pose a health hazard or potential health hazard to humans.

R. Aesthetics

1. The proposed rock crib pier and boathouses removal, relocation and reconstruction will be performed in the vicinity to the east of an existing recreational pier and buoys. The location of the proposed open pile pier may be more visible to the adjacent neighbor to the west as it will be located approximately 195' to the east of the neighbor's existing pier. This impact is considered insignificant.

TRPA has determined that the removal of the rock crib pier and the relocation of the proposed open piling pier away from Ward Creek, as well as the design and color of the proposed pier structure will enhance the quality of the scenic resources within this area. The view from the lake will not change as the height, width and character of the proposed pier will remain essentially the same.

S. Recreation

1. There will be no adverse impacts to recreational opportunities. The proposed pier relocation and construction will contain the same area coverage as that being removed. As discussed in M-5, above, boating anglers will be afforded a greater shoreline area for fishing near the Ward Creek stream inlet after the rock crib pier has been removed. This is considered an improvement to recreational opportunities.

T. Cultural Resources

1.-4.

The rock crib pier and boathouses proposed to be dismantled are structures which have existed since the early 1900's. An authorized historian has prepared a report concerning the retention of the historic architectural features within the design of the proposed construction of the relocated, open piling pier and consolidated boathouse. This proposal will not significantly impact a prehistoric archaeological site. This proposal involves construction in the shorezone of Lake Tahoe, and will not affect any unique ethnic cultural values or restrict existing religious or sacred uses within the project's impact area.

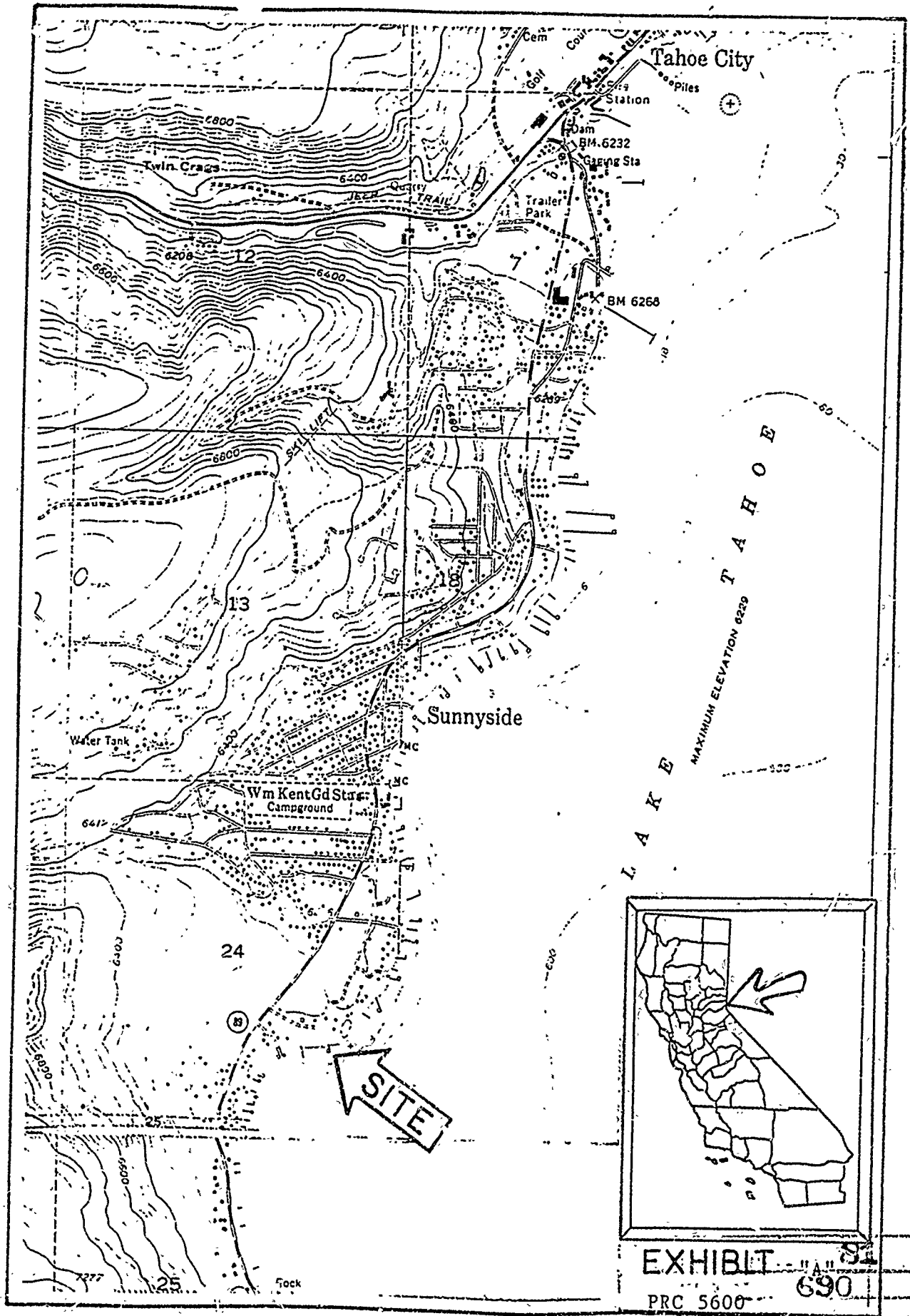
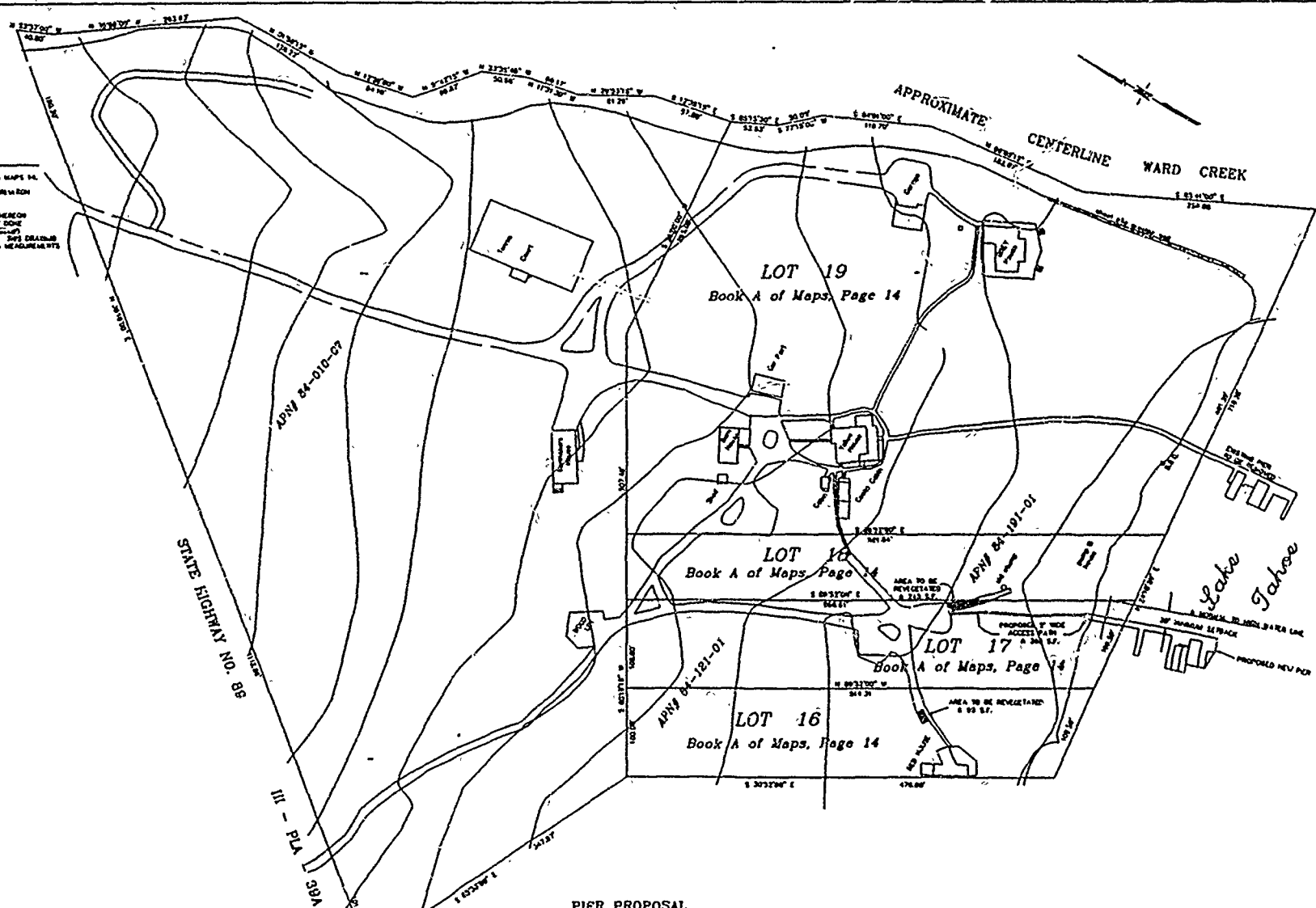


