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5/5/92

CALENDAR ITEM

A 7
S 1

C 4 0

05/05/92
PRC 4284
J. Ludlow

APPROVE A RECREATIONAL PIER PERMIT

APPLICANT:

Geoffrey W. Picard and Lynne P. Picard
3 Kellett View
65-69 Mt. Kellett Road
The Peak
Hong Kong

AREA, TYPE LAND AND LOCATION:

A parcel of submerged land located in Lake Tahoe at
Sunnyside, Placer County.

LAND USE:

Reconstruction of an existing and authorized pier, including
the addition of a boatlift, the continued use and
maintenance of one existing buoy, and retention of one
previously unauthorized buoy.

TERMS OF PROPOSED LEASE:

Initial period:
Five (5) years beginning May 5, 1992.

CONSIDERATION:

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

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003

APPLICANT STATUS:

Applicant is owner of the upland.

PREREQUISITE CONDITIONS, FEES, AND EXPENSES:

Filing, processing, and environmental fees have been
received.

(ADDED pgs. 268-268.32)

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1024

CALENDAR ITEM NO. C 4 0 (CONT'D)

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:

05/19/92

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 584, State Clearinghouse No. 92032067. 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. In response to the circulation of the Initial Study/Negative Declaration, the Department of Fish and Game has required the Applicant to remove the buoy floats and anchoring chains from the lake bottom between Labor Day and Memorial Day in order to provide for inshore angling.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
4. The Applicant proposes to reconstruct an existing recreational pier, including the addition of a low-level boatlift, and retain one existing, authorized, mooring buoy, and one existing and previously unauthorized mooring buoy.

CALENDAR ITEM NO. 40 (CONT'D)

5. Staff has also been informed by staff of the Department of Fish and Game (DFG) and staff of the Tahoe Regional Planning Agency (TRPA) that both agencies will be reviewing their policies regarding the placement and use of buoys at Lake Tahoe, and may develop restrictions on such placement and use of buoys to address fish habitat and other environmental and recreational concerns. Staff, therefore, recommends that the Commission approve the retention of the Applicant's buoys, subject to the right of the Commission to amend or rescind such authorization to respond to concerns which may arise during the upcoming review by DFG and TRPA.
6. The project will be accomplished using a barge-mounted pile driver and all work will be completed from the water using floating equipment.
7. The permit includes special language in which the permittee 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.
8. Materials will be neither stored nor placed, nor will any activity associated with the construction, be conducted above the low-water line of the subject property. This procedure will prevent any disturbance to *Rorippa* habitat.
9. Commission staff will monitor the reconstruction of the pier in accordance with the Monitoring Program included within the Proposed Negative Declaration.
10. This property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the Public Trust.
11. The issuance of this permit supersedes any prior authorization by the State Lands Commission at this location.

CALENDAR ITEM NO. C A O (CONT'D)

12. 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 is automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof. If the location, size, or number of any structure hereby authorized is to be altered, pursuant to order of the Tahoe Regional Planning Agency, Permittee shall request the consent of the State to make such alteration.
13. 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, and Placer County.

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/Monitoring Program.

IT IS RECOMMENDED THAT THE COMMISSION:

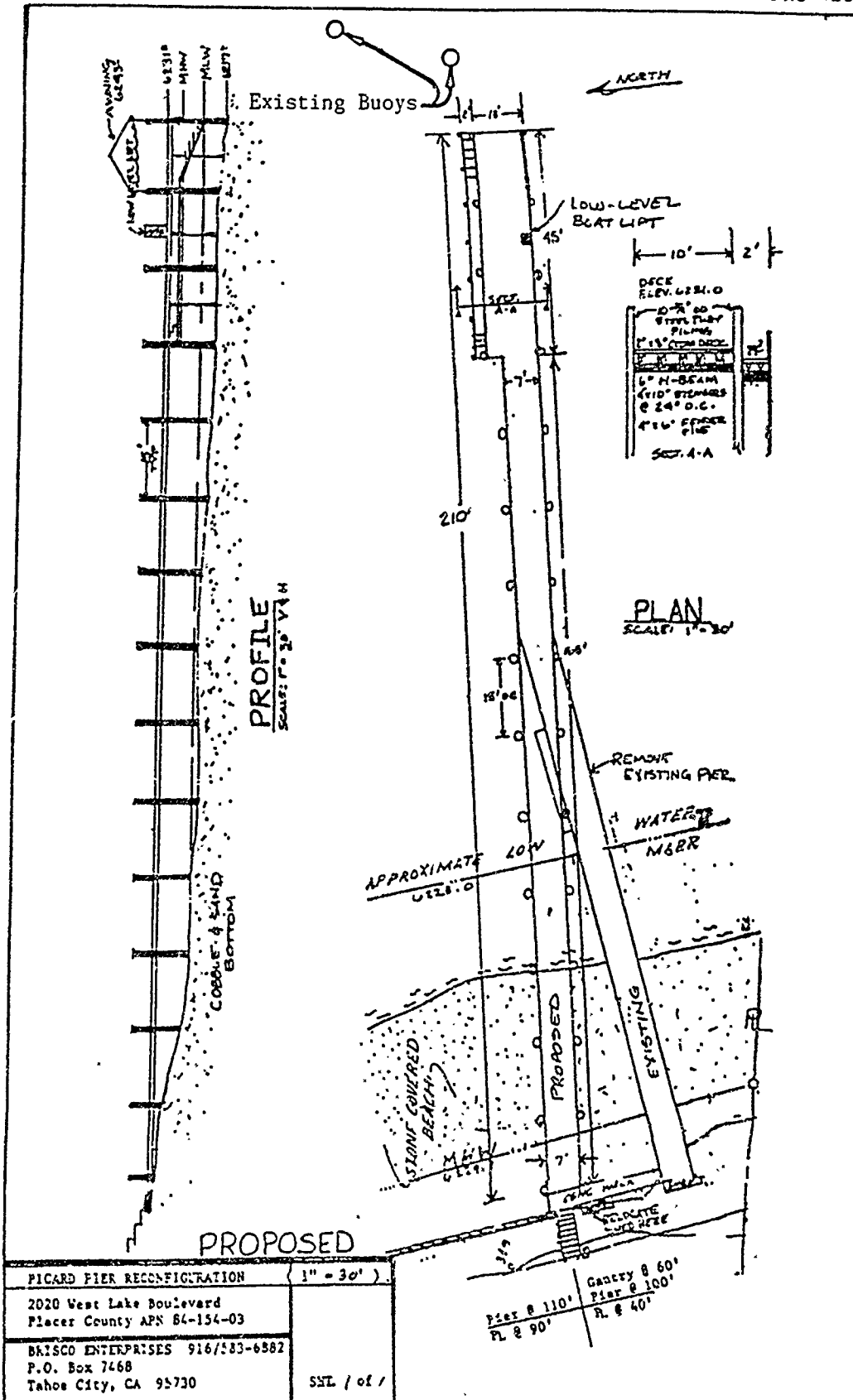
1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 584, STATE CLEARINGHOUSE NO. 92032067, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

