

MINUTE ITEM

This Calendar Item No. C06
was approved as Minute Item
No. C06 by the State Lands
Commission by a vote of 2
to 0 at its 9/27/90
meeting.

CALENDAR ITEM

C 0 6

A 7

S 1

09/27/90

W 24125

PRC 7449

J. Ludlow

RECREATIONAL PIER PERMIT

APPLICANTS: Thomas R. Harry, Carolyn D. Harry
Don S. Mashbir, and Rosa Maria Mashbir
P.O. Box 327
Tahoma, California 95733

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

LAND USE: Construction, use, and maintenance of a
multi-use pier and the placement of two mooring
buoys.

TERMS OF PROPOSED PERMIT:

Initial period: Five years beginning
September 27, 1990.

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 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 [IR ND 523, State Clearinghouse No. 90020847. 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 review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. The Department of Fish and Game has determined that the shorezone at this location is unsuitable habitat for Tahoe Yellow Cress (*Rorippa*) and has issued, pursuant to consultation under the California Endangered Species Act (CESA), a letter of "no jeopardy" for the proposed project.
4. This property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.

CALENDAR ITEM NO 006 CONT'D

5. 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 El Dorado, 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.
6. 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.
7. 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 lease 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, Lessee shall request the consent of State to make such alteration.
8. The Applicants at Lake Tahoe will be 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.

CALENDAR ITEM NO. 006 CONT'D

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

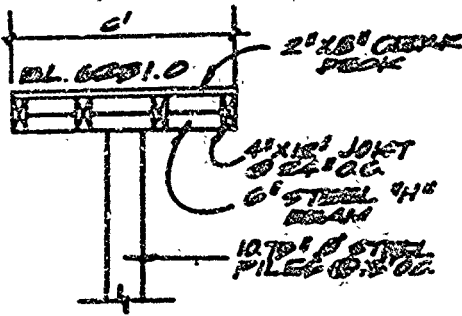
None.

EXHIBITS:

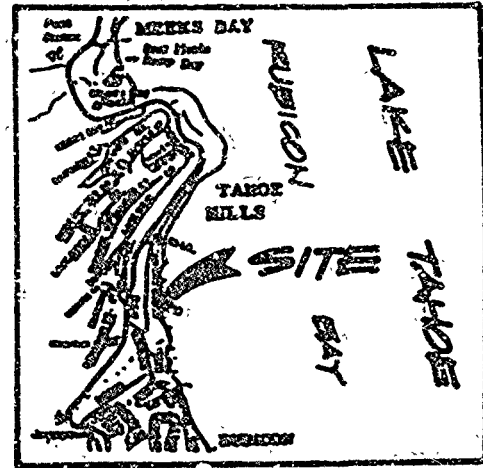
- A. Land Description.
- B. Location Map.
- C. El Dorado County Letter of Approval.
- D. Negative Declaration
- E. Fish and Game Letter of No Jeopardy.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 523, STATE CLEARINGHOUSE NO. 90020847, 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 THOMAS T. HARRY, CAROLYN D. HARRY, DON S. MASHBIR, AND ROSA MARIA MASHBIR OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING SEPTEMBER 27, 1990, FOR THE CONSTRUCTION, USE, AND MAINTENANCE OF A MULTI-USE PIER AND THE PLACEMENT OF TWO MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

