

MINUTE ITEM 10

MINUTE ITEM
This Calendar Item No. 10
was approved as Minute Item
No. 10 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/92
meeting. PRC 3044

Judy Ludlow

ASSIGNMENT AND AMENDMENT OF
GENERAL PERMIT – RECREATIONAL USE PRC 3044

After considerable discussion, the construction portion was approved and the rent issue will be resolved at the next Commission Meeting.

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CALENDAR ITEM

C 1 0

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09/23/92
PRC 3044
J. Ludlow

ASSIGNMENT AND AMENDMENT OF
GENERAL PERMIT - RECREATIONAL USE PRC 3044

ASSIGNOR:

Perini Lake Tahoe Properties, Inc.
75 Broadway
San Francisco, California 94111

ASSIGNEE:

Chambers Landing II Homeowners Association
P. O. Box 537
Homewood, California 96141

AREA, TYPE LAND AND LOCATION:

A parcel of submerged land located in Lake Tahoe near
Homewood, Placer County.

LAND USE:

Continued use and maintenance of a multi-use pier,
retention, and reconfiguration of a buoy field containing
forty six (46) existing and previously unauthorized buoys,
and retention, use, and maintenance of an existing and
previously unauthorized swim area.

TERMS OF LEASE TO BE ASSIGNED AND AMENDED:

Initial period:

Fifteen (15) years beginning October 8, 1984

Public Liability Insurance:

Combined single limit coverage of \$500,000 per
occurrence for bodily injury and property damage.

CALENDAR ITEM NO. C 1 0 (CONT'D)

CONSIDERATION:

\$4,282 per annum, effective October 8, 1992, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003

APPLICANT STATUS:

Applicant is owner of the upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee, processing fee, and environmental fees 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:

Assignment: N/A
Amendment: 10/13/92

OTHER PERTINENT INFORMATION:

1. As to the assignment, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines.
2. As to the amendment, 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 599, State Clearinghouse No. 92072037. 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).

CALENDAR ITEM NO. C 1 A (CONT'D)

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. By Minute Item 3, at its April 25, 1985 meeting, the Commission approved the issuance of this permit to the Assignor, Perini Lake Tahoe Properties, Inc., the developer of the upland condominiums. Since that time, the majority of units have been sold and the common area adjacent to the structures is partially vested in each unit owner, the Chambers Landing II Homeowner's Association (Association).
5. The lease area shall be increased from 0.041 acre to 1.33 acres to accommodate the existing pier, buoy field, and swim area.
6. The buoy field will be constructed in accordance with all conditions, as set forth in Negative Declaration, State Clearinghouse No. 92072037.
7. The buoy field will be constructed in accordance with all of the rules and regulations as determined by lessor and other regulatory agencies.
8. The buoys are owned by the Association and the ownership of the buoys will remain in the Association.
9. The buoys are for the use of the Association members and will not be rented out by the Association or any member.
10. The Association shall provide for the use of the buoys by all members of the Association in an equitable manner.
11. The permittee does not meet the criteria for a rent-free status because some of permittee's members are not "natural persons". P.R.C. Section 6503.5 requires that, to be eligible for a rent-free recreational pier

CALENDAR ITEM NO. C 1 9 (CONT'D)

permit, an association or nonprofit corporation must "consist of natural persons".

Permittee's prior rental (\$353.80) was prorated to reflect the ratio of natural to non-natural members of the association. Based on an opinion of staff counsel, proration is not allowed by the statute. Permittee's current rental (\$4,282) reflects the elimination of the proration and rent-free status and is based on an April 1992 appraisal prepared by staff.

12. The annual rent will increase to \$4,282 effective October 8, 1992.
13. The permit is conditioned on the public's right of access along the shorezone below the high water line (Elevation 6,228.75 feet, Lake Tahoe Datum), pursuant to the holding in State v. Superior Court (2 Cal. 3d240 (1981)), and provides that the permittee must provide a reasonable means for public passage along the shorezone, including, but not limited to, the area occupied by the authorized improvements.
14. The permittee agrees to post "Public Access" signs at elevation 6,228.75, L.T.D. at the Association's most southeasterly and northwesterly property boundaries advising the public of its right of passage.
15. The permit includes specific provisions by which the permittee agrees to protect and replace or restore, if required, *Rorippa subumbellata*, roll, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species, or its habitat.
16. Staff has determined that the Department of Fish and Game fee, pursuant to AB 3158, Chapter 1706, Statutes of 1990 (Section 711.4 of the Fish and Game Code) is applicable to the project, as presented herein.
17. The subject property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.

CALENDAR ITEM NO. 0 1 0 (CONT'D)

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, Placer County, and United States Army Corps of Engineers (Permit No. 199100562)

FURTHER APPROVALS REQUIRED:

State Lands Commission

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE ASSIGNMENT, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. AS TO THE AMENDMENT, CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 599 STATE CLEARINGHOUSE NO. 92072037, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. ADOPT THE NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
5. AUTHORIZE APPROVAL OF THE ASSIGNMENT OF LEASE PRC 3044, GENERAL PERMIT - RECREATIONAL USE, FROM PERINI LAKE TAHOE PROPERTY, INC. TO CHAMBERS LANDING II HOMEOWNERS ASSOCIATION, EFFECTIVE AUGUST 30, 1992.
6. AUTHORIZE APPROVAL OF THE AMENDMENT TO LEASE PRC 3044, ISSUED TO CHAMBERS LANDING II HOMEOWNERS ASSOCIATION, EFFECTIVE AUGUST 30, 1992, FOR (1) THE CONTINUED USE AND MAINTENANCE OF A MULTI-USE PIER; (2) RETENTION AND

CALENDAR ITEM NO C 1 0 (CONT'D)

RECONFIGURATION OF AN EXISTING BUOY FIELD CONTAINING FORTY-SIX (46) MOORING BUOYS; (3) THE RETENTION, USE AND MAINTENANCE OF AN EXISTING SWIM AREA; (4) AN INCREASE IN THE LEASED AREA FROM 0.041 ACRES TO 1.33 ACRES; AND (5) AN INCREASE IN THE ANNUAL RENTAL TO \$4,282, EFFECTIVE OCTOBER 8, 1992, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

