

CALENDAR ITEM  
C29

MINUTE ITEM  
This Calendar Item No. C29  
was approved as Minute Item  
No. 29 by the State Land  
Commission by a vote of 3  
to 0 at its 3/1/95  
meeting. 03/01/95  
PRC 4231.9  
J. Ludlow

A 4  
S 1

APPROVE THE ISSUANCE OF A RECREATIONAL PIER PERMIT

APPLICANT:

Stephen and Mary Joyce Monahan  
175 Hazel Avenue  
Glencoe, Illinois 60022

AREA, TYPE LAND AND LOCATION:

A parcel of submerged land located in the bed of Lake Tahoe  
near Baldwin Beach, El Dorado County.

LAND USE:

Partial reconstruction of an existing pier.

TERMS OF PROPOSED LEASE:

Initial period:  
Ten years beginning March 1, 1995.

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, and environmental fees have been  
received.

STATUTORY AND OTHER REFERENCES:

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

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

AB 884:

04/09/95

**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 664, State Clearinghouse No. 95012046. 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. 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.
3. The applicant proposes to reconstruct 103 feet of the landward portion of the existing pier and replace collapsed decking.
4. The project will be accomplished using a barge-mounted pile driver. Disturbance will be restricted to the footprint of the existing structure plus a ten foot wide construction zone on one side of the structure above the current water level.
5. No materials will be stored or placed above the low water line (elevation 6223 feet, Lake Tahoe Datum) of the subject property. This procedure will prevent any disturbance to the habitat of *Rorippa subumbellata*, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species.
6. 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.

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7. The Permit includes specific provisions by which the Permittee agrees to protect and replace or restore, if required, the Rorippa habitat.
8. Commission staff will monitor the reconstruction of the pier in accordance with the Monitoring Program included within the Proposed Negative Declaration.
9. The subject property was physically inspected by staff for purposes of evaluating the impact of the proposed activity at the site.
10. This permit is conditioned on Permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance. If any structure authorized by the Permit 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.

**APPROVALS OBTAINED:**

Tahoe Regional Planning Agency, El Dorado County.

**FURTHER APPROVALS REQUIRED:**

United States Army Corps of Engineers, State Lands Commission, California Department of Fish and Game.

**EXHIBITS:**

- A. Site and Location Map
- B. Negative Declaration and Monitoring Program

**IT IS RECOMMENDED THAT THE COMMISSION:**

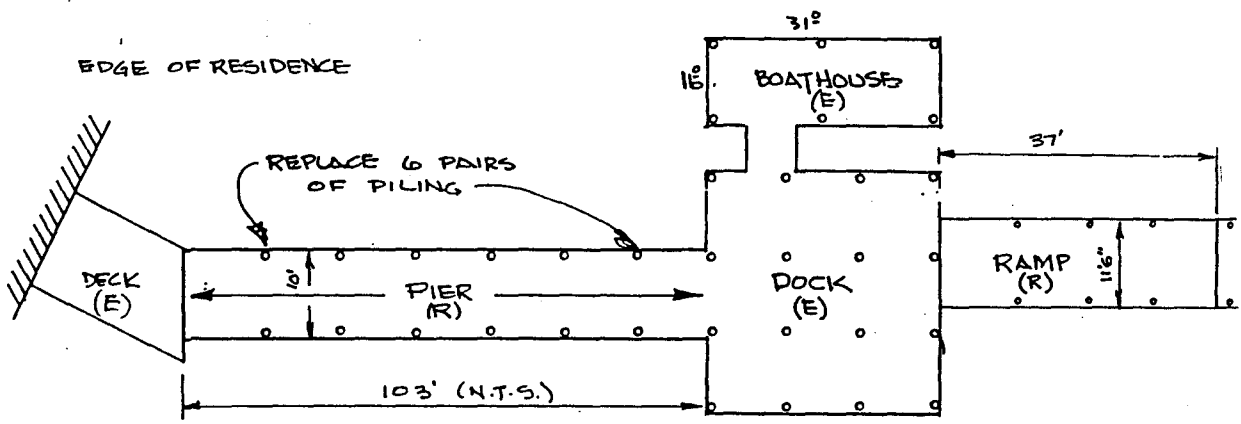
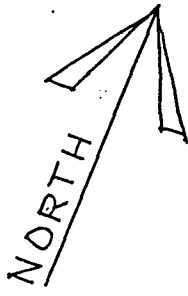
1. CERTIFY THAT A NEGATIVE DECLARATION, ND 664, STATE CLEARING HOUSE NO. 95012046, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

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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 PLAN AS CONTAINED IN EXHIBIT "B", ATTACHED HERETO.
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 STEPHEN AND MARY JOYCE MONAHAN OF THE 10-YEAR RECREATIONAL PIER PERMIT ON FILE IN THE COMMISSION'S OFFICES FOR ALL OF THE STATE'S SOVEREIGN LANDS BELOW THE ELEVATION OF 6223 LTD UNDER APPLICANT'S PIER AS DEPICTED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, BEGINNING MARCH 1, 1995; NO MONETARY CONSIDERATION PURSUANT TO P.R.C. SECTION 6503.5.

