

MINUTE ITEM
This Calendar Item No. C 18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 3
to 0 at its 6-30-92
meeting.

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CALENDAR ITEM

C 18

06/30/92
PRC 3495
Gordon

GENERAL LEASE - COMMERCIAL USE

LESSEE:

Judith K. Topol
P. O. Box 1613
Tahoe City, California 96145

AREA, TYPE LAND AND LOCATION:

A 0.167-acre parcel of submerged land located in Lake Tahoe
at Tahoe City, Placer County.

LAND USE:

Reconstruction, operation, and maintenance of a pier
utilized for commercial purposes.

TERMS OF PROPOSED LEASE:

Lease period:

Fifteen (15) years beginning June 1, 1990.

Public liability insurance:

Combined single limit coverage of \$1,000,000.

Special:

1. The lease is conditioned on Lessee's conformance with the Tahoe Regional Planning Agency's shorezone ordinance.
2. The lease prohibits any residential use of the facilities.
3. The lease consents to Lessee's subletting the lease premises for berthing or mooring purposes for terms of one year or less.

CALENDAR ITEM NO. C 1 8 (CONT'D)

4. The lease conforms to the Lyon/Fogerty decision.
5. The lease is conditioned on the public's right of access along the shorezone up to the high water line at elevation 6,228.75 feet, Lake Tahoe Datum.
6. The lease requires Lessee to provide refuse containers for the disposal of vessel-generated trash.
7. The lease bars the use of polystyrene foam containers or packaging on the lease premises.
8. Lessee agrees all packaging for prepared food consumed on or off the lease premises shall be biodegradable.
9. The lease requires Lessee to amend the lease to incorporate regulations controlling plastic pollution which may later be adopted by the Commission.
10. The lease is conditioned on Lessee's retention of the public trust area and the Rorippa habitat area in its natural condition.

CONSIDERATION:

Five percent of gross income generated annually from the lease premises, subject to a \$1,575 minimum annual rent paid in advance, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

OTHER CONSIDERATION:

\$3,150 for the period June 1, 1990 through May 31, 1992, being the first two years of the lease during which the lease premises were not utilized for commercial purposes.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is lessee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee, processing costs, and environmental costs 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 3, Div. 3; Title 14, Div. 6.

AB 884:

07/13/92

OTHER PERTINENT INFORMATION:

1. This is an application to replace applicant's General Permit - Recreational Use which expired May 31, 1990, with a new lease which authorizes commercial usage of the existing pier. Applicant proposes to provide parasailing rides and other small sail and motor-powered watercraft for public rental. This service is anticipated to be provided seven days a week for four months each year, from May 25 through September 25.
2. 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 589, State Clearinghouse No. 92052027. 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))

3. In order to determine the potential trust uses in the area of this activity, staff contacted representatives of the following agencies: Tahoe Regional Planning Agency, Department of Fish and Game, County of Placer, and the Tahoe Conservancy. None of these agencies expressed a concern that this activity would have a significant effect on trust uses in the area. The agencies did not identify any trust needs which were not being met by existing facilities in the area. Identified trust uses in this case would include swimming, boating, walking along the beach, and views of the lake.

CALENDAR ITEM NO. C 1 8 (CONT'D)

4. Staff has completed a physical inspection of the project prior to the Commission's consideration of this recommendation.
5. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and County of Placer.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

EXHIBITS:

- A. Land Description and Site Map
- B. Location Map
- C. Local Government Comment
- D. Proposed Negative Declaration
- E. Mitigation Monitoring Plan

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 589, STATE CLEARINGHOUSE NO. 92052027, 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. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

CALENDAR ITEM NO. C 18 (CONT'D)

4. ADOPT THE MONITORING PROGRAM ATTACHED AS EXHIBIT "E" WHICH HAS BEEN PREPARED PURSUANT TO P.R.C. 21081.6.
5. AUTHORIZE ISSUANCE TO JUDITH K. TOPOL OF A 15-YEAR GENERAL LEASE - COMMERCIAL USE BEGINNING JUNE 1, 1990; IN CONSIDERATION OF \$3,150 FOR THE PERIOD JUNE 1, 1990 THROUGH MAY 31, 1992; AND THEREAFTER, FIVE PERCENT OF GROSS INCOME GENERATED ANNUALLY FROM THE LEASE PREMISES, SUBJECT TO A \$1,575 MINIMUM ANNUAL RENT PAID IN ADVANCE, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR RECONSTRUCTION, OPERATION, AND MAINTENANCE OF A PIER UTILIZED FOR COMMERCIAL PURPOSES ON THE LAND DESCRIBED AND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

(REVISED 06/26/92)

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EXHIBIT "A"

PRC 3495

LAND DESCRIPTION

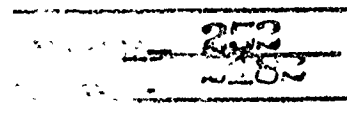
That parcel of land in the bed of Lake Tahoe, Placer County, California , more particularly described as follows:

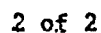
All that land immediately beneath an existing dock, TOGETHER WITH the necessary use area extending 10 feet beyond its extremities, said structures lying adjacent to and southeasterly of Lot 6 of Bittencourt Tract as shown on that map entitled "Survey of a Portion of Lot 6 and of Lake Street, Bittencourt Tract, Placer County, California, T 15 N, R 17 E, MDM." Filed in Book A of Field Notes, Pages 83 and 84, Placer County Records.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark of Lake Tahoe.

