

MINUTE ITEM 32

MINUTE ITEM
This Calendar Item No. 32
was approved as Minute Item
No. 32 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/92
meeting.

PRC 3391

Jerry Gordon

GENERAL PERMIT – RECREATIONAL USE

The construction portion was approved and the rent issue will be resolved at the next Commission Meeting.

A 7

S 1

CALENDAR ITEM

C 3 2

A 7

09/23/92

S 1

PRC 3391

Gordon

GENERAL PERMIT - RECREATIONAL USE

APPLICANT:

Dollar Point Subdivision Home
Owners' Association, Inc.
P. O. Box 1490
Tahoe City, California 96145

AREA, TYPE LAND AND LOCATION:

A 0.136-acre parcel, a 1.162-acre parcel, and a 1.817-acre area, which together total 3.115 acres of submerged land located in Lake Tahoe at Dollar Point, Placer County.

LAND USE:

Maintenance of an authorized pier, maintenance of a designated swim area, and placement and maintenance of a field of 63 mooring buoys, of which 30 have been previously authorized, 3 are existing and unauthorized, and 30 are newly proposed; all facilities to be utilized for multiple-use recreational boating.

TERMS OF PROPOSED PERMIT:

Permit period:

Five (5) years beginning September 1, 1992.

Public liability insurance:

Combined single limit coverage of \$1,000,000.

Special:

1. The permit is conditioned on Permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.

CALENDAR ITEM NO. C 3 2 (CONT'D)

2. The permit prohibits any residential use of the facilities.
3. The permit requires the mooring buoy facilities to be placed and maintained in accordance with all rules and regulations of all agencies having jurisdiction.
4. The permit requires the permittee to be the owner of all the mooring buoy facilities.
5. The permittee agrees all mooring buoy facilities are for the use of permittee's members, tenants, and guests, and that such facilities will not be rented at any time.
6. The permittee agrees to provide an equitable means of use of the mooring buoy facilities by all its members, tenants, and guests.
7. The permit requires refuse containers for the disposal of vessel-generated trash.
8. The permit conforms to the Lyon/Fogerty decision.
9. The permit is conditioned on the public's right of access along the shorezone up to the high water line at elevation 6,228.75 feet, Lake Tahoe Datum.
10. The permit is conditioned on Lessee's retention of the public trust area and the Rorippa habitat area in its natural condition.
11. Permittee agrees to conserve the natural resources and to prevent pollution and harm to the environment; and acknowledges that failure to comply with this provision constitutes a default or breach of the agreement.

CONSIDERATION:

\$8,809.56 per annum.

OTHER CONSIDERATION:

\$681.75 for the period beginning September 1, 1989 and ending August 31, 1992 for three (3) existing unauthorized mooring buoys.

CALENDAR ITEM NO. 32 (CONT'D)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and estimated processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

01/04/93

OTHER PERTINENT INFORMATION:

1. Applicant is a homeowners association. The subject facilities are utilized by its homeowner members, tenants, and guests. Because the membership currently includes non-natural persons as members, Applicant does not meet the criteria of P.R.C. 6503.5 for rent-free status. P.R.C. Section 6503.5 requires that, to be eligible for a rent-free recreational pier permit, an association or nonprofit corporation must "consist of natural persons". This is an application to bring Applicant's existing and proposed facilities under permit. Applicant's prior Recreational Pier Permit expired September 26, 1988.
2. 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 600, State Clearinghouse No. 92082067. 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. 32 (CONT'D)

3. In order to determine the potential trust uses in the area of this activity, staff contacted representatives of the following agencies: Tahoe Regional Planning Agency, Department of Fish and Game, County of Placer, and the Tahoe Conservancy. None of these agencies expressed a concern that this activity would have a significant effect on trust uses in the area. The agencies did not identify any trust needs which were not being met by existing facilities in the area. Identified trust uses in this area would include swimming, boating, walking along the beach, and views of the lake.
4. Staff has physically inspected the site for purposes of evaluating the impact of the activity on the Public Trust.
5. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

EXHIBITS:

- A. Land Description/Site Map
- B. Location Map
- C. Local Government Comment
- D. Proposed Negative Declaration
- E. Proposed Monitoring Program

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 600, STATE CLEARINGHOUSE NO. 92082067, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

CALENDAR ITEM NO. 032 (CONT'D)

2. ADOPT THE NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. ADOPT THE MONITORING PROGRAM ATTACHED AS EXHIBIT "D" WHICH HAS BEEN PREPARED IN CONFORMANCE WITH P.R.C. 21081.6.
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 ISSUANCE TO DOLLAR POINT SUBDIVISION HOME OWNERS' ASSOCIATION, INC. OF A FIVE-YEAR GENERAL PERMIT - RECREATIONAL USE FROM SEPTEMBER 1, 1992 IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$8,809.56, PLUS OTHER CONSIDERATION IN THE AMOUNT OF \$681.75 FOR THE PERIOD BEGINNING SEPTEMBER 1, 1989 AND ENDING AUGUST 31, 1992, FOR THREE EXISTING UNAUTHORIZED MOORING BUOYS; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE OF COMBINED SINGLE LIMIT COVERAGE IN THE AMOUNT OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE FOR THE MAINTENANCE OF A PIER AND DESIGNATED SWIM AREA, AND PLACEMENT AND MAINTENANCE OF A FIELD OF 63 MOORING BUOYS, ALL FACILITIES TO BE UTILIZED FOR MULTIPLE-USE RECREATIONAL BOATING AND SWIMMING ON THE LAND DESCRIBED AND DELINEATED ON EXHIBIT "A", ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

PRC 3391.9

LAND DESCRIPTION

Sixty-five (65) 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

All that land immediately beneath an existing pier, TOGETHER WITH the the necessary use area extending 10 feet beyond its extremities, said structure lying adjacent to and southerly of Lot 62, Dollar Point Subdivision Unit No.1, filed in Book F of Maps, page 73, records of said County.