CALENDAR ITEM NO. 0 4 0 (CONT'D)

3. ADOPT THE MONITORING PROGRAM, INCLUDED IN EXHIBIT "D", PREPARED PURSUANT TO P.R.C. SECTION 21081.6.
4. AUTHORIZE ISSUANCE TO GEOFFREY W. PICARD AND LYNNE P. PICARD OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING MAY 5, 1992 FOR THE RECONSTRUCTION, USE, AND MAINTENANCE OF AN EXISTING PIER, INCLUDING THE PLACEMENT OF A LOW-LEVEL BOATLIFT, THE CONTINUED USE AND MAINTENANCE OF ONE MOORING BUOY, AND THE RETENTION OF AN ADDITIONAL, PREVIOUSLY UNAUTHORIZED, MOORING BUOY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
5. FIND THAT THE ISSUANCE OF THIS PERMIT SUPERSEDES ANY PRIOR AUTHORIZATION BY THE STATE LANDS COMMISSION AT THIS LOCATION.

EXHIBIT "A"
LAND DESCRIPTION

PRC 4284



FIGARD PIER RECONFIGURATION (1" = 30')	
2020 West Lake Boulevard Placer County APN 84-154-03	
BK2SCO ENTERPRISES 916/583-6882 P.O. Box 7468 Tahoe City, CA 95730	SST / of /

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PREPARED MAY 8, 1990 BY SAS.

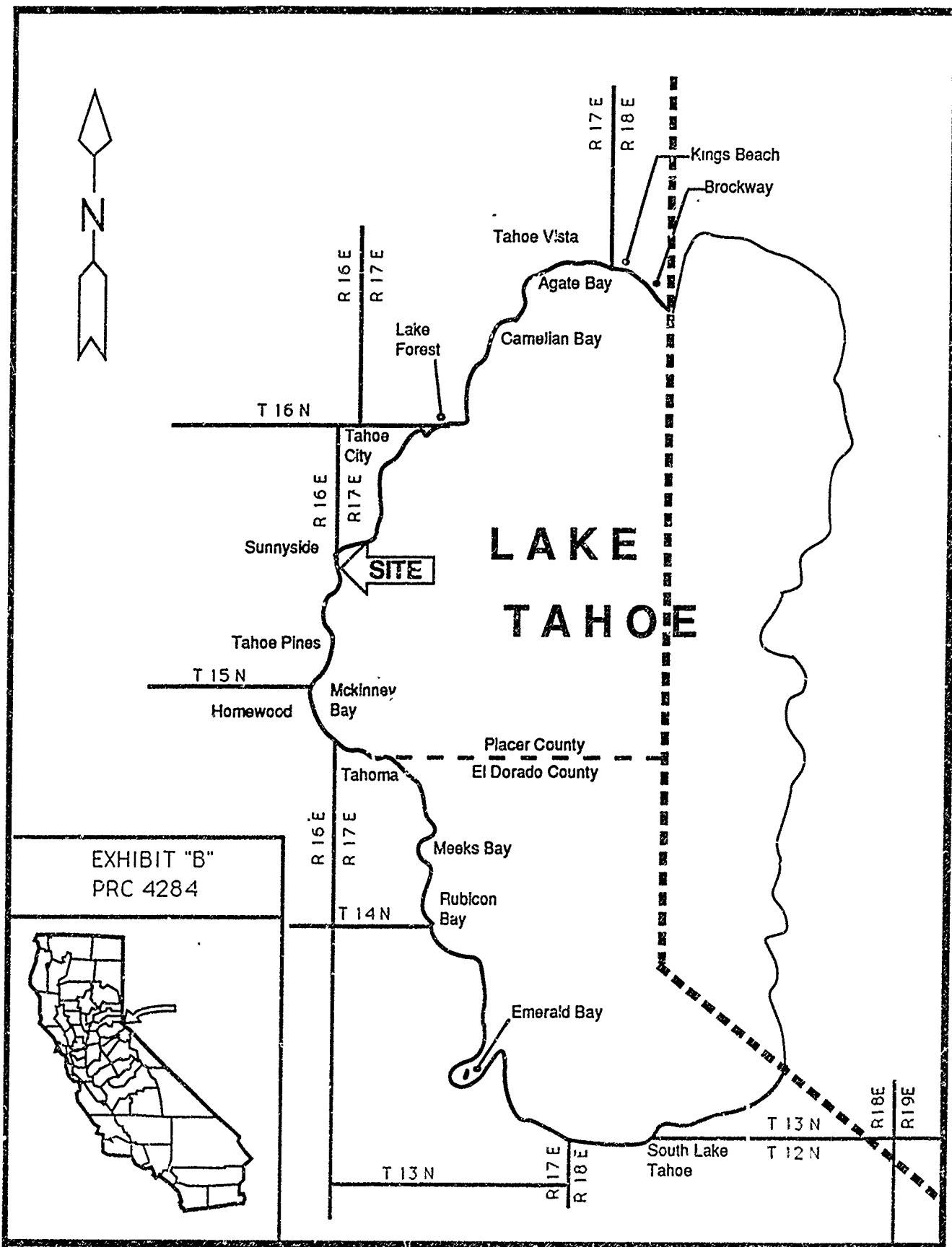


EXHIBIT "B"
PRC 4284



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EXHIBIT "C"

RECEIVED

FEB 22 1990

PLACER COUNTY
DEPT. OF PUBLIC WORKS

Date February 21, 1990

File Ref: PRC 4284.9

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

Subject: Building Permit for Pier

Name: Geoffrey and Lynne Picard

Address 2020 West Lake Boulevard

P.O. Box 7740

Tahoe City, CA 95730

Placer County Assessor's Parcel No. 84-154-03

Upland Address: 2020 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.

