

MINUTE ITEM
This Calendar Item No. 16
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 3
to 0 at its 08/30/89
meeting.

CALENDAR ITEM

A 7
S 1

16

08/30/89
W 24209 PRC 7328
J. Ludlow

APPROVAL OF A RECREATIONAL PIER PERMIT

APPLICANT: P-Squared, A Partnership
P.O. Box 217
San Francisco, California 94101

AREA, TYPE LAND AND LOCATION:
A parcel of submerged land in Fallen Leaf Lake,
El Dorado County.

LAND USE: Repair, use, and maintenance of an existing
rock crib pier.

TERMS OF PROPOSED PERMIT:
Initial period: Ten-years beginning
August 30, 1989.

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

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs 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: 01/22/89.

CALENDAR ITEM NO. 16 (CONT'D)

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 482, State Clearinghouse No. 89071007. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

Based upon the Initial Study, the Proposed Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment. (14 Cal. Code Regs. 15074(b))

2. The repair of the existing rock crib pier will be done from a barge with pile driver. All construction wastes will be collected onto the barge and disposed of at the nearest dumpster/sanitary landfill site.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

Placer County, Tahoe Regional Planning Agency, Department of Fish and Game, Lahontan Regional Water Quality Control Board, and United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. El Dorado County Letter of Approval.
- D. Negative Declaration.

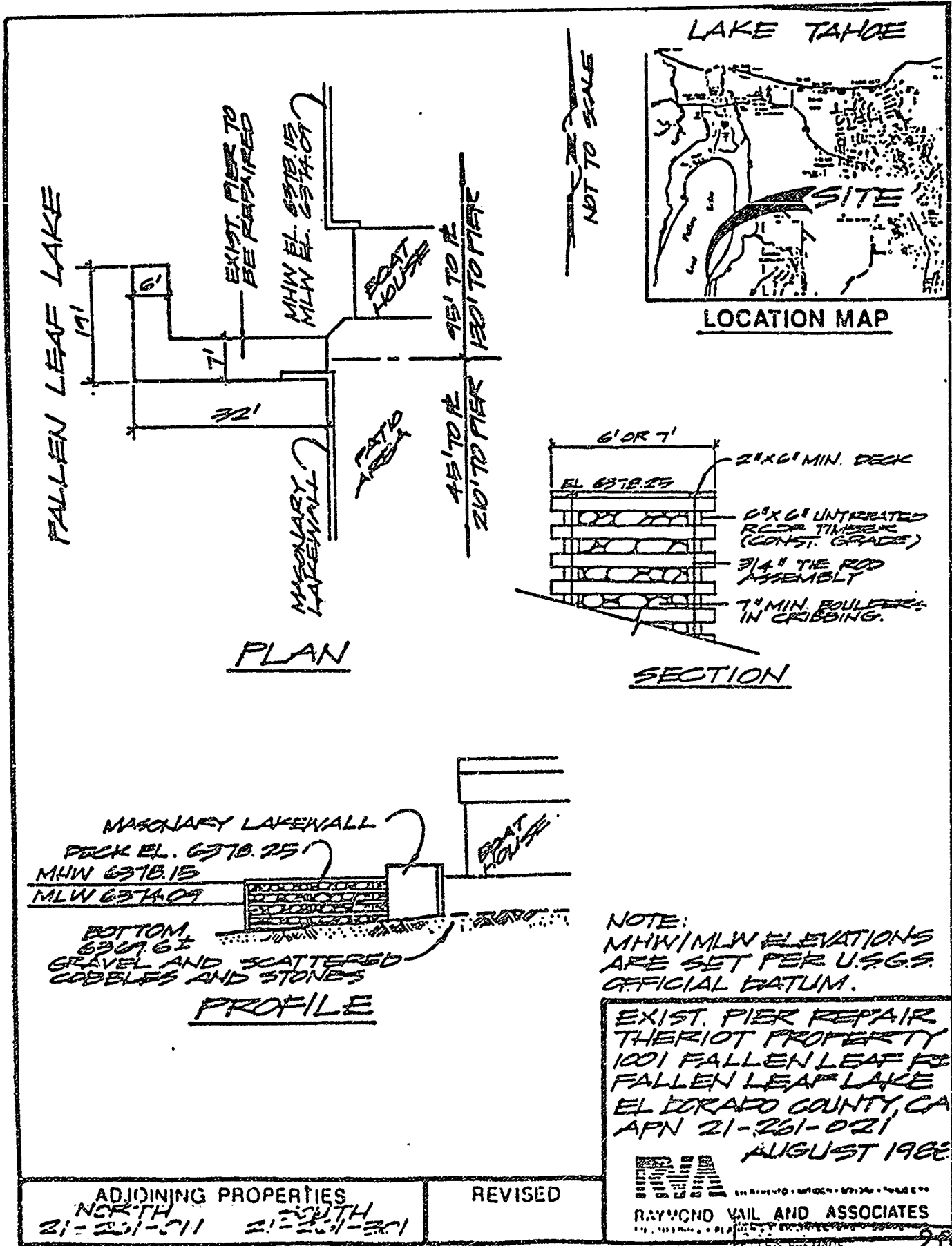
CALENDAR ITEM NO. 16 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 482, STATE CLEARINGHOUSE NO. 89071007, 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. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE ISSUANCE TO P-SQUARED, A PARTNERSHIP, OF A TEN-YEAR RECREATIONAL PIER PERMIT, BEGINNING AUGUST 30, 1989; FOR THE REPAIR OF AN EXISTING PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"
LAND DESCRIPTION