PRC 3044

LAND DESCRIPTION

Forty-eight (48) parcels of submerged land in the State owned bed of Lake Tahoe, Placer County, State of California, more particularly described as follows:

PARCEL 1 - Pier

A parcel of submerged land situated between points 36 and 37 as shown on map sheet 3 of 22 of the survey performed by the State of California, State Lands Commission, State Lands Division, filed in Book 2 of Surveys, page 71, records of said County, said parcel described as follows :

COMMENCING at said point 36 having California Coordinate System, Zone II, NAD 1927 coordinates of X = 2,527,249 and Y = 518,225, as shown on said map; thence along the line between said points 36 and 37 N 66° 20' 45" W, a distance of 40.00 feet to the POINT OF BEGINNING; thence N 22° 15' 15" E, a distance of 63.50 feet; thence N 67° 44' 45" W, a distance of 28.00 feet; thence S 22° 15' 15" W, a distance of 500.00 feet; thence S 67° 44' 45" E, a distance of 28.00 feet; thence N 22° 15' 15" E, a distance of 436.50 feet to the point of beginning.

PARCEL 2 - Swim Area

A parcel of submerged land situated between points 32 and 35 as shown on map sheet 3 of 22 of the survey performed by the State of California, State Lands Commission, State Lands Division, filed in Book 2 of Surveys, page 71, records of said County, said parcel described as follows :

BEGINNING at a point having California Coordinate System, Zone II, NAD 1927 coordinates of X = 2,527,858.486 and Y = 518,903.097, said point situated between the abovementioned points 32 and 33 as shown on said map; thence N 27° 00' 00" W along the westerly line of PRC 5499 a distance of 76.30 feet; thence N 80° 20' 24" W, a distance of 80.00 feet; thence S 09° 39' 36" W, a distance of 64.01 feet to a point on the line between points 35 and 34 of said map; thence S 60° 05' 30" W, a distance of 20.52 feet to said point 34; thence S 80° 20' 24" E, a distance of 96.34 feet to point 33 of said map; thence N 54° 49' 09" E, a distance of 14.05 feet to the point of beginning.

EXCEPTING THEREFROM of the abovementioned Parcels 1 and 2 any portion lying landward of the ordinary low water mark.

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PARCELS 3 through 48 - Buoys

One hundred and forty six circular parcels of submerged land, each having a diameter of 40 feet, said parcels lying southerly and easterly of the above mentioned pier.

END OF DESCRIPTION

REVISED MARCH, 1992 BY LLB.

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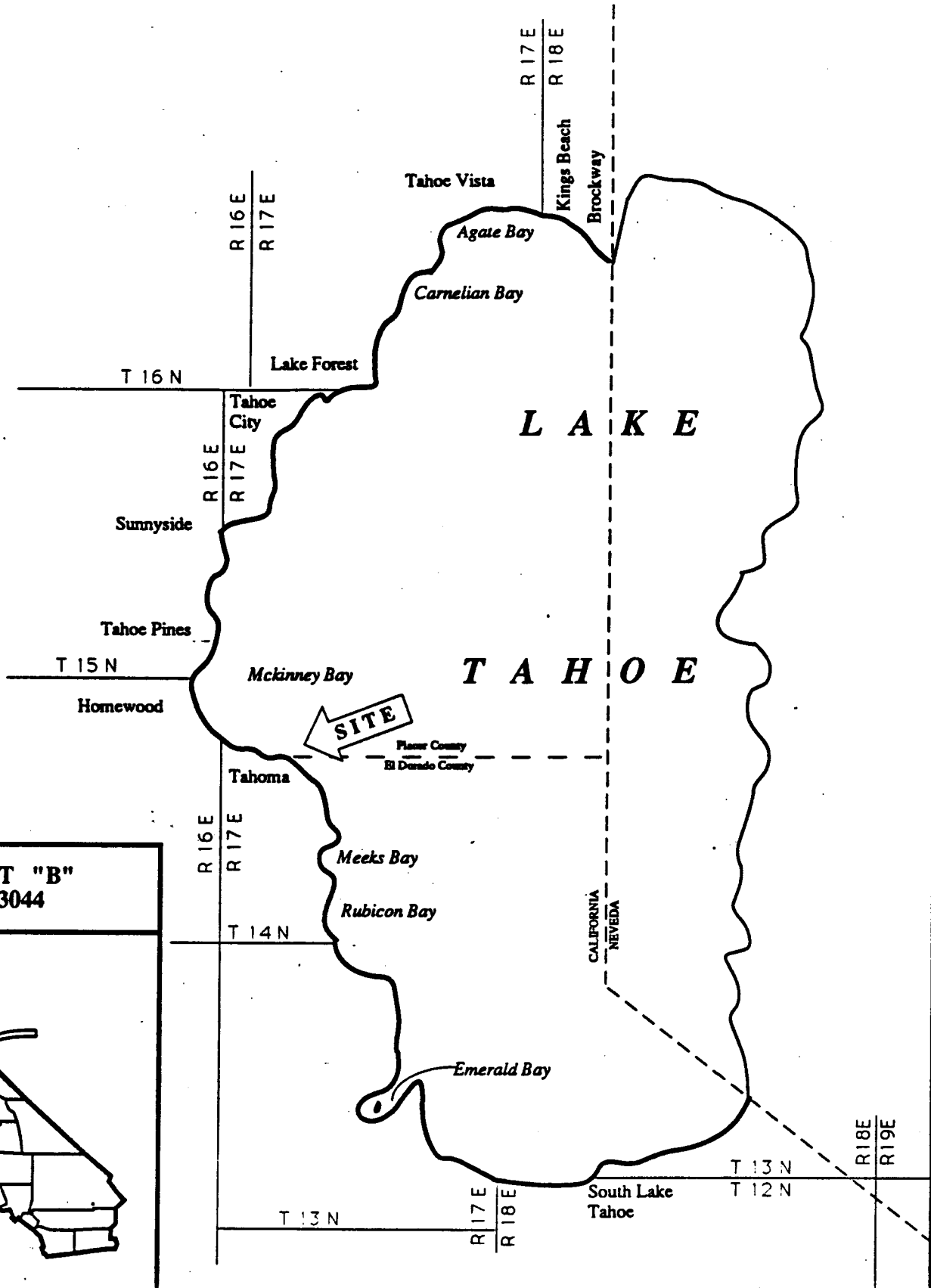


EXHIBIT "B"
PRC 3044



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EXHIBIT "C"

Date 3-2-92

File Ref: PRC 3044

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

Auth. existing H.O. pier, 46 buoys and swim area

Subject: Building Permit for Pier

Name: Chambers Landing Homeowners Association

Address Attn: David B. Hansen

P.O. Box 537

Homewood, CA 96141

Placer County Assessor's Parcel No. 98-010-19


Upland Address: 6380 Westlake Blvd. Homewood

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,


For JAN CHRISTIAN
Associate Civil Engineer

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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

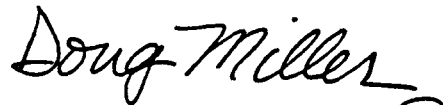
July 10, 1992
File: PRC 3044
ND 599

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 August 12, 1992.