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**PLOT PLAN**

**LEGEND**

- (E) EXISTING, NO CHANGE
- (R) TO BE REPAIRED (EXISTING CONFIGURATION)

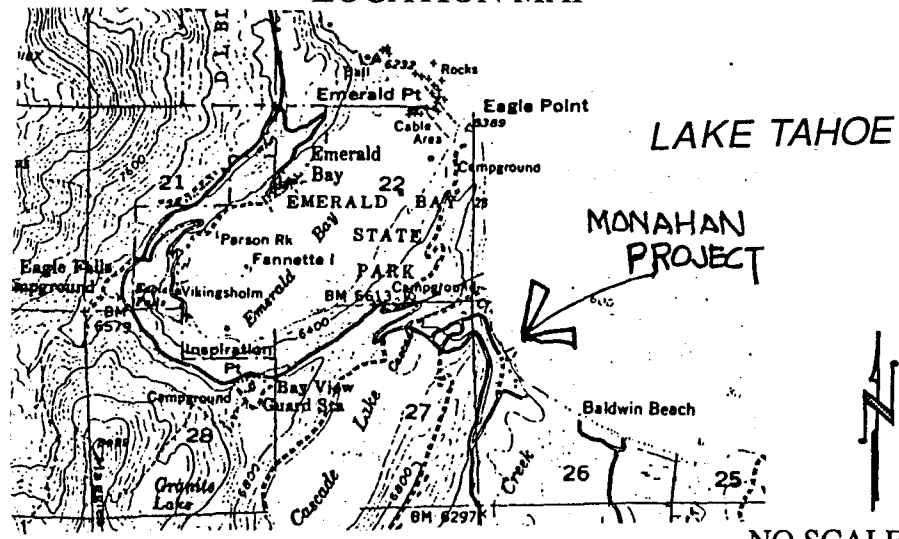
REPAIR TO EXISTING DAMAGED PIER

LAKE TAHOE

2193 Cascade Road

NO SCALE

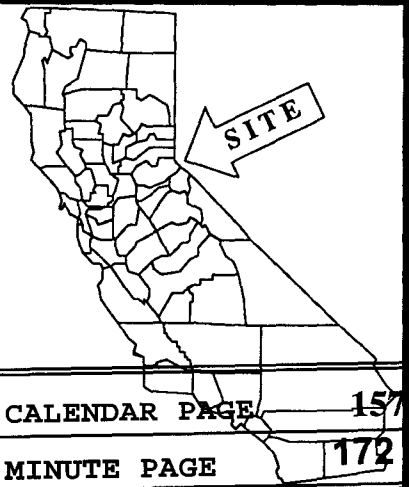
**LOCATION MAP**



NO SCALE

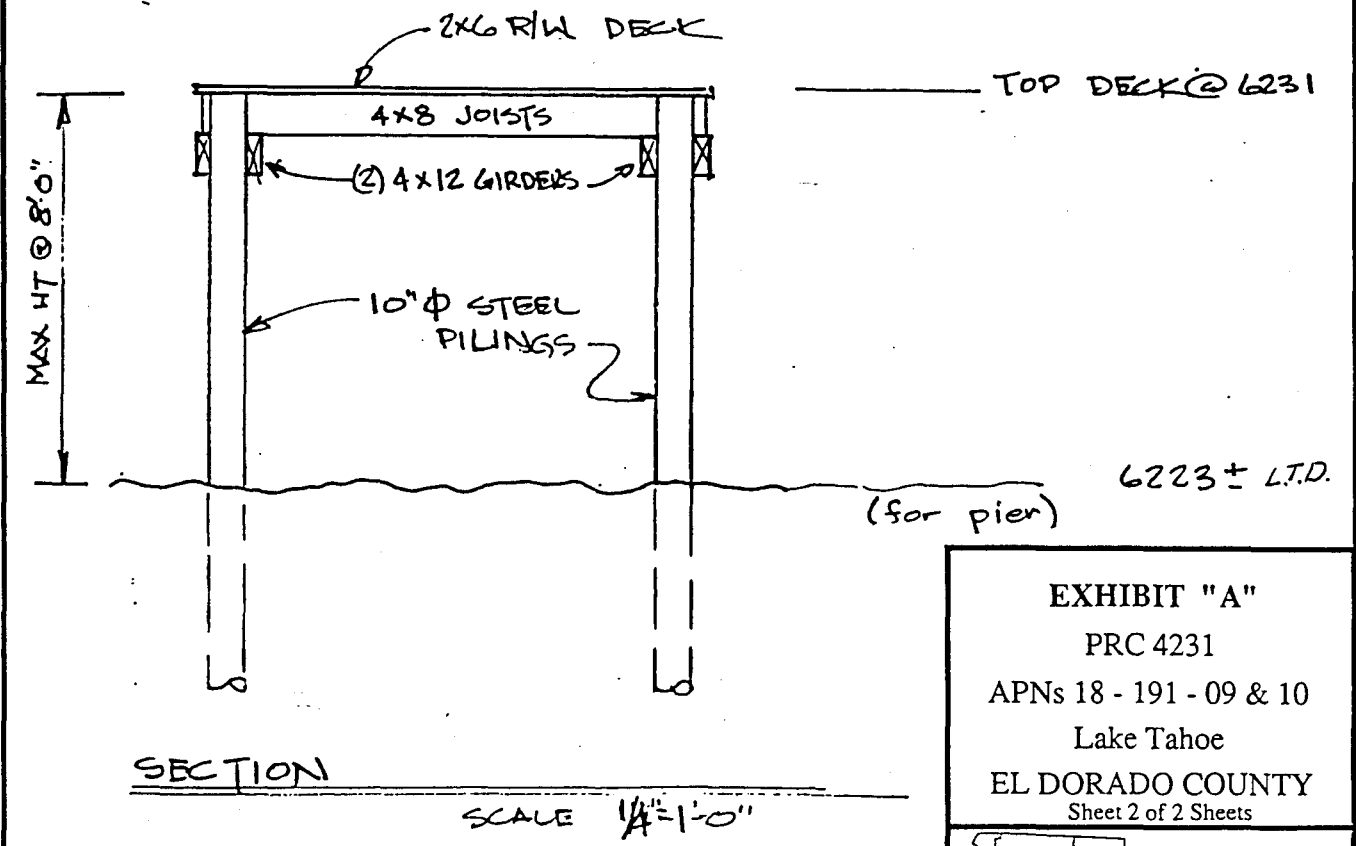
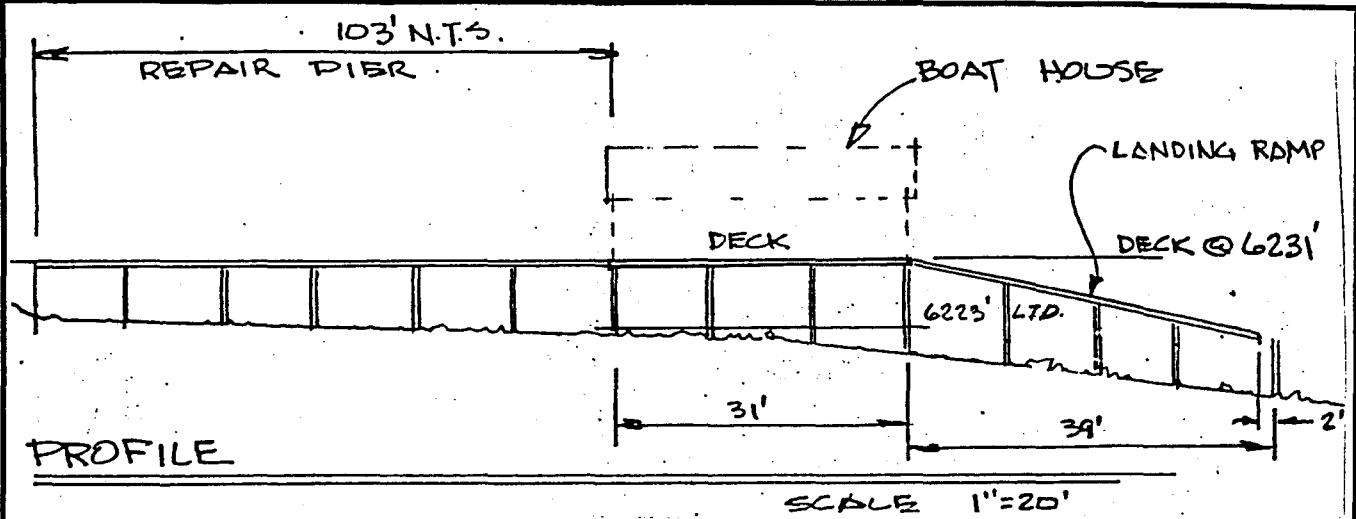
**EXHIBIT "A"**