W 24209



PREPARED AUGUST 8, 1989 BY BIU 1.

207
2700

South Lake Tahoe 2 Mi.

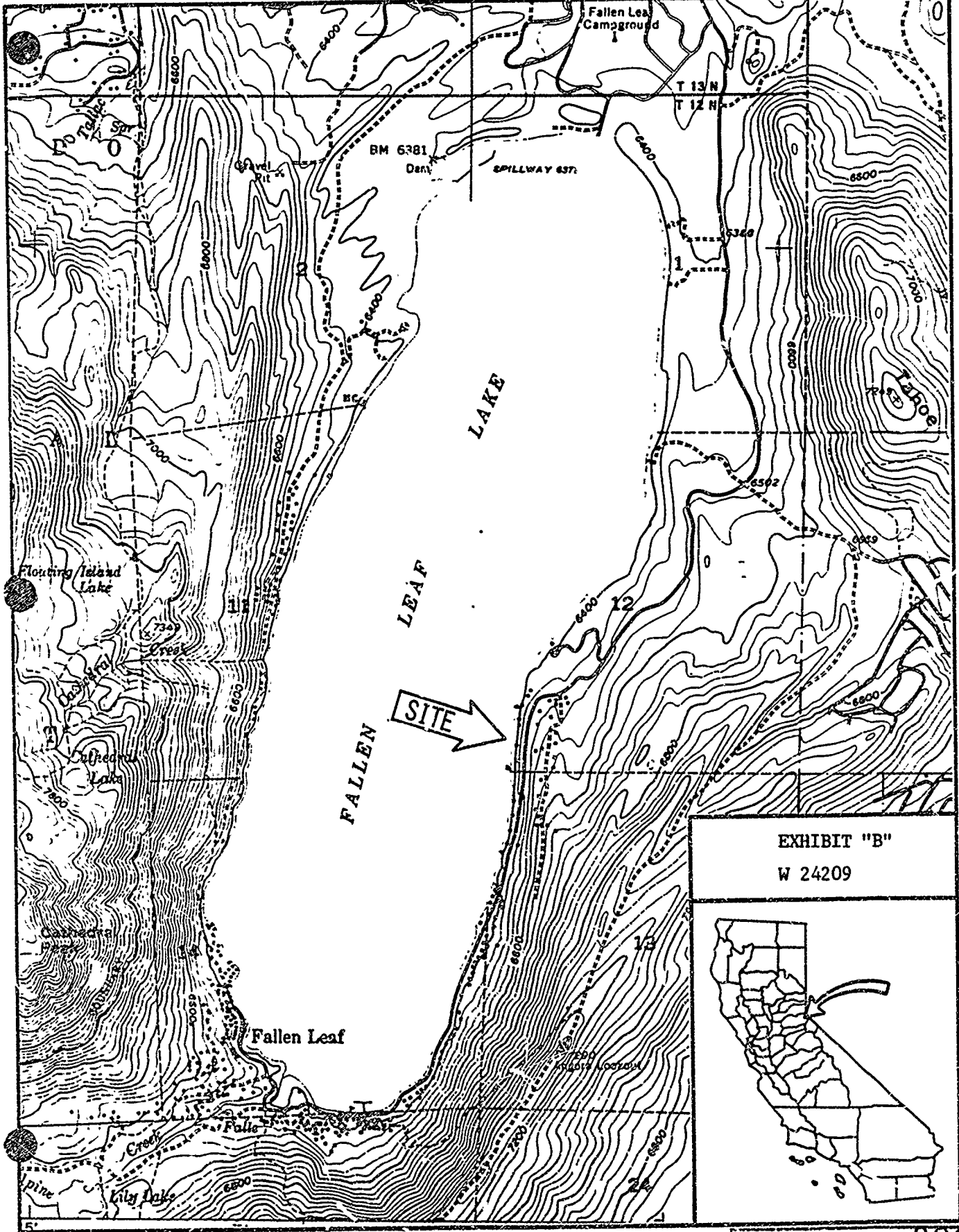


EXHIBIT "B"
W 24209



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11750
JAN 30 1989

EXHIBIT "C"

W 24209

EL DORADO CO. COMMUNITY DEVELOPMENT DEPT.
SUNNY LAKE BLVD

Date 1-30-89

File Ref: W 24209

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

Subject: Building Permit for Pier

Name: Peter Thieriot

Address: P.O. Box 217

San Francisco, CA 94101

Upland Address: 1001 Fallen Leaf Road, Fallen Leaf Lake

County Assessor's Parcel No. 21-261-021

Dear Ms. Ludlow:

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

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

Sincerely,

El Dorado County
Building Division



JOHN S. WALKER
Building Inspector III

