

MINUTE ITEM
This Calendar Item No. CC9
was approved as Minute Item
No. CO9 by the State Lands
Commission by a vote of 3
to 0 of its 3-22-90
meeting.

CALENDAR ITEM

A 7
S 1

009

08/22/90
PRC 5913
J. Ludlow

APPROVAL OF A RECREATIONAL PIER PERMIT

APPLICANT: Milo S. Gates
580 California Street
San Francisco, California 94104

AREA, TYPE LAND AND LOCATION:
A parcel of submerged land in Lake Tahoe near
Tahoe City, Placer County.

LAND USE: Partial reconstruction of an existing pier and
reconstruction of an existing boathouse.

TERMS OF PROPOSED PERMIT:
Initial period: Five years beginning
August 22, 1990.

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: 12/07/90.

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 514, State Clearinghouse No. 90020559. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

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

2. The Applicant proposes to reconstruct only that portion of the pier waterward of the low water mark (6,223' elevation). That portion of the pier located in the shorezone area will remain as is. It has been determined that the portion of the pier within the shorezone area is in a safe and serviceable condition and is not in need of reconstruction at this time. The boathouse is located waterward of the low water elevation and will be totally reconstructed.
3. The work, as proposed, will be done from a barge that will be located in the lake. First, the existing sections of the pier to be replaced will be removed, placed on the barge, and hauled away. That portion of the pier to be reconstructed and the boathouse will be constructed entirely from the barge with a crane and a pile driver which are located on a floating platform.
4. Materials will be neither stored nor placed above the low water line of the subject property. This procedure will prevent any disturbance to what may be considered a Tahoe Yellow Cress (Rorippa) habitat.

CALENDAR ITEM NO. 009 CONT'D

5. The Applicant has been notified that the public has a right to pass along the shoreline and the permittee must provide a reasonable means for public passage along the shorezone area occupied by the permitted structure.
6. The issuance of this permit supersedes any prior authorization by the State Lands Commission for any facility at this location.
7. This property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.
8. In order to determine the other potential trust uses in the area of the proposed project, the staff contacted representatives of the following agencies: TRPA, Department of Fish and Game, County of Placer, and the Tahoe Conservancy. None of these agencies expressed a concern that the proposed project would have a significant effect on trust uses in the area. The agencies did not identify any trust needs which were not being met by existing facilities in the area. Identified trust uses in this area would include swimming, boating, walking along the beach, and views of the lake.
9. 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.
10. All permits issued at Lake Tahoe include special language in which the permittee/lessee agrees to protect and replace or restore, if required, the habitat of *Rorippa subumbellata*, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species.

11. If any structure hereby authorized is found to be in nonconformance with the Tahoe Regional Planning Agency's Shorezone ordinance and if any alterations, repairs, or removal required pursuant to said ordinance are not accomplished within the designated time period, then this permit will be 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, Lessee shall request the consent of the State to make such alteration.

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 514, STATE CLEARINGHOUSE NO. 90020559, 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 MILO S. GATES OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING AUGUST 22, 1990, FOR THE PARTIAL RECONSTRUCTION OF AN EXISTING PIER AND TOTAL RECONSTRUCTION OF AN EXISTING BOATHOUSE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