PRC 4231  
 APNs 18 - 191 - 09 & 10  
 Lake Tahoe  
 EL DORADO COUNTY  
 Sheet 1 of 2 Sheets



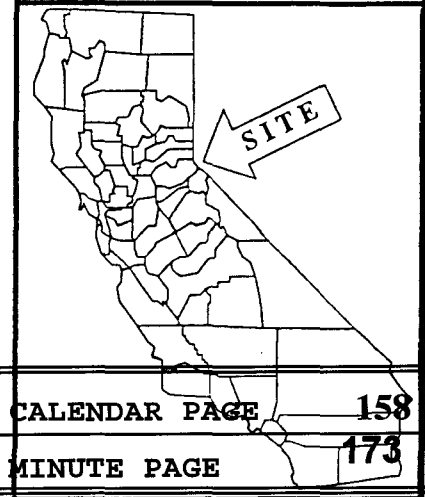
This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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REPAIR TO EXISTING DAMAGED PIER

EXHIBIT "A"  
 PRC 4231  
 APNs 18 - 191 - 09 & 10  
 Lake Tahoe  
 EL DORADO COUNTY  
 Sheet 2 of 2 Sheets



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

**STATE LANDS COMMISSION**

GRAY DAVIS, *Lieutenant Governor*  
 KATHLEEN CONNELL, *Controller*  
 RUSSELL S. GOULD, *Director of Finance*

EXECUTIVE OFFICE  
 1807 - 13th Street  
 Sacramento, CA 95814-7187

ROBERT C. HIGHT  
 Executive Officer

January 20, 1995

File: PRC 4231  
 ND 664  
 SCH No. 95012046

**NOTICE OF PUBLIC REVIEW  
 AND INTENT TO ADOPT A  
 PROPOSED NEGATIVE DECLARATION  
 (SECTION 15073 CCR & SECTION 21092 PRC)**

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 State Lands Commission Regulations (Section 2901 et seq., Title 2, California Code Regulations) for a project application currently being processed by the staff of the State Lands Commission.

This document is attached for your review. Comments should be addressed to the State Lands Commission office shown above with attention to the undersigned. All comments must be received by February 22, 1995.

The Negative Declaration will be considered for adoption at a meeting of the State Lands Commission no earlier than February 22, 1995. You will be notified of the date and location at least 10 days prior to the meeting.

Should you have any questions or need additional information, please call the undersigned at (916) 322-0350.

*Goodyear K. Walker*

GOODYEAR K. WALKER  
 Division of Environmental  
 Planning and Management

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**STATE LANDS COMMISSION**

GRAY DAVIS, *Lieutenant Governor*  
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EXECUTIVE OFFICE  
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Executive Officer

File: PRC 4231  
ND 664  
SCH No. 95012046

## PROPOSED NEGATIVE DECLARATION

Project Title: Monahan Pier Repair

Project Proponent: Stephen T. & Mary J. Monahan

Project Location: Lake Tahoe, APN 18-191-09 & 10, Tallac Manor, in the Cascade Creek area, El Dorado County.

Project Description: Existing rotten pilings will be replaced and collapsed decking restored.

Contact Person: Goodyear K. Walker Telephone: (916) 322-0530

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

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

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

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

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ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II  
Form 13.20 (7/82)

File Ref.: PRC 4231.9

I. BACKGROUND INFORMATION

A. Applicant:

Stephen T. and Mary J. Monahan

175 Hazel Ave.

Glencoe, Illinois 60022

B. Checklist Date: 1 / 6 / 95

C. Contact Person: Goodyear K. Walker

Telephone: (916) 322-0530

D. Purpose: Repair of existing collapsed recreational pier

E. Location: Lots 9 and 10 of Tallac Manor (APN 18:191:09 & 10), in the Cascade Creek area of Lake Tahoe

in El Dorado County, California

F. Description: Existing rotten pilings will be removed and replaced with steel pilings, and the deck rebuilt

G. Persons Contacted: \_\_\_\_\_

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

A. Earth. Will the proposal result in:

1. Unstable earth conditions or changes in geologic substructures? . . . . .                     

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- 2. Disruptions, displacements, compaction, or overcovering of the soil? .....  Yes     Maybe     No
- 3. Change in topography or ground surface relief features? .....  Yes     Maybe     No
- 4. The destruction, covering, or modification of any unique geologic or physical features? .....  Yes     Maybe     No
- 5. Any increase in wind or water erosion of soils, either on or off the site? .....  Yes     Maybe     No
- 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? .....  Yes     Maybe     No
- 7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? .....  Yes     Maybe     No

