MINUTE ITEM
This Calendar Item No. C07
was approved as Minute Item
No. 07 by the State Lands
Commission by a vote of 3
to 0 at its 6-30-92
meeting.

CALENDAR ITEM

C 07

A 7

S 1

06/30/92
W 24703
J. Ludlow

APPROVE ISSUANCE OF A RECREATIONAL PIER PERMIT

APPLICANT:
Laura K. Svendsen
10561 Maze Boulevard
Modesto, California 95351

AREA, TYPE LAND AND LOCATION:
A parcel of submerged land located in the bed of Lake Tahoe in Rubicon Bay near Tahoma, El Dorado County.

LAND USE:
Reconstruction, relocation, and 75-foot extension to an existing pier, including the addition of a low-level boatlift, the retention of one existing mooring buoy, and the placement of a second mooring buoy.

TERMS OF PROPOSED LEASE:
Initial period:
Five (5) years beginning June 30, 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 fee, processing fee, environmental fee and Fish and Game fee have been received.

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STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2: Div. 13.

B. Cal Code Regs.: Title 2, Div. 3: Title 14, Div. 6.

AB 884:
09/30/92

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 595, State Clearinghouse No. 92052133. 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. Pursuant to a comment from the Department of Fish and Game, the buoys and anchoring chains will be annually detached from the anchors from Labor Day through Memorial Day to allow unrestricted angling.

3. 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.

4. The applicant proposes to relocate and reconstruct an existing pier. The reconstruction will include extending the pier an additional 75 feet and the installation of a low level boatlift. In addition, the applicant also wishes authorization for the retention of one existing mooring buoy and the placement of a second mooring buoy.

5. The existing pier is located landward of elevation 6,223, Lake Tahoe Datum, and does not occupy land under the leasing jurisdiction of the State Lands Commission.

6. The project will be accomplished using a rubber-tired, barge-mounted pile driver and all work will be completed from the water using floating equipment.

7. The lease includes special language in which the 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.

8. Material will be neither stored nor placed, nor will any activity associated with the construction be conducted, above the low water line of the subject property. This procedure will prevent any disturbance to Rorippa habitat.

9. This permit would be issued subject to the applicant providing evidence to the State Lands Commission of authorization of the existing buoy by the Tahoe Regional Planning agency by June 30, 1992.

10. Commission staff will monitor the reconstruction of the pier in accordance with the Monitoring Program attached as Exhibit "E".

11. This property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.

12. 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.

13. The applicant has been notified that the public has a right to pass along the shoreline and the permittee must provide a reasonable means for public passage along the shorezone area occupied by the permitted structure.

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers and State Lands Commission.

EXHIBITS:

A. Site Map
B. Location Map
C. El Dorado County Letter of Approval
D. Negative Declaration
E. Monitoring Program

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 595 STATE CLEARING HOUSE NO. 92052133 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 "E", PREPARED PURSUANT TO P.R.C. SECTION 21081.6.

4. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

5. AUTHORIZE ISSUANCE TO LAURA K. SVENDSEN, OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING JUNE 30, 1992, FOR THE RECONSTRUCTION, RELOCATION AND EXTENSION OF AN EXISTING PIER, INCLUDING THE ADDITION OF A LOW LEVEL BOATLIFT, THE RETENTION OF ONE EXISTING MOORING BUOY AND THE PLACEMENT OF A SECOND MOORING BUOY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