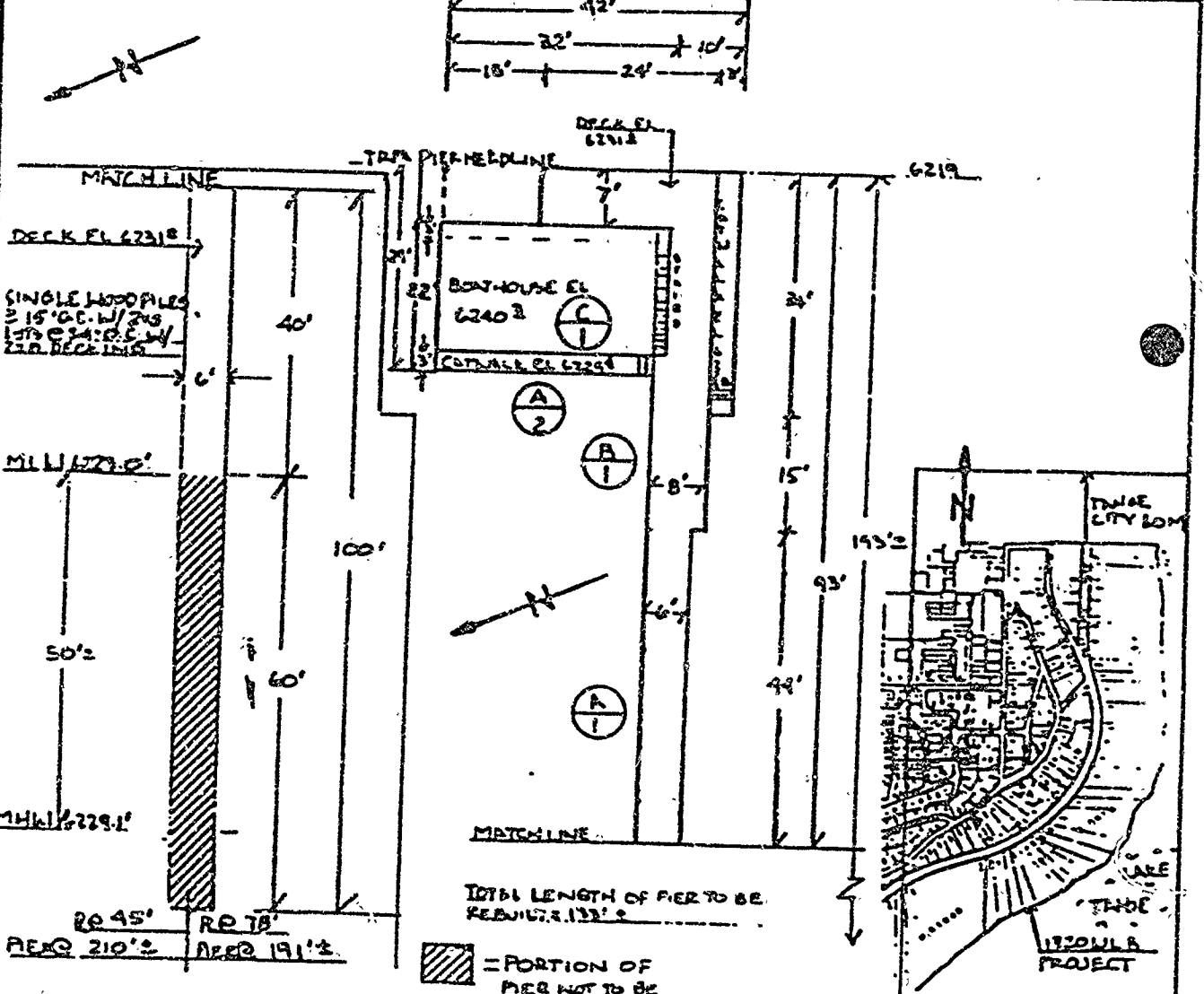
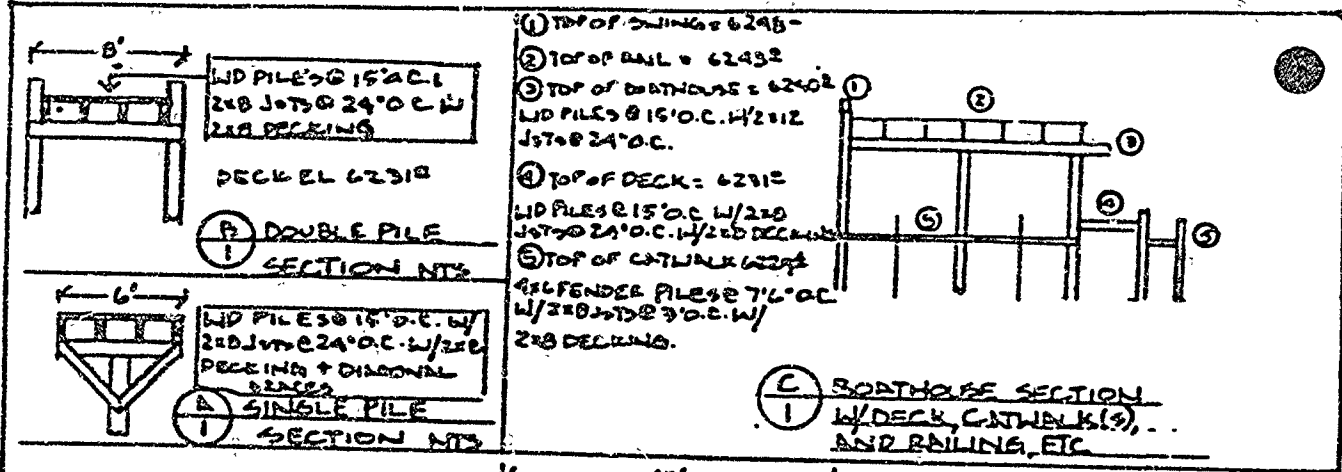
CALENDAR ITEM NO. 009 CONT'D