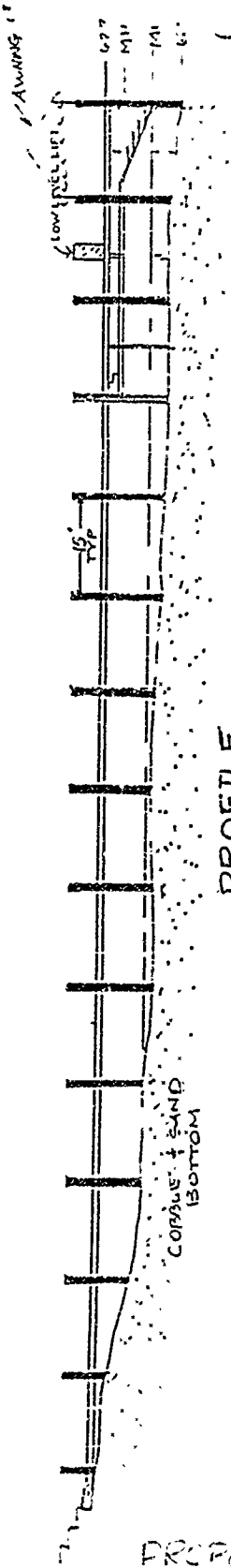
If you have any questions, you may reach me at (916) 889-7584

Sincerely,

Eric Erickson for

ERICK ERICKSON
Associate Civil Engineer

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PROFILE
SCALE: 1" = 20' V & 1" = 11'

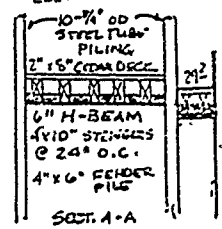
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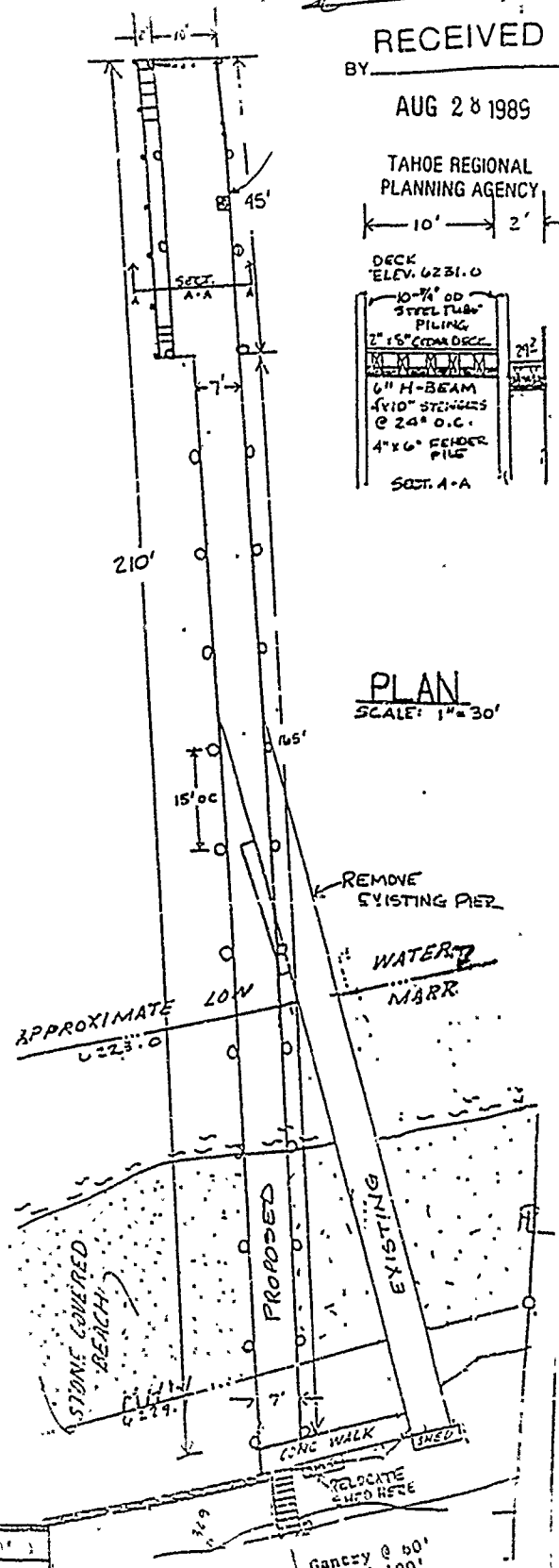
TAHOE REGIONAL
PLANNING AGENCY

10' 2'

DECK
ELEV. 6231.0



PLAN
SCALE: 1" = 30'



PROPOSED
PICARD PIER RECONFIGURATION

2020 West Lake Boulevard
Placer County AP# 84-154-03

BRISCO ENTERPRISES 916/583-688.
P.O. Box 7468
Tahoe City, CA 95730

SHT. 1 OF 2

PROPOSED PIER

Pier @ 10' Pier @ 50'
Pier @ 90' Pier @ 100'
R @ 40'

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EXHIBIT "D"

STATE OF CALIFORNIA

PETE WILSON, Governor

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
THOMAS W. HAYES, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95811

CHARLES WARREN
Executive Officer

March 19, 1992
File: PRC 4284
ND 584

**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 April 19, 1992.

Should you have any questions or need additional information, please call the undersigned at (916) 322-7826.