PARCEL 2 - Swim Area

A rectangular parcel of submerged land 300 feet in length and 225 feet in width situated east of Parcel 1 and adjacent to and southerly of abovementioned Lot 62.

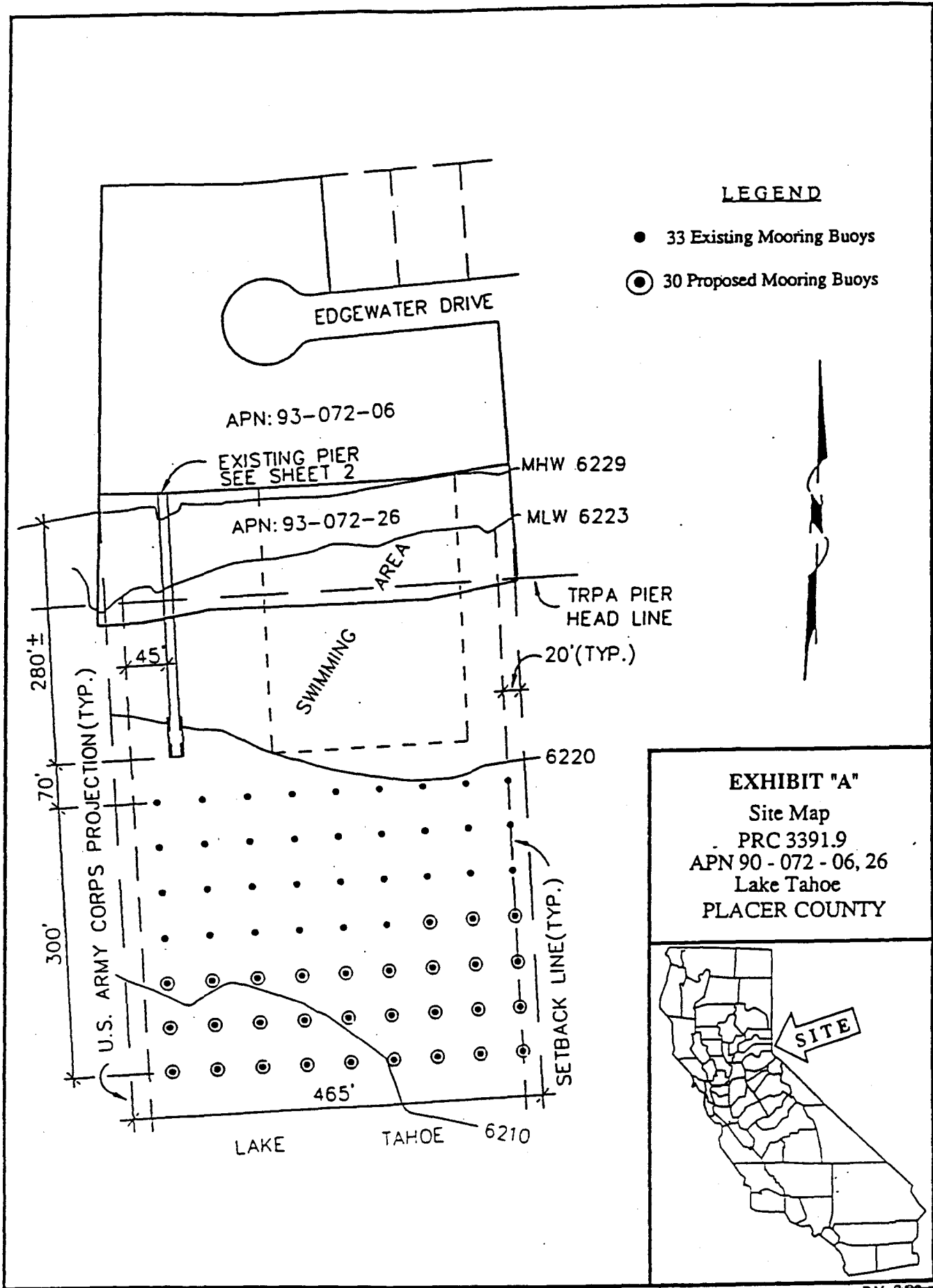
EXCEPTING THEREFROM of the abovementioned Parcels 1 and 2 any portion lying landward of the ordinary low water mark.

PARCELS 3 through 65 - Buoys

Sixty-three (63) circular parcels of submerged land, each having a diameter of 40 feet, said parcels lying southerly of the abovementioned Parcels 1 and 2.

END OF DESCRIPTION

PREPARED JULY, 1992 BY LLB.