END OF DESCRIPTION

RECORDED JANUARY, 1992 BY LLB.





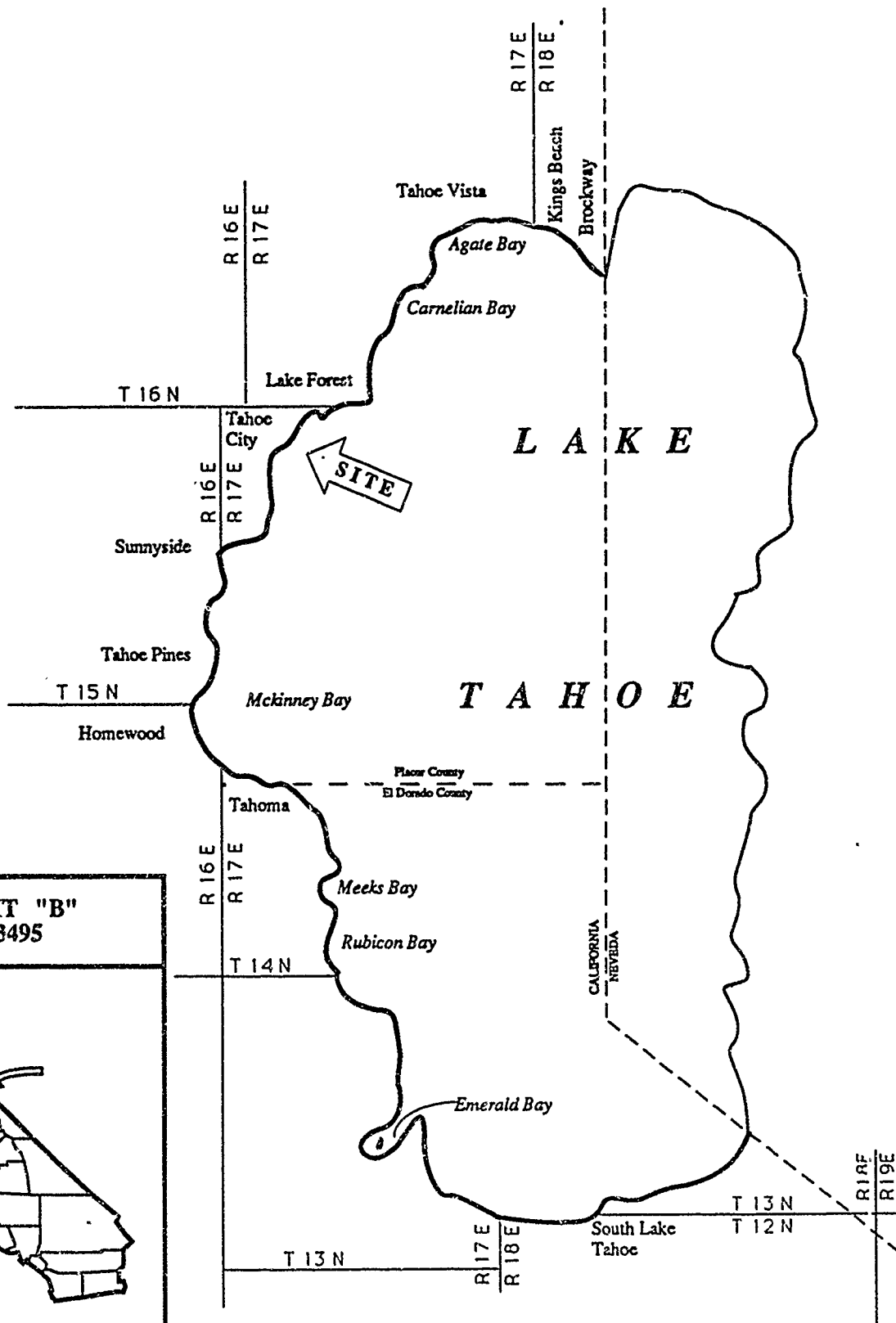


EXHIBIT "B"
PRC 3495



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EXHIBIT "C"

Date:

Aug 1, 1991

File Ref.: PRC 3495.1

State Lands Commission
Attn: Gerald D. Gordon
1807 - 13th Street
Sacramento, California 95814

Greetings:

Subject: Proposed Pier Repair/Reconstruction Project, the Addition
of a Marker Buoy and the Conversion of Said Pier from
Noncommercial to Commercial Usage in Lake Tahoe at Tahoe
City

Name: Judith K. Topol
Address: dba Associated Timber Products
P. O. Box 1613
Tahoe City, California 95730

Assessor's Parcel No. 094-110-19

County of Placer has received notice of the above-referenced activity in Lake Tahoe and has no objection to said facilities/project or to the issuance of a permit or lease by the State Lands Commission for such use of sovereign lands.