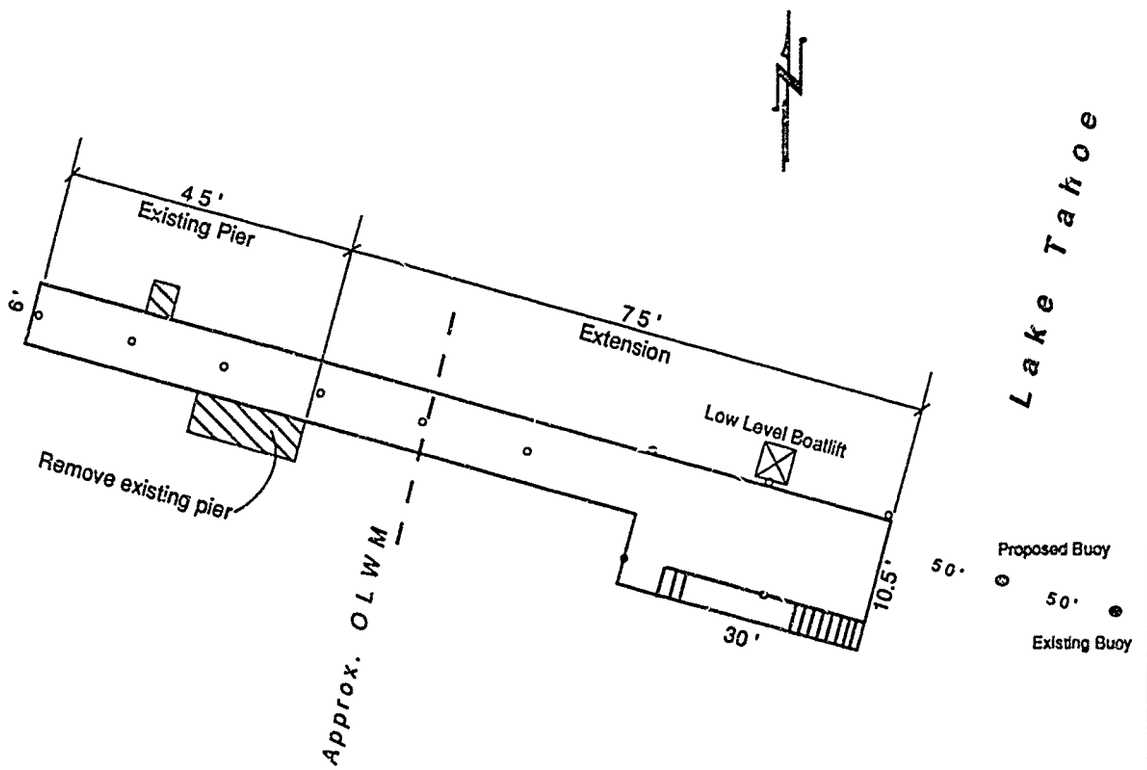

EXHIBIT "A"
Site Map
W 24703
APN 16 - 091 - 48
Lake Tahoe
EL DORADO COUNTY

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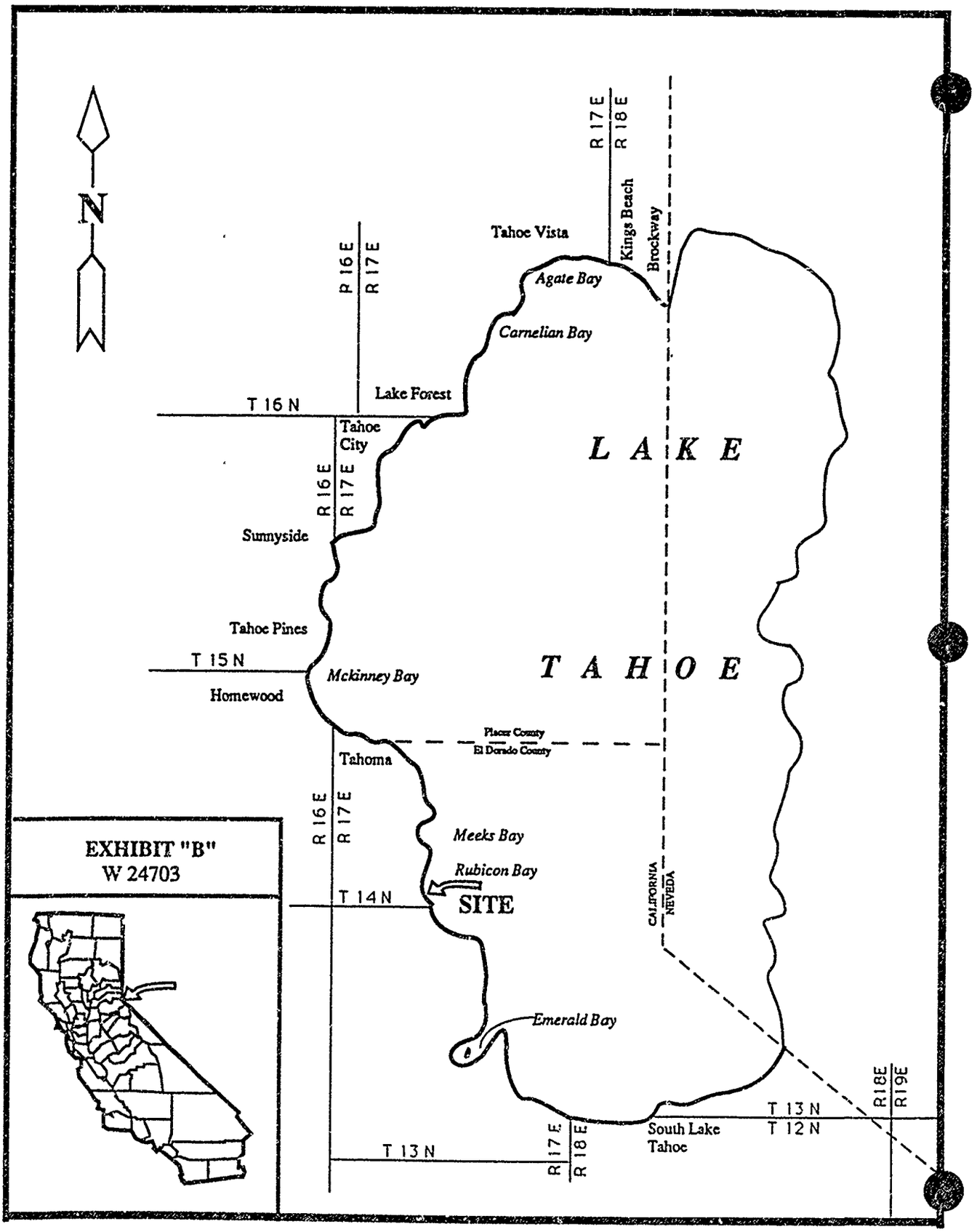
N
R 16 E
R 17 E
R 17 E
R 18 E
Tahoe Vista
Kings Beach
Brockway
Agate Bay
Carnelian Bay
T 16 N
Lake Forest
Tahoe City
L A K E
R 16 E
R 17 E
Sunnyside
Tahoe Pines
T 15 N
Mckinney Bay
T A H O E
Homewood
Placer County
El Dorado County
Tahoma
R 16 E
R 17 E
Meeks Bay
Rubicon Bay
T 14 N
SITE
CALIFORNIA
NEVEDA
Emerald Bay
R 18 E
R 19 E
T 13 N
T 12 N
South Lake Tahoe
R 17 E
R 18 E
T 13 N
EXHIBIT "B"
W 24703

CDA-
EMA

EXHIBIT "C"

Date 3-10-92 File Ref: W 24703

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

Subject: Building Permit for Pier - Pier Relocation and 75' Extension

Name: Laura K. Svendsen c/o Susanne Lyons

Address: 10561 Maze Boulevard
Modesto, CA 95351

Upland Address: 8449 Meeks Bay Avenue

County Assessor's Parcel No. 16-091-48

Dear Ms. Ludlow:

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

If you have any questions, you may reach me at (916) 573-3145

Sincerely,

El Dorado County
Building Division

John S. Walker
JOHN S. WALKER
Building Inspector III

EL DORADO CO. COMMUNITY DEVELOPMENT AGY.
SOUTH LAKE TAHOE

66311

115
2033

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 958[illegible]

CHARLES WAHREN
Executive Officer

May 29, 1992
File: W 24703
ND 595

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

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

The document is attached for your review. Comments should be addressed to the State Lands Commission office shown above with attention to the undersigned. All comments must be received by June 29, 1992.