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



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 9
CHARLES WARREN
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: PRC 3044
ND 599
SCH No. 92072037

Project Title: Chambers Landing II HOA Buoy Field Reconfiguration

Proponents: Dave Hanson

Project Location: 6380 West Lake Blvd., APN 98-010-19, Homewood, Lake Tahoe, Placer County.

Project Description: Proposed authorization to reconfigure and use the existing buoy field consisting of 46 buoys.

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 3044

I. BACKGROUND INFORMATION

- A. Applicant: Chambers Landing II HOA
6380 West Lake Blvd.
Homewood, CA 96141
- B. Checklist Date: 7 / 10 / 92
- C. Contact Person: Doug Miller
 Telephone: (916) 322-7826
- D. Purpose: Reconfigure buoy field to conform to TRPA and U.S. Army Corps of Engineers regulations.
- E. Location: 6380 West Lake Blvd., Homewood, CA, APN 98-010-19, Lake Tahoe, Placer Co.
- F. Description: Proposed authorization to reconfigure and use the existing buoy field consisting of 46 buoys.
- G. Persons Contacted: Kevin Agan, Vail Engineering
Ginger Tippett, U.S. Army Corps of Engineers

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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Yes Maybe No

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

- 1. Substantial air emissions or deterioration of ambient air quality? Yes Maybe No
- 2. The creation of objectionable odors? Yes Maybe No
- 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? Yes Maybe No

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? Yes Maybe No
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff? Yes Maybe No
- 3. Alterations to the course or flow of flood waters? Yes Maybe No
- 4. Change in the amount of surface water in any water body? Yes Maybe No
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? Yes Maybe No
- 6. Alteration of the direction or rate of flow of ground waters? Yes Maybe No
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? Yes Maybe No
- 8. Substantial reduction in the amount of water otherwise available for public water supplies? Yes Maybe No
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves? Yes Maybe No
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs? Yes Maybe No

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)? Yes Maybe No
- 2. Reduction of the numbers of any unique, rare or endangered species of plants? Yes Maybe No
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? Yes Maybe No
- 4. Reduction in acreage of any agricultural crop? Yes Maybe No

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)? Yes Maybe No
- 2. Reduction of the numbers of any unique, rare or endangered species of animals? Yes Maybe No
- 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? Yes Maybe No
- 4. Deterioration to existing fish or wildlife habitat? Yes Maybe No

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

- 1. Increase in existing noise levels? Yes Maybe No
- 2. Exposure of people to severe noise levels? Yes Maybe No

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

- 1. The production of new light or glare? Yes Maybe No

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

- 1. A substantial alteration of the present or planned land use of an area? Yes Maybe No

I. *Natural Resources.* Will the proposal result in:

- 1. Increase in the rate of use of any natural resources? Yes Maybe No
- 2. Substantial depletion of any nonrenewable resources? Yes Maybe No

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		Yes	Maybe	No
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?	<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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
S. Recreation. Will the proposal result in:				
1.	An impact upon the quality or quantity of existing recreational opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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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)*

(see attached)

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date: 7 / 10 / 92

Doug Miller
 For the State Lands Commission 4 171
 DATE PAGE Form 12-90 2784

PROJECT DESCRIPTIONPROJECT NARRATIVE

PRC 3044.1 authorized the use of an existing recreational pier. This project proposes authorization to use an existing unauthorized swimming area and reconfigure and use of an existing unauthorized buoy field. The existing 46 buoys will be repositioned to form a 50 foot grid pattern in accordance with the codes and placement standards of the applicable permitting agencies. This project will physically reduce the area of the existing buoy field from 191,333 square feet (4.3 acres) to 77,500 square feet (1.8 acres). This will be a reduction of greater than half the original area. The swimming area has been in use for over 30 years. The 1970 aerial photographs depicted the buoy fields existence prior to 1976.

CONSTRUCTION METHOD

BUOY FIELD

The collection, inspection, and repositioning of the existing buoys will be accomplished by a barge with hoist. All construction wastes will be collected on the barge and disposed of at the nearest dumpster/sanitary landfill site. The buoy field will be laid out on a 50 foot grid system. After placement of the buoys into a grid pattern, no modification of this field will occur with the exception of a regular maintenance program. The regular maintenance program includes annual removal of all buoys and chains during the non-boating season from October 1 to May 1 to facilitate the Department of Fish and Games (DF&G) request to promote angling.

SWIMMING AREA

The existing swimming area has been in use over thirty years. There will not be any construction connected with this area. The area is marked off with buoys and flotation rope to keep anglers and boats separated from the sun bathers and swimmers. The area of the swimming area below the low water line covers about 1/2 acre.

DESCRIPTION OF ENVIRONMENTAL SETTING

PRC 3044.1

The proposed project is adjacent (lakeward) to the Chambers Landing Home Owners Association (HOA) subdivision located south of Homewood, Placer County, Lake Tahoe, California at 6380 West Lake Blvd. Homewood, Ca. 96141. This parcel is described as APN. 98-010-19 and this subdivision is a 3,722,000 square foot (85.45 acres) parcel located upland of the shore of the lake. The upland is well vegetated with native species and has been retrofitted with BMPs.

The proposed project is located within an area that is mapped as spawning habitat on the Prime Fish Habitat Maps identified by the Tahoe Regional Planning Agency. The Department of Fish and Game has determined that the repositioning of the buoys may take place between July 1 and October 1, so as not to interfere with the fish spawning season. There are existing piers located approximately 150 feet north and 700 feet south of the Chambers Landing II HOA existing authorized pier.