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

- 1. Substantial air emissions or deterioration of ambient air quality? .....  Yes     Maybe     No
- 2. The creation of objectional odors? .....  Yes     Maybe     No
- 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? .....  Yes     Maybe     No

**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? .....  Yes     Maybe     No
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff? .....  Yes     Maybe     No
- 3. Alterations to the course or flow of flood waters? .....  Yes     Maybe     No
- 4. Change in the amount of surface water in any water body? .....  Yes     Maybe     No
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? .....  Yes     Maybe     No
- 6. Alteration of the direction or rate of flow of ground waters? .....  Yes     Maybe     No
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? .....  Yes     Maybe     No
- 8. Substantial reduction in the amount of water otherwise available for public water supplies? .....  Yes     Maybe     No
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves? .....  Yes     Maybe     No
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs? .....  Yes     Maybe     No

**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)? .....  Yes     Maybe     No
- 2. Reduction of the numbers of any unique, rare or endangered species of plants? .....  Yes     Maybe     No
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? .....  Yes     Maybe     No
- 4. Reduction in acreage of any agricultural crop? .....  Yes     Maybe     No

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

- 1. Change in the diversity of species, or numbers of any species of animals (birds, land

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animals including reptiles, fish and shellfish, benthic organisms, or insects)? . . . . .

-2-

Yes      Maybe      No

2. Reduction of the numbers of any unique, rare or endangered species of animals? . . . . .

3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? . . . . .

4. Deterioration to existing fish or wildlife habitat? . . . . .

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

1. Increase in existing noise levels? . . . . .

2. Exposure of people to severe noise levels? . . . . .

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

1. The production of new light or glare? . . . . .

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

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

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

1. Increase in the rate of use of any natural resources? . . . . .

2. Substantial depletion of any nonrenewable resources? . . . . .

**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 governmental services in any of the following areas:

1. Fire protection? . . . . .

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2. Police protection? ..... — — X  
 -3-

Yes Maybe No

3. Schools? ..... — — X

4. Parks and other recreational facilities? ..... — — X

5. Maintenance of public facilities, including roads? ..... — — X

6. Other governmental services? ..... — — X

**O. Energy.** Will the proposal result in:

1. Use of substantial amounts of fuel or energy? ..... — — X

2. Substantial increase in demand upon existing sources of energy, or require the development of new sources? .. — — X

**P. Utilities.** Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

1. Power or natural gas? ..... — — X

2. Communication systems? ..... — — X

3. Water? ..... — — X

4. Sewer or septic tanks? ..... — — X

5. Storm water drainage? ..... — — X

6. Solid waste and disposal? ..... — — X

**Q. Human Health.** Will the proposal result in:

1. Creation of any health hazard or potential health hazard (excluding mental health)? ..... — — X

2. Exposure of people to potential health hazards? ..... — — X

**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? ..... — — X

**S. Recreation.** Will the proposal result in:

1. An impact upon the quality or quantity of existing recreational opportunities? ..... — — X

**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

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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**

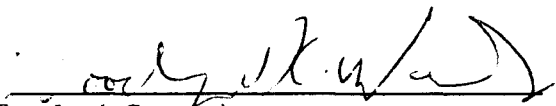
On the basis of this initial evaluation:

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: 1 / 23 / 95

  
For the State Lands Commission

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PROJECT DESCRIPTION

PROJECT NARRATIVE

PRC 4231.9 authorizes an existing multi-use pier and boathouse. This pier and boathouse were built originally in 1959 and 1964, respectively. In 1984, the boathouse was destroyed by high winds, which also weakened the pier structure. The previous owners obtained permits to repair the damage in 1986, although the actual repairs of the boathouse and adjacent deck did not take place until July of 1992. In the Winter of 1992, heavy snowfall accumulation on the pier itself caused two pilings to snap, and collapsed the pier onto ground above the current water level. The property was sold soon after, and the proposed project involves the authorization of the repair of the this damage. The repairs will consist of removal and replacement of all rotten wood pilings with steel pilings and H-beams, and replacement of the collapsed 2" X 6" cedar decking as necessary. The repair will be accomplished through use of a lark vessel, a floating barge with overinflated tires which allows it to leave the water and come up onto the beach. Access to the site will be completely from the water for both materials and equipment. No increase of coverage or modifications to the existing pier will occur.

The first stage of the construction will be to remove the old pilings. Access will be from the barge. Disturbance will be restricted to the footprint of the existing structure plus a ten foot wide construction zone on one side of the structure above the current water level. The pilings will be removed by a clam-shell type attachment to the pile driver on the barge. The second phase will consist of driving the new steel piles in a double (paired) piling style spaced 15 ft. apart. The new pilings will be driven whenever possible into the old piling holes of the previous structure. If this is not possible, the new pilings will be driven as close to the old hole as structurally permissible. Pilings will be accessed from the barge or the existing structure. Both sides of the pier can be accessed by the pile driver from the construction zone. The materials generated by the demolition and materials for the reconstruction will be stored on the barge or on the existing structure.

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## CONSTRUCTION METHOD

This project consists of the removal and replacement of the existing piling with 10-3/4" diameter steel piling, with replacement of wood stringers by steel H-beams, and replacement of decking as necessary. The initial removal of the collapsed portions of the pier will be done by hand. Best practical control technology shall be employed to prevent earthen materials from being transported to adjacent lake waters. As the entire pier area is above the existing water line construction debris will be collected by hand. There will be no storage of materials above the low water line of the subject property.