EXHIBIT "A" 91  
 PRC 5600 690

**NOTES**

- 1) SOURCE OF METES AND DISTANCES IS MAPS 12, AND A MAPS 14.
- 2) THE SHADY SHOWN HEREON IS FROM RECORD INFORMATION ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THE PLANNING FEATURES AND CONTAINS SHOWN HEREON WERE PLANNED FROM A TOPOGRAPHIC SURVEY DONE IN THE OFFICE DURING NOVEMBER OF 1988 AND LAYOUT LATEST BY CARLOS MORALES, JCR NO. 17822. THIS DRAWING SHOULD NOT BE USED FOR PLANNING BASED AREA MEASUREMENTS.
- 4) CADD DRAWING COPIED FROM 138M404290



**PIER PROPOSAL**

**SITE PLAN / COVERAGE EXHIBIT**  
**BRIGGS TRUST PROPERTY / WELLS FARGO BANK**  
 BEING A PORTION OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 18 EAST, N.D.M.  
 PLACER COUNTY CALIFORNIA

DATE PLAN 1/28/89  
 PLAN DATE 12/28/88  
 HORIZONTAL 1" = 20'  
 VERTICAL 1" = 5'

**HALE-TIPPIN**  
**CONSULTANTS**

CONSULTING ENGINEERING  
 PLANNING  
 2902 MARK LANE, SUITE 200  
 TOLSON, CALIF. 95778  
 (916) 941-1118  
 FAX (916) 941-0818

SCALE  
**A1**  
 FILE NO. 128 02

| REVISION | DATE     | DESCRIPTION                                     |
|----------|----------|---|
| 1        | 12/28/88 | ORIGINAL PROPOSAL FOR THE BRIGGS TRUST PROPERTY |