At the northern end of the Chambers Landing II property the beach is comprised of cobble and rock and is not used for recreation. The cobble gives way to sand from north to south. At the southern end of the of the Chambers landing II property, the public beach is sand. The swimming area is located in the sandy area. The entire buoy field relocation project is over the sandy substrate. The entire project is below 6223 feet elevation and no part of the operation will approach the shoreline. The closest buoy to the mean low water line of 6223 is approximately 150 feet lakeward over the sandy substrate. The existing unauthorized swimming area is located at the southeastern corner of the parcel in Lake Tahoe.

DISCUSSION OF ENVIRONMENTAL EVALUATION
CHAMBERS LANDING II HOME OWNERS RECREATIONAL
BUOY FIELD RECONFIGURATION PROJECT
AND EXISTING SWIMMING AREA

PRC 5423.9

A. Earth

1. Earth Conditions

No. The buoy field relocation project is confined to the surface and will not create any unstable conditions or change any geological structure. The existing swimming area is seasonal and static in nature and will not change any geological structures.

2. Compaction, Overcovering of Soil

No. The existing swimming area will not affect compaction or overcovering of soil. Each buoy anchor covers about three square feet of lake bottom's substrate on a 50 foot grid spacing. This existing buoy field presently overcovers about 138 square feet of lake bottom and the reconfiguration of the buoy field is only changing the position of the buoys within the field which has nothing to do with additional compaction or overcovering of soil. This project does not involve any excavation or filling of earthen materials. This project will not create any new significant impacts to the lakebed.

3. Topography

No. This project will not create any changes in ground surface relief. The existing swimming area will not be changed or modified. The buoy anchors rest on the lake bottom and will not alter the topography of the substrate. This project does not involve any excavation or filling of earthen materials. This project will not create any new significant permanent impacts to ground surface relief.

4. Unique Features

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 relocation of the buoy field and the existing swimming area will not change any geological or physical features of the lakebed.

5. Erosion

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No. The buoys will be relocated and placed on a 50 foot grid system and will not create any new erosion. There is no change in the existing unauthorized swimming area which could be classified as significant.

6. Siltation

No. This buoy relocation and existing swimming area project will not create any channel changes nor affect siltation.

7. Geologic Hazards

No. The relocation of the existing buoy field is a relatively static operation and not likely to induce any seismic instabilities or ground failures. The use of the existing swimming area and the buoy anchors being relocated on the lake bottom 50 feet apart will not create any new significant geological impacts or hazards.

B. Air

1. Emissions

No. The reconfigured buoy field will not affect the air quality. However, during the relocation or construction hours, there will be about a one week period when fumes from the diesel engine on the barge will be emitted in the immediate vicinity of the project. These emissions will be immediately dispersed by the prevailing winds. There will be some emissions from motor boats, but these will be immediately dispersed by the constantly prevailing wind. Upon completion this proposed project will not create any new significant emissions.

2. Odors

No. The relocated buoys will not create objectionable odors. However, during construction hours, there will be about a one week period when fumes from the diesel engine on the barge will be noticeable in the immediate vicinity of the project. These emissions will be immediately dispersed by the prevailing winds. There may be some odors from the motor boats, but these will be immediately dispersed by the constantly prevailing wind. Upon completion this proposed project will not create any new significant emissions.

3. Climate

No. The use of the existing swimming area and the relocated buoys will not create any major changes in air movements, temperature, climate, nor create any abnormal

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. weather conditions.

C. Water

1. Currents

No. The existing swimming area and the open 50 foot spacing of the relocated buoys are of a static nature and will not create any changes in water currents or movements.

2. Runoff

No. The existing swimming area and the relocation and open design of the 50 foot spacing of the buoys are of a static nature and will not affect absorption rates, drainage patterns, etc. The entire project area is submerged.

3. Flood Waters

No. The relocation of the buoys and the existing swimming area will not create any new effects upon flood waters.

4. Surface Water

No. The existing swimming area and the relocation of the buoys are both static in nature and will not affect the area of surface water at Lake Tahoe. The buoys and chains will be removed during the non boating season from Labor Day until Memorial Day. This project will not create any significant changes to the surface water of Lake Tahoe.

5. Turbidity

No. The relocated buoys will not change the water quality. The relocation process will take about a week. This project will not create any new significant effects affecting turbidity upon completion. The existing swimming area has not created any noticeable significant effects on turbidity over the past 30 years and is not anticipated to in the future.

6. Ground Water Flows

No. The geology of the project area is composed of glacial and alluvial deposits. The replacement of the buoys is a relatively shallow operation and should not affect ground water flows. The existing swimming area will not affect any ground water flows.

7. Ground Water Quantity

No. This project will not alter any aquifers nor consume any ground water. There will not be any changes to ground water quantity caused by the relocation of the buoys.

8. Water Supplies

No. This is not a water consuming project. The upland area is a private homeowners subdivision which buffers this project from any public water supplies. The relocated buoy field will have no effect on public water supplies.

9. Flooding

No. The existing swimming area and the relocated buoy field will not expose people or property to water-related hazards such as tidal waves or induce flooding.

10. Thermal Springs

No. There are no thermal springs in the vicinity which could be affected by this project.

D. Plant Life

1. Species Diversity

No. The swimming area has been in use for over 30 years on a seasonal basis and its use will not be changed. There could be a temporary change in aquatic sessile plants during the buoy relocation period which will be approximately one week. This will not constitute a permanent or significant change. The buoy anchors placed on the sandy substrate will provide strata for aquatic sessile plants. The indigenous aquatic flora will shortly begin recolonizing the affected areas after the project has been completed. The impact to aquatic plants will be temporary and the pier anchors on the sandy substrate will actually enhance aquatic sessile plants.

2. Endangered Species

No. This project is located below the low water contour of 6,223 feet which is sand substrate. The project is located in the water and not near any upland plants. The buoys will be relocated by a barge in the water. The existing seasonal swimming area will not create any new environmental changes.

3. Introduction of Plants

No. This existing swimming area and buoy field relocation project will not introduce new species to the area nor exclude existing species from becoming established.

4. Agriculture Crops

No. This existing swimming area and buoy field relocation project will not reduce the acreage of agricultural crops. There are no known agriculture or aquaculture activities in this area; therefore, there will be no impacts.