Doug Miller

DOUG MILLER
Division of Environmental
Planning and Management

Attachment

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STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
THOMAS W. HAYES, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814

CHARLES WARREN
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: PRC 4284
ND 584
SCH No. 92032067

Project Title: Picard Pier Reconstruction & One Additional Buoys
Proponent: Geoffrey and Lynn Picard
Project Location: 2020 West Lake Blvd., Sunnyside area near Tahoe City, APN
84-154-03, Placer County
Project Description: Reconstruction of an existing recreational pier, installation of
a low-level boatlift, and authorization of one additional mooring
buoy.
Contact Person: Doug Miller Telephone: 916/322-7826

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:

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

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

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ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 4284

I. BACKGROUND INFORMATION

A Applicant: Geoffrey and Lynn Picard
3 Kellett View
65-69 Mt. Kellett Road, The Peak
Hong Kong

B. Checklist Date: 3 / 11 / 92

C. Contact Person: Jan Brisco - ex-agent
Telephone: (916) 583-6882

D Purpose: Pier Reconstruction and authorize retention of existing buoy

E Location: 2020 West Lake Boulevard, Sunnyside

F Description: Pier Reconstruction, installation of a low-level boatlift, and authorization of one additional mooring buoy.

G Persons Contacted: Jan Brisco, Brisco Enterprises (ex-agent)
Brian Judge - TRPA - Environmental Specialist

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

Table with 3 columns: Question, Yes, Maybe, No. Contains 7 rows of environmental impact questions with checkboxes.

Handwritten numbers: 268.11, 1435

		Yes	Maybe	No
B	<i>Air.</i> 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.	<i>Water.</i> 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 type="checkbox"/>	<input checked="" type="checkbox"/>
	6. Alteration of the direct on 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.	<i>Plant Life.</i> 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	<i>Animal Life.</i> 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	<i>Noise.</i> Will the proposal result in:			
	1. Increase in existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	2. Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G.	<i>Light and Glare.</i> Will the proposal result in:			
	1. The production of new light or glare?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
H	<i>Land Use.</i> 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	<i>Natural Resources.</i> 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

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?
- 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?
- 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)

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: 3/ 11 / 92

Doug Miller
For the State Lands Commission

Doug Miller 268 14
1433

PROJECT DESCRIPTIONPROJECT NARRATIVE

PRC 4284 authorizes one existing mooring buoy and a recreational pier. The proposed project involves the authorization of an additional existing mooring buoy, reconstruction of an existing recreational pier, and installation of an electric low level boat lift (hoist) immediately adjacent to the pier (See attached plan: Exhibit "A"). The repairs will consist of removal and replacement of all rotten wood pilings, stringers, and decking for the pier and boat lift. As a part of the repair, the pier will be brought into conformance with the Tahoe Regional Planning Agency design standards by straightening out the existing "elbow" shaped pier. The reconstruction will use steel pilings, steel H beams, wood stringers and wood decking. The repair will be accomplished through use of a lark vessel, a boat/floating barge with overinflated tires which allows it to leave the water and come up on the beach. Access to the site will be completely from the water for both materials and equipment. The low level boat lift is affixed to a single self supportive 10 inch H beam driven into the lake bottom making the whole system independent of the pier. The H beam will be driven at the same time the rest of the piers are driven.

The first stage of the construction will be to remove the old structure. Access will be from the lark vessel and the existing structure. Disturbance will be restricted to the footprint of the existing structure plus a ten foot construction zone running the complete pier length on one side of the pier. The ten foot construction zone location will be determined at the TRPA preconstruction meeting. The pier will be dismantled from the beach end to the lake end. The pilings will be removed by a clam-shell type attachment to the pile driver on the lark vessel. The second phase will consist of driving the new steel piles in a double (paired) piling style spaced 15 ft. apart, for the entire 210 ft. length of the pier. The new pilings will be driven whenever possible into the old piling holes of the previous structure. If this is not possible, the new pilings will be driven as close to the old hole as structurally permissible. The Pilings located below 6223 ft. will be driven by the pile driver mounted on the lark vessel while it is in the lake. Pilings located above the lake level will be accessed from the lark while within the 10 ft. construction zone. Both sides of the pier can be accessed by the pile driver from the construction zone. Next the H beams will be attached to the pilings, the stringers mounted on the H beams, the decking installed, and the boat lift constructed. This will all be accomplished within the existing footprint of the pier and boat hoist, plus the 10 ft. construction zone on one side of the pier.

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The materials generated by the demolition and materials for the reconstruction will be stored on the lark vessel or within the construction zone.

The mooring buoy is attached to the upper end of a one inch chain of which the lower end is attached to a cast concrete anchor which rests on the lake bottom displacing about three square feet.

CONSTRUCTION METHOD

This project is the removal and replacement of the existing piling with 10-3/4" diameter steel piling, "H" beam caps, wood stringers, and wood decking. The pier will be reconfigured as noted on the site plan to align the pier to straight from the shore line. The low level boat lift is proposed for the south side of the pier. Best practical control technology shall be employed to prevent earthen materials to be resuspended as a result of pier construction and from being transported to adjacent lake waters. The applicant shall install a turbidity screen around the entire construction site (in the water), or use caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities from entering the lake. Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris. If disturbed lakebottom sediments are found due to the construction activity associated with the installation of this project, the affected areas will be hand rolled and/or rock cobble to be hand picked to reconsolidate the lakebottom sediments. There will be no storage of materials above the low water line of the subject property. This will prevent disturbance of what may be considered Tahoe Yellow Cress Habitat.

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DESCRIPTION OF ENVIRONMENTAL SETTING

The proposed reconstruction project is located at 2020 West Lake Blvd., Placer County, California. This is a private residence in the Sunnyside area, approximately two miles south of Tahoe City on Highway 89 (West Lake Blvd.). The present use of the area is private recreation. A pier and boat hoist presently exist on site. The Sunnyside shoreline is primarily rocky, generally offering little habitat for Tahoe Yellow Cress (Rorippa subumbellata).

SITE DESCRIPTION

The Picard property and the two adjacent lots presently have piers. There is a back beach bank; the homes sit above the lake level on a small bluff. Although beach access is possible, the use of the piers does not require any foot traffic between the elevation of 6232 ft. and 6223 ft. The survey area includes both neighboring parcels, including pier and boat launch facilities to the south. There is an established path through the rocks on the north side of the Picard pier, probably created for boat launching of water access. The lake level was recorded at 6222.65 at Tahoe City on the date of the survey.