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

County of Placer
Department of Public Works
Jack Warren, Director


JAN CHRISTIAN

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STATE LANDS COMMISSION

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

EXHIBIT "D"

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814

CHARLES WARREN
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: PRC 3495
ND 589
SCH No. 92052027

Project Title: Topol Proposed Commercial Pier Repair/Reconstruction Project

Proponents: Judith Topol

Project Location: Lake Tahoe, 950 North Lake Blvd., Tahoe City, APN 94-110-19, Placer County.

Project Description: Proposed pier reconstruction and authorization to lease small watercraft from the pier.

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.

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

STATE LANDS COMMISSION

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 3495

I. BACKGROUND INFORMATION

- A. Applicant: Judith Topel
P.O. Box 1613
Tahoe City, CA 96145
- B. Checklist Date: 4 / 28 / 92
- C. Contact Person: Leah Kaufman - Agent
 Telephone: (916) 583-
- D. Purpose: Proposed authorization to repair/reconstruct pier and convert
use to commercial to lease small watercraft from pier.
- E. Location: 950 North Lake Blvd., Tahoe City, CA 96145
Placer County, APN 94-110-19
- F. Description: Proposed pier reconstruction and authorization to lease small
watercraft from pier.
- G. Persons Contacted: Judith Topel, Applicant
Leah Kaufman, Agent
Jill Hamilton, TRPA-Tahoe Regional Planning Agency
Jerry Mensch, Department of Fish and Game

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

- | A. Earth. Will the proposal result in: | Yes | Maybe | No |
|--|--------------------------|--------------------------|-------------------------------------|
| 1. Unstable earth conditions or changes in geologic substructures? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Disruptions, displacements, compaction, or overcovering of the soil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Change in topography or ground surface relief features? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. The destruction, covering, or modification of any unique geologic or physical features? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Any increase in wind or water erosion of soils, either on or off the site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Changes in deposition or erosion of beach sands, or 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Yes	Maybe	No
B. Air. Will the proposal result in:			
1. Substantial air emissions or deterioration of ambient air quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The creation of objectionable odors?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>
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?	<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 checked="" type="checkbox"/>	<input 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"/>
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>
F. Noise. Will the proposal result in:			
1. Increase in existing noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G. Light and Glare. Will the proposal result in:			
1. The production of new light or glare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Land Use. 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"/>
I. Natural Resources. 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"/>

- 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 checked="" type="checkbox"/> | <input 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"/> |
|---|--------------------------|--------------------------|-------------------------------------|

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

Date: 4 1 30 1992

Douglas B. Miller Jr.
For the State Lands Commission

PROJECT DESCRIPTION

TOPOL PROPOSED COMMERCIAL PIER REPAIR/RECONSTRUCTION PROJECT

Placer County APN 94-110-19

PROJECT NARRATIVE

This proposed project consists of the repair/reconstruction of an existing "L" shaped pier, commonly known as Lighthouse Pier, and it's five integrated boat slips, and change the use from non-commercial to a commercial lease under PRC 3495.1. The pier will serve the residents of the Lighthouse Shopping Center and a commercial business, Lighthouse Watersports, leasing small sail and motor powered watercraft and selling parasailing rides at the pier. The project is located at 950 North Lake Blvd., Tahoe City, California 96145. Placer County APN 94-110-19. See area map Exhibit B.

The project proposes the reconstruction of the 316' long and 8' wide pier and five boat slips. The "L" shaped extension is 115' long. The slips are approximately 20' in length. The catwalks are 60' in length at their longest point. See site map Exhibit A.

There is a Placer County regulation stating that all boats including the winchboats and wave runners must maintain a speed of no greater than 5 mph, at least 200 yards directly south of the pier.

The Department of Fish and Game has determined that this portion of Lake Tahoe down to the 30' level is prime fish habitat for feeding and escape.

CONSTRUCTION METHOD

This project consists of the removal and replacement of the existing pilings with 10-3/4" diameter steel pilings, "H" beam caps, wood stringers, and wood decking. The joists will be 4"x10" DF #1 OC. The decking is 2"x 6" cedar. Catwalks will replace existing fender piles with 4"x 6" piles with 3"x 8" joists, 36" OC with 2"x 8" decking. The new stringers will be 2"x 12" DF #1. The pier will be configured as depicted in Exhibit A in the same alignment and footprint as existing. Best practical control technology shall be employed to prevent earthen materials from being resuspended as a result of pier construction and from being transported to adjacent lake waters (e.g. caissons, sleeves, and turbidity screens). The repair will be accomplished through use of a floating barge or a "Lark" vehicle with large flotation tires.

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Access to the site will be completely from the water for both materials and equipment. The new pilings will be driven into the old piling holes of the previous structure whenever possible. If this is not possible, the new pilings will be driven as close to the old holes as structurally possible. Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris. 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 not be storage of materials above the low water line of the subject property.

DESCRIPTION OF ENVIRONMENTAL SETTINGSITE DESCRIPTION

The Lighthouse Beach and Pier are located waterward of the Lighthouse Shopping Center at Tahoe City, California. The pier was constructed over 30 years ago by Safeway Stores in conjunction with the shopping center to afford a mooring facility for shoppers utilizing boat transportation in lieu of automobile.