E. Animal Life

1. Species Diversity

No. The existing swimming area is not being altered; therefore, will not create any changes to species diversity. There will be a temporary disruption in aquatic animal life confined to the actual buoys being relocated. The temporary disruption will last about one week while the buoys and their anchors are being relocated. The buoy anchors could displace some small burrowing animals at a rate of three square feet per anchor or 138 square feet for the total buoy field on the sandy substrate; however, the buoys are only being repositioned and no additional areas will be removed as habitat. The buoy anchors will create artificial structures on the flat sandy substrate for small aquatic animals to use for escape. Upon completion of the project, the indigenous aquatic fauna will begin to re-occupy any voids created during the reconfiguration operation. The buoy field relocation project will be conducted during the non-spawning season, identified to be between July 1, and October 1, by TRPA to minimize the impact on fish spawning habitat. The buoys and chains will be removed during the non boating season from Labor Day to Memorial Day. The reconfigured buoy field will actually be less than half the original size when the project is completed. This will allow anglers to fish additional areas previously protected by the buoy field. The relocated buoy field will benefit aquatic fauna and will not create any adverse significant effects affecting species diversity.

2. Endangered Species

No. There have not been any rare or endangered aquatic animals reported within the project area. No impacts are anticipated.

3. Introduction of Plants

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No. The existing swimming area and buoy field reconfiguration will not introduce any new species to the area nor create a new barrier to aquatic animals.

4. Habitat Deterioration

No. This project, as a result of the reduction in size of the buoy field, will increase the aquatic animal habitat area upon completion.

F. Noise

1. Increases

No. The existing swimming area and the completed buoy field reconfiguration project will not increase existing noise levels. There will be short term additional noises for about a week during the buoy relocation period, but there will not be an increase in long term noise levels. There will be some noise caused by motorboats; however, the members of the HOA normally are not all at the lake at the same time nor do they use their boats at the same time. There is a 5 mph speed limit which will also help minimize any noise from motor boats. There will not be any new increases in ambient noise levels generated from this proposed project which can be considered significant.

2. Severe Noise

No. The existing swimming area and the reconfigured buoy field will not create any new severe noise levels; however, there will be a temporary period when the ambient noise levels increase during the period when the buoys are being relocated. Upon completion of the project, noise levels will return to normal. The construction personnel will be subjected to higher noise levels, but they wear hearing protective devices. There is a 5 mph speed limit which will also help minimize any additional noise from motor boats. Increases in severe noise levels from the proposed buoy relocation are of a temporary nature and not considered significant.

G. Light and Glare

1. No. There will be no changes associated with the existing swimming area; therefore, there will not be any changes to light and glare. The reconfiguration of the buoy field will not result in creating any new significant light or glare. Since the swimming area and the buoy field are not visible from the highway, but hidden by the subdivision, this project will not create

any new significant effects on light and glare.

H. Land Use

1. No. The authorized use of the existing swimming area and reconfiguration of the buoy field will not alter the present or planned use of the area. The existing swimming area and buoy field serves a private HOA and not the general public. There are presently piers and buoys on adjacent properties. This project will not substantially alter the land use in the area.

I. Natural Resources

1. Increase in Use

No. The continued seasonal recreational use of this existing swimming area and buoy field by the Chambers Landing HOA will not create any new significant effects upon the use rate of the natural resources.

2. Depletion of any Nonrenewable Resources

No. The Chambers Landing HOA's seasonal use of their existing swimming area and buoy field will not create any changes which could deplete any nonrenewable resource.

J. Risk of Upset

1. Risk of Explosion

No. The authorized use of the existing swimming area poses no risk of explosion. The relocation of the buoys poses very little risk of explosion. There is always the possibility of risk of explosion from motor boats colliding and gasoline fumes igniting; however, there is a 5 mph speed limit which will minimize this possibility. There is no fuel facility at the dock which will also help minimize the possibility of explosion. The past limited seasonal use of this and adjacent private recreational piers have not demonstrated a risk of releasing hazardous substances, creating upset conditions, or creating explosions in the Lake Tahoe Basin. This project will not create any new significant situations which could lead to explosions.

2. Emergency Plan Response

No. The seasonal use of the Chambers Landing HOA's existing swimming area and relocated buoy field will not create an interface with any emergency response or any evacuation plan.

K. Population

1. No. The seasonal use of the Chambers landing HOA's existing swimming area and relocated buoy field will not alter the population in the lake basin. This subdivision is fixed in size and will not increase the population of the Lake Tahoe Basin.

L. Housing

1. No. Neither this HOA's existing swimming area nor reconfigured buoy field will create a demand for additional housing.

M. Transportation/Circulation

1. Vehicular Movement

No. This is a private HOA's existing swimming area and buoy field used by its members and not the general public. There are no facilities being added to attract more people. The use of this reconfigured buoy field will not create any external changes to attract additional people to this area; therefore, this project will not create any substantial increase in vehicle movement.

2. Parking

No. See #1 above.

3. Transportation System

No. See #1 above.

4. Circulation

No. See #1 above.

5. Traffic

No. See #1 above.

6. Traffic Hazards

No. See #1 above.

N. Public Services

1. Fire Protection

No. This is a private HOA and the existing swimming area and reconfigured buoy field 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. Police Protection

No. See #1 above.

3. Schools

No. See #1 above.

4. Parks and Recreation Facilities

No. See #1 above.

5. Maintenance of Public Facilities

No. See #1 above.

6. Government services

No. See #1 above.

O. Energy

1. Fuel and Energy

1

No. The authorized use of the existing swimming area and the buoy field reconfiguration project will not add any more buoys nor create any additional new uses of fuel or energy. The boating season is normally from Memorial Day to Labor Day and there will not be any increase in fuel or energy consumption created by relocating the buoys to conform with governmental agency regulations.

2. Existing Energy Sources

No. See #1 above.

P. Utilities

1. Power or Natural Gas

No. The reconfiguration of the private recreational buoy field and authorization to use the existing swimming area will not create any changes in utilities. This project is for the private benefit of the Chambers Landing HOA. 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. Communication Systems

No. See #1 above.

3. Water

No. See #1 above.

4. Sewer or Septic Tanks

No. See #1 above.