SHEET OR PAGE  
 OF  
 TOTAL PAGES  
**991**

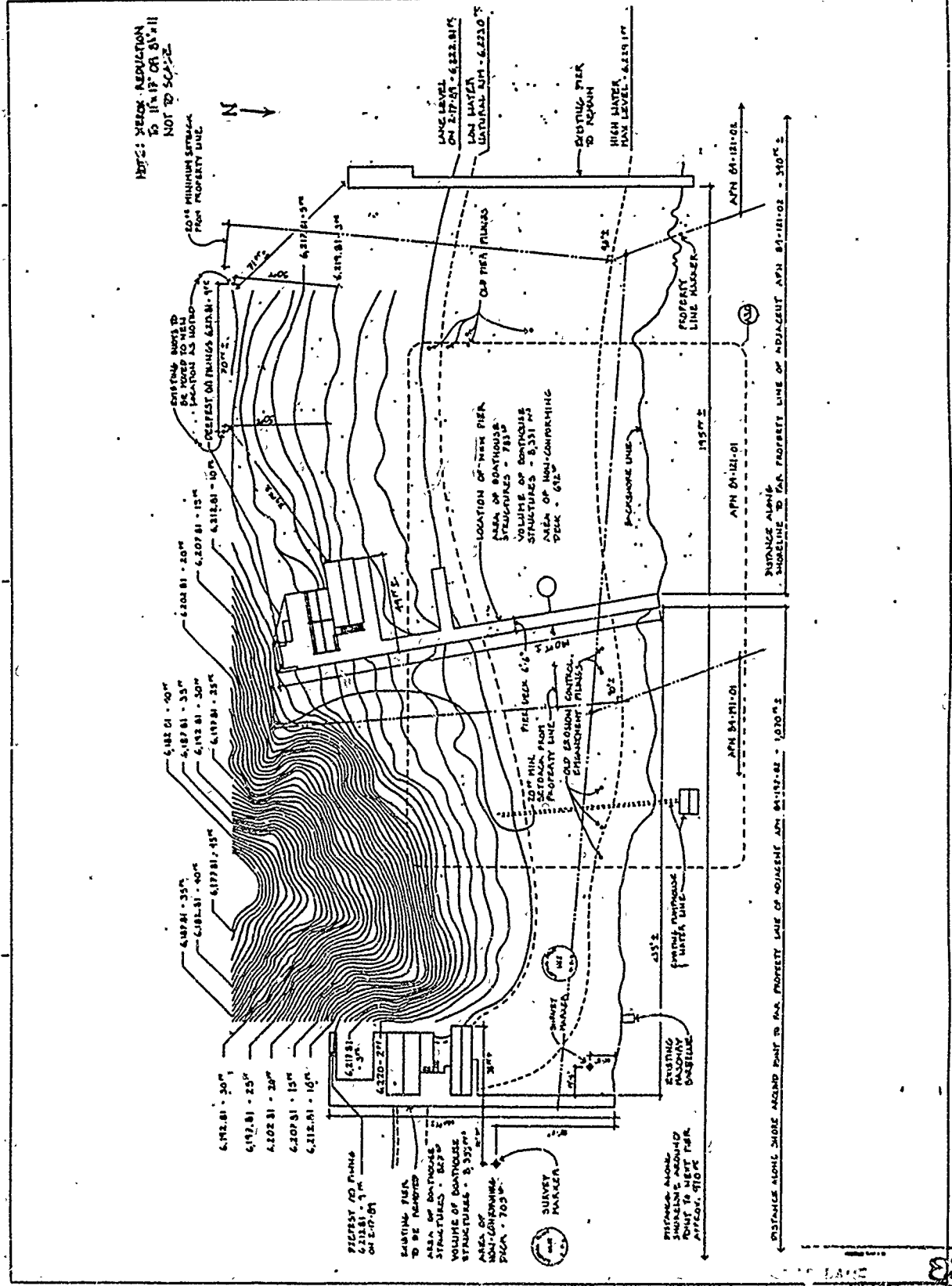


GRACE & BRIGGS  
TRUST PROPERTY,  
SUNNYSIDE,  
LAKE TAHOE, CA

PIER PROPOSAL

|             |               |
|-------------|---------------|
| DATE        | 1/12/01       |
| BY          | CPMS          |
| PROJECT     | PIER PROPOSAL |
| SCALE       | AS SHOWN      |
| PROJECT NO. | 1224-01       |

APR 12 2001  
PROJECT NO. 1224-01  
SHEET NO. A2



83  
692

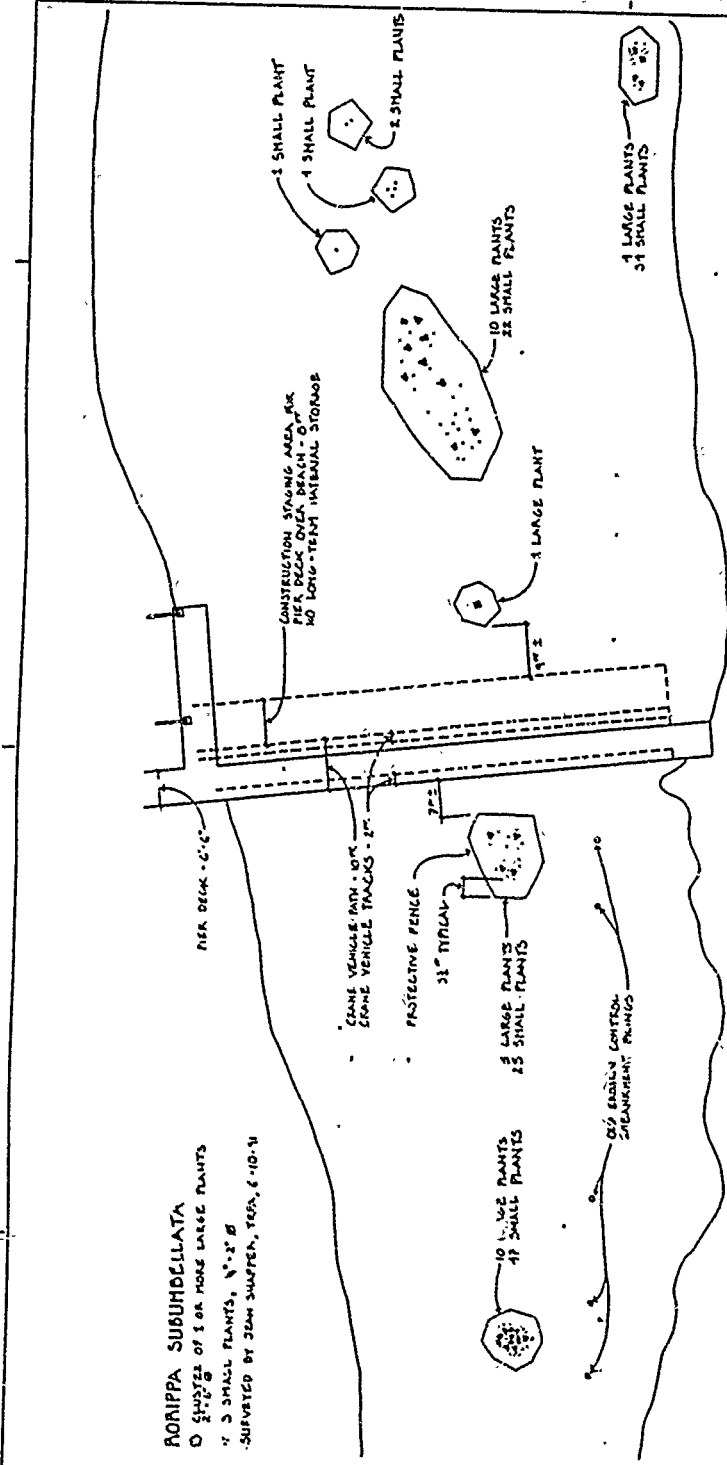
GRACE B. BRIGGS  
TRUST PROPERTY  
SUNNYSIDE  
LAKE TAHOE, CA.