There is an abandoned concrete boat launching ramp 2 feet and the "Tahoe State Pier" 85 feet, both within Tahoe State Park, to the north of Lighthouse pier. To the south of Lighthouse pier there is a boat launching ramp at approximately 238 feet and a pier at approximately 465 feet.

LIGHTHOUSE BEACH AND PIER RORIPPA SUBUMBELLATA SURVEYINTRODUCTION

On November 12, 1990, a survey was conducted at Lighthouse Beach and Pier at Tahoe City, California for Tahoe Yellow Cress, Rorippa subumbellata. The survey is necessary to obtain permits for any pier expansion or reconstruction.

Because of the season (late Fall) the survey was confined mainly to identify potential habitat for Tahoe Yellow Cress. The optimum season for surveying would be June through August when this plant is flowering. Tahoe Yellow Cress, Rorippa subumbellata is currently listed as a Category One species on the Federal list of Threatened and Endangered Plants. It is a perennial herb with sprawling branches two to six inches in length with short yellow petaled flowers. It is known to occur only in Douglas and Washoe Counties in Nevada and El Dorado and Placer Counties in California. The desired habitat for Tahoe Yellow Cress is loose or coarse sand or gravel on beaches near lake margins. Associated species are Juncus balticus, wiregrass, Phacelia hastata, phacelia, and Potentilla glandulosa, gland cinquefoil.

METHODOLOGY AND RESULTS

The entire Lighthouse beachfront property was surveyed from current lake level @ 6,220' to the upland boundary @ approximately 6,350'. The dominant species found were Juncus ensifolius, rush, Mimulus cuttatus, monkey flower, Veronica americana, speedwell, and Rumex crispus, sorrel. The soil surface and substrate was dominated by medium to large cobbles and boulders. Nowhere on the property was there loose, coarse beach sand present. Tahoe Yellow Cress was not found at this time and was not really expected to be found in such

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a large, cobbly surface and substrate.

The upland area was surveyed as well but with less intensity than the beachfront property. The dominant species were Populus trichocarpa, cottonwood, Populus tremuloides, aspen, Pinus jeffreyi, Jeffrey pine, Salix lemondii, lemmon willow, and Arctostaphylos patula, greenleaf manzanita. This area is well above any potential habitat for Tahoe Yellow Cress.

CONCLUSIONS

The Lighthouse Beach and Pier parcel in Tahoe City does not appear to be suitable habitat for Tahoe Yellow Cress, Rorippa subumbellata. The soil surface as well as the substrate is composed primarily of medium to large cobbles and boulders. As the lake level continues to drop, it appears similar size cobbles and boulders will be exposed. The Consultant Botanist stated that at the time of the survey, "It is my feeling at this time, that any pier expansion or re-construction in the area surveyed would not be in Rorippa subumbellata habitat."

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DISCUSSION OF ENVIRONMENTAL EVALUATION
LIGHTHOUSE COMMERCIAL PIER RECONSTRUCTION AUTHORIZATION

PRC 3495.1

A. Earth

1. Unstable Earth

The proposed repair/reconstruction of the Lighthouse Pier consists of removing the rotten wood pilings and replacing them, utilizing the same holes whenever possible, with steel pilings and then reconstructing the wood frame pier. This operation will not create fill areas or affect soil stability nor will it affect geologic structures in the area. This proposed project will not create any new significant changes or unstable conditions.

2. Soil Disruptions

The proposed repair/reconstruction of the Lighthouse Pier, within the footprint of the pier will be accomplished with a rubber tired (flotation type tires) construction barge ("Lark" vehicle). No fill or excavations are planned for the project. In the event the lake bottom is disturbed by construction activities, the affected areas will be hand rolled and/or rock cobble will be hand picked to reconsolidate the lakebottom sediments. The removal of the pilings and their replacement with the appropriate mitigation measures will not create any significant soil disruptions.

3. Change in Topography

The proposed pier repair/reconstruction does not involve earth moving. The pier will be reconstructed using an open piling design which will not require any excavation. The "Lark" vehicle with its flotation tires floats over the rock cobble without causing any significant disruption to the topography. In the event the lakebed sediments are disturbed due to construction activities, the affected areas will be hand rolled and/or rock cobble will be hand picked to reconsolidate the lake bottom sediments.

4. Unique Geology

The project site is located along a portion of lake shore which is characteristic of much of the Lake Tahoe waterfront. There are no unique geologic or physical

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features present in this area to be disturbed. The proposed pier repair/reconstructed project will use an open pile and deck design will not cause any significant physical disruption to the site.

5. Erosion

This proposed project authorizes the repair/reconstruction of the pier. The reconstruction will not involve additional activity which would cause erosion by wind or water. The replacement of the existing pilings in the rock-cobble substrate will not create a significant impact to beach erosion.

6. Deposition

The proposed repair/reconstruction of the existing open piling designed pier will not affect littoral deposition or degradation of sands at the site. The open pile design and the replacement of these pilings will not create any significant changes in natural stream channels or degradation or deposition of beach sands.

7. Geologic Hazards

The proposed repair/reconstruction of the existing pier will not create any new significant conditions which could create geological hazards. The pilings are driven to shallow depths and will not create a seismic event. This project will not create any significant effects which could subject or expose people to geologic hazards such as ground failure, earthquakes, etc.

