

MINUTE ITEM

This Calendar Item No. C09
was approved as Minute Item
No. C09 by the State Lands
Commission by a vote of 3
to 0 at its 9/27/90
meeting.

CALENDAR ITEM

C 0 9

A 7

09/27/90

S 1

W 24228

PRC 7451

J. Ludlow

APPROVE A RECREATIONAL PIER PERMIT

APPLICANT: Burton W. Hancock
1799 Hamilton Avenue
San Jose, California 95125

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

LAND USE: Construction, use, and maintenance of a
150-foot pier, including the installation of a
low-level boatlift.

TERMS OF PROPOSED PERMIT:
Initial period: Five (5) 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: 10/30/90.

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 524, State Clearinghouse No. 90020846. 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.

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 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.

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

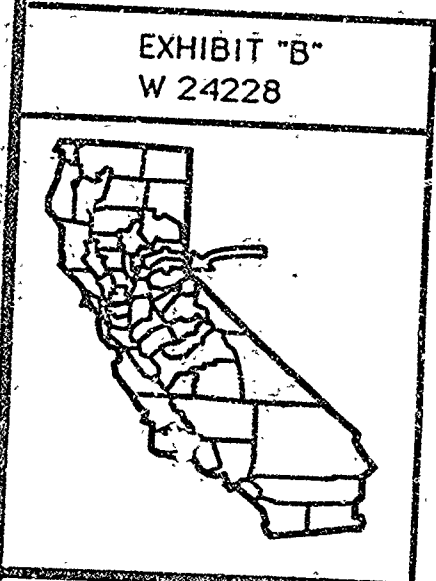
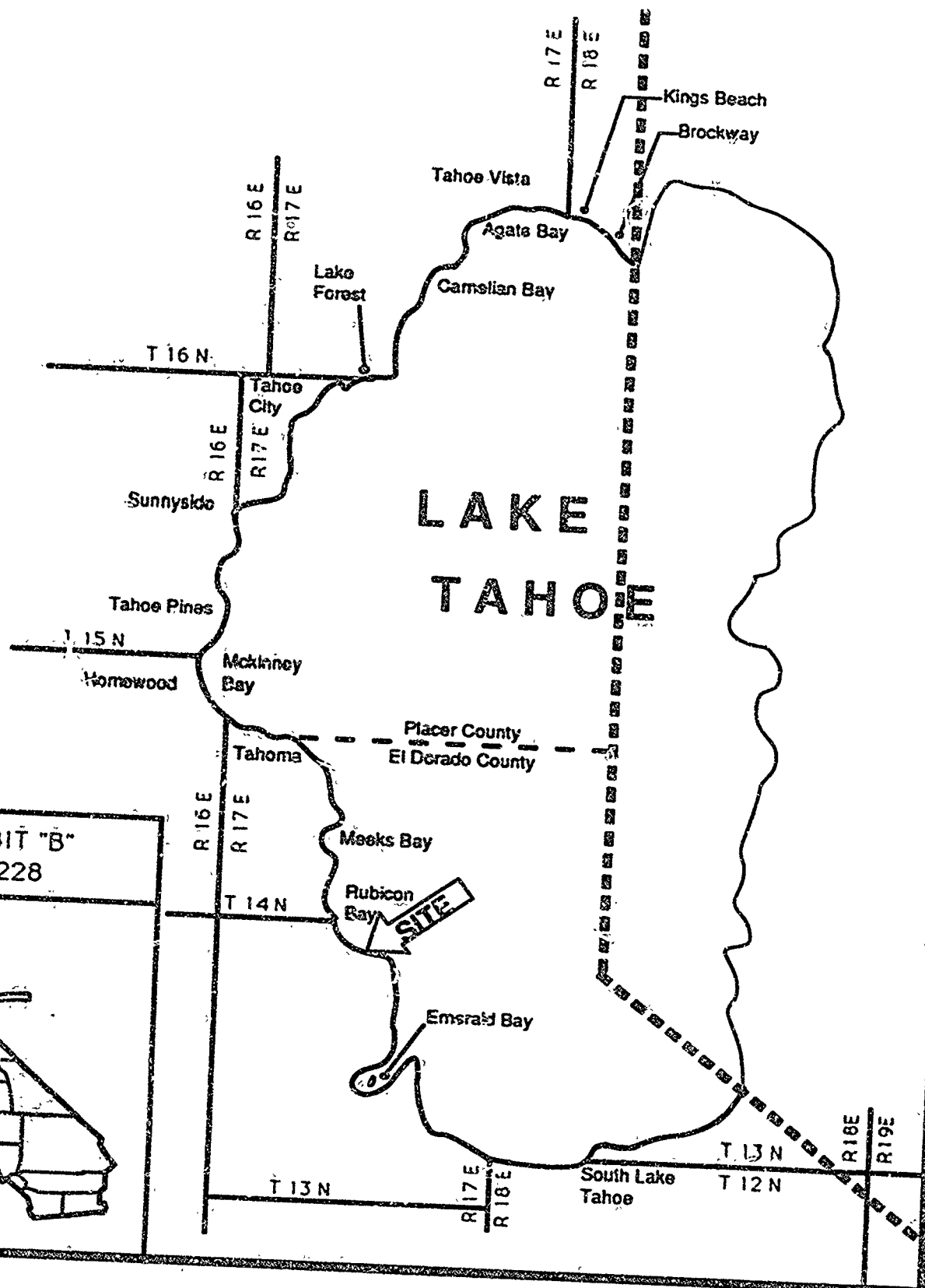
United States Army, Corps of Engineers.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 524, STATE CLEARINGHOUSE NO. 90020846, 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 BURTON W. HANCOCK OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING SEPTEMBER 27, 1990, FOR THE CONSTRUCTION, USE, AND MAINTENANCE OF A 150-FOOT PIER, INCLUDING THE INSTALLATION OF A LOW-LEVEL BOATLIFT ON THE LAND DESCRIBED ON EXHIBIT "A", ATTACHED, AND BY REFERENCE MADE A PART HEREOF.