PIER PROPOSAL

MEASUREMENTS 4-10-91  
BY JAMES W. STUBBS  
DATE: 12-26-91

DESIGNED BY: JAMES W. STUBBS  
DATE: 12-26-91

PROJECT NO. A30  
DATE: 1-10-91  
DRAWN BY: JAMES W. STUBBS  
CHECKED BY: JAMES W. STUBBS



**RORIPPA SUBUMBELLATA**  
 0 5" PLANT  
 1 3" SMALL PLANT  
 SURVEYED BY JIM SWAPEN, 1994, 6-10-91

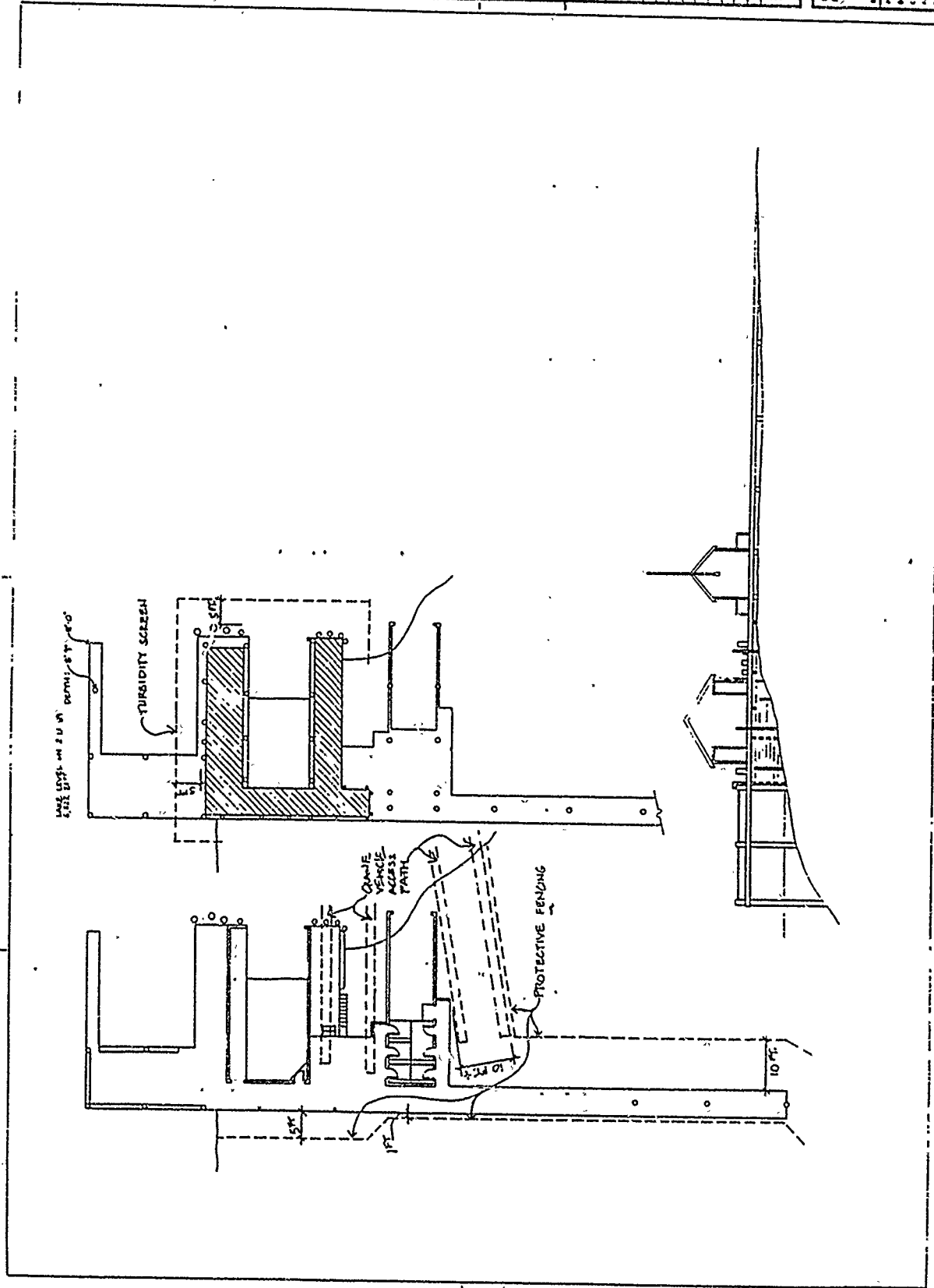
NOTE: REFERENCE REDUCTION  
TO 8" X 11" NOT  
TO SCALE

GRAZE & BRIGGS  
 TRUST PROPERTY,  
 SUNNYSIDE  
 LAKE TAHOE, CA.

PIER PROPOSAL

NO. 8100  
 PROJECT NO. 10134

|                  |                   |      |
|------------------|-------------------|------|
| DATE FOR LISTING | PART I ELEVATIONS |      |
| DATE             | NO.               | REV. |
|                  | A31               |      |
| PROJECT          |                   |      |
| CLIENT           |                   |      |
| APPROVED         |                   |      |
| DATE             | 12/1/82           |      |



ORIGINAL

GRACE R. BRIGGS  
TRUST PROPERTY  
SUNNYSIDE,  
LAKE TAHOE, CA.