B. Air

1. Air Emissions

The reconstructed pier will not affect the air quality; however, there will be a minor amount of diesel fumes generated from the operation of the barge during the reconstruction period. These emissions will be the equivalent of a diesel truck. This increase in minor emissions will be during the day, as regulated by the Tahoe Regional Planning Agency (TRPA) for the period of reconstruction which will last about two months during the off tourist season. The use of recreation motorized watercraft will create minimum exhaust emissions upon their departure and return to the pier, but these emissions will be dispersed immediately by the normal breeze associated with Lake Tahoe. The reconstructed pier will not increase the use rate of the motor boats. The small rental powered waverunners and the winch boat will emit exhaust fumes when idling to and from the pier, but this is not considered a significant increase in air

emissions in this area. This project upon completion will not create any new significant air emissions.

2. Odors

The reconstructed pier will not create any objectionable odors. However, there will be about a two month period when diesel fumes will be noticed within the immediate vicinity of the barge operations during the proposed reconstruction of the Lighthouse Pier. The pier exists and no new odors or emissions will result from this project. The use of the small rental watercraft upon departure and return to the pier will create odors from exhaust emissions; however, these will be immediately dispersed by the normal breeze associated with Lake Tahoe. The reconstructed pier will not increase the use rate of the motor boats. There are no fueling facilities at this pier. All watercraft repair will be done at a marine repair facility. This project will not create any new significant odors.

3. Climate

The proposed commercial use and reconstruction of Lighthouse Pier will not create any new significant changes in air movements, temperature, or climate to create any significant abnormal weather conditions.

C. Water

1. Currents

The design of this pier is open piling, and the replacement of the open piles will not create any new significant effects or changes in water currents or movements upon completion of the project. The small watercraft will probably create temporary small local currents leaving and returning to the pier, but these will not create any permanent changes in the current flow of Lake Tahoe.

2. Drainage

The proposed commercial use and reconstruction of this pier with its open piling design will not affect absorption rates, drainage patterns, etc. The area adjacent to the pier is either submerged or the rock and cobble beach neither of which will be altered by this project because all reconstruction activities will take place within the footprint of the existing pier.

3. Flood Waters

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The proposed commercial use and reconstruction of the open piling pier will not create any new effects upon the course or flow of flood waters.

4. Surface Waters

The proposed commercial use and reconstruction of the pier is static in nature and will not affect the surface water volume of Lake Tahoe.

5. Discharge

Mitigation measures incorporated into the project description to minimize the construction debris from entering the water include using small boats with tarps beneath the construction area to catch any falling debris from entering Lake Tahoe. Additionally, best practical control technology shall be employed to prevent earthen materials to be resuspended as a result of pier construction and from being transported to adjacent lake waters (e.g. caissons, sleeves, or turbidity screens). The commercial use of the pier will be renting small water craft. The maintenance on these watercraft will be done elsewhere. With the above mitigation measures incorporated during construction, discharges will be contained and not create any significant effects on the lake.

6. Ground Waters

The geology of the project area is composed of glacial and alluvial deposits. The replacement of the existing pier pilings are a relatively shallow operation and will not create any significant effects on ground water flows or impacts on subsurface aquifers in this type of geology.

7. Ground Water Withdrawal

The proposed commercial use and reconstruction of the pier will not create any changes to ground water flows. This pier reconstruction project will not add to nor delete from ground water flows.

8. Available Water

The proposed commercial use and reconstruction project for the existing Lighthouse Pier will not disturb any aquifers or public water lines nor create any significant effects on the availability of water for public water supplies. The commercial use of the pier will not create any significant use of available water because the people renting the watercraft are on the lake and not at the pier. The commercial use of this pier will not attract

large volumes of people which could increase the demand for water; since, this is not the case there will not be a significant demand for available water.

9. Flood

This proposed commercial use and reconstruction of the Lighthouse Pier will not expose people or property to water-related hazards such as tidal waves or induce flooding.

10. Thermal Springs

There are no known thermal springs near this proposed project; therefore, no thermal springs will be impacted.

D. Plant Life

1. Plant Species Diversity

There will be a temporary disruption to aquatic sessile plants during the reconstruction period which will be approximately two months. This temporary change will only affect the immediate construction area within the footprint of the pier. During the reconstruction period, best practical control technology, as determined by TRPA, shall be employed to prevent earthen materials to be resuspended as a result of pier construction and from being transported to adjacent lake waters. Upon the completion of reconstruction activities, the indigenous aquatic flora will shortly begin recolonizing the affected areas. The impact to aquatic plants will be temporary.

2. Endangered plants

There are no rare or endangered species on the proposed project property. In the report for Tahoe Yellow Cress, Rorippa subumbellata habitat, no TYC was found on the project property or adjacent properties. The proposed commercial use and reconstruction of Lighthouse Pier will not create any new significant effects on rare or endangered plants.

3. New Species

The proposed commercial use and reconstruction of Lighthouse Pier will not introduce any new plant species to the area nor bar existing indigenous species from becoming re-established.

4. Crops

The proposed commercial use and reconstruction of Lighthouse Pier will not reduce the acreage of agricultural crops. There are no agriculture or aquaculture activities in this area; therefore, there will be no impacts.