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

Doug Miller

DOUG MILLER
Division of Environmental
Planning and Management

Attachment

[illegible] 126
[illegible] 034

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

PROPOSED NEGATIVE DECLARATION

File: W 24703
ND 595
SCH No. 92052133

Project Title:	Svendsen Pier Construction & Two Buoys
Proponents:	Laura K. Svendsen
Project Location:	Lake Tahoe, 3449 Meeks Bay Avenue, Meeks Bay Vista, APN 16-091-48, El Dorado County.
Project Description:	Proposed authorization to relocate and construct an open-piling designed wooden pier with low-level boatlift, use of one existing buoy, and addition of one buoy.
Contact Person:	Doug Miller Telephone: 916/322-7826

This document is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, California Code Regulations), and the State Lands Commission regulations (Section 2901 et seq., Title 2, California Code Regulations).

Based upon the attached Initial Study, it has been found that:

/__/ this project will not have a significant effect on the environment.

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

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STATE LANDS COMMISSION

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST – PART II

Form 13.20 (7/82)

File Ref.: W 24703

I. BACKGROUND INFORMATION

A. Applicant: Laura K. Svendsen Agent: Kevin M. Agan
C/O Susan Lyons
10561 Maze Blvd.
Modesto CA

B. Checklist Date: 5/ 28/ 92

C. Contact Person: Doug Miller
Telephone: (916) 322-7826

D. Purpose: Recreational Use

E Location: Lot 30, Meeks Bay Vista, South Tract, 3449 Meeks Bay Ave., El Dorado County, APN 16-091-48

F. Description: Proposed authorization to relocate and construct an open piling designed wooden pier with low level boat lift, use of one existing buoy and one additional mooring buoy.

G. Persons Contacted:
Kevin Agan - Agent - Vail Engineering
Coleen Shade - Tahoe Regional Planning Agency
Judy Brown - State Lands Commission

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

A. *Earth.* Will the proposal result in:

	Yes	Maybe	No
1 Unstable earth conditions or changes in geologic substructures?	☐	☐	☒
2. Disruptions, displacements, compaction, or overcovering of the soil?	☐	☐	☒
3. Change in topography or ground surface relief features?	☐	☐	☒
4 The destruction, covering, or modification of any unique geologic or physical features?	☐	☐	☒
5 Any increase in wind or water erosion of soils, either on or off the site?	☐	☐	☒
6 Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake?	☐	☐	☒
7 Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	☐	☐	☒

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

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

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

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

SEE ATTACHED

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

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

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

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

Date: 5/29/92

Doug Miller
For the State Lands Commission

MINUTE PAGE 039

W24703

PROJECT DESCRIPTION

PROJECT NARRATIVE

This proposed project involves the authorization of an existing mooring buoy, an additional mooring buoy, relocation and extension of an existing recreational pier, and installation of an electric low level boat lift (hoist) immediately adjacent to the pier (See attached plan: Exhibit "A"). The relocation will consist of dismantling the existing pier and relocating the pier 20 feet south of the north property line. There will be nine pilings installed between elevations 6,220 feet and 6,232 feet which will occupy a combined surface area of 0.6 square yard. Only four pilings will be installed between the elevations of 6,223 feet and 6,229 feet occupying a combined surface area of 0.3 square yard. The relocated pier will be extended approximately 75 linear feet to the Tahoe Regional Planning Agency (TRPA) pierhead line. The low level boat lift is proposed for the north side of the pier. The relocated pier will extend approximately 120 linear feet from shore to the TRPA pierhead line. See Exhibit "B". The proposed relocation of the pier will provide sufficient navigation clearance due to the current location conflict with the existing adjacent pier.

The pier will be reconstructed with 10.75" diameter steel piles at 15' on center, 6" steel "H" beams, 4" x 12" wood joists at 24" on center, 2" x 6" cedar decking. The repair will be accomplished through use of a barge with over-inflated flotation type tires which allows it to leave the water and come up on the beach. Access to the site will be completely from the water for both materials and equipment. The low level boat lift is affixed to a single self supportive 10 inch "H" beam driven into the lake bottom making the whole system independent of the pier. The "H" beam for the low-level boat lift will be driven at the same time the rest of the piers are driven.

The mooring buoy is attached to the upper end of a one inch chain of which the lower end is attached to a cast concrete anchor which rests on the lake bottom displacing about three square feet.

CONSTRUCTION METHOD

The first stage of the construction will be to remove the old

structure. Access will be from the lake by barge fitted with rubber flotation type tires. Disturbance will be restricted to the footprint of the existing structure. The original pier, which was constructed on rocks with a few pilings, will be dismantled from the lake end. The second phase will consist of driving the steel piles in a single row piling style spaced 15 ft. apart from the shore out 90 feet where three sets of double pilings support the last 30 feet of pierhead. Next the "H" beams will be attached to the pilings, the joists mounted on the "H" beams, the decking installed, and the boat lift constructed. This will all be accomplished within the existing footprint of the pier.

TRPA Best Management Practices (BMP's) shall be employed to prevent earthen materials to be resuspended as a result of pier construction and from being transported to adjacent lake waters. The applicant shall use caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities from entering the lake. Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris. The materials generated by the removal of the old pier and other waste materials from the reconstruction will be collected and stored on the barge and disposed of at the nearest dumpster/sanitary landfill site. If disturbed lakebottom sediments are found due to the construction activity associated with the installation of this project, the affected areas will be hand rolled and/or rock cobble to be hand picked to reconsolidate the lakebottom sediments. There will be no storage of materials above the low water line of the subject property. This will prevent disturbance to Tahoe Yellow Cress Habitat.