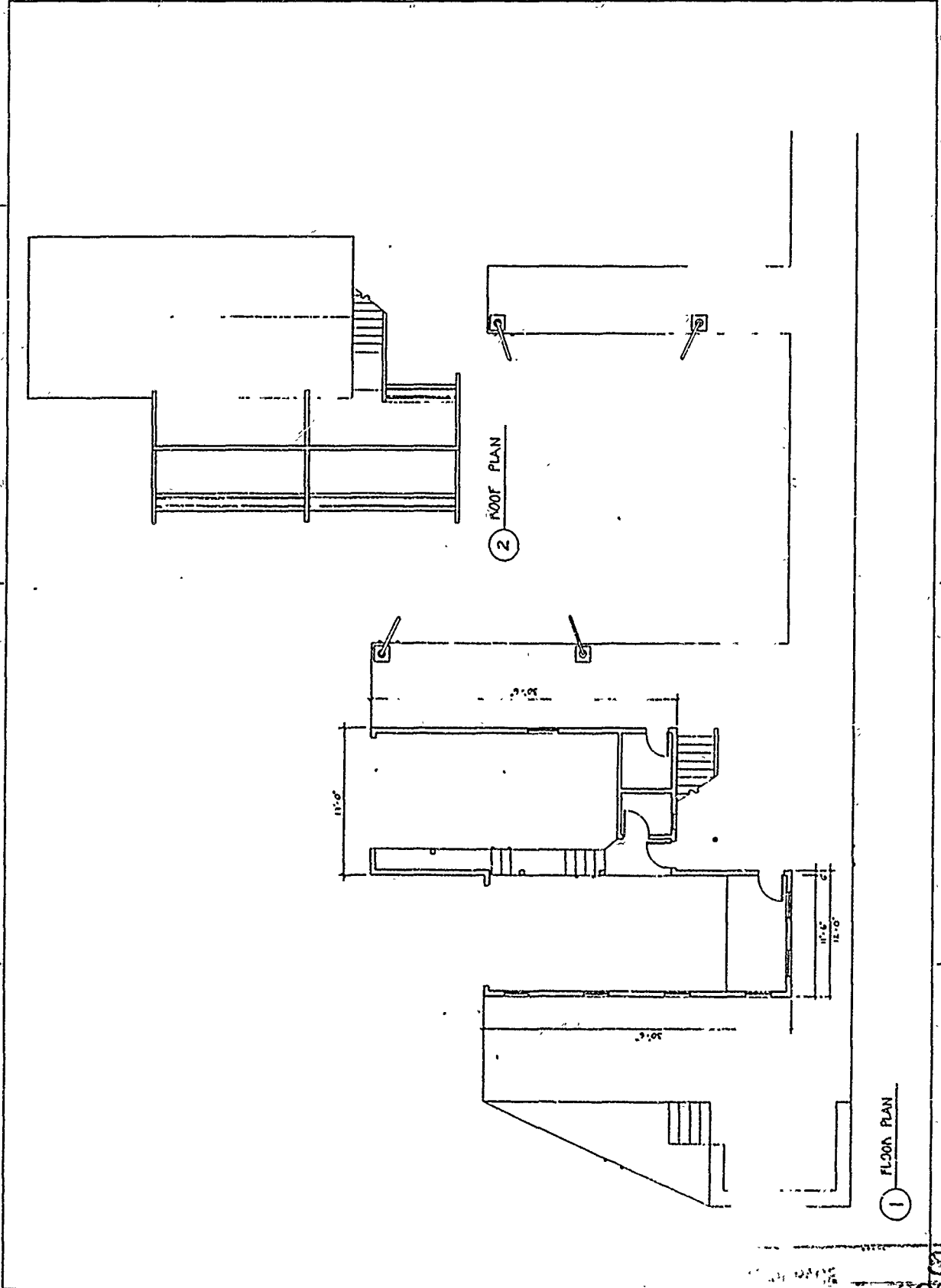
PIEN PROPOSAL

Sheet No.  
FLOOR PLAN, ROOF PLAN

Scale: N = 1/8" = 1'-0"

Prepared by  
Checked by  
Date: 01/17/01

A4



1 FLOOR PLAN

2 ROOF PLAN

85  
855

GRACE R. BAIGGS  
TRUST PROPERTY,  
SUNNYSIDE,  
LAKE TAHOE, CA.

### PIER PROPOSAL

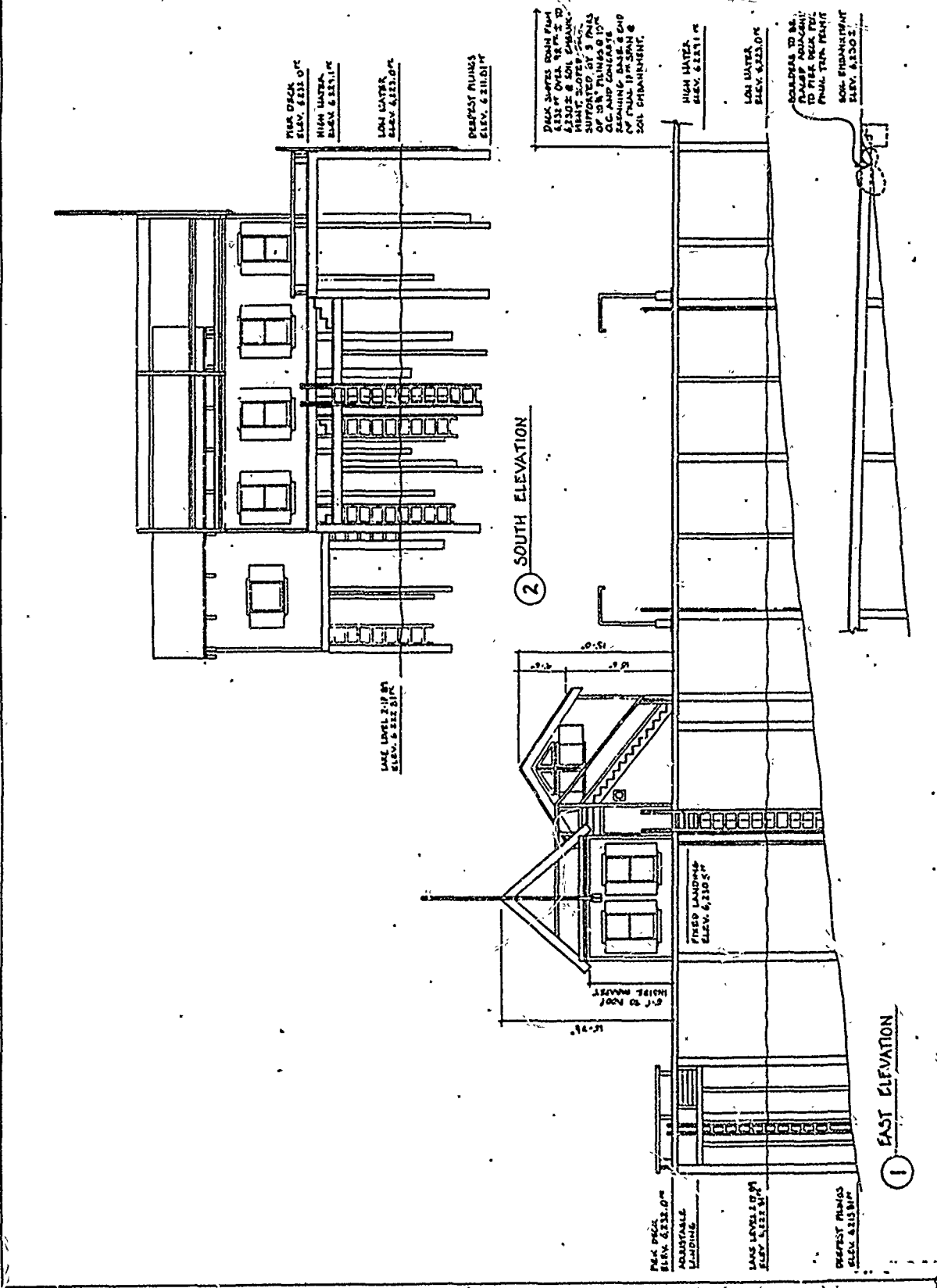
#### GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 1987 CALIFORNIA BUILDING CODE AS AMENDED.  
2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
3. THE PROPOSAL IS BASED UPON THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THIS INFORMATION.