66311

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MINUTE PAGE	<u>2301</u>

EXHIBIT "D"

STATE OF CALIFORNIA--STATE LANDS COMMISSION

W 24209
GEORGE DEUKMEJIAN Governor

STATE LANDS COMMISSION
807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

89071007



PROPOSED NEGATIVE DECLARATION

EIR ND 482

File Ref.: W 24209

SCH#:

Project Title: THIERIOT PIER REPAIR

Project Proponent: Peter Thieriot

Project Location: In Fallen Leaf Lake adjacent to 1001 Fallen Leaf Road, El Dorado County.

Project Description: Repair of existing rock crib pier.

Contact Person: TED T. FUKUSHIMA

Telephone: (916)322-7813

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).

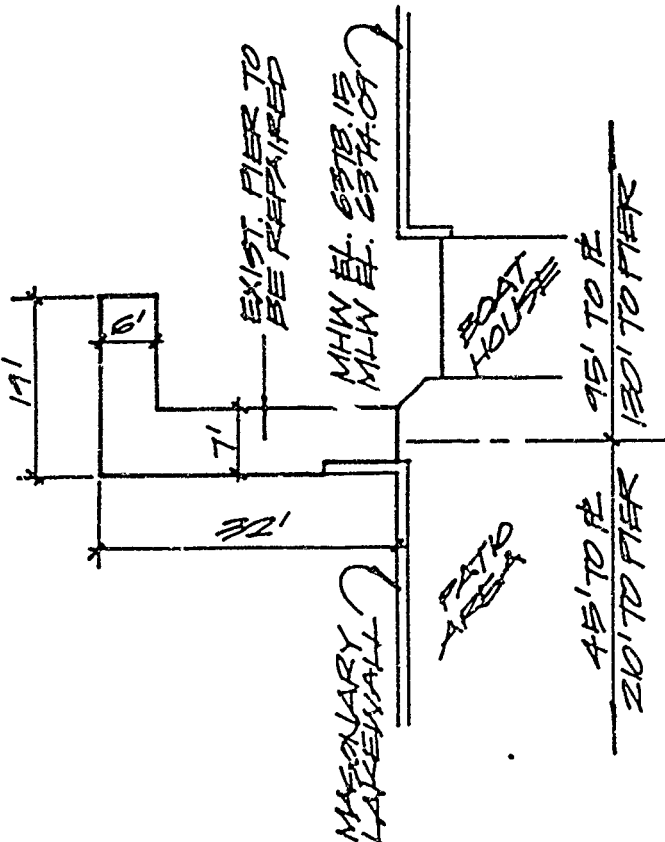
Based upon the attached Initial Study, it has been found that:

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

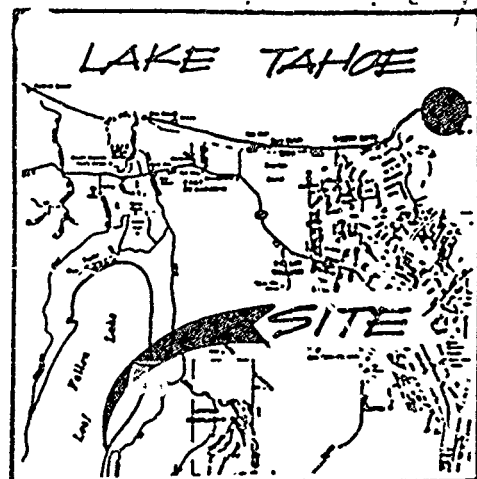
mitigation measures included in the project will avoid potentially significant effects.

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FALLEN LEAF LAKE

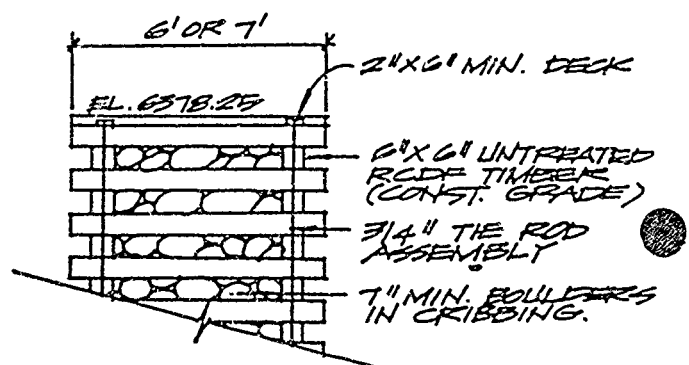


PLAN

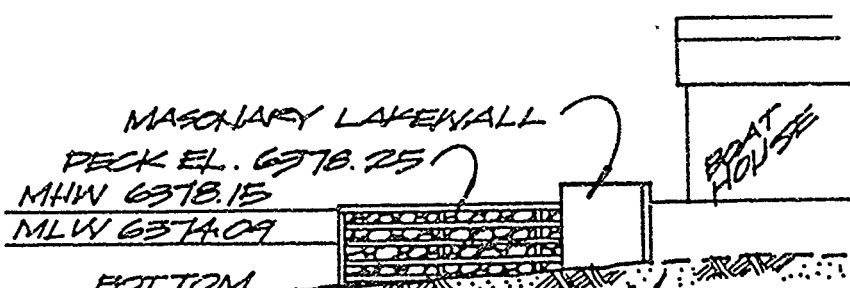


LOCATION MAP

NOT TO SCALE



SECTION



PROFILE

NOTE:
MHW/MLW ELEVATIONS ARE SET PER U.S.G.S. OFFICIAL DATUM.

EXIST. PIER REPAIR
THERIOT PROPERTY
1001 FALLEN LEAF
FALLEN LEAF LAKE
EL DORADO COUNTY, CA
APN 21-261-021
AUGUST 1988

214

ADJOINING PROPERTIES
NORTH SOUTH

REVISED

RAYMOND, VAIL AND ASSOCIATES

11/1/80?

PROJECT NARRATIVE

Repair of existing rock crib pier: repair & replace existing rock cribbing with wood members and 2" x 6" min. cedar deck. No increase in size or location of existing pier. (See submittal drawing.)

CONSTRUCTION METHOD

Reconstruction of existing pier is to be by barge; cassions or sleeve will be used when sediment is resuspended. Anchorage of barge will be to existing structure and/or anchors required for adequate stabilization of barge on the lake. All construction wastes will be collected onto barge and/or onshore dumpster and disposed at the nearest dumpster/sanitary landfill site. Small boats (John boats) and tarps to be under construction areas to provide collection of construction debris preventing any discharge of wastes to the lake.