DESCRIPTION OF ENVIRONMENTAL SETTING

The proposed reconstruction project is located at 8449 Meeks Bay Avenue, Rubicon Bay Area, El Dorado County, California, A.P.N. 16-091-48. This is a private residence in the Rubicon Bay Area, approximately 2,000 feet south of the point between Meek's Bay and Rubicon Bay, 2.1 miles north of D.L. Bliss State Park, A pier and buoy presently exist on site. The existing pier is located above the 6,223 foot contour which is the mean low water line and never needed State Lands Commission authorization for use. The existing unauthorized buoy is below the 6223 foot contour. There is an existing pier located approximately 120 feet to the north and another located 55 feet to the south of the proposed relocated pier.

SITE DESCRIPTION

The Svendsen residence is located 42 linear feet landward of the mean high water contour of 6,229.1 feet elevation. The slope lakeward from the residence to the 6,228 foot contour is 41%. The slope lakeward from the 6,228 foot contour to the water is 11%. The survey area includes both neighboring parcels.

SUBSTRATE AND TOPOGRAPHY

The substrate on the shoreline consists of granitic sand, gravel, cobble, and boulders. A large area of sand extends from the waterline (6,222.7 feet elevation) landward to about the 6,228 foot contour line between the northern edge of the existing pier and a point approximately 20 feet away. Beneath the existing pier, the substrate consists of cobbles and large boulders (2 to 5 feet in diameter). On the northern edge of the Svendsen property large boulders are present near the 6,223 foot elevation contour. Cobbles and gravels are also present with sand underlying these substrata. Landward of the 6,226 foot elevation contour where the gravel and cobble substrata end, sand is the dominant substratum with scattered small boulders (1-2 feet in diameter) up to the 6228 foot elevation contour where large boulders are present. What appears to be a 1 inch diameter lake water intake pipe traverses the shoreline about 18 feet south of the northern property line. The substratum at the bank (6,229 feet elevation) is small and large boulders. Landward of the 6,229 foot contour, the substratum is mainly cobbles with some scattered boulders.

VEGETATION

The vegetation at the bank (6,229 feet elevation) is composed primarily of Willow (Salix sp.) with a few Mariposa Manzanita (Arctostaphylos mariposa) and Mountain Alder (Alnus tenufolia) present. Landward of the bank the slope is heavily vegetated with

Ceanothus sp. A few small trees are growing on the slope (e.g. Pinus jeffreyi and Abies concolor) with larger trees present further up the slope near the residence (a 40 foot tall Jeffrey pine).

The vegetation on the shoreline (below the 6229.1 foot elevation contour) was very sparse. The habitat of the shoreline is primarily large areas of granitic sand with scattered boulders (both large and small) and some cobbles and gravels. A line of grasses and Western Dock (Rumex occidentalis) were present at the 6,223 foot elevation contour. Between the 6,223 and 6,226 foot elevation contours, there was no vegetation present in the sand substratum on the project site. Amid the cobbles and gravels the vegetation, while sparse, was diverse. Seedling trees and shrubs were more abundant between 6,227 and 6,229 feet elevation because this area of the shoreline has been exposed above the waterline because of drought conditions prevalent in California for the past five years. This allowed woody plants to begin colonizing the upper beach areas not being submerged annually.

One colony of Tahoe Yellow Cress (TYC) (21 plants in the colony) was observed adjacent to the northern property line of the parcel and has been fenced by the owner for protection.

CONCLUSIONS

The project parcel has both TYC habitat and Tahoe Yellow Cress (Rorippa subumbellata, Rollins). The relocated pier will be located 16 feet from the nearest specimen of TYC. Mitigation measures to protect both the TYC and its habitat include using a single open pile pier design, to allow the TYC to spread, and BMP's previously discussed along with TRPA and SLC staff monitoring the project.

DISCUSSION OF ENVIRONMENTAL EVALUATION
SVENDSEN RECREATIONAL PIER
EXISTING BUOY,ADDITIONAL BUOY, PIER RELOCATION, AND NEW BOAT LIFT

W24703

A. Earth

1. Unstable Earth

No. The pier reconstruction and boat lift project is confined to the surface and will not create any unstable conditions or change any geological structure. The existing and additional buoy, each of which is anchored by a concrete block which rests on the lake bottom substrate will not create any geological changes.

2. Disruptions

No. This operation will not overcover or disturb any new areas. The existing concrete buoy anchors cover about three square feet of lake bottom substrate per anchor. This project does not involve any excavation or fill involving earthen materials. There will be no overcovering of upland soils.

3. Change in Topography

No. This open piling design pier relocation project will not create any changes in ground surface relief. There will not be any excavating. The mooring buoy anchors rest on the lake bottom substrate. This is a minimal impact.

4. Unique Geology

No. The geology in the project area consists of glacial and alluvial deposits. The lake bed at the site is essentially flat and lacks unique features. The removal and driving of piles for the pier and the "H" beam for the boat lift will not change any geological or physical features nor will the existing and proposed buoy anchors resting on the lake bed substrate.

5. Erosion

No. This pier relocation project is simply reconstructing an existing structure and will have no effect on wind or water erosion on or off the site. The existing and proposed buoy anchors resting on the lake bottom will not cause any erosion or significant disturbance to the lake bed bottom profiles.

6. Deposition

No. This project is an open pile designed pier relocation project confined to a flat shore area which will not create any channel changes nor erosion of beach sands. The proposed buoy anchors resting on the lake bed substrate will not cause any erosion or significant disturbance to lake bottom profiles.

7. Geologic Hazards

No. The reconstruction and relocation of the pier and installation of the low level boat lift are not deep enough to induce any seismic instabilities or ground failures. The two buoy anchors resting on the lake bottom are not expected to create any earthquake hazards. No impacts are anticipated.

B. Air

1. Air Emissions

No. The relocated pier, boat lift, the existing and additional buoy will not affect the air quality. During the reconstruction period there will be exhaust emissions from the diesel barge. The reconstruction period will last for about a two to four week period. There is usually a breeze blowing and the construction emissions will be immediately dispersed. There will not be any new emissions created by the use of the Svendsen family using their relocated pier.