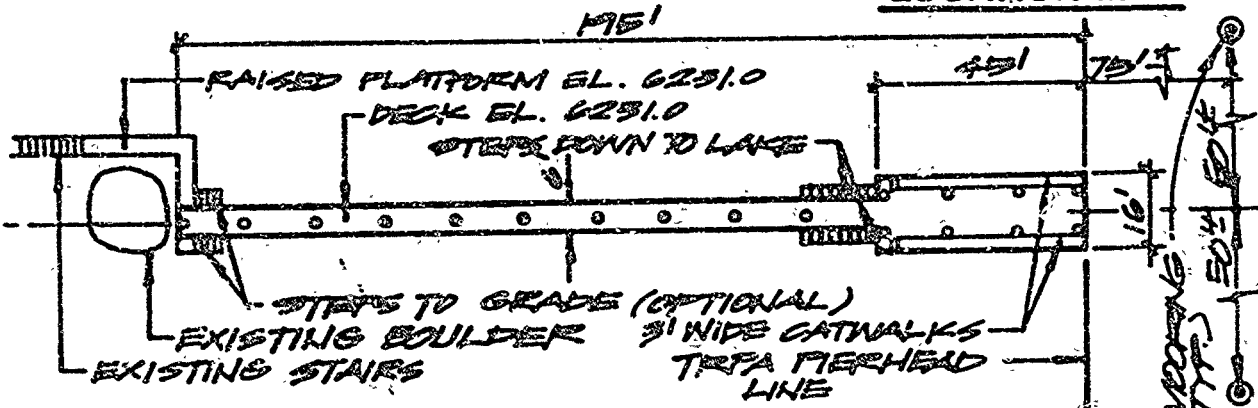


WALKWAY SECTION

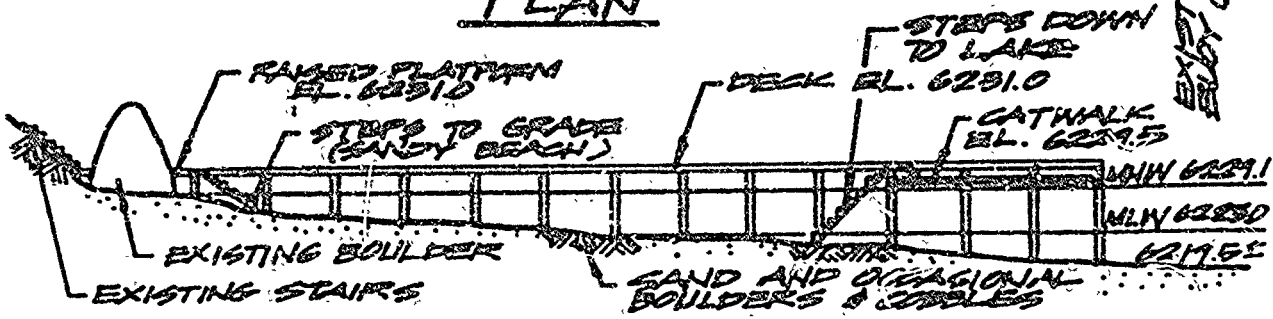


LOCATION MAP

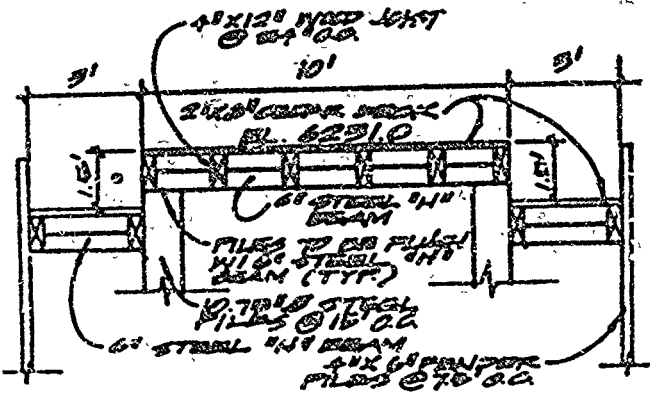
MAINLINE & HARRY
 PARCEL
 220' ± TO TIER
 100' ± TO R.



PLAN



PROFILE



PIERHEAD SECTION

APR. 016-101-141 521 &
016-142-041

NEW MULTIPLE-USE PIER
HARRY/MASHER PARCEL
2579 MEES BAY AVE.
2551 NORTH LAKE
RUBICON BAY AREA
EL FORADO COUNTY, CA
MARCH 1988