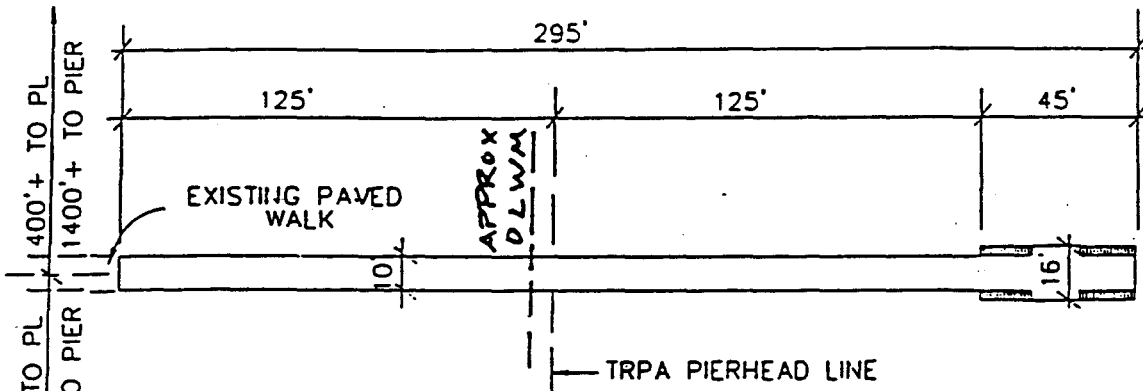


LEGEND

- 33 Existing Mooring Buoys
- ⊙ 30 Proposed Mooring Buoys

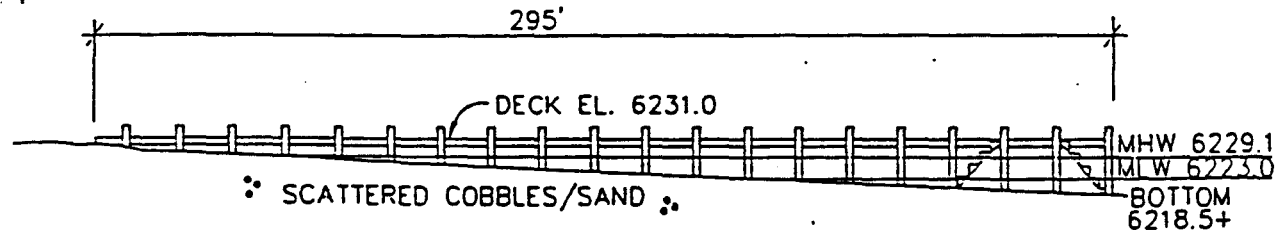
EXHIBIT "A"
 Site Map
 PRC 3391.9
 APN 90 - 072 - 06, 26
 Lake Tahoe
 PLACER COUNTY



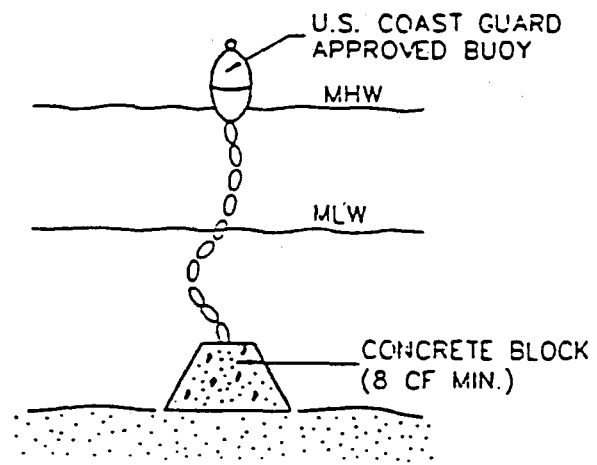


EXISTING PLAN

SEE SHEET 1 FOR BUOY FIELD
LAKE TAHOE



EXISTING PROFILE



BUOY DETAIL

N.T.S.

EXHIBIT "A"