2. Odors

No. The relocated pier, boat lift, existing and additional buoy will not create any new objectionable odors. However, during construction hours, there will be about a two to four week period when fumes from the diesel engine will be noticeable in the immediate vicinity of the project.

3. Climate

No. The reconstructed pier, boat lift, and existing buoy will not create any major changes in air movements, temperature, or climate, nor create any abnormal weather conditions.

C. Water

1. Currents

No. The existing buoy, additional buoy. boat lift (H beam piling), and replaced piles supporting the relocated pier are of a static nature and will not create any changes in water currents or movements

2. Drainage

No. The existing buoy, additional buoy,boat lift, and replaced open pilings of the relocated pier will not affect absorption rates, drainage patterns, etc. The area adjacent to the pier is submerged.

3. Flood Waters

No. The relocated open piling designed pier, boat lift, the additional buoy and the existing buoy will not create any new effects upon flood waters.

4. Surface Waters

No. The relocated pier, the "H" beam for the boat lift, the existing buoy, and the additional buoy are static in nature and will not affect the surface water volume of Lake Tahoe.

5. Discharge

No. Mitigation measures required by the Tahoe Regional Planning Agency (TRPA) will include the applicant installing a turbidity screen around the entire construction site (in the water), or using caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile (includes the vertical "H" beam used to support the low level boat lift) placement activities from entering the lake. Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris. All construction activities will be confined to the footprint of the existing and relocated pier with a rubber tired vehicle. The relocated pier, boat lift, existing buoy, and an additional buoy will not change the water quality.

6. Ground Waters

No. The geology of the project area is composed of glacial and alluvial deposits. The relocation of the existing pilings, the H beam for the boat lift, the existing buoy, and one additional buoy are all relatively shallow operations and should not affect ground water flows.

7. Ground Water Withdrawal

No. There will not be any changes to ground water

quantity caused by the existing buoy, an additional buoy, installed boat lift, or relocated pier. This project will not affect ground water supplies.

8. Available Water

No. The existing buoy, additional buoy, boat lift, and the relocated existing pier will have no effect on public water supplies.

9. Flood

No. The existing buoy, additional buoy, boat lift and relocated pier will not expose people or property to water-related hazards such as tidal waves or induce flooding.

10. Thermal Springs

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

D. Plant Life

1. Plant Species Diversity

No. There will be a temporary change in aquatic sessile plants during the reconstruction period which will be approximately two to four weeks. This temporary change will only affect the construction area which will be isolated by a turbidity screen, caisson, etc. This will not constitute a permanent or significant change. The indigenous aquatic flora will shortly begin recolonizing the affected area after the project has been completed. The buoy anchor has more surface area for sessile aquatic plants to colonize than the lake bottom surface it occupies. The impact to aquatic plants will be of a temporary nature.

2. Endangered Plants

No. Both Tahoe Yellow Cress (Rorippa subumbellata) and its habitat, were found on the project property and the adjacent property to the north. The owner has agreed to participate in the Interim Management Program and has already begun to incorporate the Guidelines by fencing the TYC colony area to assure its protection. The Pier will be relocated about 16 feet to the south of this colony of TYC. All construction access will be from the lake, and construction will be confined to the footprint of the pier. TRPA BMP's and Construction and Access Guidelines of the Interim Management Program will be followed and monitored. See Exhibit "C". The open

piling design of the relocated pier will allow the TYC to continue recolonizing in its sandy habitat. The pier relocation, boat lift, existing buoy, and additional buoy will not affect the existing colony of TYC nor keep it from regenerating.

3. New Species

No. The pier relocation, boat lift, existing buoy, and additional buoy will not introduce any new species to the area nor bar existing species from becoming established.

4. Agricultural Crops

No. The pier relocation project and the buoys will not reduce the acreage of agricultural crops. There are no agriculture or aquaculture activities in this area; therefore, there will be no impacts to any agricultural crops.

E. Animal Life

1. Animal Species Diversity

No. There will be a temporary disruption in aquatic animal life confined to the actual reconstruction area by the turbidity screens. The construction period will be approximately two to four weeks. Upon completion of the project, the indigenous aquatic fauna will re-occupy any voids created during the repair operation. The pier relocation project is located in what is known as clear or marginal fish habitat as identified on the TRPA map. Construction in this area will be of a minimal impact on fish habitat. The Department of Fish and Game has requested that all buoys and anchor chains be removed from the lake between Labor Day and Memorial Day in order to improve inshore angling. The existing buoy and one additional buoy will not create any new significant negative effects on aquatic animal life.

2. Endangered Animal Species

No. There have not been any rare or endangered aquatic animals reported within the project area which might be impacted.

3. New Animal Species

No. The pier relocation, boat lift, and two buoys will not introduce any new species to the area nor create a new barrier to indigenous aquatic animals.

4. Habitat

No. The relocation of the pier, boat lift, and two buoys will not reduce the aquatic animal habitat area upon completion, nor will it change the existing habitat.

F. Noise

1. Increased Noise Levels

No. The relocated private recreational pier and new boat lift will not increase existing noise levels, nor will the existing and additional buoy. There will be a two to four week period during the actual construction period when noise levels increase, but there will not be an increase in long term noise levels.

2. Severe Noise

No. The repaired pier with its new boat lift will not create any new severe noise levels; however, there will be a temporary period when the noise levels increase during the period of pier relocation construction. Upon completion of the project, the noise levels will return to preconstruction conditions. The construction personnel will be subjected to higher noise levels, but they wear hearing protective devices. The general public will not be exposed to this increased noise level because the private property between the project and Highway 89 will act as a buffer. The existing and additional buoy will not affect noise levels.

G. Light and Glare

1. Light

No. Neither the relocated pier, boat lift, the existing buoy, nor additional buoy will result in creating new light or glare. No new lighting has been planned for this project.