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11/1/80

ENVIRONMENTAL IMPACT ASSESSMENT FORM - Part I
(To be completed by applicant)
FORM 69.3(11/82)

A. GENERAL INFORMATION

1. Name, address, and telephone number

a. Applicant

Peter Thieriot
P.O. Box 217
San Francisco, CA 94101
(415) 777-7444

b. Contact person if other than applicant:

Kevin M. Agan - Agent
Raymond Vail & Associates
P.O. Box 879
Tahoe City, CA 95730
(916) 583-3417

2. a. Project location: (Please reference to nearest town or community and include county)

In Fallen Leaf Lake adjacent to 1001 Fallen Leaf Road southwesterly of
city of South Lake Tahoe, El Dorado County.

b. Assessor's parcel number: 21-261-021

3. Existing zoning of project site: Single Family Residential

4. Existing land use of project site: Pier and Boathouse

5. Proposed use of site: Pier Repair

6. Other permits required: Tahoe Regional Planning Agency, El Dorado County

B. PROJECT DESCRIPTION

1. For building construction projects, complete "ATTACHMENT A".

2. For non-building construction projects Describe fully, the proposed activity, its purpose and intended use, e.g. for proposed mineral prospecting permits, include the number of test holes, size of holes, amount of material to be excavated, maximum surface area of disturbance, hole locations, depth of holes, etc. Attach plans or other drawings as necessary.

64,000 sq. ft. PAGE 213
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C. ENVIRONMENTAL SETTING

- 1 Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical, or scenic aspects. Describe any existing structures on the site, and the use of the structures.
- 2 Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.).

D. ENVIRONMENTAL IMPACT ASSESSMENT

Answer the following questions by placing a check in the appropriate box. Discuss all items checked "yes" or "maybe". (Attach additional sheets as necessary)

Will the project involve	YES	MAYBE	NO
1 a change in existing features of any bays, tideflats, beaches, lakes, or hills, or substantial alteration of ground contours?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2 a change in scenic views or vistas from existing residential areas or public lands or roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3 a change in pattern, scale, or character of the general area of project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4 a significant effect on plant or animal life?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5 significant amounts of solid waste or litter?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6 a change in dust, ash, smoke, fumes, or odors in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7 a change in ocean, bay, lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8 a change in existing noise or vibration levels in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9 construction on filled land or on slope of 10 percent or more?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10 use or disposal of potentially hazardous materials, such as toxic or radioactive substances, flammables, or explosives?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11 a change in demand for municipal services (police, fire, water, sewage, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12 an increase in fossil fuel consumption (electricity, oil, natural gas, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13 a larger project or a series of projects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E. CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date _____

Signed: _____

Kevin M. Agan - Agent
Raymond Vail & Associates

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INVOICE PAGE	2806

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: W 24209

I. BACKGROUND INFORMATION

A. Applicant: Peter Thieriot
P.O. Box 217
San Francisco, CA 94101

B. Checklist Date: 6 / 27 / 89

C. Contact Person: Ted T. Fukushima
Telephone: (916) 322-7813

D. Purpose: Preventative maintenance of an existing pier.

E. Location: In Fallen Leaf Lake adjacent to 1001 Fallen Leaf Road, El Dorado County.

F. Description: Repair of an existing pier.

G. Persons Contacted:

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

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

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erision which may
MINUTE PAGE 3807

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

Yes Maybe No

- 1. Substantial air emissions or deterioration of ambient air quality?
- 2. The creation of objectionable odors?
- 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

C. *Water*. Will the proposal result in:

- 1. Changes in the currents, or the course, or direction of water movements, in either marine or fresh waters?
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?
- 3. Alterations to the course or flow of flood waters?
- 4. Change in the amount of surface water in any water body?
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?
- 6. Alteration of the direction or rate of flow of ground waters?
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?
- 8. Substantial reduction in the amount of water otherwise available for public water supplies?
- 9. Exposure of people or property to water related hazards such as flooding or tidal waves?
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs?

D. *Plant Life*. Will the proposal result in:

- 1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?
- 2. Reduction of the numbers of any unique, rare or endangered species of plants?
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?
- 4. Reduction in acreage of any agricultural crop?