E. Animal Life

1. Animal species diversity

There will be a temporary displacement of indigenous aquatic fauna during the reconstruction period which will be approximately two months. This temporary change will only affect the immediate construction area within the footprint of the pier. During the reconstruction period, best practical control technology, as determined by TRPA, shall be employed to prevent earthen materials from being resuspended as a result of pier construction and from being transported to adjacent lake waters. Upon the completion of reconstruction activities, the indigenous aquatic fauna will shortly begin re-occupying the affected areas. The D.F.&G. and the TRPA map indicate that this is prime fish habitat for feeding and escape. Should construction activities disturb the lakebottom sediments, mitigation measures of the affected areas mandate that these areas will be hand rolled and/or rock cobble to be hand picked to consolidate the lakebottom sediments. The impact to aquatic animals will be temporary, and with the TRPA mitigation measures, there will not be any new significant changes to animal species diversity.

2. Endangered Animal Species

There have not been any rare or endangered aquatic animals reported within the project area. The proposed commercial use and reconstruction of the Lighthouse Pier will not create any significant impacts on any known endangered animals.

3. New Animal Species

The proposed commercial use and reconstruction of Lighthouse Pier will not introduce any new animal species to the area nor bar existing indigenous species from becoming re-established.

4. Habitat

The Lighthouse Pier has been in existence for over 30 years and has always been considered by the local people as a commercial pier even though it never generated any profit. This pier is in an area described as prime fish

habitat for feeding and escape, there is a 5 mph speed limit established by the County of Placer for the safety of anglers and people entering and departing boats. The proposed commercial use and completed reconstruction and continued use of this pier will not create any new significant changes to the aquatic habitat in this area.

F. Noise

1. Increased Noise Levels

The reconstructed pier by itself will not create any increased noise levels; however, the commercially rented five wave runners and the parasail boat will generate a minor amount of noise when idling away from the pier and returning. There is a 5 mph speed limit imposed on all power boats and watercraft by Placer County. This also has the effect of minimizing engine noises generated by power boats. The noises generated by the commercial venture is not significant when mitigated by the 5 mph speed limit.

There will be a two month temporary increase in noise levels during the pier reconstruction activities. The actual timing of construction will be worked out with TRPA and D.F.&G. Construction is normally conducted outside the normal tourist season.

The long term effect of this project will not create any noises of significantly higher levels than occur presently.

2. Severe Noise

The reconstructed pier and commercial use of the pier will not generate severe noise levels. There will be higher noise levels generated during the construction period. This will be about a two month period normally outside of the normal tourist season. The construction workers wear protective hearing devices. There is a rock/cobble, not conducive for sun bathing, beach which will act as a partial buffer to dissipate the noise from the general population. The long term effect of this project is that after the reconstruction, the noise levels will return to normal, and this project will not create any new significant long term severe noise effects.

G. Light and Glare

1. Light

Lighthouse pier is 341 long and there will be safety

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lights installed for the benefit of people walking on the pier at night. These lights will be sufficient to light the pier from a safety aspect and not to create excessive glare. This additional night lighting will blend in with the lighting from the shopping center mall, and the Tahoe City waterfront area. There will not be any changes in day time light or glare to the area. The reconstructed pier will not result in creating excessive new light or glare at night; therefore, such impacts are not considered significant.

H. Land Use

1. Land Use

Lighthouse pier has been in existence for over 30 years and is locally considered a commercial pier; since, it serves as a free mooring facility for shoppers at the Lighthouse shopping center. The rental of the seven small watercraft will not have much impact on the use of the pier. This pier is an accepted part of the Tahoe City landscape and is used by people visiting the shopping center by boat instead of by automobile. There is presently an abandoned concrete ramp 42' north and an existing State of California Pier "Tahoe State Pier" 85' north of Lighthouse Pier. The ramp and pier are part of Tahoe State Park. The reconstruction and commercial use of Lighthouse pier will not create any new significant changes to the land use of this area.

I. Natural Resources

1. Natural Resources

The lighthouse pier has been in existence for over 30 years and this reconstruction and use change to commercial for leasing small sail and powered watercraft will not create any new effects upon the use rate of any natural resource.

2. Resource Depletion

The lighthouse pier has been in existence for over 30 years and this reconstruction and use change to commercial in order to lease small sail and powered watercraft will not create any new effects which could deplete any nonrenewable resource.

J. Risk of Upset

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1. Explosion

The lighthouse pier has been in existence for over 30 years and this reconstruction and use change to commercial in order to lease seven small sail and powered watercraft will not alter the risk of explosion much. There could be some risk of upset, explosion, or release of hazardous materials as a result of construction, but this is not very likely because the pier reconstruction equipment is diesel powered, and there are TRPA mitigation stipulations to be employed during reconstruction to avoid upsets or spills.

The risk of explosion from the fumes of motor boats is a possibility; however, there are no fueling facilities associated with the Lighthouse Pier. There is a Placer County speed limit of 5 mph from the end of the dock out to 200 feet. This will help avoid the possibility of a high speed collision between motor boats. This is an open pier with no storage facilities, and the reconstructed pier and commercial use by itself creates no new significant changes which would cause an explosion.