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MINUTE PAGE 2513

EXHIBIT "C"

Date 1-27-89

File Ref: W 24228

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

Subject: Building Permit for Pier

Name: Burton Hancock

Address: 1799 Hamilton Avenue

San Jose, California 95125

Upland Address: Unknown, Rubicon Bay

County Assessor's Parcel No. 17-021-18

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

CALENDAR PAGE 144
SERIAL PAGE 2514

STATE OF CALIFORNIA

STATE LANDS COMMISSION

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

EXHIBIT "D"

W 24228

GEORGE DELGEMERIAN, *Governor*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814

CHARLES WARREN
Executive Officer


August 24, 1990
File Ref: W 24228
SCH. NO. 90020846

**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

CALENDAR PAGE 145
EXHIBIT PAGE 2515

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 ND: 524

File Ref.: W 24228

SCH. NO.:

Project Title: BURTON W. HANCOCK NEW PIER CONSTRUCTION
Project Proponent: Burton W. Hancock
Project Location: Lake Tahoe, Paradise Flat, El Dorado County, adjacent to APN: 017-021-18.
Project Description: Construct a new 10' x 150' recreational pier with low-level boat lift.
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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ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: W 2028

I. BACKGROUND INFORMATION

- A. Applicant: Burton W. Hancock
1799 Hamilton Ave.
San Jose, CA 95125

- B. Checklist Date: 08 / 23 / 90
- C. Contact Person: Judy Brown
 Telephone: (916) 324-4715
- D. Purpose: Private recreational use.

- E. Location: Lake Tahoe, Paradise Flat, El Dorado County,
adjacent to APN: 017-021-18.
- F. Description: Construct new 10' x 150' recreational pier
with low-level boat lift (see attached project description
and construction narrative).
- G. Persons Contacted: _____

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

- | A. Earth. Will the proposal result in: | Yes | Maybe | N |
|---|--------------------------|-------------------------------------|-------------------------------------|
| 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 checked="" 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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 2517
 SITE PAGE

- | | 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Reduction of the numbers of any unique, rare or endangered species of plants? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Reduction in acreage of any agricultural crop? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. Animal Life Will the proposal result in: | | | |
| 1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Reduction of the numbers of any unique, rare or endangered species of animals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Deterioration to existing fish or wildlife habitat? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Noise. Will the proposal result in: | | | |
| 1. Increase in existing noise levels? | <input checked="" type="checkbox"/> | <input 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"/> |

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- 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? Yes Maybe No
2. Possible interference with emergency response plan or an emergency evacuation plan?
- K. *Population.* Will the proposal result in:
1. The alteration, distribution, density, or growth rate of the human population of the area?
- L. *Housing.* Will the proposal result in:
1. Affecting existing housing, or create a demand for additional housing?
- M. *Transportation/Circulation.* Will the proposal result in:
1. Generation of substantial additional vehicular movement?
2. Affecting existing parking facilities, or create a demand for new parking?
3. Substantial impact upon existing transportation systems?
4. Alterations to present patterns of circulation or movement of people and/or goods?
5. Alterations to waterborne, rail, or air traffic?
6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?
- N. *Public Services.* Will the proposal have an effect upon, or result in a need for 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?
- 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?
- 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?
- 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?
- 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?
- S. *Recreation.* Will the proposal result in:
1. An impact upon the quality or quantity of existing recreational opportunities?