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

- 1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?
- 2. Reduction of the numbers of any unique, rare or endangered species of animals?
- 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?
- 4. Deterioration to existing fish or wildlife habitat?

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

- 1. Increase in existing noise levels?
- 2. Exposure of people to severe noise levels?

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

- 1. The production of new light or glare?

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

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

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 plans or an emergency evacuation plan?

Yes	Maybe	No
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<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"/>
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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"/>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<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?
- 2. Police protection?
- 3. Schools?
- 4. Parks and other recreational facilities?
- 5. Maintenance of public facilities, including roads?
- 6. Other governmental services?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<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?
- 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"/>
<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?
- 2. Communication systems?
- 3. Water?
- 4. Sewer or septic tanks?
- 5. Storm water drainage?
- 6. Solid waste and disposal?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<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)?
- 2. Exposure of people to potential health hazards?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<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"/>
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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"/>
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T. Cultural Resources.

Yes Maybe No

- 1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area?

U. Mandatory Findings of Significance:

- 1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2. Does the project have the potential to achieve short term, to the disadvantage of long term, environmental goals?
- 3. Does the project have impacts which are individually limited, but cumulatively considerable?
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)


- C5 - There could be a slight rise in the turbidity level during the construction however, compliance with water quality control requirements should this impact to a minimum.
- F1 - There could be a rise in the ambient noise levels during construction however, this should be of relatively short term duration.

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: 6 / 27 / 89


 For the State Lands Commission
 CALIFORNIA PAGE 218
 2610

TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547

STATEMENT OF NO SIGNIFICANT EFFECT

PROJECT TYPE Pier Repair APN 21-261-02
PERMITTEE(S) Peter Thieriot
COUNTY/LOCATION El Dorado County, 1001 Fallen Leaf Road

Staff Analysis: In accordance with Article VI of the Tahoe Regional Planning Compact, as amended, and Section 6.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.

Rich Arslani
TRPA Chairman or Executive Director

11.10.88
Date



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SACRAMENTO DISTRICT CORPS OF ENGINEERS
650 CAPITOL Mall
SACRAMENTO CALIFORNIA 95814 4794

December 5, 1988

Regulatory Section (N03-251)

RVA - TAHOE

DEC 08 1988

RECEIVED

Mr. Peter Thieriot
Post Office Box 217
San Francisco, California 94101

Dear Mr. Thieriot:

I am responding to your application for a Department of the Army Permit to reconstruct your rock crib pier in Fallen Leaf Lake at El Dorado County Assessor's Parcel Number 012-261-021, California.

The Chief of Engineers has issued a nationwide permit that allows for the placement of dredged or fill material in waters of the United States. Your pier can be reconstructed under this authority provided the work meets the conditions listed on the enclosed information sheet. This verification is valid for a period of two years from the date of this letter. You should contact this office if work will extend beyond this date.

If you have any questions, please contact our Regulatory Section, Room 6526, or telephone (916) 551-2265.

Sincerely,

Robert W. Junell
Chief, Regulatory Unit 2

Enclosure

Copies Furnished: w/o enclosure

Tahoe Regional Planning Agency, Post Office Box 1038, Zephyr Cove, Nevada 89448
U.S. Environmental Protection Agency, Region IX, 215 Fremont Street, San Francisco, California 94105
Department of the Interior, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room E-1803, Sacramento, California 95825
California Regional Water Quality Control Board, Lahontan Region, Post Office Box 9428, South Lake Tahoe, California 95731-2428
✓ Mr. Kevin M. Agan, Raymond Vail and Associates, Post Office Box 879, Tahoe City, California 95730

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
LAHONTAN REGION2092 LAKE TAHOE BOULEVARD
P.O. BOX 9428
SOUTH LAKE TAHOE, CALIFORNIA 95731-2428
(916) 544-3481

November 30, 1988

RVA - TAHOE

DEC 02 1988

RECEIVED

Mr. Peter Thieriot
P.O. Box 217
San Francisco, CA 94101CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR THE PROPOSED ROCK
CRIB PIER REPAIR, FALLEN LEAF LAKE, EL DORADO COUNTY APN 21-261-021

Dear Mr. Thieriot:

We have received and reviewed information which describes your proposed project.