REVISION PAGE 2455

RAYMOND VAIL AND ASSOCIATES
ENGINEERING • PLANNING • ARCHITECTURE • SURVEYING

ADJOINING PROPERTIES
NORTH 016-101-131 SOUTH 016-142-001

REVISED
8/90

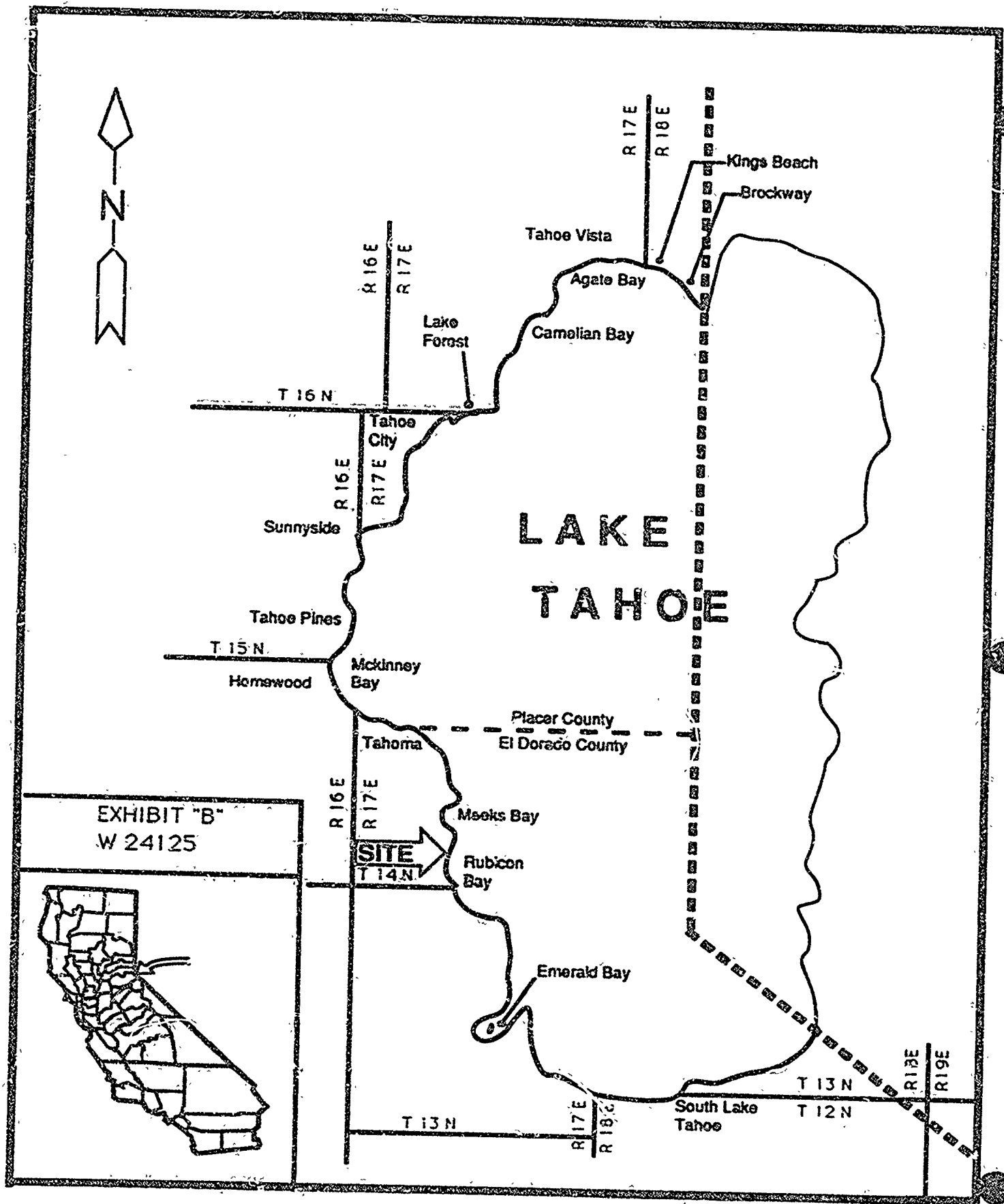


EXHIBIT "B"
W 24125



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EXHIBIT "C"
W 24125

JAN 18 1989

Date 1-19-89

EL DORADO CO. CO. COUNTY DEVELOPMENT DEPT.
"OFFICE OF THE TAP"

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

Subject: Building Permit for Pier (MULTI - USE PIER)

Name: Don Mashbir/Thomas Harry

Address: c/o Don Mashbir, P.O. Box 327

Tahoma, Calif. 95733

Tahoe Upland Addresses: 8579 Meeks Bay Ave & 8581 North Lane

County Assessor's Parcel No. 16-142-091 and 16-101-141 & 521

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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STATE LANDS COMMISSION

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

GEORGE DEUKMEJIAN, Governor

EXECUTIVE OFFICE
1007 - 13th Street
Sacramento, CA 95814

CHARLES WARREN
Executive Officer


August 24, 1990
File Ref: W 24125
SCH. NO. 90020847

NOTICE OF PUBLIC REVIEW
OF AN
AMENDED 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 September 23, 1990.

Should you have any questions or need additional information, please call the undersigned at (916) 324-4715.


JUDY BROWN
Division of Research
and Planning

JB:ma
Attachment

STATE LANDS COMMISSION

ED. 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 NO: 523

File Ref: W 24125

SCH. NO.:

Project Title: HARRY/MASHBIR NEW MULTI-USE PIER CONSTRUCTION

Project Proponent: Don S. Mashbir & Thomas R. Harry

Project Location: Lake Tahoe, El Dorado County, adjacent to APN: 016-101-141, 521 and 016-142-091, 8581 North Lane, Rubicon.