- 4 FIND THAT THE ISSUANCE OF THIS PERMIT SUPERSEDES ANY PRIOR AUTHORIZATION BY THE STATE LANDS COMMISSION AT THIS LOCATION.

EXHIBIT "A"

LAND DESCRIPTION

PRC 5913



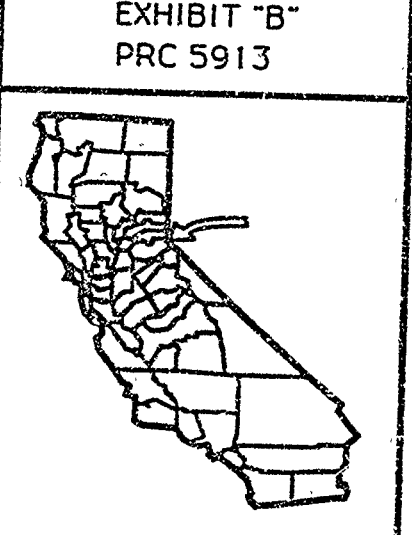
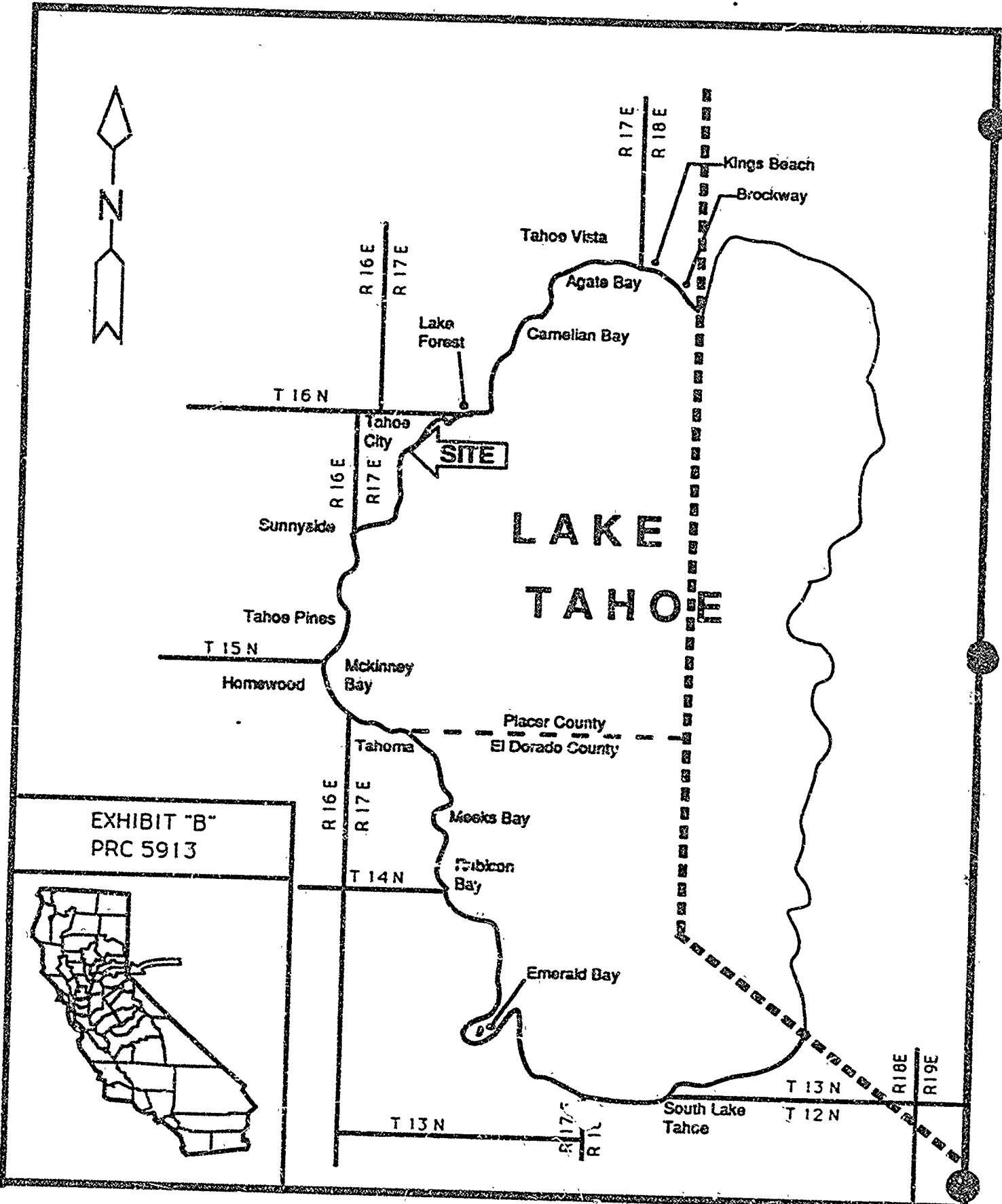
SCALE
 0 10' 20'
 DATE: 10/14/09

MILD S GATES PROPOSED PIER REPAIR
 1320 WEST LAKE BLVD, MIRAMAR HEIGHTS
 LOTS 15-16, PLACER COUNTY, CA
 APN 93-162-15 EXISTING PIER PLAN VIEW

LOCATION MAP INTS
 DRAWN BY GARY R. TAYLOR
 SHEET 1 OF 2

PREPARED JULY 16, 1990 BY LLB.

CALENDAR PAGE 91.5
 MINUTE PAGE 1857



RECEIVED

FEB 14 1990

PLACER COUNTY
DEPT. OF PUBLIC WORKS

EXHIBIT "C"

PRC 5913.9

Date February 14, 1990

File Ref: PRC 5913.9

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

Subject: Building Permit for Pier

Name: Milo Gates

Address: 580 California Street
San Francisco, California 94104

Placer County Assessor's Parcel No. 83-162-15

Upland Address: 1320 West Lake Boulevard

Dear Ms. Ludlow:

The County of Placer 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) 889-7584

Sincerely,

Erick Erickson

ERICK ERICKSON
Associate Civil Engineer

CALENDAR PAGE	<u>91.8</u>
MINUTE PAGE	<u>1870</u>

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
JESSE R. HUFF, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814
CHARLES WARREN
Executive Officer

June 8, 1990
File Ref: PRC 5913
SCH. NO. 90020559

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

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

The document is attached for your review. Comments should be addressed to the State Lands Commission office shown above, with attention to the undersigned. All comments must be received by July 8, 1990.