Scale: 1/4" = 1'-0"

Project No.:  
Drawing No.:  
Date: 12/21/22

A5



2 SOUTH ELEVATION

1 EAST ELEVATION

PIER DECK  
ELEV. 6,222.07'

HIGH WATER  
ELEV. 6,221.12'

LOW WATER  
ELEV. 6,213.05'

DEEPEST PILING  
ELEV. 6,211.01'

LAKE LEVEL 2'-10" ELEV. 6,212.21'

PIER DECK  
ELEV. 6,222.07'

ADJUSTABLE  
LANDING

LAKE LEVEL 2'-10"  
ELEV. 6,212.21'

DEEPEST PILING  
ELEV. 6,211.01'

PIER SHALL BE BUILT FROM  
4"x4" OAK 12"x12" TO  
6"x6" & 8"x8" DIMENSIONS  
HEAVY BUILT  
SUPPORTED BY 5" PAIS  
ON 12" PILING 12"  
ON 12" PILING 12"  
ON 12" PILING 12"  
ON 12" PILING 12"  
ON 12" PILING 12"  
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ON 12" PILING 12"

HIGH WATER  
ELEV. 6,221.12'

LOW WATER  
ELEV. 6,213.05'

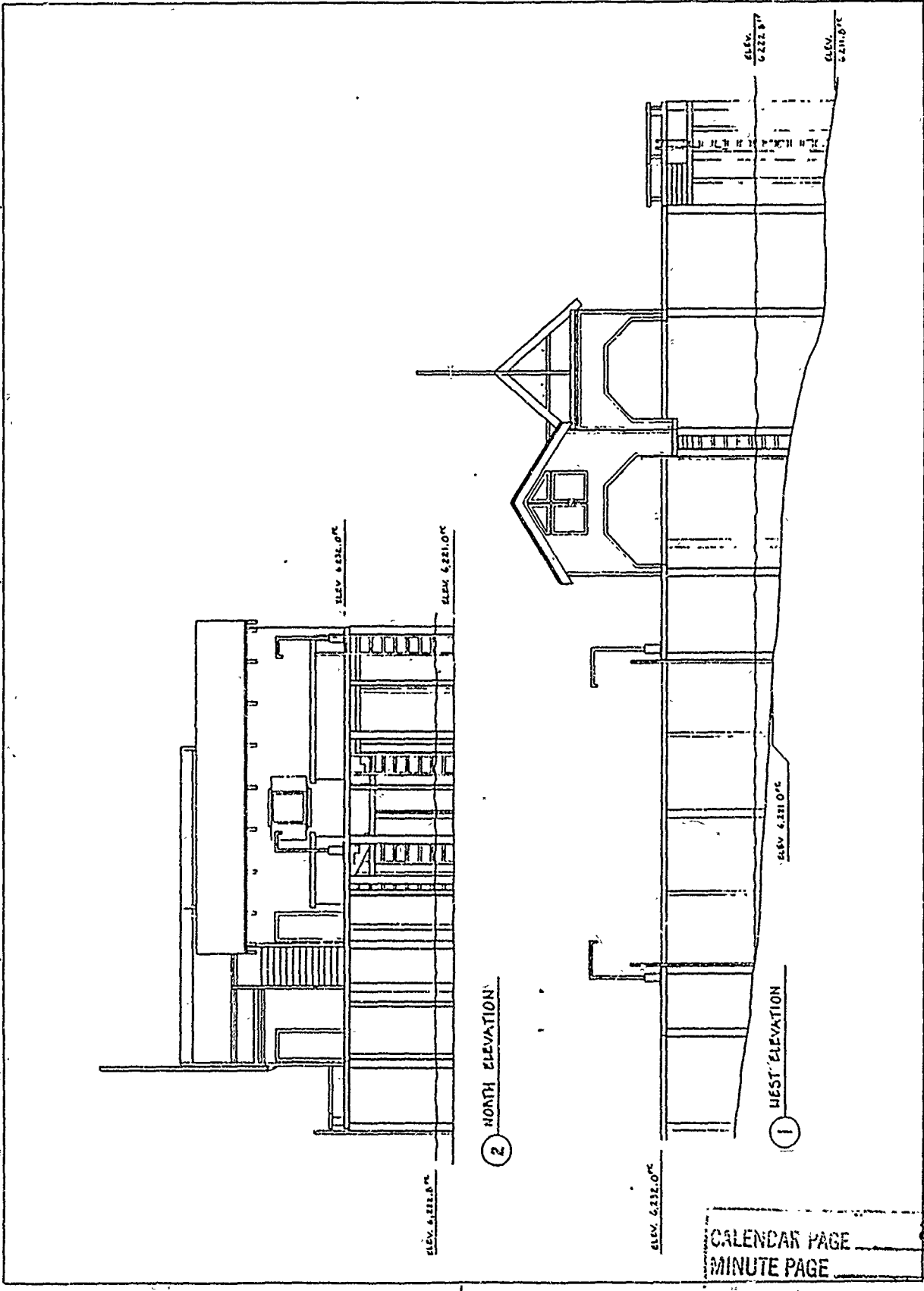
CONCRETE TO BE  
PLACED ADJACENT  
TO PIER DECK FOR  
PUBLIC TRAIL. FINISH  
50% ENHANCEMENT  
ELEV. 6,200.0'

097  
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GRACE R. BRIGGS  
TRUST PROPERTY,  
SUNNYSIDE,  
LAKE TAHOE, CA.