Site Map
PRC 3391.9
APN 90 - 072 - 06, 26
Lake Tahoe
PLACER COUNTY



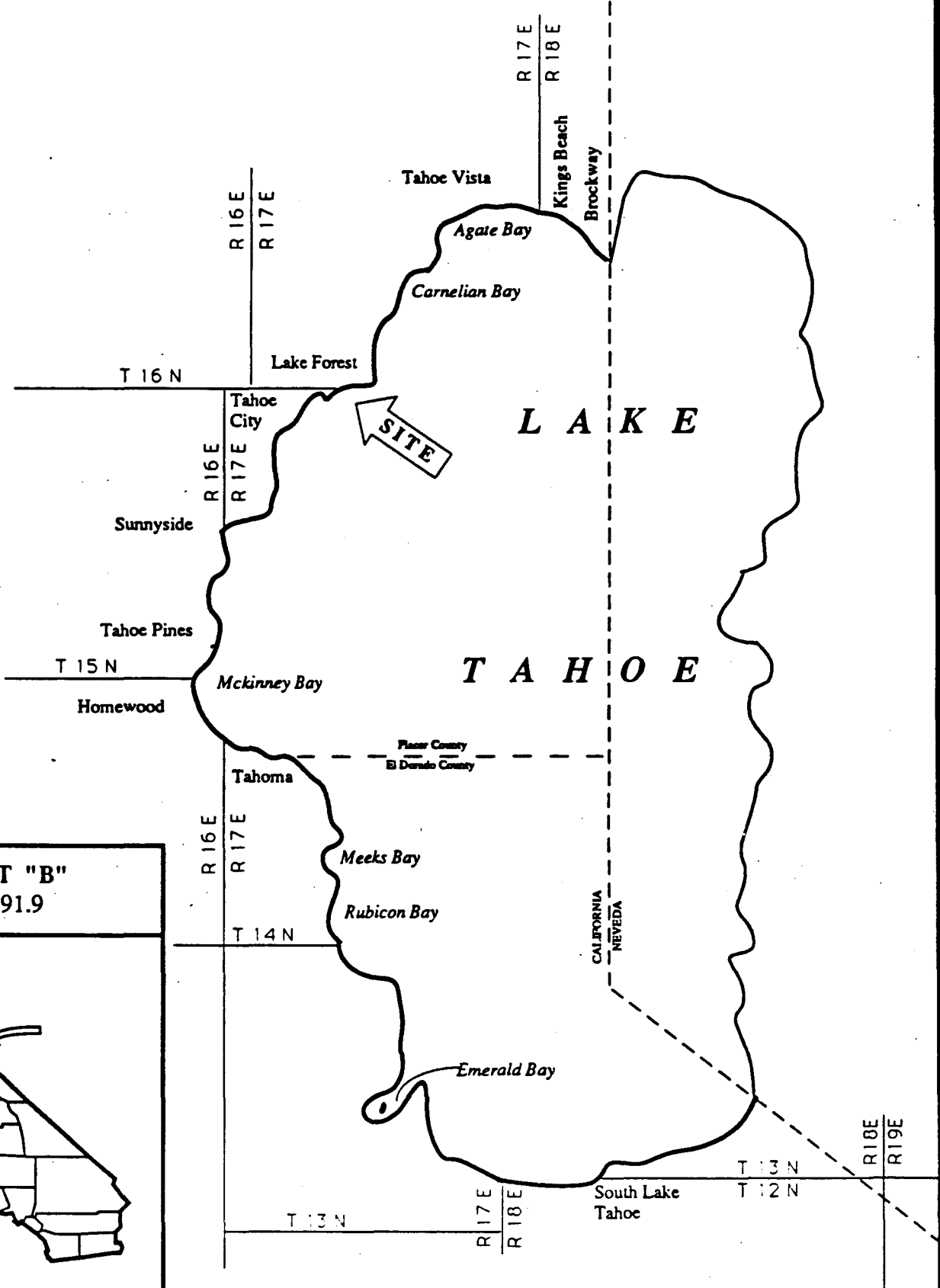


EXHIBIT "B"
PRC 3391.9



EXHIBIT "C"

Date: 3/2/92

File Ref.: PRC 3391.1

State Lands Commission
Attn: Gerald D. Gordon
1807 - 13th Street
Sacramento, California 95814

Greetings:

Subject: One (1) Existing Authorized Pier, Thirty (30) Existing Authorized Mooring Buoys, an Existing Unauthorized Swim Area, Three (3) Existing Unauthorized Mooring Buoys and the Proposed Addition of Thirty (30) New Mooring Buoys, all in Lake Tahoe at Dollar Point

Name: Dollar Point Subdivision
Home Owners' Association, Inc.
Attn: David B. Hansen


Address: P.O. Box 1490
Tahoe City, CA 96145

Assessor's Parcel Nos. 093-072-06 and 093-072-26

The County of Placer has received notice of the above-referenced activity in Lake Tahoe and has no objection to said project or to the issuance of a permit or lease by the State Lands Commission for such use of sovereign lands.

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

County of Placer
Department of Public Works
Jack Warren, Director


For JAN CHRISTIAN

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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

August 19, 1992
File: PRC 3391
ND 600

**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 September 21, 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

(H)

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 95833
CHARLES WARRL
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: PRC 3391
ND 600
SCH No. 92082067

Project Title: Dollar Point HOA Buoy Field Reconfiguration

Proponents: David B. Hansen

Project Location: Dollar Point HOA, 3150 Edgewater Drive, Dollar Hill area, APNs 93-072-06 & 26, Lake Tahoe, Placer County.

Project Description: Proposed authorization to add 30 buoys and reconfigure an existing buoy field (33 buoys) for a total of 63 buoys, and retain use of an existing unauthorized swim area.

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.

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 3391.1

I. BACKGROUND INFORMATION

A. Applicant: Dollar Point HOA Agent: Vail Engineering
David B. Hansen Kevin Agan
PO Box 1490 PO Box 879
Tahoe City, CA 96145 Tahoe City, CA .96145

B. Checklist Date: 8 / 17 / 92

C. Contact Person: Doug Miller

Telephone: (916) 322-7826

D. Purpose: Proposed authorization for three existing unauthorized buoys, add 30 new buoys to the existing authorized 30 buoys, reconfigure the buoy field (63 buoys) and retain use of an unauthorized swim area.

E. Location: Dollar Point HOA, 3150 Edgewater Drive, Dollar Hill Area, Placer County, CA APN 93-072-06 and 93-072-26

F. Description: Proposed authorization to add 30 buoys and reconfigure an existing buoy field (63 buoys total) and retain use of an existing swim area.

G. Persons Contacted: Kevin Agan - Agent, Vail Engineering
Ginger Tippet - Army Corps of Engineers
Coleen Shade - Tahoe Regional Planning Agency

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?
2. Disruptions, displacements, compaction, or overcovering of the soil?
3. Change in topography or ground surface relief features?
4. The destruction, covering, or modification of any unique geologic or physical features?
5. Any increase in wind or water erosion of soils, either on or off the site?
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?
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, failure, or similar hazards?
[Stamp: STANDARD PAGE 353, MINUTE PAGE 2276]

Yes Maybe No

B. Air. Will the proposal result in:

- 1. Substantial air emissions or deterioration of ambient air quality?
- 2. The creation of objectionable odors?
- 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

C. Water. Will the proposal result in:

- 1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters?
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?
- 3. Alterations to the course or flow of flood waters?
- 4. Change in the amount of surface water in any water body?
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?
- 6. Alteration of the direction or rate of flow of ground waters?
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?
- 8. Substantial reduction in the amount of water otherwise available for public water supplies?
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves?
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs?

D. Plant Life. Will the proposal result in:

- 1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?
- 2. Reduction of the numbers of any unique, rare or endangered species of plants?
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?
- 4. Reduction in acreage of any agricultural crop?

E. Animal Life. Will the proposal result in:

- 1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?
- 2. Reduction of the numbers of any unique, rare or endangered species of animals?
- 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?
- 4. Deterioration to existing fish or wildlife habitat?

F. Noise. Will the proposal result in:

- 1. Increase in existing noise levels?
- 2. Exposure of people to severe noise levels?

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

- 1. The production of new light or glare?

H. Land Use. Will the proposal result in:

- 1. A substantial alteration of the present or planned land use of an area?

I. Natural Resources. Will the proposal result in:

- 1. Increase in the rate of use of any natural resources?
- 2. Substantial depletion of any nonrenewable resources?