5. Storm Water Drainage

No. See #1 above.

6. Solid Waste Disposal

No. See #1 above.

Q. Human Health

1. Health Hazard

No. The authorized use of the existing swimming area and the reconfigured private recreational buoy field will not create any new health hazards to humans.

2. Exposure of People to Health Hazards

No. The authorized use of the existing swimming area and the reconfigured private recreational buoy field will not expose people to any new potential health hazards.

R. Aesthetics

1. No. The authorization to use the existing swimming area and the reconfigured private recreational buoy field will not change the aesthetics of the area. There are no new buoys or other facilities being added. The reconfiguration of the buoy field by making it smaller will enhance the view of Lake Tahoe. This project will not be a distraction from the aesthetics of this residential recreational area consisting of homes, swimming area, piers, buoys and boats, but will add to the aesthetics of the area by reducing the size of the buoy field.

S. Recreation

1. No. The continued use of the swimming area and the reconfiguration of this private recreational buoy field will have a positive effect on public recreation in the area. The reconfiguration of the buoy field will decrease the size of the buoy field by over half the original size and will also add additional areas for boaters and anglers to recreate.

T. Cultural Resources

1. Archaeological Sites

No. This existing swimming area and buoy reconfiguration project actually consists of reducing the size of the buoy field. There are no identified cultural, ethnic, religious, or sacred uses pertinent to this project area which could be significantly affected. There is the historic Chambers Landing pier to the south of this project, but the reconfiguration of the buoy field actually moves the scattered buoys in this area north and away from this pier. The HOA using the buoy field use their own authorized private pier to the north of the buoy field. There will be no changes involving the existing swimming area.

2. Historic Buildings

No. See No.# 1 above.

3. Ethnic Cultural Values

No. See No.# 1 above.

4. Religious/Sacred Uses

No. See No.# 1 above.

U. Mandatory Findings of Significance

1. Environmental Quality Degradation

No. There will be no changes with the existing swimming area and its use, Since no environmental degradation has been observed over the past 30 years in the swimming area, none is anticipated. There will be about a one week period while the buoy field is being reconfigured when the indigenous aquatic biota will be temporarily displaced, but they will immediately begin to recolonize and return to normal after the project is completed. The reconfiguration of the buoy field will actually reduce

the physical size of the field from 4.3 acres to 1.8 acres. All reconfiguration work will occur during the non-fish spawning season between July 1 and October 1, as designated by the DF&G to promote angling. Additionally, all buoys and chains will be pulled during the non boating season to facilitate anglers between October 1 and May 1, to meet DF&G regulations. With the mitigation measures incorporated into the reconfiguration process, this project will not create any long term significant degradational environmental effects.

2. Short Term vs. Long Term Environmental Goals

No. There will be no changes associated with the swimming area. This portion of the project will not create any changes affecting long or short term environmental goals. There will be a short term, approximately one week, disruption of the marine environment in the immediate vicinity of the buoys being relocated. Upon completion of the project, the indigenous marine biota will re-colonize and fill any voids created during the buoy relocation. There will not be any long term significant degradational environmental changes created by this project. Upon completion of the project, the buoy field will be less than half its original size creating more available space for recreation in the form of angling, boating.

3. Cumulative Impacts

No. The Chambers Landing HOA's private swimming area and buoy field are existing facilities. The buoy field reconfiguration will result in a reduction in the size of the buoy field from 4.3 acres to 1.8 acres with no change in the number of buoys. There will not be any changes to the swimming area. This project will not add any new impacts which will increase the propensity for adverse cumulative effects.

4. Adverse Effects on Human Beings

No. The authorization to use the existing swimming area and the buoy field reconfiguration will not create any new environmental effects which could create a significant adverse effect on human beings.

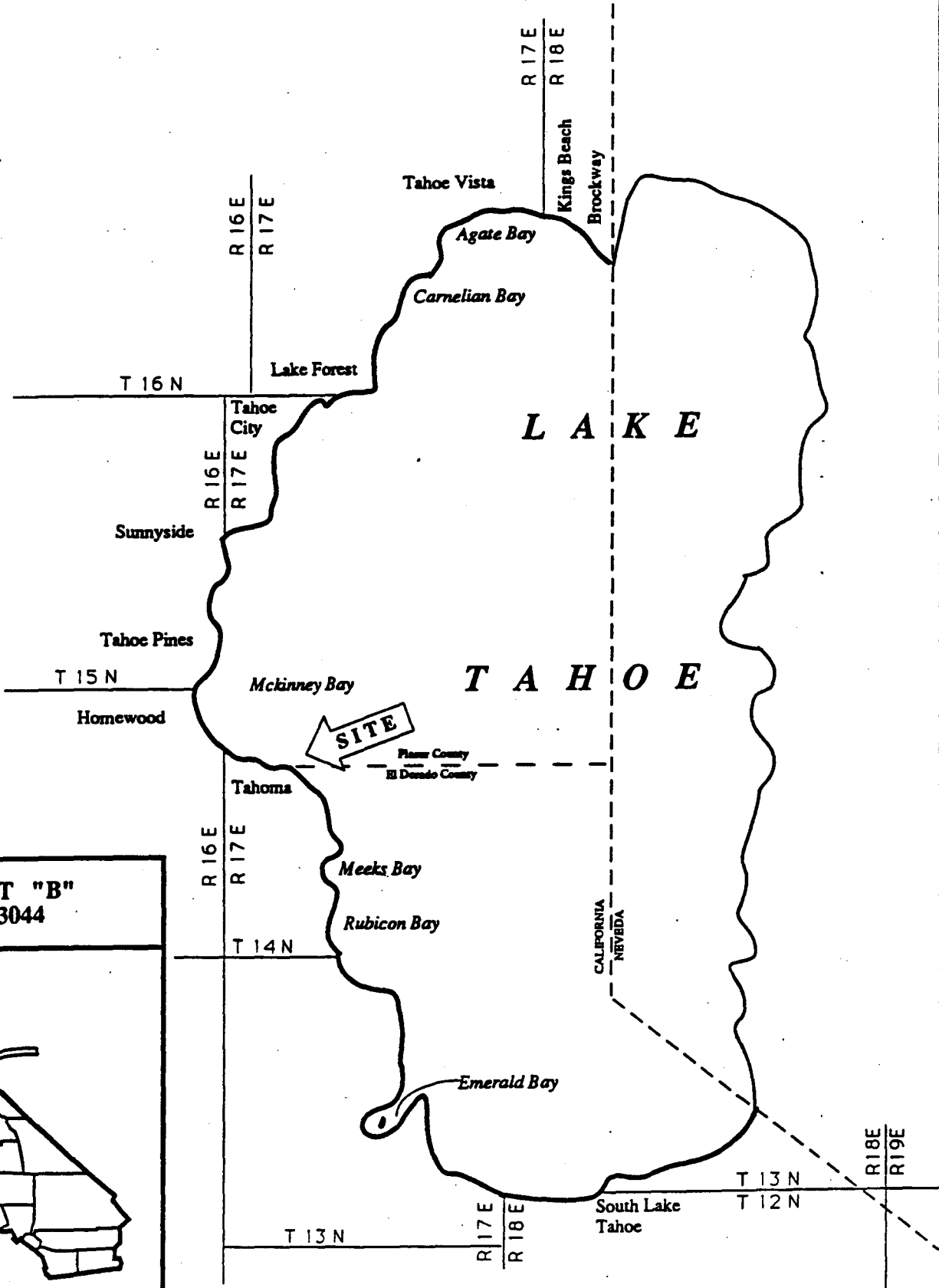
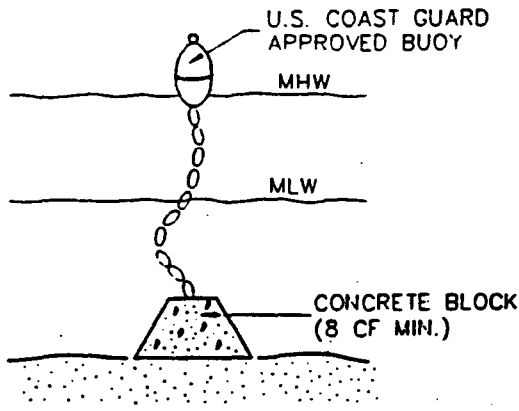