PIER PROPOSAL

|                        |                         |
|------------------------|-------------------------|
| DATE: 7/15/00          |                         |
| PROJECT: PIER PROPOSAL | SCALE: 1/8" = 1'-0"     |
| DRAWN BY: G.M.C.       | CHECKED BY: [Signature] |
| DATE: 7/15/00          | DATE: 7/15/00           |
| A6                     |                         |



2 NORTH ELEVATION

1 WEST ELEVATION

EXHIBIT "B"

Existing McClatchy Pier Removal and Rock  
Redistribution Plan - November 21, 1991  
Revised January 24, 1992

We propose to undertake the removal of the existing pier during the period between July 1 and September 15, 1991 approved by the Department of Fish and Game. All material composing the pier will be removed from the shorezone over the existing pier deck, 4 feet wide pier access path and roads verified as existing coverage by the TRPA. The material will be either taken off the site for disposal or stored on class 6 capability zone areas for later use for construction purposes. The storage areas will be unvegetated land used formerly for a corral and associated activity, as former county roads, or presently as roads and parking areas verified as coverage by the TRPA.

Before removal of the pier is undertaken, turbidity screens will be installed 5 ft. beyond the pier cribbing where it extends 2-5 feet horizontally into the lake beyond the low water line of 6,223 feet elevation. Prior to removal, protective fencing will be installed 1 feet to the east of the pier deck from the shoreline to the highwater line, and 5 feet to the east of the pier deck from the high to the low water line. No foot traffic or activity involved in the pier removal will be allowed to the east of this fencing in the area of Rorippa habitat. All Rorippa plants to the west of the existing pier will be surrounded by protective fencing. Protective fencing will be installed 10 feet to the west of the pier, and any construction activity on the beach involved in the removal of the pier will be limited to this area. Foot traffic between the existing pier and the new pier will be limited to 5 feet along the existing water line. All material composing the pier will be removed down to the existing gravel beach grade.

The rock redistribution plan will provide for the removal of cribbing rock by hand cart to the storage areas previously mentioned. The rocks will be saved for 3 1/2 years from 1-1-92 for use to enhance fish habitat on the lake bed adjacent to littoral APSs 84-121-01 and 84-191-01. An appropriate party other than the McClatchy family must be found who can apply for and obtain approval of the TRPA and other required permits to construct small rock piles 1+ meter tall. Given a reasonable probability of obtaining approval, the McClatchys will apply for the required permits to construct a rock cribbing in the new pier. We estimate the amount of rock to be 60 cubic yards. If the amount of rock actually removed is larger or smaller than our estimate, the quantity will be divided in 1/3 and 2/3 proportions as further described.

We will save 20 cubic yards of rock for use by any agency or organization which obtains the necessary permits until 6-30-95, when the Tahoe Resource Group contract which would cover the design, placement and study of such an installation will expire. We agree to allow such an installation off our two littoral parcels during this time frame. After this date we will retain possession of these rocks, but will consider any proposals for such an installation. We will save the balance of 40 cubic yards until the same date for use in constructing a rock cribbing in our new pier. After this date, we will use the rock to construct a rock cribbing given the probability of obtaining the necessary approvals, or we will use the rock for other construction purposes.

AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION

THIS AGREEMENT, entered into between the State of California, Department of Fish and Game, hereinafter called the Department, and Mr. Gregg Lien (representing James McClatchy.....) of Tahoe City...., State of California, hereinafter called the operator, is as follows:

WHFREAS, pursuant to Division 2, Chapter 6 of California Fish and Game Code, the operator, on the 18 day Sept 19 91, notified the Department that he intends to substantially divert or obstruct the natural flow of, or substantially change the bed, channel, or bank of, or use material from the streambed of, the following water: Lake Tahoe.. in the County of Placer, State of California, S. 24 T. 15N R. 16E

WHEREAS, the Department (represented by ..... has made an inspection of subject area on the ..... day of ..... 19 .., and) has determined that such operations may substantially adversely affect existing fish and wildlife resources including: trout, resident fish, aquatic insects, and their habitat

THEREFORE, the Department hereby proposes measures to protect fish and wildlife during the operator's work. The operator hereby agrees to accept the following recommendations as part of his work: Numbers 16, 20, 21, 22 from the list of recommendations on the back of this page and the following special recommendations:

- 1. All work in or near the stream or lake shall be confined to the period Dec 1, 1991 thru March 30 1992 or July 1 thru Sept 15, 1992. RCP

NOTE: SEE THE ATTACHED PAGE 2 FOR SPECIAL RECOMMENDATIONS TO BE FOLLOWED!

Multiple horizontal lines for additional special recommendations.

The operator, as designated by the signature on this agreement, shall be responsible for the execution of all elements of this agreement. A copy of this agreement must be provided to contractors and subcontractors and must be in their possession at the work site.

If the operator's work changes from that stated in the notification specified above, this agreement is no longer valid and a new notification shall be submitted to the Department of Fish and Game. Failure to comply with the provisions of this agreement and with other pertinent Code Sections, including but not limited to Fish and Game Code Sections 5650, 5652 and 5948, may result in prosecution.

Nothing in this agreement authorizes the operator to trespass on any land or property, nor does it relieve the operator of responsibility for compliance with applicable federal, state, or local laws or ordinances.

THIS AGREEMENT IS NOT INTENDED AS AN APPROVAL OF A PROJECT OR OF SPECIFIC PROJECT FEATURES BY THE DEPARTMENT OF FISH AND GAME. INDEPENDENT REVIEW AND RECOMMENDATIONS WILL BE PROVIDED BY THE DEPARTMENT AS APPROPRIATE ON THOSE PROJECTS WHERE LOCAL, STATE, OR FEDERAL PERMITS OR OTHER ENVIRONMENTAL REPORTS ARE REQUIRED.

This agreement becomes effective on upon signing + return to Dept of Fish + Game within 14 days

Operator Gregg Lien

Ronald C. Peralta Department Representative

Title atty in fact

Title Fish + Game Warden

Organization

Department of Fish and Game, State of California

Date 10/24/91

Date 10-15-91

\*If inspection was not made, cross out words within parentheses.