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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? | <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 checked="" 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

Judy Brown
 For the State Lands Commission
 JUDGE
 150
 2990
 DATE PAGE

III. DISCUSSION OF ENVIRONMENTAL EVALUATION
W 24228 - Hancock

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

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

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.

E. Animal Life

4. The Tahoe Regional Planning Agency, through their permitting process, has determined that the location of the proposed pier is in a "clear area" and will not affect fish spawning habitat.

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 pier will not significantly change the existing topline trolling patterns in this vicinity. The nearest waterward structures located from the center line of construction of this proposed pier is a pier located approximately 150' to the north, and a pier located approximately 250' to the south.

R. Aesthetics

1. This segment of shoreline is not densely constructed with recreational pier as are other areas around Lake Tahoe; however, there are approximately ten piers which do exist within this visual area of shoreline and the construction of this pier will not significantly effect the existing aesthetics in this area.

S. Recreation

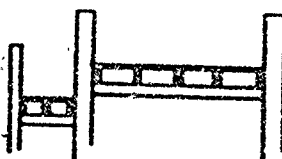
1. As discussed in M5 above, the construction of this pier will not significantly interfere with the existing topline trolling pattern available for fishing, as several piers do exist in the nearby vicinity.

The recreational opportunities available to the owners of the proposed pier will increase.

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FIGURE PAGE	2522

SECTION MTS

4x6 FEUDER
FILES @ 7.5"
O.C. ON CATWALK

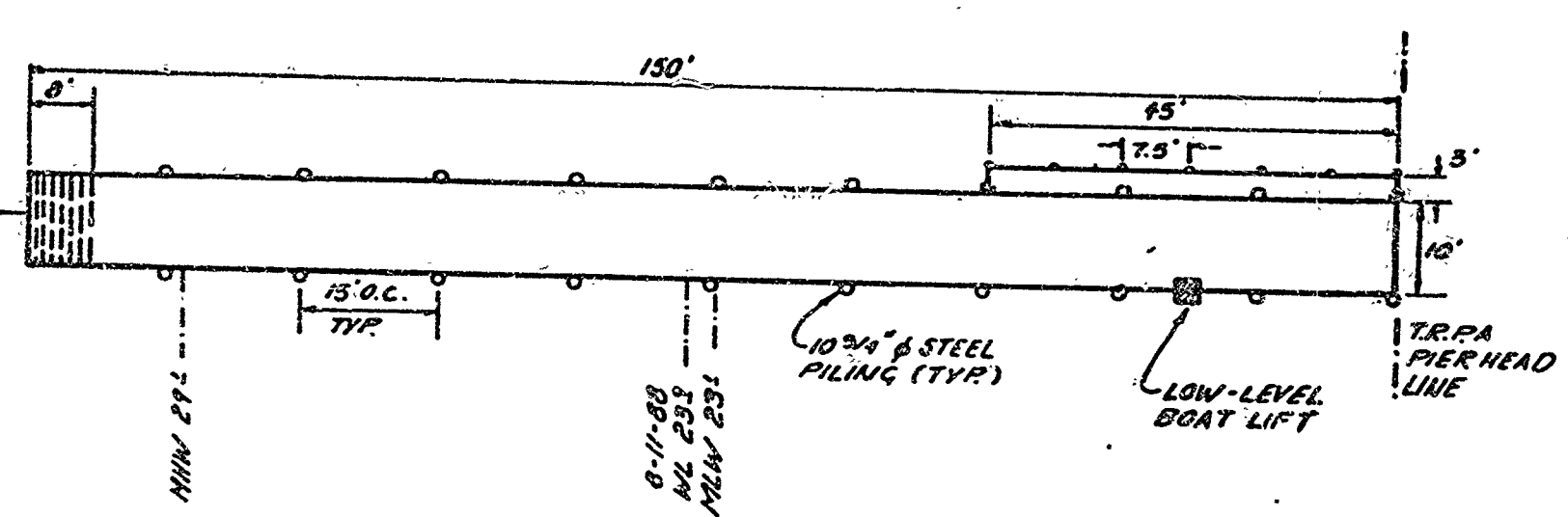
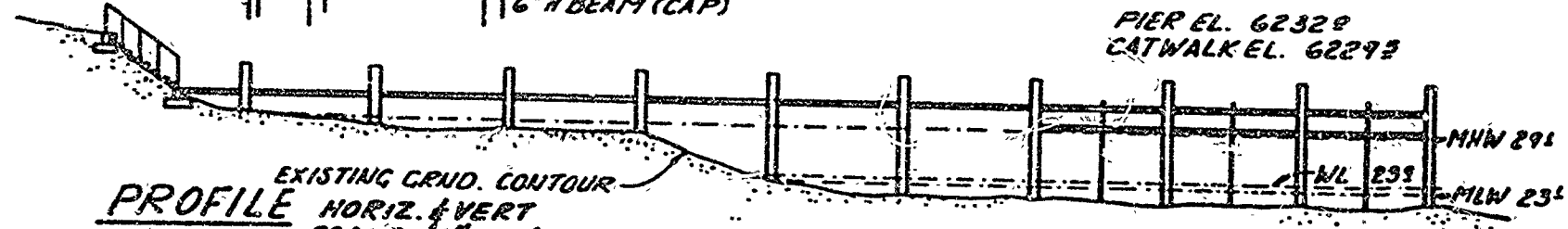