Should you have any questions or need additional information, please call the undersigned at (916) 322-2795.

BETTY EUBANKS
Division of Research
and Planning

BE:ma
Attachment

CALENDAR PAGE	919
MINUTE PAGE	1871

STATE LANDS COMMISSION

LEO J. MCCARTHY, Lieutenant Governor
 GRAY DAVIS, Controller
 JESSE R. HUFF, Director of Finance

GEORGE DEUKMEJIAN Governor

EXECUTIVE OFFICE
 1807 - 13th Street
 Sacramento, CA 95814

CHARLES WARREN
 Executive Officer

PROPOSED NEGATIVE DECLARATION

EIR ND: 514

File Ref.: PRC 5913

SCH. NO.: 90020559

Project Title: Milo Gates Pier and Boathouse Reconstruction
Project Proponent: Milo Gates
Project Location: Lake Tahoe, Placer County, near Tahoe City, adjacent to 1320 W. Lake Boulevard, APN 83-162-15.
Project Description: Reconstruction of an existing pier and boathouse lakeward of EI 6223.
Contact Person: Betty Eubanks Telephone: (916) 322-2795

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.

FORM 13.17 (4/90)

CALENDAR PAGE	91
MINUTE PAGE	1872

PROJECT DESCRIPTION

MILO GATES PIER AND BOATHOUSE RECONSTRUCTION PRC 5913

The proposed project consists of reconstruction of an existing pier and boathouse, adjacent to 1320 W. Lake Blvd., near Tahoe City. At no time will the construction equipment or materials be located above MLW (El 6223) and there will not be any storage of materials for the construction/repair of the pier. All work will be done from MLW, lakeward. The total length of the pier to be rebuilt is approximately 135'.

A towed flat barge will be used as a base to dismantle and construct the pier. The barge will be tied off to existing pilings or anchored offshore depending on current working conditions. The existing pilings will be pulled out of the lake bottom by crane and placed on the barge, or cut off at level of lake bottom. The existing decking and stringers will be dismantled by hand and loaded on the barge.

Hollow steel sleeve piles will be used as replacement for existing piles. Caissons will be installed to surround the new piles while being driven to retain resuspended materials in areas of loose sediments.

The existing pier will be dismantled by hand or sawed in sections whenever possible and placed on the barge. A flat bottom boat or john boat will be located under the work areas. A tarp and water skimmer net will be used to prevent debris from falling and settling into the water.

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 5913

I. BACKGROUND INFORMATION

A. Applicant: Milo Gates
580 California Street
San Francisco, CA 94101

B. Checklist Date: 6 / 3 / 90

C. Contact Person: Betty Eubanks
 Telephone: (916) 322-2795

D. Purpose: Pier and Boathouse reconstruction and repair.

E. Location: Adjacent to 1320 W. Lake Boulevard, Lake Tahoe, Placer County,
APN 83-162-15, near Tahoe City.

F. Description: Replacement/repair of an existing pier and boathouse. All construction
work to be performed lakeward of 6223 (LNL).

G. Persons Contacted: Tod Carr, Tahoe Regional Planning Agency
(702) 588-4547

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"/> |

CALENDAR PAGE 91.12
 MINUTE PAGE 1874

- | | Yes | Maybe | No |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| B Air. Will the proposal result in: | | | |
| 1. Substantial air emissions or deterioration of ambient air quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The creation of objectionable odors? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Possible interference with emergency response plan or an emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- K. *Population.* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. The alteration, distribution, density, or growth rate of the human population of the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|
- L. *Housing.* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Affecting existing housing, or create a demand for additional housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|
- M. *Transportation/Circulation.* Will the proposal result in:
- | | | | |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| 1. Generation of substantial additional vehicular movement? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Alterations to waterborne, rail, or air traffic? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" 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)

SEE ATTACHED

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- 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: 06 / 08 / 90

Betty Tuback
For the State Lands Commission

CALENDAR PAGE	91
MINUTE PAGE	1577

ENVIRONMENTAL EVALUATION
ATTACHMENT TO ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II
MILO GATES PIER AND BOATHOUSE RECONSTRUCTION
PRC 5913 - ND 514

C5.