SUBSTRATE AND TOPOGRAPHY

The substrate on the site consists of large cobbles 3 to 9 inches in diameter overlaying small gravels to very coarse sand at a minimum depth of 2 inches. The larger cobbles have been cleared exposing the underlying gravels on a path running along the north side of the pier. The path widens at the mid-beach area to include a fire ring. Within the survey area there are no sand pockets.

The topography of the beach is a gentle steady upslope from 6222 ft up to a back beach bank at 6231 ft. The beach slope is slightly greater on the north side of the Picard pier. The south side of the pier appears to be fairly flat. At the maximum lake elevation, only a narrow beach exists at this site. At the present lake level, the beach has a width of 72 ft. No back beach depressions or wave berms are present. High and low water levels are indicated in relation to the pier on the attached map Exhibit "A" along with the topographic profile of the site.

VEGETATION

The vegetation is evenly distributed across the site, the greatest concentration being in the back beach area. Willow, mullein and willow herb are the most common, being scattered across the beach; the other species are found occasionally. The soil is very moist directly underneath the rocks and within one half inch of the surface of gravels along the path cleared of the rocks. No Tahoe Yellow Cress (TYC) (Rorippa subumbellata) was found in the area. Plant species observed between 6232' and 6223' at the Picard

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property are: moth mullein (Verbascum thapsis), sedge (Carex sp.), Currant (Ribes sp.), common monkey flower (Mimulus guttatus), mountain alder (Alnus tenuifolia), clover (Trifolium sp.), penstemon (Penstemon gracilis), willow herbs (Epilobium hornemanni and E. lactiflorum), willow (Salix sp.), rush (Juncus sp.), pine (Pinus sp.), thistle (Cirsium sp.).

CONCLUSIONS

TYC was not found within the survey area nor has it ever been documented to occur on this site. A collection of TYC At Sunnyside by Eastwood is listed in Smith's Flora of the Tahoe Basin (1984). No date of the collection was given. Recent surveys have failed to locate any TYC plants or area resembling good habitat. The closest documentation sighting of TYC to the Picard property in recent years is at Ward Creek to the south (Ferreira et al 1991). The beach at the mouth of the creek offers more sandy substrate with a wider beach available at high water. The rocky shoreline of the Sunnyside area and the lack of beach at maximum lake level greatly limits the potential for TYC habitat. The distance from Ward Creek without any habitat between the two sites also limits colonization potential. Besides willows, the typical plant species with which TYC is associated are not present at this site. The high soil moisture and presence of water loving species during a low water year, generally indicates that this site would probably support too much vegetative competition for TYC. The Picard property as surveyed on June 29, 1991 does not offer good potential or present habitat for TYC.

The shorezone in the area of the proposed project is mapped spawning habitat on the Prime Fish Habitat Maps identified by the Tahoe Regional Planning Agency. There are existing piers located approximately 20 feet north and 60 feet south of the Picard's property lines.

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DISCUSSION OF ENVIRONMENTAL EVALUATION
PICARD RECREATIONAL PIER
EXISTING BUOY, PIER REPAIR, AND NEW BOAT LIFT

PRC 2484

A. Earth

1. No. The pier reconstruction and boat lift project is confined to the surface and will not create any unstable conditions or change any geological structure. The existing buoy anchored by a concrete block which rests on the lake bottom substrate will not create any geological changes.
2. No. This operation will not overcover or disturb any new areas. The existing concrete buoy anchor covers about three square feet of lake bottom substrate. There will be no overcovering of upland soils.
3. No. This project will not create any changes in ground surface relief. There will not be any excavating. The mooring buoy anchor rest on the lake bottom substrate. This is a minimal impact.
4. No. The geology in the project area consists of glacial and alluvial deposits. The lake bed at the site is essentially flat and lacks unique features. The removal and driving of replacement piles for the pier and the H beam for the boat lift will not change any geological or physical features nor will the existing buoy anchor resting on the lake bed substrate.
5. No. This pier reconstruction project is simply repairing an existing structure and will have no effect on wind or water erosion on or off the site. The existing buoy anchor resting on the lake bottom will not cause any erosion or significant disturbance to the lake bed bottom profiles.
6. No. This project is a repair project confined to an existing structure which will not create any channel changes nor erosion of non-existent beach sands. The beach is comprised of cobble with no sand present to erode. The buoy anchor resting on the lake bed substrate will not cause any erosion or significant disturbance to lake bottom profiles.
7. No. The reconstruction of the existing pier and installation of the low level boat lift are not deep enough to induce any seismic instabilities or ground failures. No impacts are anticipated.

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B. Air

1. No. The reconstructed pier, boat lift, and existing buoy will not affect the air quality.
2. No. The reconstructed pier, boat lift, and buoy will not create objectionable odors. However, during construction hours, there will be about a four week period when fumes from the diesel engine will be noticeable in the immediate vicinity of the project.
3. No. The reconstructed pier, boat lift, and existing buoy will not create any major changes in air movements, temperature, or climate, nor create any abnormal weather conditions.

C. Water

1. No. The existing buoy, boat lift (H beam piling), and replaced piles supporting the pier are of a static nature and will not create any changes in water currents or movements.
2. No. The existing buoy, boat lift, and replaced pilings of the existing pier will not affect absorption rates, drainage patterns, etc. The area adjacent to the pier is submerged.
3. No. The repaired existing pier, boat lift, and existing buoy will not create any new effects upon flood waters.
4. No. The reconstructed pier, boat lift, and the existing buoy are static in nature and will not affect the surface water volume of Lake Tahoe.
5. No. Mitigation measures required by the Tahoe Regional Planning Agency (TRPA) include the applicant installing a turbidity screen around the entire construction site (in the water), or using caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile (includes H beams) placement activities from entering the lake. Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris. The reconstructed pier, boat lift, and existing buoy will not change the water quality.
6. No. The geology of the project area is composed of glacial and alluvial deposits. The replacement of the existing pilings, the H beam for the boat lift, and the existing buoy are all relatively shallow operations and should not affect not affect ground water flows.