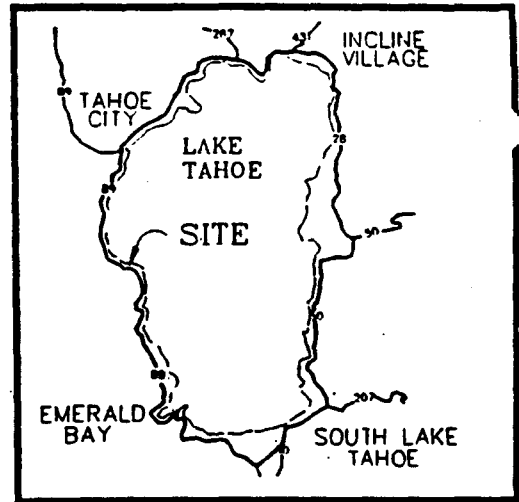
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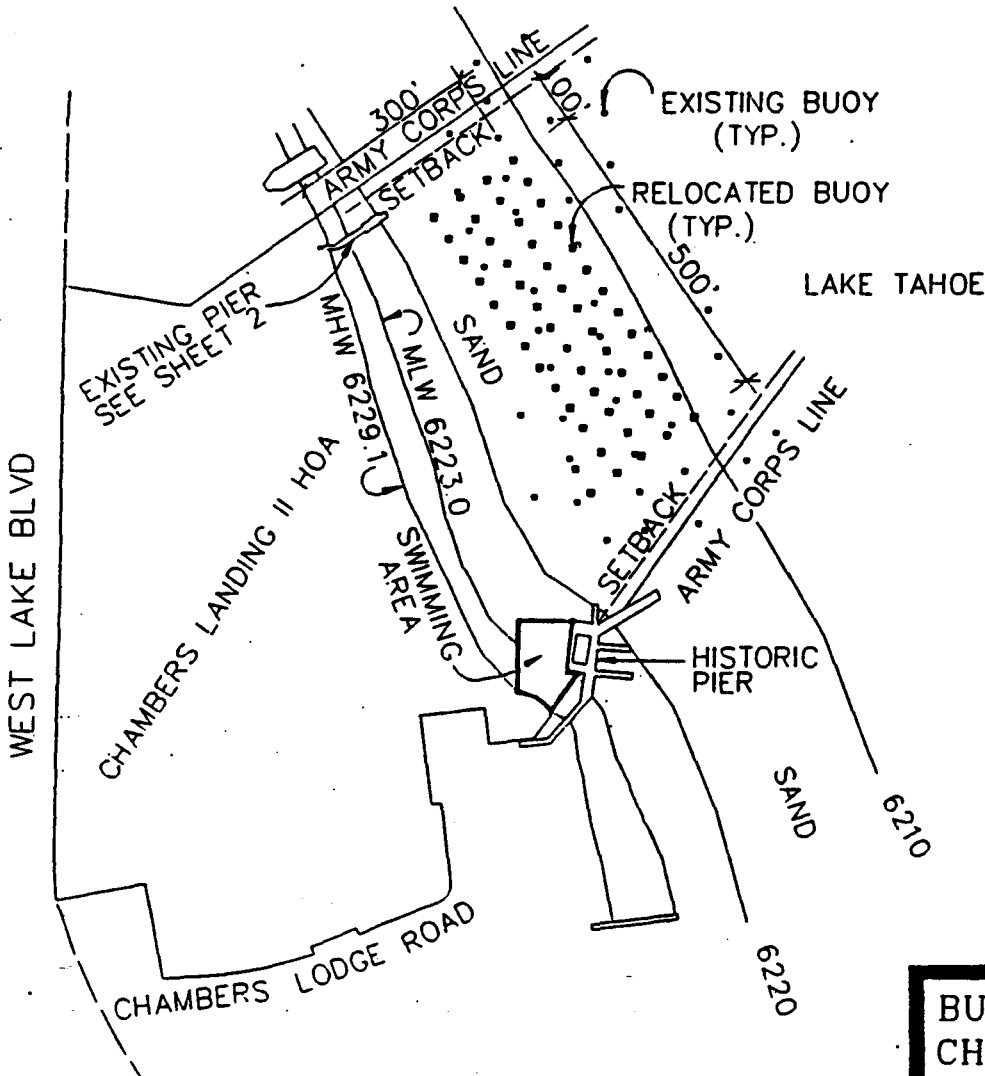
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BUOY DETAIL
N.T.S.