There will be a rise in turbidity levels during the construction period, however, compliance with TRPA and water quality control requirements should keep this impact to a minimum. The Tahoe Regional Planning Agency (TRPA) and the Department of Fish and Game (F&G) are requiring the applicant to use the best practical control technology to prevent earthen materials from being resuspended and transported to adjacent lake waters. Additionally, TRPA and F&G are requiring the applicant to install a turbidity screen around the entire construction site prior to reconstruction of the pier. The turbidity screen will not be removed until TRPA has performed an inspection insuring that all suspended materials have settled.

D1.

Removal of wood piles and placement of new hollow steel sleeve piles may have an effect on algae and other aquatic plant species.

D2.

Lake Tahoe is a known habitat for *Rorippa subumbellata* listed by California as an endangered species. As reconstruction of the pier will occur from MLW (El 6223) lakeward and there will not be any storage of equipment or materials above El 6223, the project activity should not impact *Rorippa subumbellata* habitat.

E1. E4.

The proposed pier reconstruction is located in a fish spawning/habitat restoration area. Pier reconstruction activities will have a minimal effect on spawning/habitat areas as reconstruction will occur within the same dimensions as the existing pier. In accordance with the Department of Fish & Game permit, all work in the lake shall be confined to the period July 1 through September 1, 1990.

F1.

There will be a rise in ambient noise levels during construction activities, however, this should be for a relatively short term duration and should thus be insignificant.

M1. M5.

Vehicular movement and waterborne traffic from construction activities will increase during reconstruction of the pier. This increase should be for a short time during construction and should not create a significant impact. Once the project is complete, waterborne traffic should revert back to the same intensity as before reconstruction. The project will not change the navigational use of the shore area.

S1.

The quality or quantity of existing recreational opportunities will not change as a result of reconstruction of the pier. Any impacts would be for a temporary period during construction, and should not be significant. The quality of recreation for topline trollers will not change as the shoreline in this area is significantly built out with piers and buoys.

The existing pier for this application extends lakeward approximately 135' from MLW (EL 6223). Approximately 222' south of the Gates' pier, there is an existing pier and two boat births. Further south, approximately 256', there is another pier and 2 boat births. North of the Gates' pier, approximately 220' away, there is a pier and boathouse. Approximately 152' further north, there is another pier.