H. Land Use

1. Use

No The relocation of the existing private recreational pier and boat lift will not alter the present or planned use of the area. The existing pier and buoy serve a private residence and not the general public. There are presently buoys and piers on adjacent properties. There is an existing pier located approximately 120 feet to the north and another located 55 feet to the south of the

proposed relocated pier. The project will not substantially alter the land use in the area.

I. Natural Resources

1. Natural Resources

No. The continued seasonal recreational use of this private pier and buoys by the Svendsen family will not create any new effects upon the use rate of any natural resource.

2. Resource Depletion

No. The Svendsen family's seasonal use of their private recreational pier and buoys will not create any changes which could deplete any nonrenewable resource.

J. Risk of Upset

1. Explosion

No. The project involves the dismantling and relocating an existing pier. The rubber tired barge being used is diesel operated which reduces the risk of explosion. Hazardous materials are not to be used during the reconstruction phase, but mitigation measures have been planned in the event that there is an accidental spill. Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris. The use of a turbidity screen surrounding the construction area or caissons or vertical cylinders (sleeves) will be required to prevent the release of resuspended sediments during the pile placement activities from entering the lake during construction. All construction activities will be confined to the footprint of the pier. The risk of explosion from the fumes of a motor boat is a possibility; however, there are no fueling facilities involved with this pier. The past limited seasonal use of this and adjacent private family recreational piers have not demonstrated a risk of releasing hazardous substances, creating upset conditions, or explosions in the Lake Tahoe Basin. This is an open piling designed pier with no storage facilities, and the constructed pier and buoys by themselves create no new significant changes which would cause an explosion or create an upset of hazardous materials.

2. Emergency

No. The seasonal use of the Svendsen's existing private

recreational pier, low-level boat lift, and two buoys will not create an interface with any emergency response or evacuation plan.

K. Population

1. Population

No. The seasonal use of the existing Svendsen family recreational pier and buoys will not alter the population in the lake basin.

L. Housing

1. Housing

No. Neither this existing private recreational pier, boat lift, the existing buoy, nor the additional buoy will create a demand for additional housing.

M. Transportation/Circulation

1. Additional Vehicular Movement

No. This is a private residence and the pier, boat lift, and existing buoys are for the benefit of the members of the Svendsen family and not the general public. There are no facilities being added to attract more people. The use of this private residence will not be changed by this project nor will there be any substantial increase in vehicle movement created by this project.

2. Demands for New Parking

No. See #1 above.

3. Impacts on Transportation Systems

No. See #1 above.

4. Alteration to Patterns of Circulation

No. See #1 above.

5. Alterations to Patterns of Traffic

No. See #1 above.

6. Increase in Traffic Hazards

No. The proposed relocation of the pier will eliminate the congested navigational hazard presently existing with

• the adjacent neighbor's pier.

N. Public Services

1. Fire Protection

No. This is a private residence and the relocated pier, boat lift, and the existing buoy will not create any additional use or increase of use by the general public. This project will not create any new demands on government agencies and services such as fire, police protection, parks and recreation, road maintenance, etc.

2. Police Protection

No. See #1 above.

3. Schools

No. See #1 above.

4. Parks and Recreation Facilities

No. See #1 above.

5. Maintenance of Public Facilities

No. See #1 above.

6. Other Governmental Agencies

No. See #1 above.

O. Energy

1. Use of Fuel or Energy

No. This pier relocation project, existing buoy and additional buoy will have a minimal affect on additional energy consumption. The boat lift is powered by a 1 hp., single phase 230 volt, 60 cycle, 7.15 amp electric motor. This is equivalent to about sixteen 100 watt light bulbs. The lift is only used when lowering or raising the boat. This use will not constitute a substantial increase in energy being used in the Lake Tahoe Basin.

2. Increased Energy Demands

No. See #1 above.

P. Utilities

1. Electrical Power or Natural Gas

No. The relocation of the private recreational pier with its boat lift, and the two buoys will not create any significant changes in utilities. This project is for the private benefit of the Svendsen family. There will be no additions to the existing facilities which will significantly affect the current uses of power, communications, water, septic tanks, storm water drainage, or solid waste disposal.

2. Communication Systems

No. See #1 above.

3. Water

No. See #1 above.

4. Sewer or Septic Tanks

No. See #1 above.

5. Storm Drains

No. See #1 above.

6. Solid Waste Disposal

No. See #1 above.

Q. Human Health

1. Creation of Health Hazards

No. This relocated private recreational pier, boat lift, and two buoys will not create any new health hazards to humans.

2. Exposure to Health Hazards

No. The two buoys and relocated private recreational pier with its low level boat lift will not expose people to any new potential health hazards.

R. Aesthetics

1. Scenic Views

No. The Svendsen's recreational pier and buoy are

existing facilities. The relocated pier and the addition of one mooring buoy will not be a distraction from the aesthetics of this residential recreational area consisting of homes, piers, buoys and boats.

S. Recreation

1. Recreational Opportunities

No. The repair of this private recreational pier will have no effect on public recreation in the area. This is a private recreational community and not open to the public.

T. Cultural Resources

1. Historic Sites

No. This project consists of relocating an existing private recreational pier, installing a boat lift adjacent to the pier, and maintaining two mooring buoy. There are no identified cultural, ethnic, religious, or sacred uses pertinent to this project area. This project does not appear likely to create any significant effects on matters pertaining to historic, ethnic, cultural, religious, or sacred uses.

2. Historic Buildings

No. See No.# 1 above.

3. Ethnic Cultural Values

No. See No.# 1 above.

4. Religious or Sacred Uses

No. See No.# 1 above.