## DESCRIPTION OF ENVIRONMENTAL SETTING

The proposed reconstruction project is located on lots 9 and 10 of Tallac Manor, in El Dorado County, California (APN 18:191:09 & 10). These are private residences in the Cascade Creek area of Lake Tahoe. The present use of the area is private recreation. A pier and boat house presently exist on site. The shoreline at the project site is primarily medium to large size cobbles, with several small backshore depressional areas or areas of sandy beach. The site was surveyed on June 10, 1992.

## SITE DESCRIPTION

The Monahan property consists of two adjacent lots, and presently includes a pier with a boathouse. The pier has collapsed between the house and the boathouse deck. The property slopes evenly up to the house, which sits above the lake level on a small flat.

## PRESENT ENVIRONMENT

The backshore area of the two lots (approximately at 6,230 feet elevation) is primarily comprised of Jeffrey pine (Pinus jeffreyi), white fir (Abies concolor), Black cottonwood (Populus trichocarpa), Lemon willow (Salix lemonii), Incense cedar (Cedrus decurens) and Mountain alder (Alnus incana var. tenuifolia).

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The shoreline of the project, from approximately 6,230 feet elevation lakeward to 6,223 feet, is comprised primarily of wooly mullein (Verbascum thapsus), willoweed (Epilobium glaberrimum), Baltic rush (Juncus balticus) and assorted grasses and forbs. The majority of the shoreline is comprised of medium to large size cobbles, 2 to 6 inches in diameter with only several small backshore depressional areas or areas of open sandy beach.

### HABITAT EVALUATION

The proposed project area for the Monahan property was thoroughly examined for the presence of Tahoe Yellow Cress (Rorippa subumbellata) or its habitat in June of 1992. Tahoe Yellow Cress (Rorippa subumbellata Rollins) was first described by Reed C. Rollins in 1941 from a collection made at Meeks Bay in 1919 by A. A. Heller. It is endemic to the Tahoe Basin with the exception of a single collection made from Truckee, several miles to the north. It is a member of the mustard family (Brassicaceae), and is characterized by yellow flowers with four petals and six stamens. The preferred habitat for Rorippa has been described as a uniform granitic sand of medium grain size found in moist backshore areas and dry sandy soils on backshore bluffs. Rorippa has also been found in finer grain sand and some gravel to small cobble size substratum.

Rorippa was found growing within a 21 by 5 foot area near the center of the two lots, just to the south of the existing pier. Seventy-one plants were counted within four feet of the current waterline in this area. Two further plants were found on the edge of the shoreline/backshore break, approximately 35 feet from the waterline. The shoreline plants are growing under the south edge of the pier and along the shore for about 21 feet in scattered pockets. The occurrence of Rorippa was observed in the flowering and fruiting phenological stages of development during the survey. The plants were found in wet sandy soils, surrounded by cobbles about four feet from the waterline.

Although the backshore ecotone is composed of a substratum that may be described as Rorippa habitat, the soils are very dry and cobbled, with insufficient moisture in the backshore depressions to be good habitat. No Rorippa was observed in the backshore portions of the two lots.

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DISCUSSION OF ENVIRONMENTAL EVALUATION  
MONAHAN RECREATIONAL PIER REPAIR

PRC 4231.9

A. Earth

1. No. The pier reconstruction project is confined to the existing structure and will not create any unstable conditions or change any geological structure.
2. No. This operation will not overcover or disturb any new areas.
3. No. This project will not create any changes in ground surface relief. There will not be any excavating.
4. 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 replacement piles for the pier will not change any geological or physical features.
5. No. This pier reconstruction project is simply repairing an existing structure and will have no effect on wind or water erosion on or off the site.
6. No. This project is a repair project confined to an existing structure which will not create any channel changes nor erosion of beach sands.
7. No. The reconstruction of the existing pier is not deep enough to induce any seismic instabilities or ground failures. No impacts are anticipated.

B. Air

1. No. The reconstructed pier will not affect the air quality.
2. No. The reconstructed pier will not create objectionable odors. However, during construction hours, there will be about a four week period when fumes from the diesel engine will be noticeable in the

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immediate vicinity of the project, but this is a short-term, temporary impact.

3. No. The reconstructed pier will not create any major changes in air movements, temperature, or climate, nor create any abnormal weather conditions.

C. Water

1. No. The replaced piles supporting the pier are of a static nature and will not create any changes in existing water currents or movements.
2. No. The replaced pilings of the existing pier will not affect absorption rates, drainage patterns, etc. The area adjacent to the pier is normally submerged.
3. No. The repaired existing pier will not create any new effects upon flood waters.
4. No. The reconstructed pier will not affect the surface water volume of Lake Tahoe.
5. No. Mitigation measures required by the Tahoe Regional Planning Agency (TRPA) include the applicant's use of small boats and/or tarps placed under the reconstruction area as necessary to collect construction debris.
6. No. The geology of the project area is composed of glacial and alluvial deposits. The replacement of the existing pilings is a relatively shallow operation and should not affect ground water flows.
7. No. There will not be any changes to ground water quantity caused by the repaired pier.
8. No. The repaired existing pier will have no effect on public water supplies.

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9. No. The repaired existing pier will not expose people or property to water-related hazards such as tidal waves or induced flooding.
10. No. There are no thermal springs in the vicinity. The project will not affect any thermal springs.

D. Plant Life

1. No. The pilings that are being replaced are on dry land, due to the low lake levels. The construction will take place from the water, or from the existing structure.
2. No. Tahoe Yellow Cress (Rorippa subumbellata) has been found on the property, adjacent to the pier, but mitigations included in the Mitigation Monitoring Plan will insure that the existing plants are not disturbed.
3. No. The pier reconstruction will not introduce new species to the area nor bar existing species from becoming established.
4. No. There are no agriculture or aquaculture activities in this area; therefore, there will be no impacts.