Based on the information submitted a report of waste discharge will not be required by the Regional Board and is hereby waived. The waiver is conditional upon the following:

- 1) The disturbance of lake bed materials shall be kept to a minimum during construction. Best practicable control technology shall be used to keep suspended earthen materials out of Lake Tahoe.
- 2) No petroleum products, construction wastes, litter, or earthen materials will enter any surface waters in the Lake Tahoe Basin. Any mechanical equipment operating within the lake will be cleaned and maintained prior to use.
- 3) All construction waste products will be removed from the project site and dumped at a legal point of disposal.
- 4) The use of wood preservatives on wood in contact with the lake-water is prohibited.
- 5) Each pier owner is responsible for compliance with the waiver conditions and for ensuring that the project contractor is provided with a copy of these conditions.

This waiver may be revoked and enforcement action taken upon the violation of any of the above conditions, creation of a water quality problem or variation from the plans submitted to this office. The expiration date of this waiver is October 15, 1989.

Mr. Peter Thieriot

-2-

If you have any questions, please call Chris Stetler, Water Resource Control Engineer, at this office.

Yours truly,


O. R. BUTTERFIELD
EXECUTIVE OFFICER

cc: Tahoe Regional Planning Agency/ Jerry Wells
El Dorado County Dept. of Public Works
State Lands Commission/ Judy Ludlow
U.S. Army Corps of Engineers/ Gary Smith
Raymond Vail and Associates/ Kevin Agan ✓

sh

AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION

K.S.
By 879

THIS AGREEMENT, entered into between the State of California, Department of Fish and Game, hereinafter called the Department and MIL KEVIN M. AGAN (DUE MOUNTAIN VALLEY ASSOC.) of TAMHOUCITY, State of CALIF., hereinafter called the operator, is as follows.

WHEREAS, pursuant to Section 1601-1607 of California Fish and Game Code, the operator, on the 8TH day of NOV, 1988, notified the Department that he intends to substantially divert or obstruct the natural flow of, or substantially change the bed, channel, or bank of, or use material from the streambed of, the following water: FALLEN LEAF LAKE, in the County of EL DONADO, State of California, S 12 T 12N R 17E

WHEREAS, The Department (represented by WARDEN HART has made an inspection of subject area on the 8TH day of DEC, 1988, and) has determined that such operations may substantially adversely affect existing fish and wildlife resources including GAMMEL AND NON-GAMMEL FISHES AND INVERTEBRATES.

THEREFORE, the Department hereby proposes measures to protect fish and wildlife during the operator's work. The operator hereby agrees to accept the following recommendations as part of his work. Numbers 1, 3, 8, 13, 15, 16, 19, 20, 21, AND 22 from the list of recommendations on the back of this page and the following special recommendations:

1. All work in or near the stream or lake shall be confined to the period X

REF.

- (SEE REVERSE OF AGREEMENT)
- #1. DISTURBANCE OF LAKE MARLIN & BOTTOM SHALL BE KEPT AT MINIMUM NECESSARY FOR PROJECT COMPLETION
- 13. BEST PRACTICAL CONTROL TECHNOLOGY SHALL BE USED TO PREVENT RESUSPENSION OF FINEST MATERIALS.
- 21. ALL "OLD" MATERIAL AS WELL AS NEW MATERIAL SCRAP OR WASTE SHALL BE REMOVED TO A LEGAL DISPOSAL SITE AS SOON AS CONSTRUCTION IS COMPLETED.

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

Nothing in this agreement authorizes the operator to trespass on any land or property, nor does it relieve the operator of responsibility for compliance with applicable federal, state, or local laws or ordinances. A consummated agreement does not necessarily constitute Department of Fish and Game endorsement of the proposed operation, or assure the Department's concurrence with permits required from other agencies.

This agreement becomes effective on PAYMENT OF 25% FINANCIAL TERMINATES AND SIGNING OF AGREEMENT.

X Operator _____
Title _____
Organization _____
Date _____

Department Representative
W. HART
Title FILE WARDEN
Department of Fish and Game, State of California 223
Date DEC 23, 88 2515