CALIFORNIA DEPARTMENT OF FISH AND GAME  
 AGREEMENT REGARDING PROPOSED STREAM ALTERATION  
 NOTIFICATION NO. II-732-91  
 SPECIAL RECOMMENDATIONS  
 PAGE 2 OF 2 PAGES

1. All work in Lake Tahoe shall be confined to the period December 1, 1991 thru March 30, 1992. This permit shall expired on ~~April 1~~, 1992. Existing vegetation will be protected as necessary from construction activities. Every effort will be expended to protect rare and endangered plants at the site such as roripa. To protect plant life the work work will be done during the winter months while plants are dormant; and no interferrance with fall or spring fish spawning in/around Lake Tahoe.

2. The disturbance of lake bed materials shall be kept to a minimum during construction. Best practicable control technology shall be used to keep suspended earthen materials out of Lake Tahoe. If necessary a turbidity screen or cassons will surround the work site/pilings in areas of loose sediment to retain resuspended sediments in conformance with TRPA requirements & guidelines. Tarps/boats shall be placed under the construction area to collect construction debris. Construction wastes shall be collected onto th barge and onshore dumpsters for subsequent removal to an approved landfill.

3. 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.

4. This agreement is not intended as approval or review of the project or of specific project features. The Department, as appropriate, shall provide independent review and recommendations on projects where, local, State, or Federal permits or other environmental review is required."\_.) In addition to these recommendations, operator will comply with any other recommendations made previously by the Department as a result of comments made during the environmental review process. If in the opinion of any Department of Fish and Game employee, measures are not adequate to protect fish and willife resources, operator shall cease until appropriate measures are approved.

4. During any additional environmental review process whêre the Dept of Fish and Game makes recommendations or comments this streambed alteration agreement may be modified by the Dept of Fish and Game to reflect these comments. This agreement is not intended as approval of the project by the Department.

5. No wood products, rubbish, soil, silt, sand, oil or petroleum products are allowed to enter the any surface waters in the Lake Tahoe Basin. Any mechanical equipment operating within the lake will be cleaned and maintained prior to use. All constuction waste products will be removed from the project site and dumped at a legal point of disposal. The use of wood preservatives on wood in contact with the lake water is prohibited. Waste shall not cause a pollution or threatened pollution.

6. This agreement may be renewed one time prior to expiring on ~~April 1~~<sup>Sept 15</sup>, 1992 uppon application and payment of fees by applicant. (REC)

|                                   |                                   |
|-----------------------------------|-----------------------------------|
| OPERATOR <i>Guy J. Lin</i> .....  | Dept Rep: <i>Donald C Permitt</i> |
| Title <i>Att. in Charge</i> ..... | Fish and Game Warden              |
| Organization.....                 | Dept of Fish and Game             |
| Date. <i>10/24/91</i> .....       | Oct. 15, 1991 <i>10/16/91</i>     |

PAGE 2 OF 2 PAGES  
 94  
 700

EXHIBIT "D"

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

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

EXHIBIT "E"

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

December 4, 1991

Mr. Carlos McClatchy  
3315 Sacramento St. #148  
San Francisco, CA 94118

Subject: McClatchy - Acknowledgement of two existing buoys, APN 84-191-01  
Placer County, 2400 West Lake Boulevard

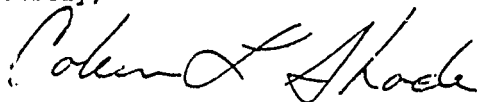
Dear Mr. McClatchy:

Based on evidence found in an aerial photo (the aerial photo used was dated 10/13/70) Tahoe Regional Planning Agency (TRPA) staff has been able to make the finding that two buoys did exist prior to May 27, 1976 the adoption date of the TRPA Shorezone Ordinances.

This letter officially acknowledges your two existing buoys. There is no need for you to pursue a TRPA permit in addition to this acknowledgement. We do request, as a part of this acknowledgement, that you remove the buoys at the end of each boating season. If, at sometime, you wish to relocate your buoys, a permit would be required.

Should you have any questions regarding the contents of this letter please feel free to call me.

Sincerely,



Coleen L. Shade  
Associate Planner  
Project Review Division

cc: Jacques Graber, California State Lands Commission  
Kevin Roukey, U.S Army Corp of Engineers  
Ron Perrault, California State Fish Game Department

EXHIBIT "E"  
MONITORING PROGRAM  
FOR THE WELLS FARGO/GRACE BRIGGS TRUST  
PIER RECONSTRUCTION

1. Impact: The proposed project may cause minimal turbidity to lake waters during the driving of piling into the lake bed.

Project Modification:

- a) Use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement 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 periodically monitor the construction activity during the placement of the pilings.

2. Impact: The proposed project is located in designated fish spawning habitat and could have an impact on the habitat.

Project Modification:

Construction and dismantling activity involving disturbance to the lake bed will be conducted during the non-spawning season, identified to be between December 1, 1991 and March 30, 1992, and between July 1 - September 15, to reduce impacts to fish habitat.

Rocks to be removed from the cribbing of the existing pier will be stored at an approved upland location.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically site inspect the construction activity to ensure the proposed activity will occur within the allowable construction time period.

3. Impact: The proposed project site contains a State-listed, endangered plant, Rorippa subumbellata, Roll., and could have the potential to disturb the plant and/or its habitat.

Project Modification:

The applicant has agreed to participate in the Interim Management Program for Rorippa subumbellata, Roll. and will adhere to all construction and access guidelines, identified within the Proposed Negative Declaration, SCH 92012096, as Exhibit "D".

Monitoring:

Staff of the State Lands Commission, or its designated representative, in conjunction with staff of the Tahoe Regional Planning Agency and the California Department of Fish and Game will periodically site inspect the construction activity to ensure the protection of Rorippa subumbellata, Roll., and its habitat.

4. Impact: During the proposed dismantling and construction activity, the project area may create a potential navigational hazard after sunset.

Project Modification:

The applicant has proposed navigational safety lighting to be placed at the ends of each pier during construction activity to be operational after sunset until conclusion of dismantling/construction of each pier.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically monitor the close of construction activity at the end of a work day to ensure adequate precautions are taken for navigational safety after sunset.

5. Impact: During dismantling/construction activity, the possibility exists that an explosion or upset could occur as the result of the use of fuel-operated equipment.

Project Modification:

Best construction management practices will be conducted as indicated in the Tahoe Regional Planning Agency permit conditions to reduce the potential for an explosion.

Monitoring:

Staff of the State Lands Commission, or its designated representative, in conjunction with staff of the Tahoe Regional Planning Agency, will periodically monitor the construction activity to ensure adequate safety precautions are taken to reduce the risk of upset.