Project Description: Construct a new 195' x 6' pier with a 45' x 6' pierhead and retain two existing mooring buoys. Construction will occur between Elev. 6231' and 6219'.

Contact Person: Judy Brown Telephone: (916) 324-4715

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.

FORM 13.17 (4/90)

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MINUTE PAGE	2459

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: W 24125

I. BACKGROUND INFORMATION

A. Applicant: Don S. Mashbir & Thomas R. Harry
P. O. Box 327
Tahoma, CA 95733

B. Checklist Date: 08 / 23 / 90

C. Contact Person: Judy Brown
 Telephone: (916) 324-4715

D. Purpose: Multi-use recreational pier and buoys.

E. Location: Rubicon Bay, adjacent to 8581 North Lane, Lake Tahoe,
El Dorado County.

F. Description: Construct a new 195' x 6' pier with a 45' x 6' pierhead
and retain two existing mooring buoys. Construction will
occur between Elev. 6231' and 6219'.

G. Persons Contacted: _____

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"/>

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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 number 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?

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- 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Affecting existing parking facilities, or create a demand for new parking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Substantial impact upon existing transportation systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Alterations to present patterns of circulation or movement of people and/or goods? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Alterations to waterborne, rail, or air traffic? | <input type="checkbox"/> | <input 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 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 checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|

CALENDAR PAGE	92	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MINUTE PAGE	2162	<input checked="" type="checkbox"/>	<input 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Will the proposal restrict existing religious or sacred uses within the potential impact area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Does the project have impacts which are individually limited, but cumulatively considerable? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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: 08 / 23 / 90

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For the State Lands Commission JUDY BROWN

III. DISCUSSION OF ENVIRONMENTAL EVALUATION
Mashbir/Harry - W 24125

C. Water

5. Caissons or sleeves will be used during pile driving to avoid or minimize turbidity-related impacts to water quality.

D. Plant Life

1. The shoreline of Lake Tahoe is known habitat for Rorippa subumbellata Roll., listed by California as an endangered plant species. The construction of this multi-use pier will disturb the shoreline above elev. 6223'.

The California Department of Fish and Game has issued an informal "no jeopardy" opinion dated August 16, 1990 (attached). This opinion states that no Rorippa plants were found on the parcel and that the habitat is not suitable for the species.

F. Noise

1. The ambient noise level will increase during reconstruction; however, the effects will be short term and will occur during normal work hours only.

M. Transportation

5. The construction of this multi-use pier will not change the existing topline trolling patterns existing in this vicinity. From the center line of construction of this proposed pier, a pier is located 280 feet to the south, and a pier is located 110 feet to the north.

R. Aesthetics

1. This segment of shoreline is not as densely constructed with piers as other areas around Lake Tahoe, however, there are several other piers within the immediate vicinity, and the construction of this pier will not significantly effect the existing aesthetics in this area.

The two existing mooring buoys will be located approximately 50 feet from the end of the pier, spaced 100 feet apart.

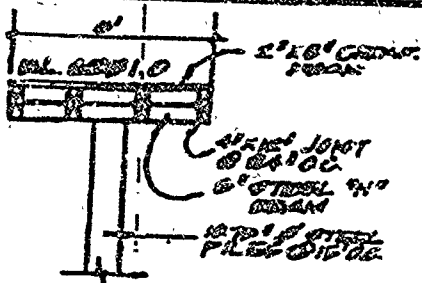
In the report, Cumulative Impacts of Shorezone Development at Lake Tahoe, by Phillips, Brandt, Reddick, McDonald and Greff, public responses to visual aspects of shorezone development and use considered a grouping of seven boats closely spaced to be a "visual dislike". Therefore, the retention of the two buoys of this proposal does not constitute a significant effect.

S. Recreation

1. As discussed in M5 above, there are several piers located within close proximity to the construction of this pier; when boats are secured to the mooring buoys, access to the shoreline will be restricted at this location.

The recreational opportunities of the owners of the proposed pier and mooring buoys will be enhanced and their enjoyment of Lake Tahoe will possibly increase.