E. Animal Life

1. No. The construction period will be approximately four weeks. Upon completion of the project, the indigenous fauna will re-occupy any voids created during the repair operation. There is no construction planned for any portion of pier over existing water.
2. No. There have not been any rare or endangered animals reported within the project area.
3. No. The pier reconstruction will not introduce any new species to the area nor create a new barrier to animals.
4. No. The reconstruction project will not reduce the habitat area upon completion.

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F. Noise

1. No. The repaired private recreational pier will not increase existing noise levels. There will be short term additional noises during the reconstruction period, but there will not be an increase in long term noise levels.
2. No. The repaired pier will not create any new severe noise levels; however, there will be a temporary period when the noise levels increase during the period of reconstruction. Upon completion of the project, the noise levels will assume normality. 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 is set back from existing roads.

Light and Glare

1. No. The reconstructed pier will not result in the creation of new light or glare.

H. Land Use

1. No. The repair of the existing private recreational pier will not alter the present or planned use of the area. The existing pier serves a private residence and not the general public. There are presently piers and bouys on adjacent properties. This project will not substantially alter the land use in the area.

I. Natural Resources

1. No. The continued seasonal recreational use of this private pier by the owners of the property and their family will not create any new effects upon the use rate of any natural resource.
2. No. The seasonal use of this private recreational pier will not create any changes which could deplete any nonrenewable resource.

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J. Risk of Upset

1. No. The project involves the dismantling and reconstruction of an existing pier. The barge being used is diesel operated which reduces the risk of explosion. Tarps will be placed under the reconstruction area as necessary to collect construction debris. 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.
2. No. The seasonal use of the existing private recreational pier does not interfere with any emergency response or evacuation plan.

K. Population

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

L. Housing

1. No. This existing private recreational pier will not create any demand for additional housing.

M. Transportation/Circulation

1. No. This is a private residence and the pier is for the benefit of the property owners 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. The pier will not interfere with existing boat traffic in the area, due to the spacing and location of the facilities.
2. No. See #1 above.
3. No. See #1 above.
4. No. See #1 above.

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5. No. See #1 above.

6. No. See #1 above.

N. Public Services

1. No. This is a private residence and the repaired pier 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. No. See #1 above.

3. No. See #1 above.

4. No. See #1 above.

5. No. See #1 above.

6. No. See #1 above.

O. Energy

1. No. This pier repair project will not have any affect on additional energy consumption.

2. No. See #1 above.

P. Utilities

1. No. The reconstruction of the private recreational pier will not create any changes in utilities or utility usage. 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. No. See #1 above.

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3. No. See #1 above.
4. No. See #1 above.
5. No. See #1 above.
6. No. See #1 above.

**Q. Human Health**

1. No. This repaired private recreational pier will not create any new health hazards to humans.
2. No. The repaired private recreational pier will not expose people to any new potential health hazards.

**R. Aesthetics**

1. No. The Monahan recreational pier is an existing facility. The reconstruction of the pier will not be a distraction from the aesthetics of this residential recreational area consisting of homes, piers, buoys and boats.

**S. Recreation**

1. No. The repair of this private recreational pier will have no effect on public recreation in the area.

**T. Cultural Resources**

1. No. There are no identified cultural, ethnic, religious, or sacred uses pertinent to this project area.
2. No. See No.# 1 above.
3. No. See No.# 1 above.
4. No. See No.# 1 above.

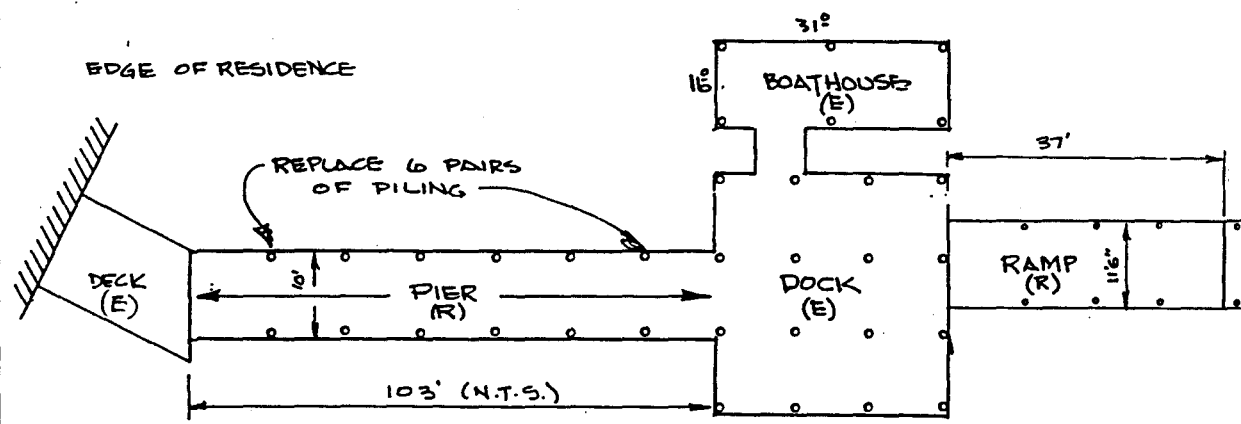
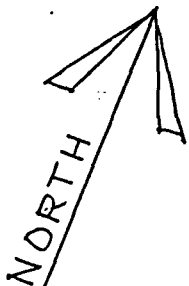
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U. Mandatory Findings of Significance

1. No. The pier is only to be repaired. There will be about a four week period during reconstruction when the immediate project site will experience increased noise and the presence of the barge.
2. No. There will be a short term, approximately four weeks, minor disruption of the environment in the immediate vicinity of the pier being repaired.
3. No. The Monahan private family recreational pier is an existing facility. The pier repair project does not add or create impacts which could be seen to be significant in a cumulative sense.
4. No. This private pier reconstruction project will not create any new environmental effects which could create a significant adverse effect on human beings.