		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"/>

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 PAGE

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: 8 / 17 / 92

Doug Miller
 For the State Lands Commission
 356
 2079
 Form 13.200 (1988)

PROJECT DESCRIPTIONPROJECT NARRATIVE

PRC 3391.9 authorized the use of an existing recreational pier and 30 buoys. This project proposes authorization for the use of three existing unauthorized buoys, to add 30 buoys to the the existing authorized buoy field, for a total of 63 buoys, and reconfigure and use of the existing authorized buoy field and the use of an existing unauthorized swimming area. The existing 30 authorized buoys plus the three unauthorized buoys plus the 30 proposed buoys (total of 63 buoys) would be repositioned to form a 50 foot grid pattern in accordance with the codes and placement standards of the Army Corps of Engineers and other applicable permitting agencies.

This project will physically reduce the area of the existing randomly placed buoys in the buoy field from 127,000 square feet (2.92 acres) to 120,000 square feet (2.75 acres). As mitigation, this buoy field will be operated on a seasonal basis. The buoys will be removed from the lake during the non (buoy mooring) boating season as defined by the Tahoe Regional Planning Agency (TRPA) from October 15 to May 1. The swimming area has been in use for about 20 years.

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 15 to May 1.

SWIMMING AREA

The existing swimming area has been in use over 20 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 1.6 acres.

DESCRIPTION OF ENVIRONMENTAL SETTING

PRC 3391.9

The proposed project would be located along the northwest shore of Lake Tahoe south of Carnelian Bay, lakeward of the Dollar Point Subdivision Home Owners Association (HOA) at 3150 Edgewater Drive, Dollar Hill Area, Placer County, California. This parcel is described as APN. 93-072-06 and 93-072-26. The upland is well vegetated with native species.

The proposed project is located adjacent to an area that is mapped as prime fish habitat for feeding and escape on the Prime Fish Habitat Maps identified by the Tahoe Regional Planning Agency. There are existing piers located approximately 1,400 feet east and 750 feet west of the Dollar Point HOA's existing authorized pier.

The beach and shore zone at Dollar Point is comprised of sandstone, and cobble, and sand. The swimming area is at the 6229 elevation where the substrate begins in the sand cobble and gradates to sand by elevation 6223. The entire buoy field relocation project is over the sandy substrate. The entire buoy field project is below 6223 feet elevation and no part of the operation will approach the shoreline. The closest buoy to the pierhead is approximately 70 feet lakeward, and the entire buoyfield is located over sandy substrate. The existing unauthorized swimming area is located below the mean high water line of 6229 extending lakeward to the 6220 elevation on the eastern half of the parcel's shore front in Lake Tahoe.

The Scenic Quality Analysis concerning this project was summarized by stating that "the proposed project will not cause a decrease in the numerical ratings assigned to the shoreline unit. By its reduction in overall area and becoming a seasonal buoy field, the proposed project actually results in scenic quality benefits to the shoreline unit."

DISCUSSION OF ENVIRONMENTAL EVALUATION
DOLLAR POINT HOME OWNERS RECREATIONAL
BUOY FIELD RECONFIGURATION PROJECT
AND RETENTION OF USE FOR EXISTING SWIMMING AREA

PRC 3391.9

A. Earth

1. Earth Conditions

No. The buoy field reconfiguration 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. The existing buoy anchors in the field presently overcovers about 99 square feet of lake bottom. The proposed reconfigured field with the additional 30 buoys will cover an additional 90 square feet of lake bottom. The overall size of the buoy field will be reduced to 2.75 acres. This project does not involve any excavation or filling with 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 of the project area consists of sandstone and some glacial and alluvial deposits. The lake bed at the site is relatively flat and lacks unique features. The reconfiguration of the buoy field and the existing swimming area will not change any geological or physical features of the lakebed.

5. Erosion

No. The buoy field will be reconfigured resulting in the buoy anchors being placed on a 50 foot grid system on the lake bottom substrate 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 field reconfiguration and existing swimming area project will not create any channel changes nor affect siltation.

7. Geologic Hazards

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

B. Air

1. Emissions

No. The existing seasonal swimming area and reconfigured buoy field will not affect the air quality. However, during the buoy field relocation working 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. It can be assumed that there will be additional motor boats moored to the 30 new buoys; however, the boats are not all being used at the same period of time, the boating season is from May 1 to October 15, and some people don't launch their boat every season. Although there will be some new emissions created by the additional buoys, but these emissions are not considered significant.

2. Odors

No. The existing seasonal swimming area and reconfigured buoy field will not create objectionable odors. However, during working 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. It can be assumed that there will be additional motor boats moored to the 30 new buoys; however, the boats are not all being used at the same period of time, the boating season is from May 1 to October 15, and some people don't launch their boat every season. Although there will be some new odors created by the additional buoys, but these emissions are not considered significant.

3. Climate

No. The use of the existing swimming area and the reconfigured buoy field will not create any major changes in air movements, temperature, climate, nor create any abnormal weather conditions.

C. Water

1. Currents

No. The existing swimming area and the open 50 foot spacing of the reconfigured buoy field 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 reconfigured 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 and will not affect runoff.

3. Flood Waters

No. The reconfiguration of the buoy field and the existing swimming area will not create any new effects upon flood waters.

4. Surface Water

No. The existing seasonal swimming area and the reconfiguration of the buoy field 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 (buoy mooring) boating season from October 15 until May 1 as stipulated in the TRPA permit. This

project will not create any significant changes to the surface water of Lake Tahoe.

5. Turbidity

No. The reconfigured buoy field will not change the water quality. The reconfiguration 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 20 years and is not anticipated to do so in the future.

6. Ground Water Flows

No. The geology of the project area is composed of sandstone with glacial and alluvial deposits. The reconfiguration of the buoy field is a lake bottom surface 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. The existing swimming area and reconfigured buoy field will have no effect on public water supplies.