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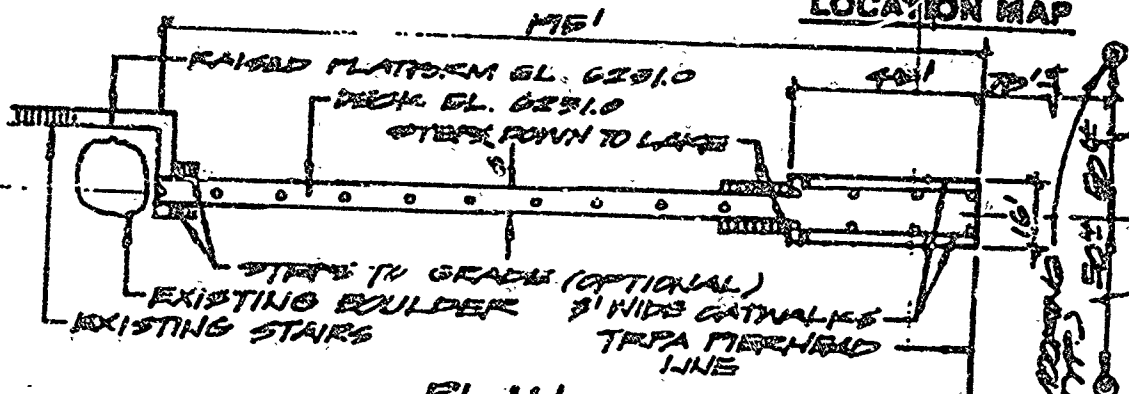


WALKWAY SECTION

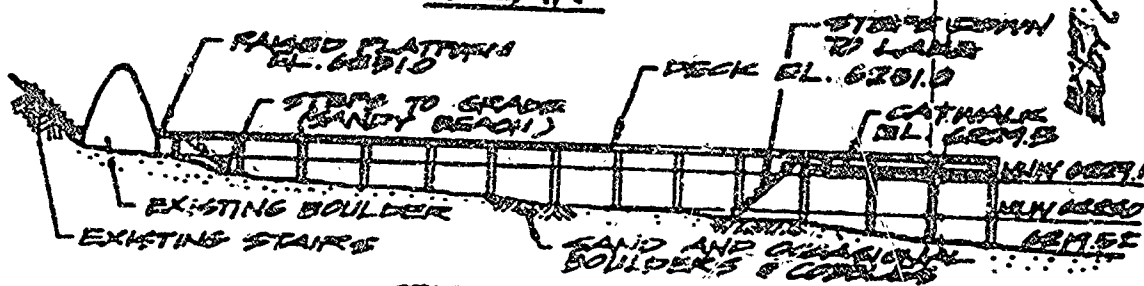


LOCATION MAP

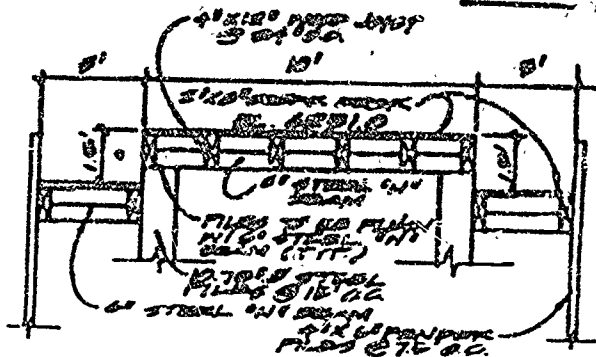
HARRY
 PARCEL
 100' E TO R.
 90' E TO R.
 100' E TO R.



PLAN



PROFILE



PIERHEAD SECTION

APN: 016-101-141, 021 &
 016-142-001

NEW MULTIPLE USE FOR
 HARRY PARCEL
 8579 MADISON BAY AVE.
 8591 NORTH LANE
 MADISON BAY AREA
 EL TORADO COUNTY, GA
 MARCH 1993

ADJOINING PROPERTIES
 NORTH 016-101-131 SOUTH 016-142-001

REVISED
 8/90

RAY
YAIL
 RAYMOND YAIL AND ASSOCIATES
 ENGINEERS • PLANNERS • ARCHITECTS • SURVEYORS

NO. 7107.18V
 CALENDAR PAGE 96
 MSWTE PAGE 2456

W.O. 7125.18V
June 20, 1990

RE: PROJECT NARRATIVE/CONSTRUCTION METHOD
NEW MULTIPLE USE PIER - HARRY/MASHBIR PROPERTY
EL DORADO COUNTY APN: 016-101-141, 521 & 016-142-091

PROJECT NARRATIVE

Construction of new multiple-use pier with 10.75" diameter steel piles at 15' O.C. with 6" steel "H" beams, 4" x 12" wood joists at 24" O.C., 2" x 6" min. cedar deck, with a catwalk on each side of the pierhead (see submittal drawing).