U. Mandatory Findings of Significance

1. Resource Degradation

No. The relocated single open piling designed pier will allow Rorippa subumbellata Tahoe Yellow Cress to continue colonizing. The owner has fenced the existing colony and the pier will be located about 16 feet from the protected colony. There will be a period of from two to four weeks during construction when the indigenous aquatic biota will be displaced but will recolonize and return to normal after the project is completed. Mitigation measures, including turbidity screens o caissons or

vertical sleeves will be incorporated to protect Lake Tahoe during the reconstruction phase of the operation along with TRPA BMP's and Construction and Access Guidelines from the Interim Management Program for Rorippa subumbellata Rol. Tahoe Yellow Cress. All construction activities will take place within the footprint of the pier to avoid existing TYC potential habitat. The construction phase will be monitored by TRPA and SLC staff to assure the TYC is protected and that the project progresses as planned. The existing and proposed additional buoy will not create any new significant effects. This project is located in marginal fish habitat.

2. Short-Long Term Disadvantages

No. There will be a short term, approximately two to four week disruption of the marine environment in the immediate vicinity of the pier being relocated. This area will be separated by a turbidity screen or the use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities as determined by TRPA. Upon completion of the project, the indigenous marine biota will re-colonize and fill any voids created during the pier reconstruction. There will not be any long term significant changes created by this project.

3. Cumulative Effects

No. The Svendsen's private family recreational pier is an existing facility. The pier relocation project, the boat lift, and the existing buoy do not add or create impacts which will increase the propensity for considerable cumulative effects. The addition of one buoy will add to the cumulative number of buoys in Lake Tahoe; however, this is not considered a significant effect especially in an area of minimal fish habitat.

4.. Adverse Effects on Humans

No. This private pier relocation project, boat lift, existing and additional buoys will not create any new environmental effects which could create a significant adverse effect on human beings.

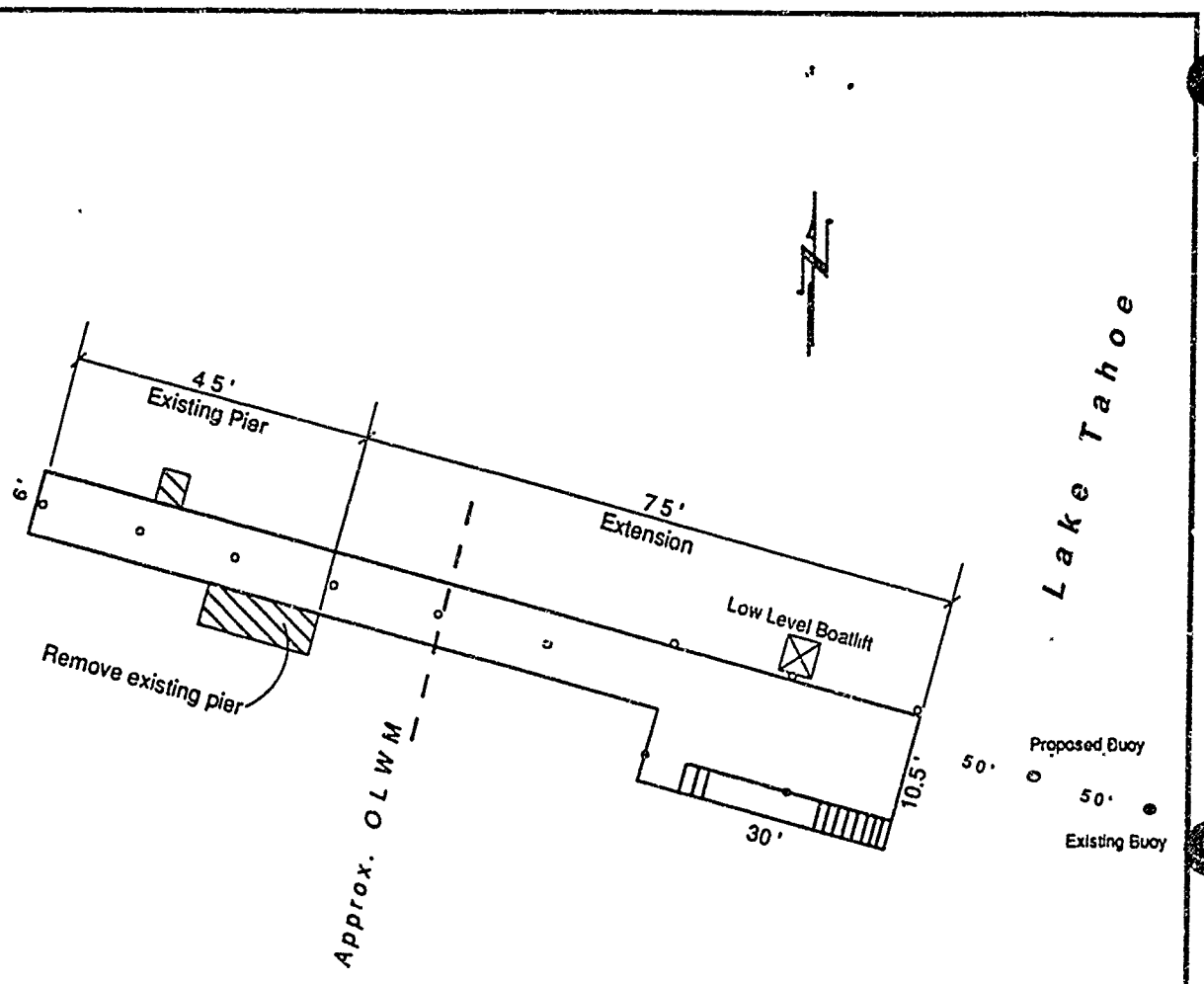
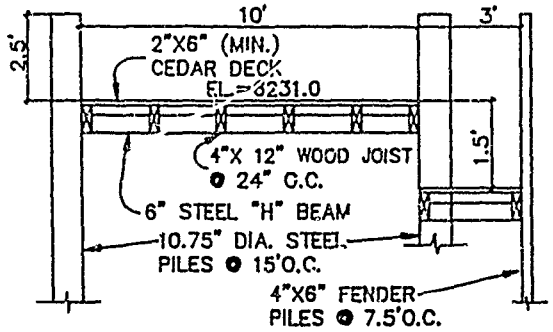
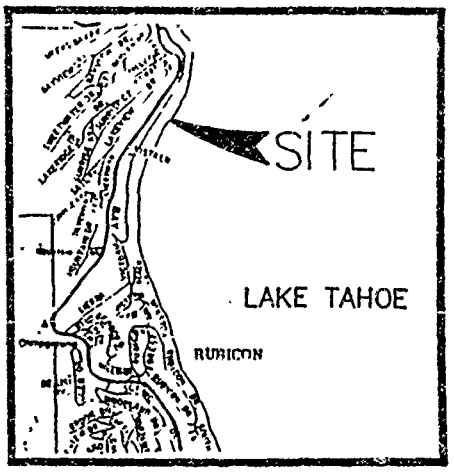