9. Flooding

No. The existing swimming area and the reconfigured 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 20 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 field reconfiguration 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 a sandy substrate. The project is located in the water and not near any upland plants. The buoys anchors will be relocated on a 50 foot grid spacing in the water by a barge with a crane. The existing seasonal swimming area will not create any new environmental changes. No rare or endangered species have been identified concerning this project.

3. Introduction of New Plant Species

No. This existing swimming area and buoy field reconfiguration 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 reconfiguration 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 buoy anchors which are being relocated and placed on the lake bottom. This temporary disruption will last about one week. The buoy anchors could displace some small burrowing animals at a rate of three square feet per anchor or 189 square feet for the 63 buoys in the field on the sandy substrate; however, the reconfigured buoy field is being reduced in size from 2.92 acres to 2.75 acres.

The buoy anchors will create artificial structures on the relatively 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 (buoy mooring) season from October 15 to May 1. The reconfigured buoy field will actually be reduced in size when the project is completed. This will allow anglers to fish additional areas previously excluded by the buoy field. The reconfigured buoy field will benefit aquatic fauna and will not create any adverse significant effects on 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 New Animal Species

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 with its 30 additional buoys will not significantly 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 any significant increase in long term noise levels. The buoy field will only be in place during the boating season from May 1 to Oct 15.

There will be some additional 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. The

existing vegetation and the HOA subdivision will also act as a buffer between the buoy field and the general public on Highway 28 to suppress any increases in noise levels from any increase in motor boat use. There will not be any new significant 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. The noises created by the diesel engine on the barge is not considered severe.

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 help eliminate any severe noises from additional idling motor boats going to and from their buoys. The proposed buoy field reconfiguration and use of the existing swimming area will not produce significant increases in severe noise levels.

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 result in 30 additional buoys within a smaller buoy field but will not create 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 the reconfigured buoy field will continue to serve 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 reconfigured buoy field by the Dollar Point HOA will not create any new significant effects upon the use rate of the natural resources.

2. Depletion of any Nonrenewable Resources

No. The Dollar Point HOA's seasonal use of their existing swimming area and reconfigured 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 reconfiguration of the buoy field with 30 additional 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 involved with this project 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 Dollar Point HOA's existing swimming area and reconfigured buoy field will not create an interface with any emergency response or any evacuation plan.

K. Population

1. No. The seasonal use of the Dollar Point HOA's existing swimming area and reconfigured 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 the reconfigured buoy field will be 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 will have no effect on fuel or energy consumption. The buoy field reconfiguration project will add 30 buoys which means that 30 motor boats could be added to this area. It is logical to assume that this addition of 30 boats will add to the total amount of fuel consumed; however, this is a seasonal use. Practical experience has shown that there are normally more boats moored to their buoys at any one time than are in actual use. Additionally, although this is a subdivision, a number of the HOA members use this subdivision as a vacation or second home residency and are away for most of the year. It is evident the the partial use of the additional thirty buoys being added in the reconfigured buoy field will not create any new significant demands for fuel or energy in the Lake Tahoe Basin.

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 Dollar Point 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 with 30 additional buoys 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. The reconfiguration of the buoy field by actually reducing its physical size will enhance the view of Lake Tahoe. Additionally, the buoy field will only be in place seasonally during which time will provide an unobstructed view of Lake Tahoe for about seven months. This project will not create any new distractions 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 and removing the buoys and chains during

the non boating season.

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 will not change anything, and buoy reconfiguration project actually consists of reducing the size of the buoy field. The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected by this project. There are no identified cultural, ethnic, religious, or sacred uses pertinent to this project area which could be significantly affected.

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 20 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. An

aesthetic improvement derived from the reconfiguration of the buoy field is that it will actually reduce the physical size of the field from 2.92 acres to 2.75 acres even though 30 buoys are being added to the field.

All reconfiguration work will occur during the non-fish spawning season between July 1 and October 1, as designated by the DF&G. Additionally, all buoys and chains will be pulled during the non boating (buoy mooring) season to facilitate anglers between October 15 and May 1, to meet TRPA 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