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7. No. There will not be any changes to ground water quantity caused by the existing buoy, installed boat lift, or repaired pier.
8. No. The existing buoy, boat lift, and the repaired existing pier will have no effect on public water supplies. This project has nothing to do with water supplies.
9. No. The existing buoy, boat lift and repaired existing pier will not expose people or property to water-related hazards such as tidal waves or induce flooding.
10. No. There are no thermal springs in the vicinity. The project will not affect any thermal springs.

D. Plant Life

1. No. There will be a temporary change in aquatic sessile plants during the reconstruction period which will be approximately four weeks. This temporary change will only affect the construction area which will be isolated by a turbidity screen, caisson, etc. This will not constitute a permanent or significant change. The indigenous aquatic flora will shortly begin recolonizing the affected area after the project has been completed. The buoy anchor has more surface area for sessile aquatic plants to colonize than the lake bottom surface it occupies. The impact to aquatic plants will be temporary.
2. No. There are no rare or endangered species on the property. In the report for Tahoe Yellow Cress (Rorippa subumbellata) habitat, no TYC was found on the project property of adjacent properties.
3. No. The pier reconstruction and boat lift project and the existing buoy will not introduce new species to the area nor bar existing species from becoming established.
4. No. The reconstruction project and the existing buoy will not reduce the acreage of agricultural crops. There are no agriculture or aquaculture activities in this area; therefore, there will be no impacts.

E. Animal Life

1. No. There will be a temporary disruption in aquatic animal life confined to the actual reconstruction area by the turbidity screens. The construction period will be approximately four weeks. Upon completion of the project, the indigenous aquatic fauna will re-occupy any

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voids created during the repair operation. The reconstruction project will be conducted during the non-spawning season, identified to be between July 1, 1992 and September 15, 1992 to minimize the impact on fish spawning habitat. The existing buoy will not create any new effect on aquatic animal life because of its existence.

2. No. There have not been any rare or endangered aquatic animals reported within the project area.
3. No. The pier reconstruction and boat lift project will not introduce any new species to the area nor create a new barrier to aquatic animals.
4. No. The reconstruction project will not reduce the aquatic animal habitat area upon completion. The existing buoy will not change the existing habitat.

F. Noise

1. No. The repaired private recreational pier and new boat lift will not increase existing noise levels, nor will the existing buoy. There will be short term additional noises during the reconstruction period, but there will not be an increase in long term noise levels.
2. No. The repaired pier with its new boat lift will not create any new severe noise levels; however, there will be a temporary period when the noise levels increase during the period of reconstruction. Upon completion of the project, the noise levels will assume normality. The construction personnel will be subjected to higher noise levels, but they wear hearing protective devices. The general public will not be exposed to this increased noise level because the private property between the project and Highway 89 will act as a buffer. The existing buoy will not affect noise levels.

G. Light and Glare

1. No. Neither the reconstructed pier, boat lift, nor the existing buoy will result in creating new light or glare. The existing pier had lights on the hand rail, but no new lighting has been planned for this project.

H. Land Use

1. No. The repair of the existing private recreational pier and boat lift will not alter the present or planned use of the area. The existing pier and buoys serve a private

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residence and not the general public. There are presently buoys and piers on adjacent properties. There is a pier 20 feet to the north of the property line, and there is a gantry at 20 feet and a pier at 60 feet to the south of the property line. This project will not substantially alter the land use in the area.

I. Natural Resources.

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

J. Risk of Upset

1. No. The project involves the dismantling and reconstruction an existing pier. The lark vessel being used is diesel operated which reduces the risk of explosion. Hazardous materials are not to be used during the reconstruction phase, but mitigation measures have been planned in the event that there is an accidental spill. Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris. The use of a turbidity screen surrounding the construction area or caissons or vertical cylinders (sleeves) will be required to prevent the release of resuspended sediments during the pile placement activities from entering the lake during reconstruction. The past limited seasonal use of this and adjacent private family recreational piers have not demonstrated a risk of releasing hazardous substances, creating upset conditions, or explosions in the Lake Tahoe Basin. Precautions will be taken to minimize these risks.
2. No. The seasonal use of the Picard's existing private recreational pier, low level boat lift, and buoy will not create an interface with any emergency response or evacuation plan.

K. Population

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

L. Housing

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1. No. Neither this existing private recreational pier, boat lift, nor the existing buoy will create a demand for additional housing.

M. Transportation/Circulation

1. No. This is a private residence and the pier, boat lift, and existing buoy is for the benefit of the members of the Picard family and not the general public. There are no facilities being added to attract more people. The use of this private residence will not be changed by this project nor will there be any substantial increase in vehicle movement created by this project.
2. No. See #1 above.
3. No. See #1 above.
4. No. See #1 above.
5. No. See #1 above.
6. No. See #1 above.

N. Public Services

1. No. This is a private residence and the repaired pier, boat lift, and the existing buoy will not create any additional use or increase of use by the general public. This project will not create any new demands on government agencies and services such as fire, police protection, parks and recreation, road maintenance, etc.
2. No. See #1 above.
3. No. See #1 above.
4. No. See #1 above.
5. No. See #1 above.
6. No. See #1 above.

O. Energy

1. No. This pier repair project and existing buoy will not have any affect on additional energy consumption. The boat lift is powered by a 1 hp., single phase 230 volt, 60 cycle, 7.15 amp electric motor. This is equivalent to about sixteen 100 watt light bulbs. The lift is only used when lowering or raising the boat. This use will

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not constitute a substantial increase in energy being used in the Lake Tahoe Basin.

2. No. See #1 above.

P. Utilities

1. No. The reconstruction of the private recreational pier and the existing buoy will not create any changes in utilities. This project is for the private benefit of the Picard family. There will be no additions to the existing facilities which will significantly affect the current uses of power, communications, water, septic tanks, storm water drainage, or solid waste disposal.
2. No. See #1 above.
3. No. See #1 above.
4. No. See #1 above.
5. No. See #1 above.
6. No. See #1 above.

Q. Human Health

1. No. This repaired private recreational pier, boat lift, and existing buoy will not create any new health hazards to humans.
2. No. The existing buoy and repaired private recreational pier will not expose people to any new potential health hazards.