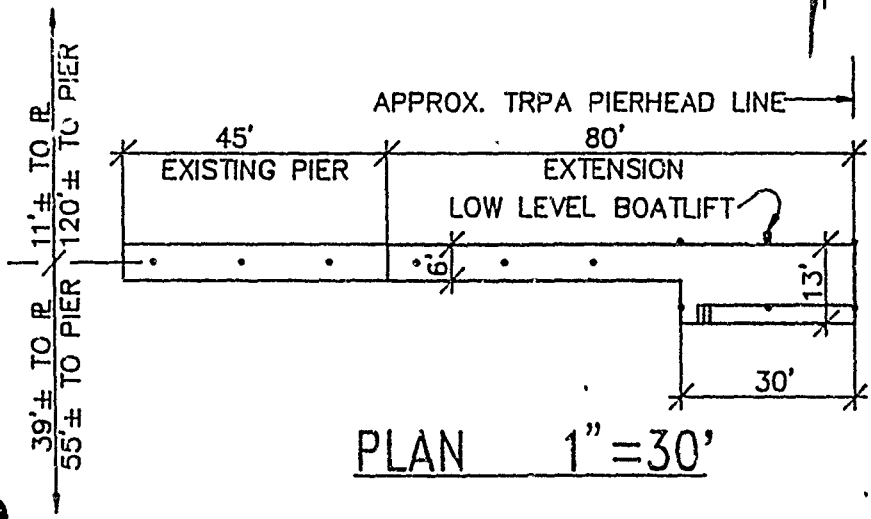
EXHIBIT "A"
Site Map
W 24703
APN 16 - 091 - 48
Lake Tahoe
EL DORADO COUNTY



PIERHEAD SECTION
N.T.S.



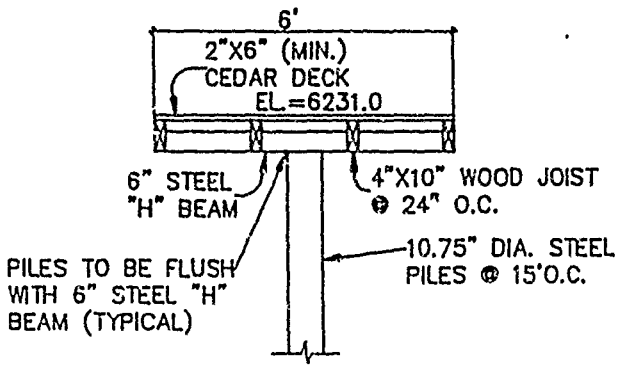
LOCATION MAP



PLAN 1"=30'

THE PROPOSED RELOCATION OF THE PIER IS A REMEDIAL MEASURE TO PROVIDE SUFFICIENT NAVIGATION CLEARANCE DUE TO THE CURRENT LOCATION CONFLICT WITH THE EXISTING ADJACENT PIER.

PROFILE 1"=30'



WALKWAY SECTION
N.T.S.

EXHIBIT "B"

PIER RELOCATION/EXTENSION

SVENDSON PROPERTY
8449 MEEKS BAY AVE.
RUBICON BAY AREA
EL DORADO COUNTY, CA
APN: 16-091-48
FEBRUARY 1991

ADJOINING PROPERTIES	
NORTH	SOUTH
16-091-49	16-091-16

REVISED

VAIL ENGINEERING CORPORATION
TAHOE CITY, CALIFORNIA (916) 583-3417

W.O. 7125.23A

EXHIBIT "C"

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 622[illegible]' 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"

MONITORING PROGRAM
FOR THE SVENDSEN MARINA PIER RECONSTRUCTION AND BOAT LIFT

1. Impact: The proposed project may cause minimal turbidity to lake waters during the driving of piling into the lake bed, and there is the possibility of an upset or spill of construction materials or debris.

   Project Modification:

   a) The use of either a turbidity screen surrounding the project area will be installed prior to the commencement of operations or the use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities will be determined by TRPA prior to construction;

   b) Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris; and,

   c) Waste materials will be collected onto the lark vehicle or dumpsters for disposal at an approved landfill site.

   Monitoring:

   Staff of the State Lands Commission, or its designated representative, will periodically monitor the pier reconstruction and boat lift project during the placement of the pilings.

2. Impact: The proposed project is located in known Tahoe Yellow Cress (TYC) <u>Roripa Subumbellata</u> habitat with an existing colony.

   Project Modification:

   The pier reconstruction project involving disturbance to the beach area will be conducted within the footprint of the pier. No disturbance to the TYC habitat will be tolerated. Tarps will be laid under the pier to collect construction debris to protect the TYC habitat beneath the pier. Guidelines from INTERIM MANAGEMENT PROGRAM FOR <u>Rorippa subumbellata</u> Roll. (Tahoe Yellow Cress)

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[illegible] [illegible]80

pertaining to Construction and Access and Conservation will be incorporated into the construction plan.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically site inspect the pier reconstruction project to ensure the proposed activity is progressing as planned and the TYC and its habitat are being protected.