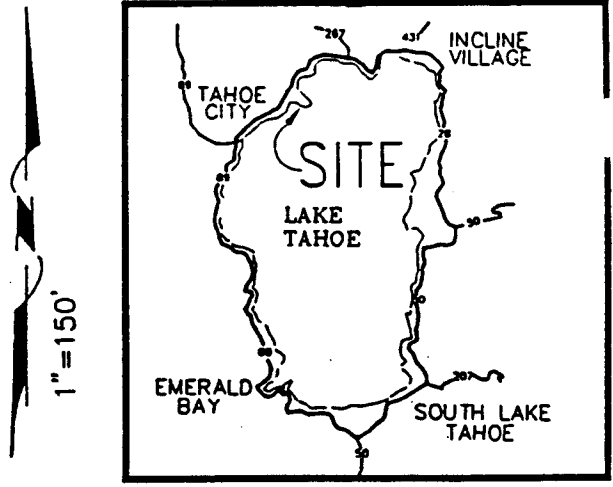
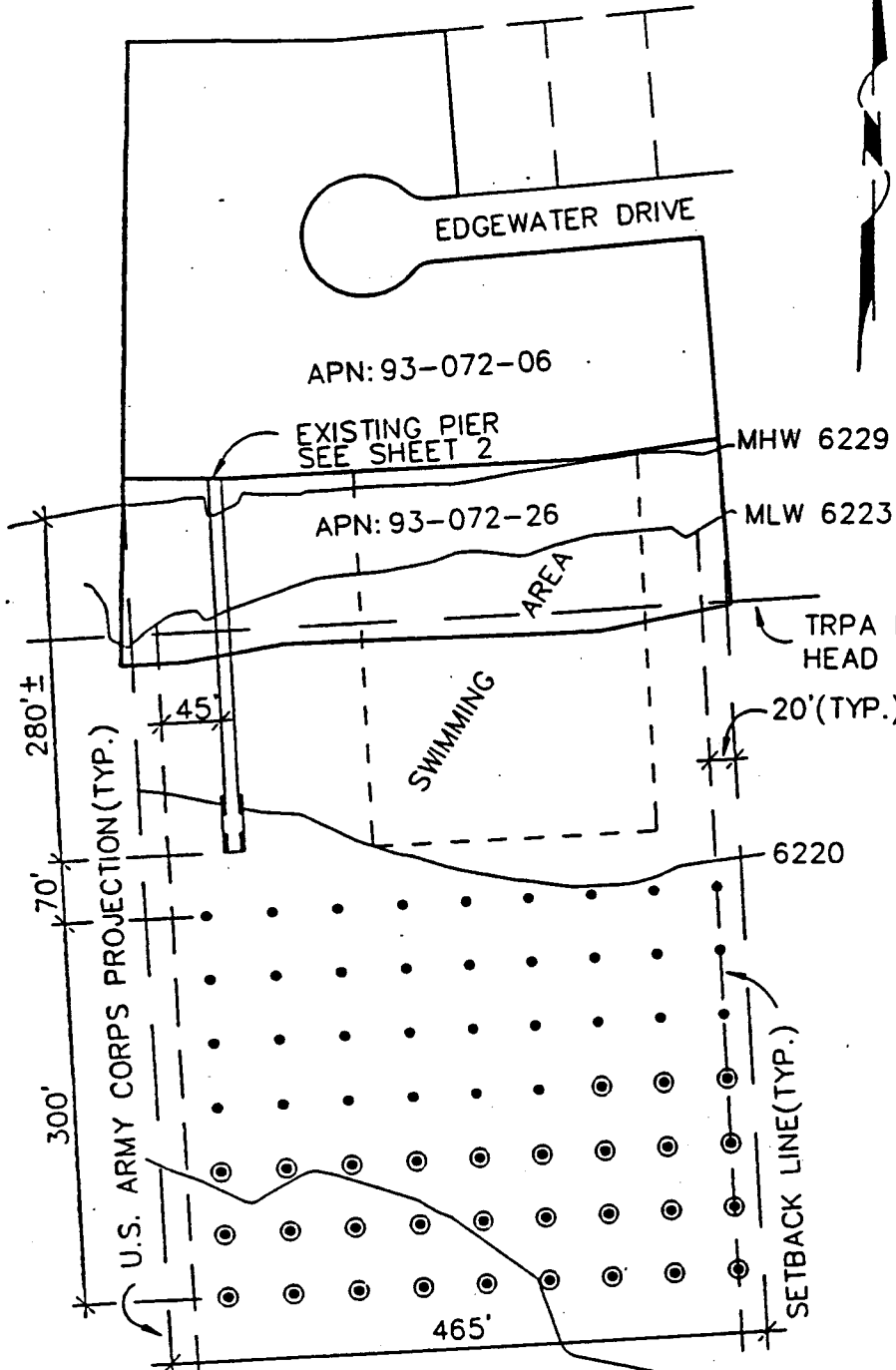
No. There will be no changes associated with the swimming area. This portion of the project will not create any changes affecting long or short term environmental goals. There will be a short term, approximately one week, disruption of the marine environment in the immediate vicinity of the buoys being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

3. Cumulative Impacts

No. The Dollar Point HOA's private swimming area and buoy field are existing facilities. The buoy field will increase by 30 buoys; however, the reconfiguration will result in a reduction of the physical size of the buoy field from 2.92 acres to 2.75 acres. The reduction in overall area and use as a seasonal buoy field is a long term benefit to scenic quality. 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

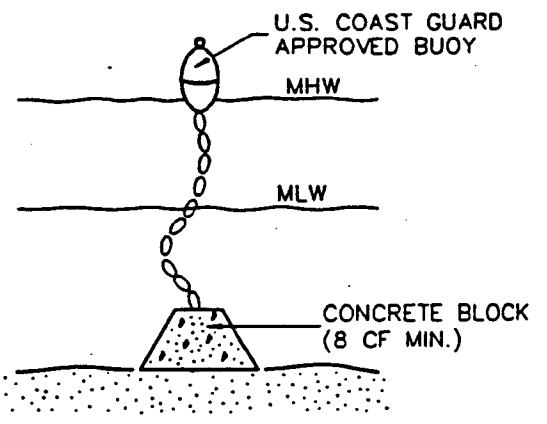
No. The authorization to use the existing swimming area and the buoy field reconfiguration will not create any new environmental effects which would create a significant adverse effect on human beings.



LOCATION MAP

LEGEND

- PERMITTED BUOY (ARMY CORPS PERMIT NO. 3866B)
- ⊙ PROPOSED BUOY



BUOY DETAIL

N.T.S.

EXHIBIT A

NOTES:

1. THIS BUOY FIELD IS PROPOSING TO CHANGE FROM A PERMANENT TO A SEASONAL BASIS
2. THE BUOYS WILL BE REMOVED AND THE CHAINS DROPPED TO THE LAKE BOTTOM BETWEEN OCTOBER 15 AND MAY 15 OF EACH YEAR