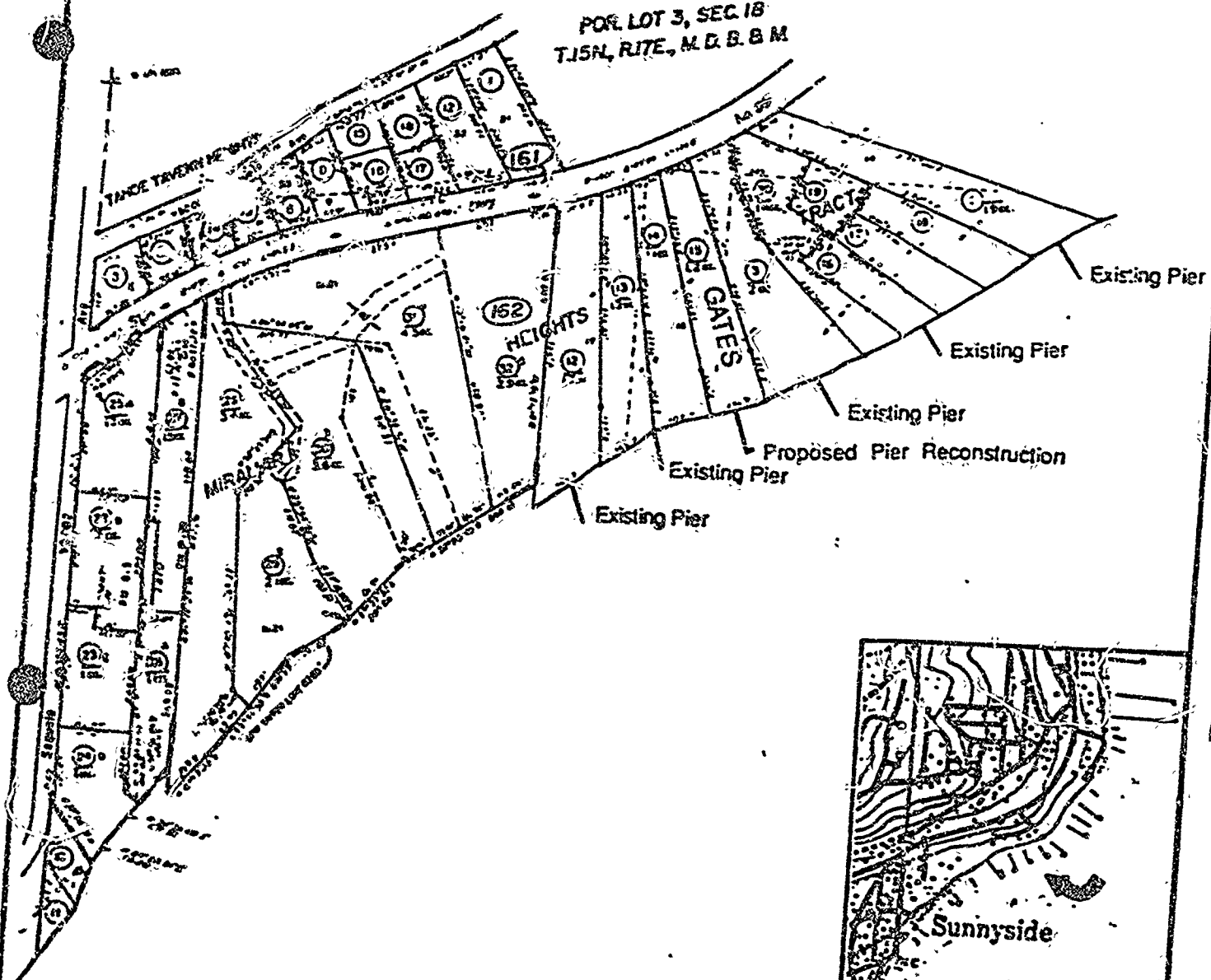
U1.

As the project is located within a fish spawning/habitat area, it has the potential to reduce the habitat of a fish or wildlife species.

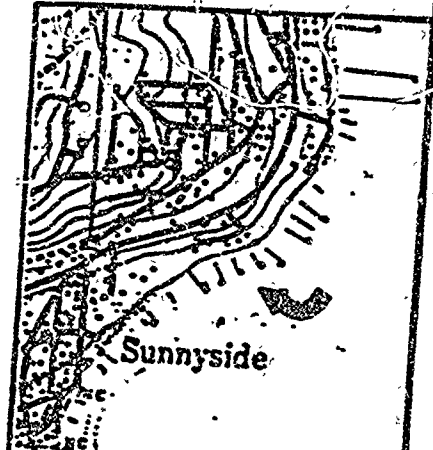
LOCATION MAP

PRC 5913

PORT LOT 3, SEC 18
TJSH, RITE, M.D.B. & M



LAKE TAHOE



PREPARED JUNE 5, 1990 BY LLB.

No Scale

CALENDAR PAGE	91
MINUTE PAGE	1830