LOCATION MAP



PLAN 1" = 300'

LEGEND

- RELOCATED BUOY
- EXISTING BUOY

BUOY FIELD RELOCATION
CHAMBERS LANDING II HOA
6380 WEST LAKE BLVD.
PLACER COUNTY, CA.

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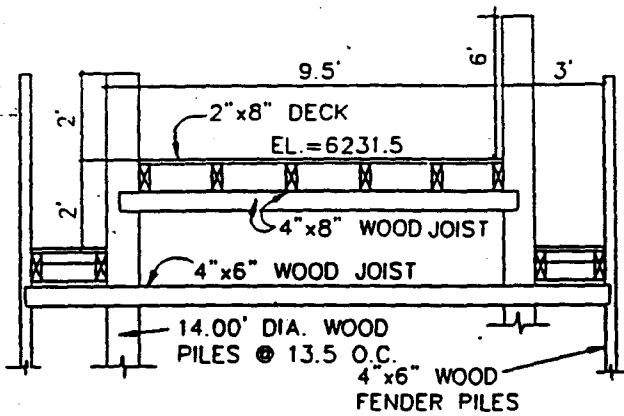
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NORTH 98-010-03	SOUTH 98-380-16

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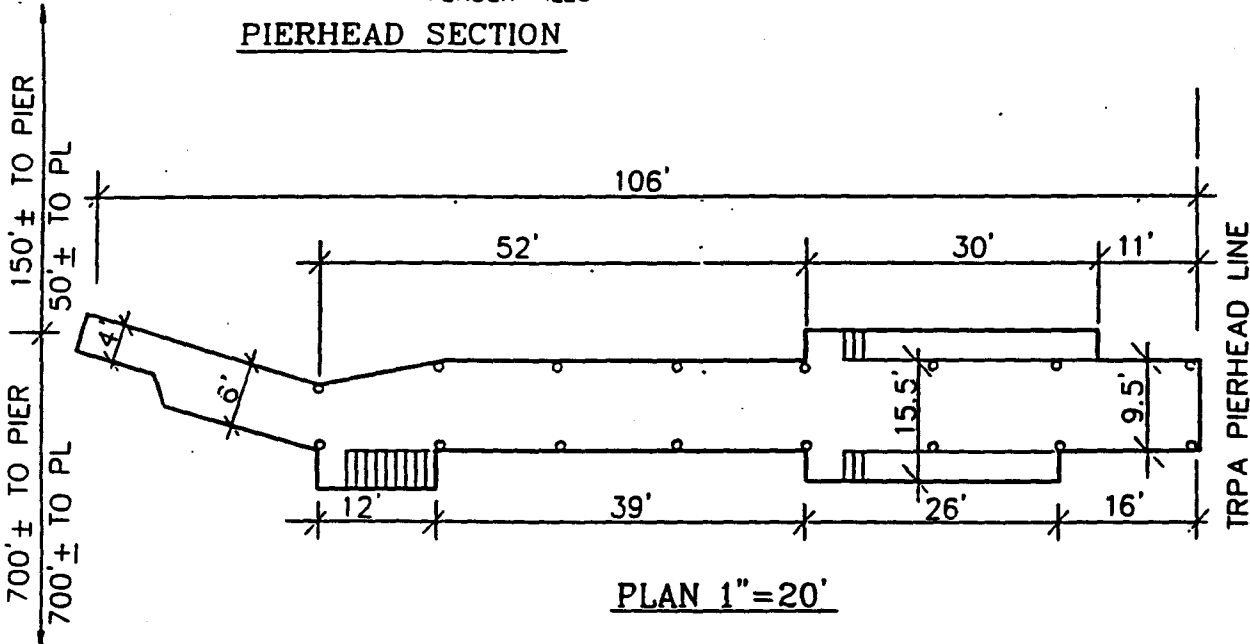
VAIL ENGINEERING CORPORATION
 TAHOE CITY, CALIFORNIA (916) 583-3417

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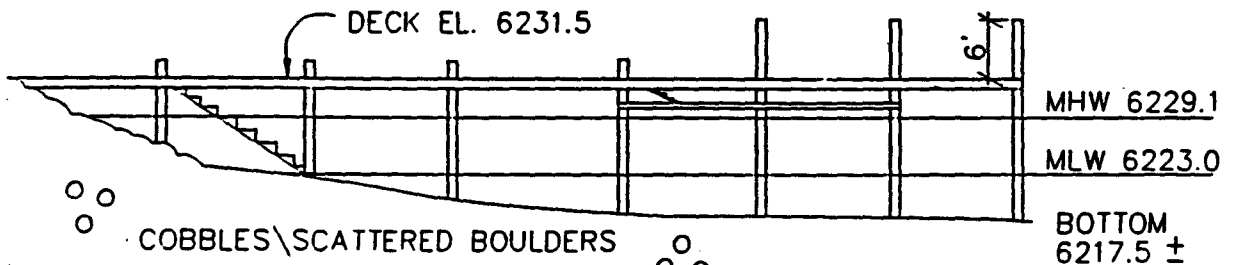
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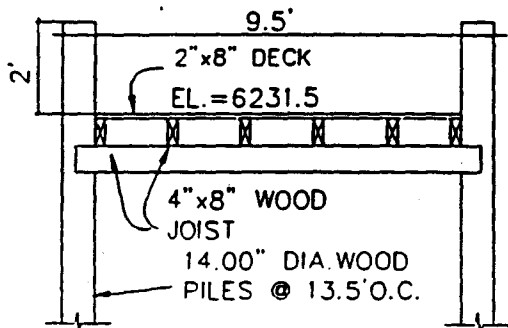
PIERHEAD SECTION



PLAN 1"=20'



PROFILE 1"=20'



WALKWAY SECTION

SEE SHEET 1 FOR BUOY FIELD
LAKE TAHOE

EXISTING MULTIPLE USE PIER
CHAMBERS LANDING II HOA
6380 WEST LAKE BLVD
PLACER COUNTY, CALIFORNIA

APN: 98-010-19
FEBRUARY 1992

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2801

ADJOINING PROPERTIES
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SOUTH 98-380-16

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