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PLOT PLAN

LEGEND

- (E) EXISTING, NO CHANGE
- (R) TO BE REPAIRED (EXISTING CONFIGURATION)

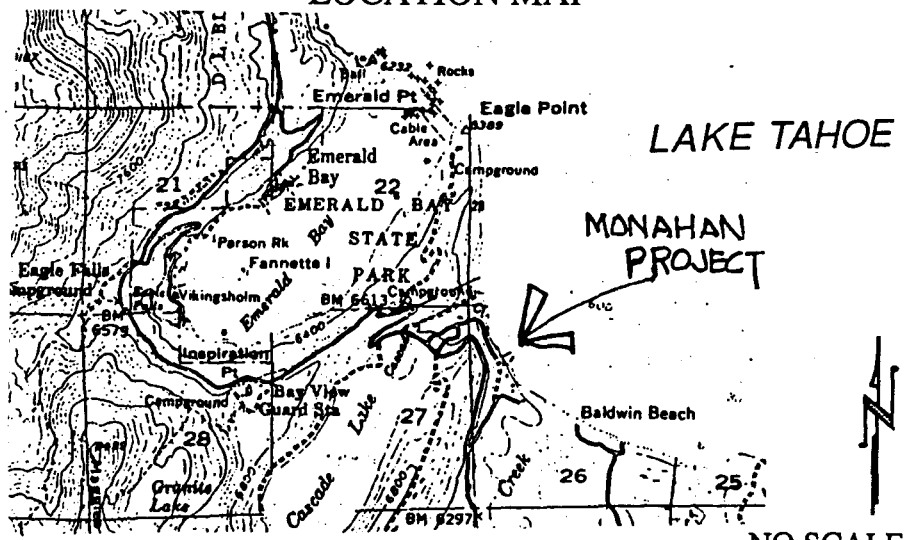
REPAIR TO EXISTING  
DAMAGED PIER

LAKE TAHOE

2193 Cascade Road

NO SCALE

LOCATION MAP



NO SCALE

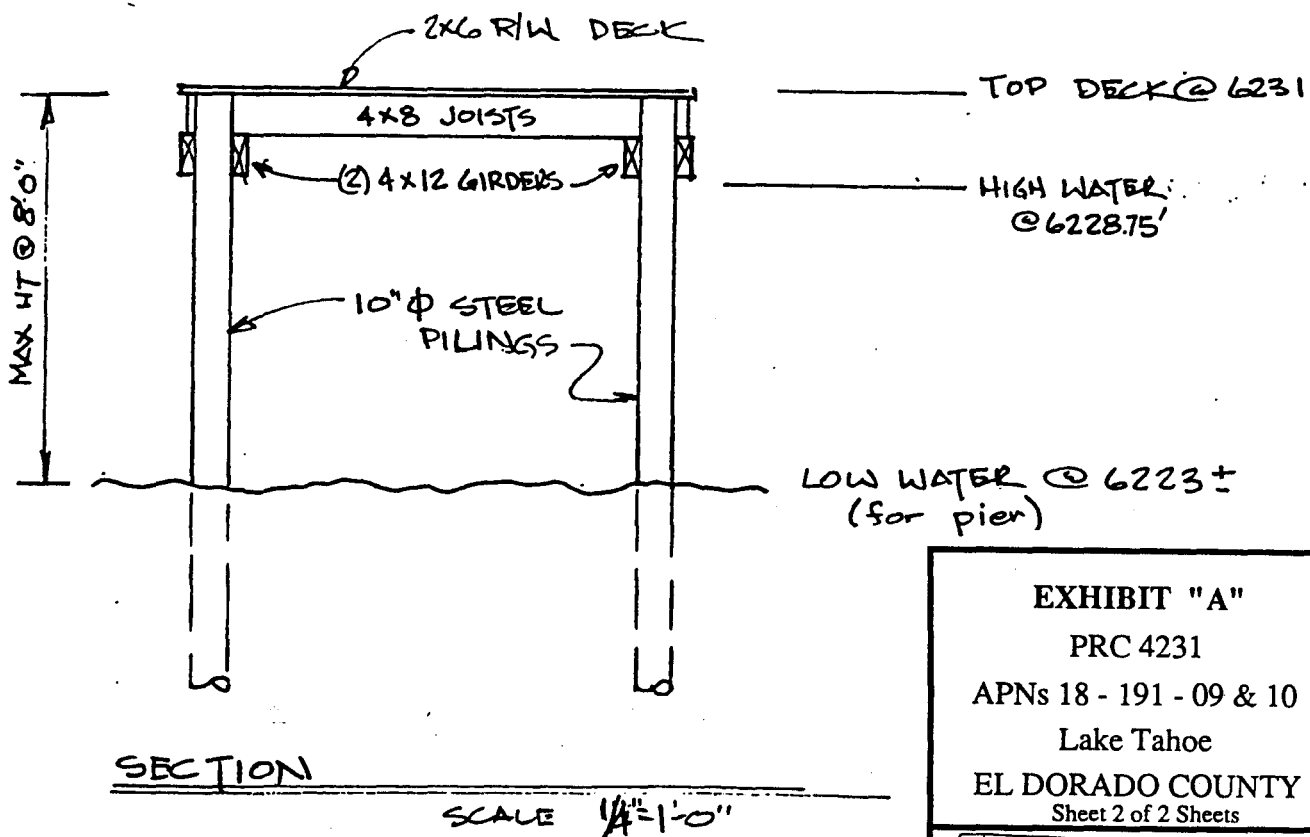
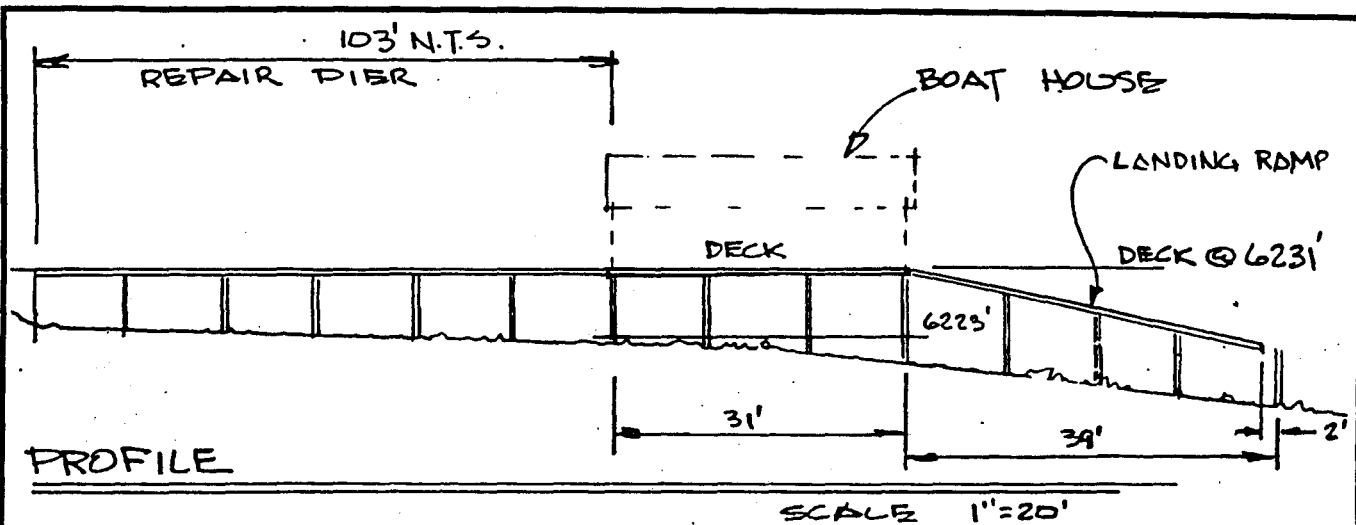
**EXHIBIT "A"**