2. Emergency

The lighthouse pier has been in existence for over 30 years and this reconstruction and use change to commercial in order to lease seven small sail and powered watercraft will not create any new interface with any emergency response or evacuation plan. In fact the repaired Lighthouse Pier could aid in emergency response and/or an evacuation plan.

K. Population

1. Population

The seasonal use of the existing Lighthouse Pier facility by local homeowners and tourists will not alter the population in the Tahoe City area of the Lake Tahoe Basin.

L. Housing

1. Housing

The Lighthouse Pier facility has been in existence for over 30 years servicing the Lighthouse Shopping Center Mall. The reconstruction of the pier and the change of use to commercial to lease seven small watercraft will not create a demand for additional housing. This is not considered a new significant impact or demand for

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additional housing.

M. Transportation/Circulation

1. Additional Vehicular Movement

The reconstruction of Lighthouse Pier and its use change to commercial will not lure large numbers of additional people to the shopping center. The leasing of rental watercraft will be primarily for the tourists using the shopping center. The shopping center has been undergoing modifications not related to State Lands jurisdiction which include enlarging the parking lot, adding four additional permanent public restroom facilities, access, etc. The reconstruction of Lighthouse Pier and the commercial leasing of the five wave runners and the parasail ride on hourly basis is not considered a significant attraction to create new demands on or for parking, transportation systems, alterations to patterns of circulation, alterations to patterns of traffic, or increased traffic hazards.

2. Demands of New Parking

No. See #1 above.

3. Impacts on Transportation Systems

No. See #1 above.

4. Alteration to Patterns of Circulations

No. See #1 above.

5. Alterations to patterns of traffic

No. See #1 above.

6. Increase in Traffic Hazards

No. See #1 above.

N. Public Services

1. The reconstruction of Lighthouse Pier and its use change to commercial will not lure large numbers of additional people to the shopping center. The leasing of rental watercraft will be primarily for the tourists using the shopping center. The shopping center has been undergoing modifications not related to State Lands jurisdiction which include enlarging the parking lot, adding additional permanent public restroom facilities, access,

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etc. The reconstruction of Lighthouse Pier and the commercial leasing of seven small watercraft on an hourly basis is not considered a significant attraction to create new demands on or for public 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 Recreational 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

Upon completion the pier repair project will have a minimal affect on additional energy consumption. There will be safety lights on the pier at night for the benefit of people enjoying nightly strolls on the pier. The small watercraft rental will not constitute a major increase in fuel consumed in the Tahoe City area. The reconstruction of Lighthouse Pier and the conversion to a commercial use will not create a substantial increase in the use of power or natural gas. 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

There will be no additions to the existing facilities

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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

Upon completion of the reconstruction of this 30 year old pier and conversion to a commercial use lease, the repaired pier will be less of a hazard to human health, and the commercial rental of small watercraft is considered a recreational use and not a hazard to human health. There is a 5 mph speed limit within 200 feet of the pier to reduce the possibility of marine accidents. The pier reconstruction and conversion to a commercial use lease will not create any new significant health hazards.

2. Exposure to Health Hazards

This pier reconstruction project and commercial watercraft rental is considered more in the light of recreational use and will not expose the general public to any new significant potential health hazards.

R. Aesthetics

1. Scenic Views

The reconstruction of this 30 year old pier and its conversion to a commercial use lease is compatible with

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the commercial use of the waterfront area. There are no new facilities being added to distract from the view of Lake Tahoe. The reconstruction of the pier and conversion of its use lease to a small watercraft commercial rental business is compatible with the current use of the area. This will not be a distraction from the aesthetics of this commercial-recreational area consisting of piers, boat ramps, buoys boats, residential dwellings, marine repair facilities, and shopping centers.

S. Recreation

1. Recreational Opportunities

The reconstruction of the 30 year old Lighthouse pier and the conversion of its use to a commercial small watercraft rental will enhance the recreational experience in the area. The completed repair of the Lighthouse Pier will not create any new significant effects on public recreation in the area.

T. Cultural Resources

1. Historic Sites

There are no known or identified cultural, ethnic, religious, or sacred uses pertinent to this project area. The reconstruction of the 30 year old Lighthouse pier within its original footprint of the existing pier will not create any new significant effects to the cultural resources.

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

The 30 year old Lighthouse Pier will be reconstructed in its original footprint. The proposed commercial rental of the six watercraft operating at 5 mph or less within

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200 feet of the end of the pier, enforced by Placer County Sheriffs Dept., as a health and safety measure will not create any new significant negative environmental impacts to the natural resources in this area.

2. Short-Long Term Disadvantages

During the actual reconstruction of the 30 year old pier, the indigenous aquatic flora and fauna will be displaced for about a two month period. Upon completion of the project, the displaced aquatic sessile flora will begin to recolonize their old habitat and the aquatic fauna will begin to reoccupy the void created by the construction process. This includes the fish which use the area for feeding and hiding. There will be some short term disruptions created by the construction, but there will be long term environmental stability upon completion of the project.