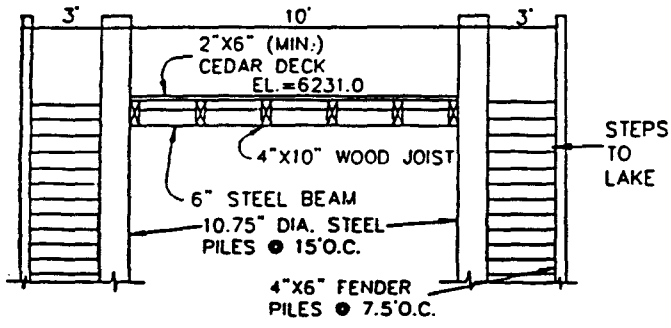
BUOY FIELD ADDITION
DOLLAR POINT HOA

3150 EDGEWATER DRIVE
TAHOE CITY AREA
PLACER COUNTY, CA
APN: 93-072-06,26
MAY 1991

ADJOINING PROPERTIES	
NORTH	SOUTH
93-072-38	93-060-08

REVISED
2/92

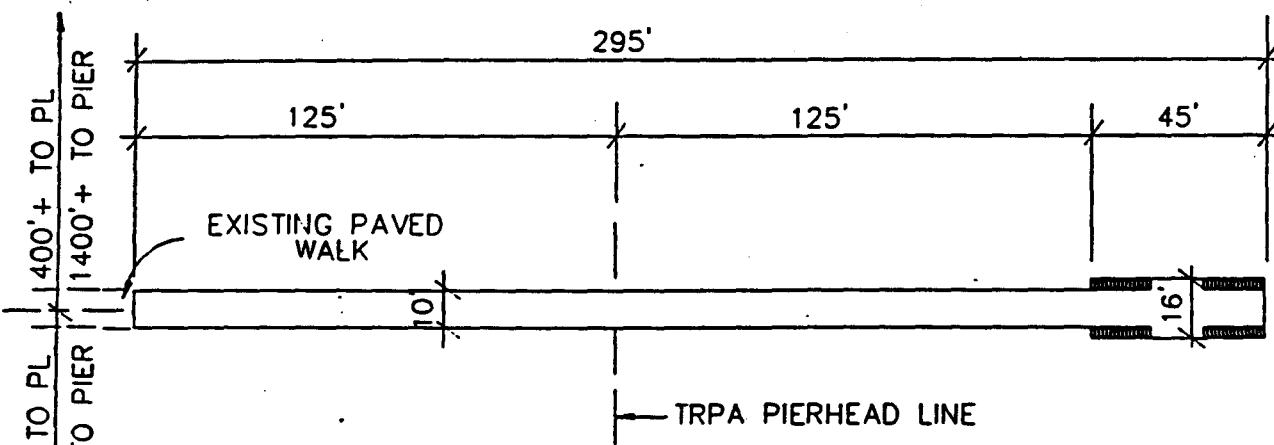
VAIL ENGINEERING CORPORATION
TAHOE CITY, CALIFORNIA (916) 683-3417



EXISTING PIERHEAD SECTION

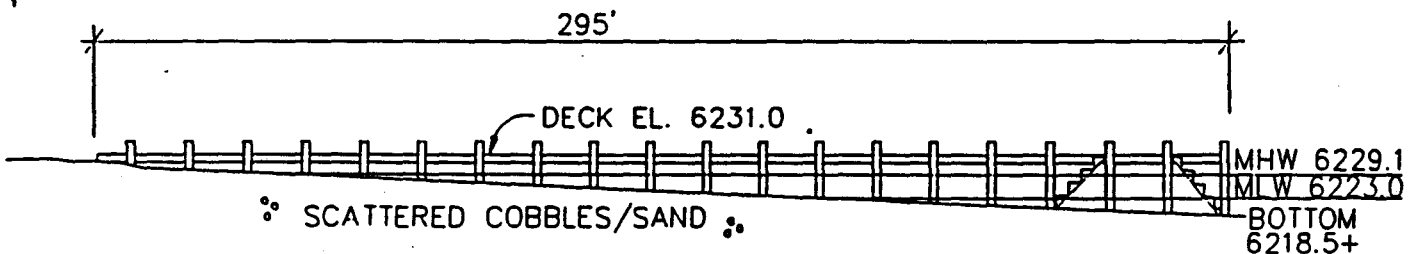
NOTES:

THIS DRAWING IS TO PERMIT THE EXISTING PIER ONLY. NO MODIFICATION NOR CONSTRUCTION ACTIVITY IS BEING PROPOSED FOR THIS PIER.

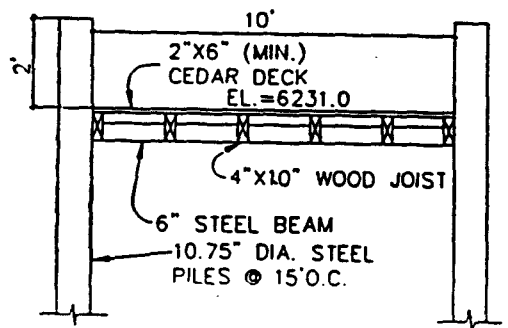


EXISTING PLAN 1"=50'

SEE SHEET 1 FOR BUOY FIELD
LAKE TAHOE



EXISTING PROFILE 1"=50'



EXISTING WALKWAY SECTION

EXHIBIT A

**MULTIPLE USE PIER
DOLLAR POINT HOA**
3150 EDGEWATER DRIVE
TAHOE CITY AREA
PLACER COUNTY, CA.
APN: 93-072-06,26
FEBRUARY 1992

VAIL ENGINEERING CORPORATION
TAHOE CITY, CALIFORNIA (916) 363-3417

ADJOINING PROPERTIES

NORTH
93-072-38

SOUTH
93-060-08

REVISED

EXHIBIT "E"

PROPOSED MONITORING PROGRAM
DOLLAR POINT HOMEOWNERS ASSOCIATION BUOY FIELD RECONFIGURATION

Impact: The proposed project will increase the number of buoys to be placed within the waters of Lake Tahoe which could affect the scenic quality of the area and affect an area otherwise available for topline recreational fishing.

Project Modification:

The applicant proposes to reconfigure the existing buoy alignment, thereby reducing the total water surface proposed to be occupied by the proposed buoy field expansion. In addition, the buoy floats and their mooring chains will be detached annually no later than October 15 through May 1.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will visually inspect the project site prior to and upon conclusion of the use season to ensure project modifications are implemented.