PRC 4231  
APNs 18 - 191 - 09 & 10  
Lake Tahoe  
EL DORADO COUNTY  
Sheet 1 of 2 Sheets



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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REPAIR TO EXISTING  
DAMAGED PIER

EXHIBIT "A"  
 PRC 4231  
 APNs 18 - 191 - 09 & 10  
 Lake Tahoe  
 EL DORADO COUNTY  
 Sheet 2 of 2 Sheets



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

**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 6228.75' LTD.

**Construction and Access Guidelines**

Construction of new piers, pier extensions, pier replacements, and pier modifications shall be governed by the following guidelines:

- 1) All construction activities shall be conducted from the water side of the pier. The area of disturbance of the lake bottom and shoreline shall be no greater than the footprint of the pier. Construction disturbance caused by the construction vehicle shall be limited to the area where the pier sets or an space of similar size directly adjacent to the pier. In no case shall the space disturbed be greater than that which the pier occupies or will occupy.
- 2) In areas having a cobble or sandy-cobble backshore, the beach and offshore substrate compacted by contact of the substrate with construction equipment shall be rolled to level the depressions created by the tracks of the construction vehicle. Any remaining compacted soils shall be loosened with pronged hand tools to reduce the compaction and then filled with comparable small cobbles taken from the backshore. These cobbles must be taken from the backshore without damaging the habitat or the species.
- 3) No equipment or materials shall be located or stored between elevation 6220' and 6232' LTD.
- 4) No construction activity at the site shall begin or proceed without the presence of the State Lands Commission designated mitigation monitor on site. The project applicant shall notify the designated mitigation monitor at least 14 days prior to when construction will commence.

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- 5) Only one pedestrian path shall be allowed between the upland residence and the pier. Such path shall be bordered by native vegetation similar to willow, service berry, or manzanita. Prior to construction of the pedestrian path, a plan shall be submitted to the State Lands Commission showing the location of the path, the proposed vegetation planting, and the type of vegetation proposed as screening.
- 6) All existing individuals and colonies of *Rorippa subumbellata* on the project applicant's property shall be fenced to prevent damage during construction.

### Conservation Guidelines

All applicants for projects which may impact the habitat or potential habitat of *Rorippa subumbellata* Roll. shall participate in the final conservation and management program set forth in the Management and Enhancement Plan for *Rorippa subumbellata*. For these interim guidelines the following shall be provided at the time of application:

- 1) The project applicant shall submit two copies of a report describing the soils and vegetation on the applicants property. The report shall emphasize the area located between elevations 6232' and 6223' LTD. Such report shall describe the texture and composition of the soil, the slope, and the existing vegetation types and their condition. Such report shall be submitted with a plan view map of the area at a scale of 1":10' and photographs of the mapped area.

### Other

The project applicant shall be required to provide the State Lands Commission with a letter of credit to insure the compliance with all mitigation measures. The amount of the required letter of credit shall be established at the time of project approval. In the event that the mitigation measures and the conditions are not complied with as determined by the Commission's mitigation monitor, the letter of credit may be forfeited after a hearing before the State Lands Commission. Money forfeited by project applicants shall be used to remedy the impacts of the project and to conserve *Rorippa subumbellata*.

The project applicant shall also reimburse the State Lands Commission for all costs incurred by the State Lands Commission to monitor and enforce these and other requirements imposed on the project as provided by Section 21080.6 of the California Public Resources Code.

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EXHIBIT "C "  
MONITORING PROGRAM  
FOR THE MONAHAN PIER RECONSTRUCTION

1. Impact: The proposed project may have the possibility of an upset or spill of construction materials or debris.

Project Modification:

- a) Tarps will be placed under the reconstruction area as necessary to collect construction debris; and,
- b) Waste materials will be collected onto the 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 adjacent to several Tahoe Yellow Cress plants, and could damage this endangered species.

Project Modification:

- a) The project site will be re-surveyed by a qualified biologist immediately prior to construction. All TYC will be identified and flagged.
- b) Temporary fencing will be placed to protect all TYC found during the re-survey.
- c) All construction will be done from the side of the pier opposite the existing TYC plants.

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- d) Applicant will comply with all provisions of the Interim Guidelines for TYC, as published by the TRPA and attached to this document.

**Monitoring:**

Staff of the State Lands Commission, or its designated representative, will check the re-survey data prior to the beginning of construction, and will check to see that the proper fencing has been placed.

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