3. Cumulative Effects

This pier is being reconstructed in its own footprint and is therefore, not adding new cumulative impacts to Lake Tahoe. The seven small watercraft being leased seasonally will add intermittently to the actual number of watercraft which are on the lake, but these seven small water craft are insignificant when compared to the total number of boats continuously on the lake during the tourist season.

4. Adverse Effects on Humans

The Lighthouse Pier has been in existence for 30 years, and its reconstruction will not constitute any new significant adverse effects on human beings. The changing of the lease to commercial will result in the rental of small watercraft to the visiting tourists which will have a beneficial effect on both the tourists and the economy at Tahoe City.

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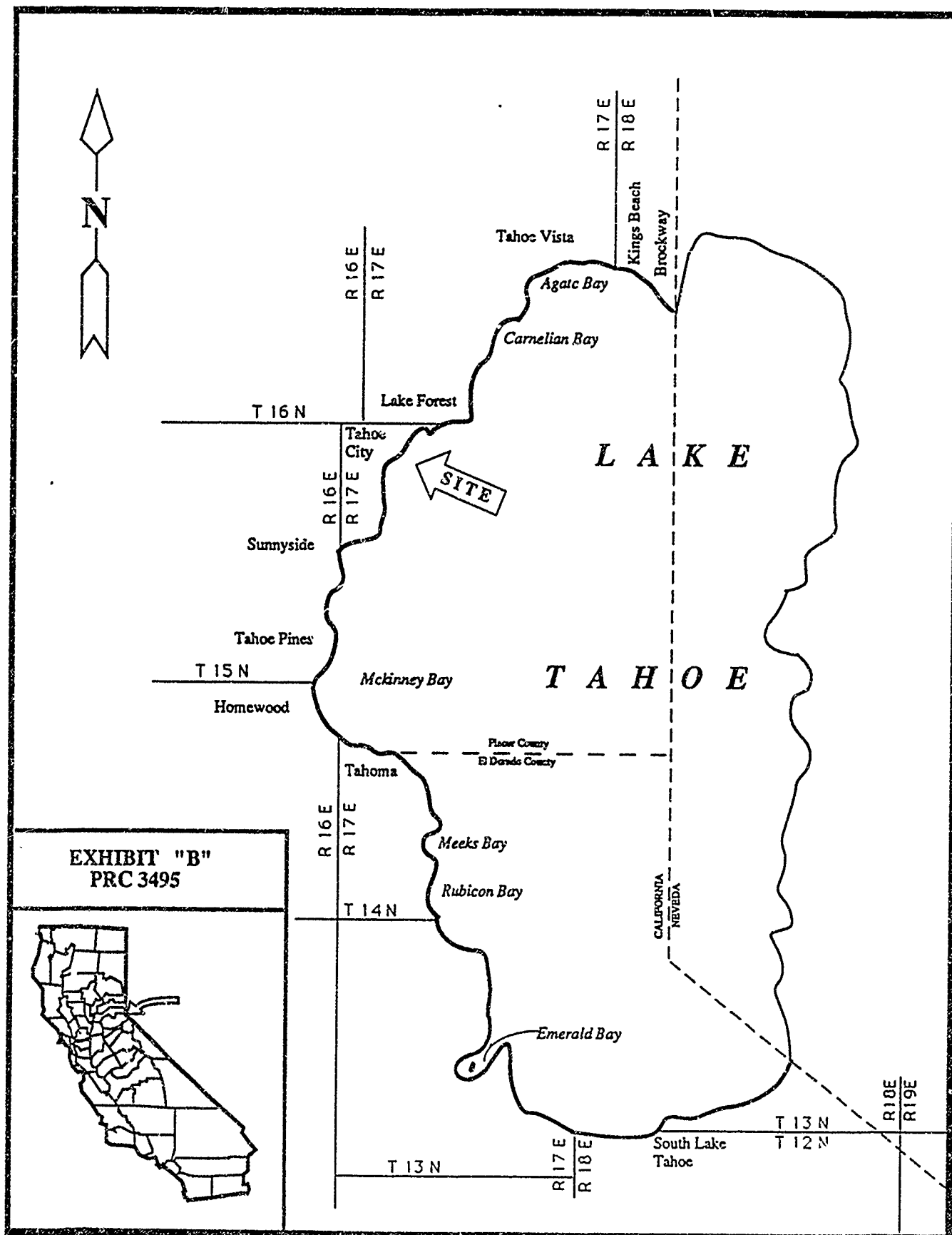


EXHIBIT "B"
PRC 3495



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EXHIBIT "E"

MONITORING PROGRAM
FOR TOPOL'S COMMERCIAL LIGHTHOUSE PIER RECONSTRUCTION

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) Use of caissons, vertical cylinders (sleeves), or turbidity screens to prevent the release of resuspended sediments during pile placement activities;
- 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 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 pier reconstruction project during the placement of the pilings.

2. Impact: The proposed project is located in prime fish feeding and escape habitat as designated by the Department of Fish and Game and could have an impact on the habitat.

Project Modification:

- a) The pier reconstruction project involving disturbance to the lake bed will be conducted during the normal construction period between May 1 to September 15, to reduce impacts to fish habitat.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically

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site inspect the pier reconstruction project
to ensure the proposed activity will occur
within the allowable construction time period.

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