CONSTRUCTION METHOD

Construction of this pier is to be by barge with pile driver; caissons or sleeves will be used if sediment is resuspended while pile driving. Anchorage of barge will be to the existing structure and/or lake anchors required for adequate stabilization of barge. During low water seasons, barge access and construction activity will be confined to the "footprint" of the pier. This access confinement is to minimize disturbance of the lake bottom. All construction wastes will be collected onto the barge and disposed of at the nearest dumpster/sanitary landfill site. There will be no storage of construction materials on the shore or within 50 feet of the bank. Small boats and tarps will be placed under construction areas to provide collection of construction debris, preventing any discharge of these wastes to the lake. If disturbed shoreline/lakebottom sediments are found due to the construction activity associated with the removal and installation of this project, the effected areas will be hand rolled and/or rock cobble to be hand picked to reconsolidate the shoreline sediments.

Memorandum

To : **Mr. Charles Warren, Executive Officer
State Lands Commission
1807 13th Street
Sacramento, CA 95814-9990**

Date : **August 16, 1990**

From : **Department of Fish and Game - Region 2**

Subject: **Informal Consultation for Several Proposed Projects for Tahoe
Yellow Cross, Placer County**

The Department of Fish and Game (DFG) has reviewed the request from the State Lands Commission for informal consultation pursuant to the California Endangered Species Act to determine if the proposed projects listed below may impact the Tahoe yellow cross (*Rorippa subumbellata*). The Tahoe yellow cross is an endemic state-listed endangered species and a Federal Candidate species that is found only on granitic sandy beach and sandy cobblestone habitats on the shores of Lake Tahoe. Pier construction and maintenance activities may seriously impact existing populations and habitat for this species.

If potential or existing habitat exists on the project site, the DFG must make a determination of jeopardy until such time as the *Rorippa* habitat management plan has been completed and has identified appropriate mitigation measures which will offset adverse impacts to *Rorippa*.

The DFG reviewed the following projects and has made the subsequent informal determinations under CEESA:

<u>Project</u>	<u>Determination</u>
Crabtree Property APN: 98-191-27	No Jeopardy
Hancock Property APN: 017-021-28	No Jeopardy
Harry/Mashbir APN: 016-101-141, 521 & 016-142-091	No Jeopardy
Catron/Hillstrom APN: 017-021-201, 211	No Jeopardy
Cedar Point APN: 83-500-13	No Jeopardy

Mr. Charles Warren

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August 16, 1990

Agate Bay Sun Club
APN: 98-219-08

Jeopardy

Kranes
APN: 116-100-02

Jeopardy (until
more information
provided)

If we can be of further assistance, please contact
Ms. Sherry Teresa, Associate Wildlife Biologist, or
Mr. Jerry Mensch, Environmental Services Supervisor, telephone
(916) 355-7030.


James D. Messersmith
Regional Manager

DATE	99
TIME	2459

Memorandum

EXHIBIT "E"

W 24125

To : Mr. Charles Warren, Executive Officer
State Lands Commission
1807 13th Street
Sacramento, CA 95814-9990

Date : August 16, 1990

From : Department of Fish and Game - Region 2

Subject : Informal Consultation for Several Proposed Projects for Tahoe Yellow Cross, Placer County

The Department of Fish and Game (DFG) has reviewed the request from the State Lands Commission for informal consultation pursuant to the California Endangered Species Act to determine if the proposed projects listed below may impact the Tahoe yellow cross (Rorippa subumbellata). The Tahoe yellow cross is an endemic state-listed endangered species and a Federal Candidate species that is found only on granitic sandy beach and sandy cobblestone habitats on the shores of Lake Tahoe. Pier construction and maintenance activities may seriously impact existing populations and habitat for this species.

If potential or existing habitat exists on the project site, the DFG must make a determination of jeopardy until such time as the Rorippa habitat management plan has been completed and has identified appropriate mitigation measures which will offset adverse impacts to Rorippa.

The DFG reviewed the following projects and has made the subsequent informal determinations under CESA:

<u>Project</u>	<u>Determination</u>
Crabtree Property APN: 98-191-37	No Jeopardy
Hancock Property APN: 017-021-28	No Jeopardy
Harry/Hashbir APN: 016-101-141, 521 & 016-142-091	No Jeopardy
Catron/Hilletree APN: 017-021-201, 211	No Jeopardy
Cedar Point APN: 03-500-13	No Jeopardy

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