R. Aesthetics

1. No. The Picard's recreational pier and buoy are existing facilities. There are no new facilities being added. The reconstruction of the pier will not be a distraction from the aesthetics of this residential recreational area consisting of homes, piers, buoys and boats.

S. Recreation

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

T. Cultural Resources

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1. No. This project consists of repairing an existing private recreational pier, installing a boat lift adjacent to the pier, and maintaining an existing buoy. There are no identified cultural, ethnic, religious, or sacred uses pertinent to this project area.
2. No. See No.# 1 above.
3. No. See No.# 1 above.
4. No. See No.# 1 above.

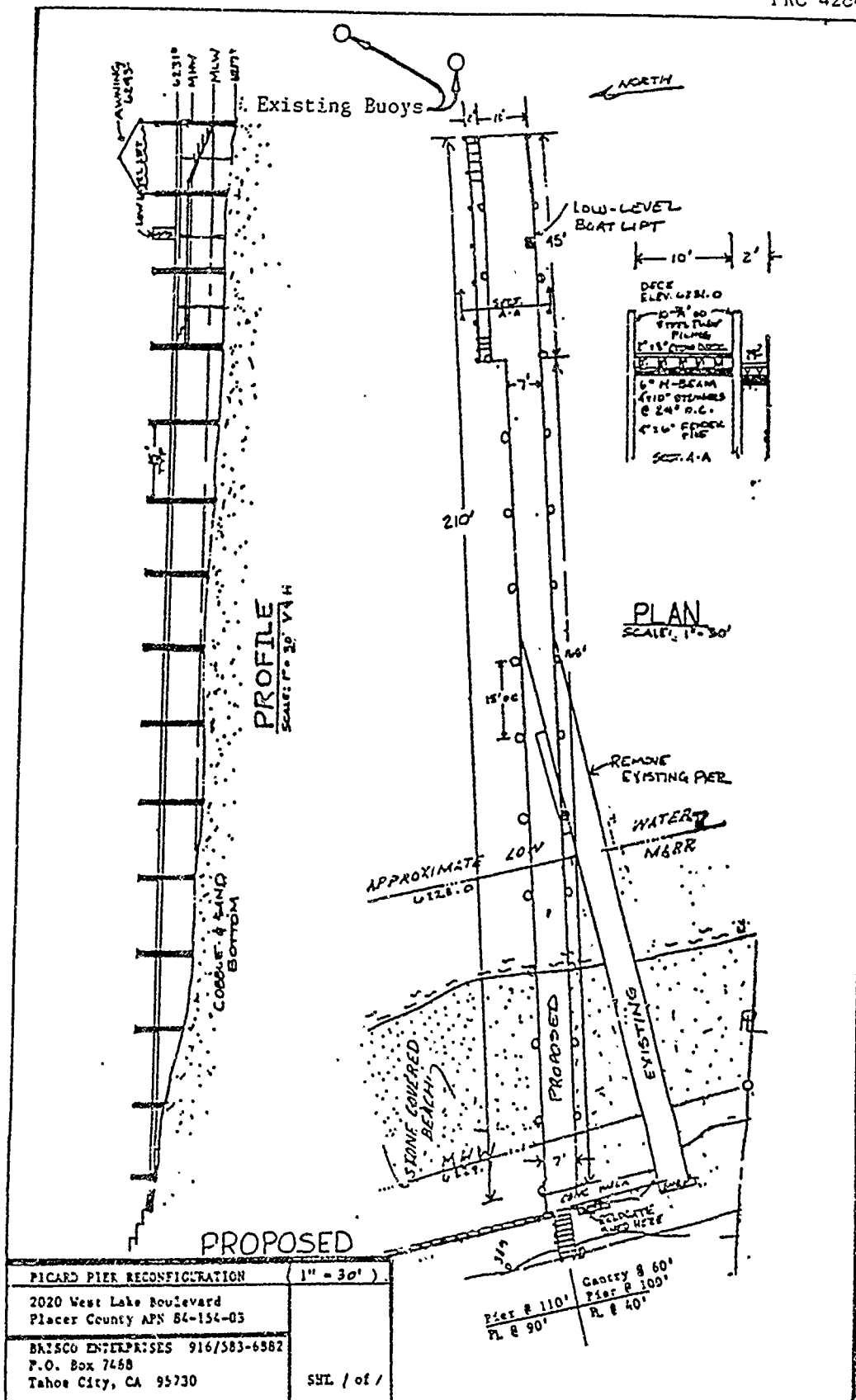
U. Mandatory Findings of Significance

1. No. The pier is only to be repaired. There will be about a four week period during reconstruction when the indigenous aquatic biota will be displaced but will recolonize and return to normal after the project is completed. Mitigation measures, including turbidity screens or caissons or vertical sleeves will be incorporated to protect Lake Tahoe during the reconstruction phase of the operation. The existing buoy will not create any new significant effects.
2. No. There will be a short term, approximately four weeks, disruption of the marine environment in the immediate vicinity of the pier being repaired. This area will be separated by a turbidity screen or the use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities as determined by TRPA. Upon completion of the project, the indigenous marine biota will re-colonize and fill any voids created during the pier reconstruction. There will not be any long term significant changes created by this project.
3. No. The Picard's private family recreational pier is an existing facility. The pier repair project, the boat lift, and the existing buoy do not add or create impacts which will increase the propensity for considerable cumulative effects.
4. No. This private pier reconstruction project, boat lift, and the existing buoy will not create any new environmental effects which could create a significant adverse effect on human beings.

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EXHIBIT "A"
LAND DESCRIPTION

PRC 4284



PICARD PIER RECONFIGURATION (1" = 30')	
2020 West Lake Boulevard Placer County APN 84-154-03	
BRISCO ENTERPRISES 916/583-6882 P.O. Box 7458 Tahoe City, CA 95730	SRL / of /

Pier # 110' R. @ 90'
Capacity 8 60'
Pier # 109' R. @ 40'

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PREPARED MAY 8, 1990 BY SAS.