10 3/4" ϕ STEEL PILING
2x8 CEDAR DECKING
4x10 STRINGERS @ 21" O.C.
6" H BEAM (CAP)

ADJOINING PROPERTIES:
NORTH: 017-021-16
SOUTH: 017-021-19
SHOREZONE TOLERANCE DISTRICT: 7
T.R.P.A. LAND CAPABILITY DISTRICT: 6

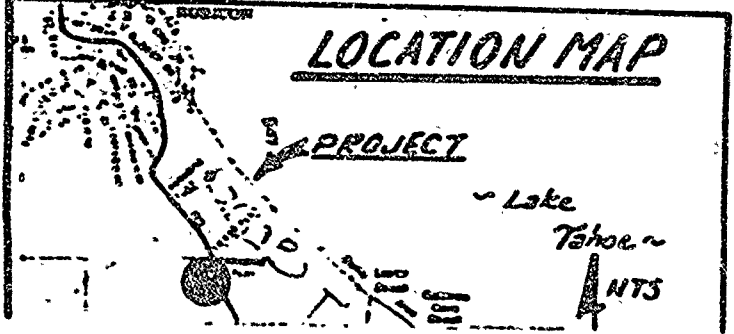
PIER EL. 62329
CATWALK EL. 62292

EXISTING GRID. CONTOUR
PROFILE HORIZ. & VERT.
SCALE: 1"=20'



PLAN SCALE: 1"=20'

LOCATION MAP



PROPOSED NEW PIER
PROPOSE: PRIVATE RECREATIONAL USE
OWNER: BURTON MANCOCK
1799 HAMILTON AVENUE
SAN JOSE, CA 95125
A.P.N. 017-021-18 EL DORADO COUNTY
JOB NO. 82513
AUGUST, 1988
SHEET 1 OF 1

K.B. FOSTER
CIVIL ENGINEERING, INC.

10616198

PROJECT NARRATIVE

Mr. Burton Hancock is proposing to construct a new pier with 10.75" dia. steel piling, 4 x 6 fender piling @ 7.5' O. C. on catwalk, 4 x 10 stringers @ 24" O. C., and 2 x 8 cedar decking (see submittal drawing). The pier is to be constructed at an elevation of 6232'. The 45' x 3' catwalk will be built at an elevation of 6229.5'. The pier is 10' in width and extends 150' to the TRPA pierhead line.

The location of the pier has been mapped by TRPA as having no significant fish habitat value.

CONSTRUCTION METHOD

Construction of the pier is to be by barge; steel sleeves will be used when sediment is resuspended. All construction wastes will be collected onto the barge and/or onshore dumpsters and disposed at the nearest dumpster/sanitary land fill site. Small boats (John boats) and tarps will be utilized under construction areas to provide for the collection of construction debris, thereby preventing any discharge of wastes to the lake.

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State of California

The Resources Agency

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 Cress, 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 cress (Rorippa subumbellata). The Tahoe yellow cress 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: 98-191-37	No Jeopardy
Hancock Property APN: 017-021-28	No Jeopardy
Harry/Mashbir APN: 016-101-141, 521 & 016-142-091	No Jeopardy
Catron/Hillestrom APN: 017-021-201, 311	No Jeopardy
Cedar Point APN: 83-500-13	No Jeopardy

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Mr. Charles Warren

-2-

August 16, 1990

Agate Bay Sun Club
APN: 98-210-08

Jeopardy

Kramer
APN: 316-100-02

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

Memorandum

EXHIBIT "E"
W 24228

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: 98-191-27	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: 03-500-13	No Jeopardy