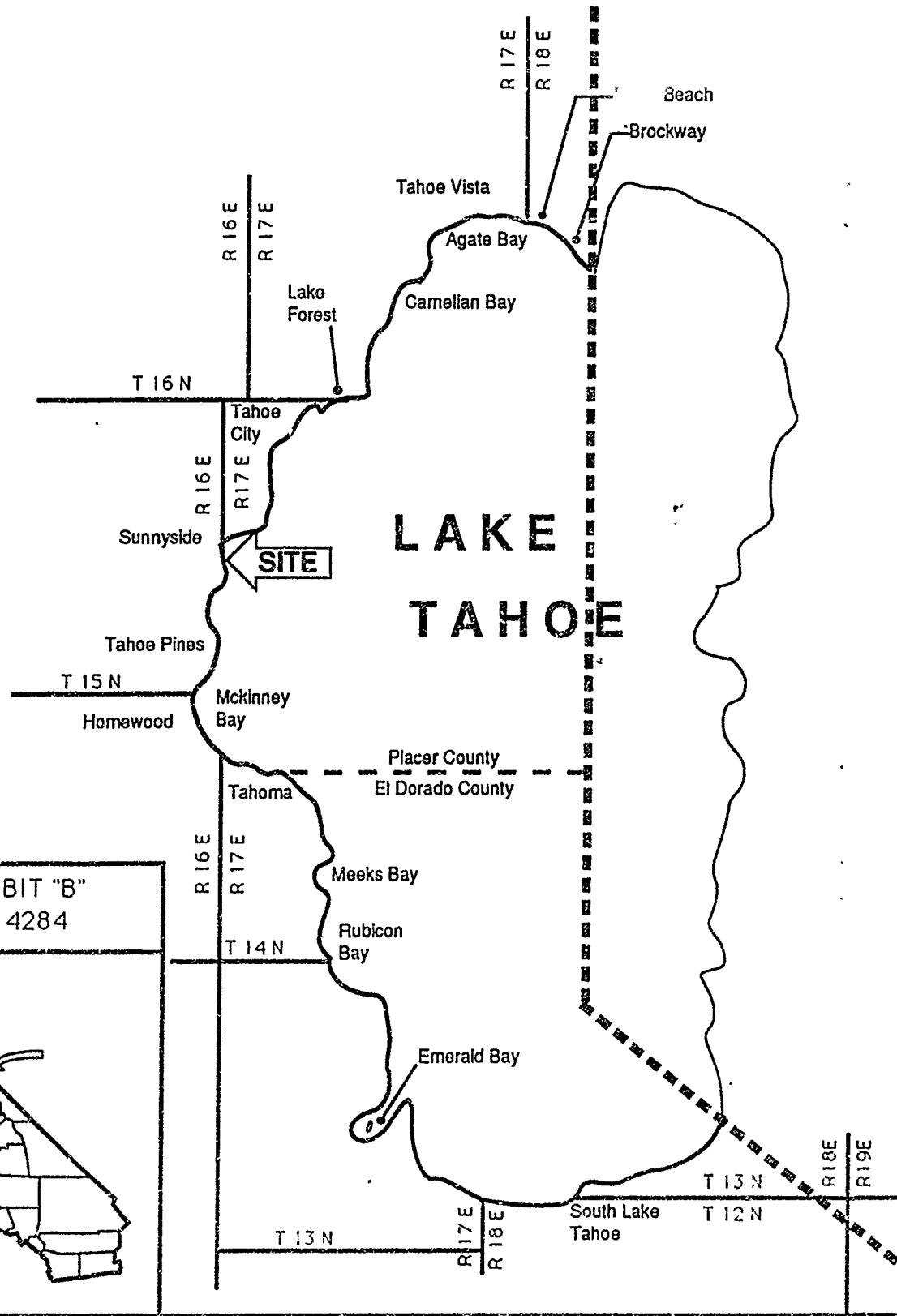


EXHIBIT "B"
PRC 4284



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MONITORING PROGRAM
FOR THE PICARD PIER RECONSTRUCTION AND BOAT LIFT

1. **Impact:** The proposed project may cause minimal turbidity to lake waters during the driving of piling into the lake bed, and there is the possibility of an upset or spill of construction materials or debris.

Project Modification:

- a) The use of either a turbidity screen surrounding the project area will be installed prior to the commencement of operations or the use of caissons or vertical cylinders (sleeves) to prevent the release of resuspended sediments during pile placement activities will be determined by TRPA prior to construction;
- b) Small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris; and,
- c) Waste materials will be collected onto the lark vehicle or dumpsters for disposal at an approved landfill site.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically monitor the pier reconstruction and boat lift project during the placement of the pilings.

2. **Impact:** The proposed project is located in designated fish spawning habitat and could have an impact on the habitat.

Project Modification:

The pier reconstruction project involving disturbance to the lake bed will be conducted during the non-spawning season, identified to be between July 1 - September 15, to reduce impacts to fish habitat.

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Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically site inspect the pier reconstruction project to ensure the proposed activity will occur within the allowable construction time period.

3. Impact: The proposed pier reconstruction would be located in an area identified by the California Department of Fish and Game as being habitat for the State-listed, endangered plant Rorippa subumbellata, Roll.

Project Modification:

The applicant has incorporated the Interim Guidelines for Construction, Access and Conservation of Rorippa subumbellata, Roll. into their project description to protect the plant species and its habitat from significant impacts.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will survey the proposed construction site before construction begins to determine whether any plants have been established since the soils and vegetation survey of June, 1991, and ensure implementation of the Interim Guidelines, attached.

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INTERIM MANAGEMENT PROGRAM
FOR Rorippa subumbellata Roll.
(TAHOE YELLOW CRESS)

An interim management plan has been developed to eliminate the impacts caused by the construction of piers and appurtenant facilities along the shoreline of Lake Tahoe and to protect *Rorippa subumbellata* Roll. and its habitat from degradation. This interim plan will function until the final management plan is completed. This interim plan has the following elements: 1) the minimization of the area disturbed due to construction and access to and from the pier; and 2) conservation measures for the species along the shoreline of Lake Tahoe. These interim guidelines apply to any pier project which will disturb the Lake Tahoe shoreline between the elevations 6220' and 6232' LTD.

Construction and Access Guidelines

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

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

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

Conservation Guidelines

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

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

Other

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

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