

CALENDAR ITEM
C25

MINUTE ITEM
This Calendar Item No. C25
was approved as Minute Item
No. 25 by the State Lands
Commission by a vote of 3
to 0 at its May 3, 1995
meeting. 05/03/95

A 4

S 1

W 25170

J. Ludlow

APPROVE THE ISSUANCE OF A RECREATIONAL PIER LEASE PRC7827

APPLICANT:

Carolyn A. Jackson, Trustee
11 Dover Court
Orinda, California 94563

AREA, TYPE LAND AND LOCATION:

A parcel of submerged land located in the bed of Lake Tahoe
at Meeks Bay, El Dorado County.

LAND USE:

Reconstruction, extension and modification of an existing
pier and the retention of two existing mooring buoys.

TERMS OF PROPOSED LEASE:

Initial period:

Ten years beginning May 3, 1995.

CONSIDERATION:

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

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of the upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing 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:

07/16/95.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority
and the State CEQA Guidelines (14 Cal. Code Regs.
15025), the staff has prepared a Proposed Negative
Declaration identified as ND 668, State Clearinghouse
No. 95032017. Such Proposed Negative Declaration was
prepared and circulated for public review pursuant to
the provisions of CEQA.

CALENDAR ITEM NO. C25 (CONT'D)

Based upon the Initial Study, the Proposed Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment. (14 Cal. Code Regs. 15074(b)).

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. The subject pier was eighty percent (80%) reconstructed in 1994 without authorization from the State Lands Commission. This project proposes to authorize, after the fact, the reconstruction and retention of the pier and two mooring buoys. The applicant removed an existing 19'6" X 8'8" pier with a 10' X 10' deck and replaced it with a 31' X 10' pier with a 6' X 6' deck including a 15'6" X 2' X 10" stairway and handrails. The applicant also proposes to retain two existing mooring buoys.
4. The remaining work (project is presently 80 percent complete) will be accomplished utilizing hand tools and the access path from the upland. No large equipment shall be used.
5. Commission staff or its designated representative will monitor the reconstruction of the pier in accordance with the Monitoring Program included within the Proposed Negative Declaration.
6. The lease is conditioned on Lessee's compliance with all other required federal, state and local permits and/or requirements.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, El Dorado County, California
Dept. of Fish and Game.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers, State Lands
Commission.

CALENDAR PAGE	144
MINUTE PAGE	525

EXHIBITS:

- A. Site and Location Map
- B. Negative Declaration and Monitoring Program

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, ND 668 STATE CLEARING HOUSE NO. 95032017, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN, AND ANY COMMENTS RECEIVED IN RESPONSE THERETO.
2. ADOPT THE NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND ANY COMMENTS RECEIVED IN RESPONSE THERETO
3. ADOPT THE MONITORING PLAN AS CONTAINED IN EXHIBIT "B", ATTACHED HERETO.
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 CAROLYN A. JACKSON, TRUSTEE, OF THE TEN YEAR RECREATIONAL PIER LEASE ON FILE IN THE COMMISSION'S OFFICES FOR ALL OF THE STATE'S SOVEREIGN LANDS BELOW THE ELEVATION OF 6223 LTD UNDER APPLICANT'S PIER AND TWO BUOYS AS DEPICTED ON EXHIBIT "A" ATTACHED AND BY RERERENCE MADE APART HEREOF, BEGINNING MAY 3, 1995, NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5.

CALENDAR PAGE	145
MINUTE PAGE	526

EXISTING PIER S.F. 317.5
PROPOSED PIER S.F. 339

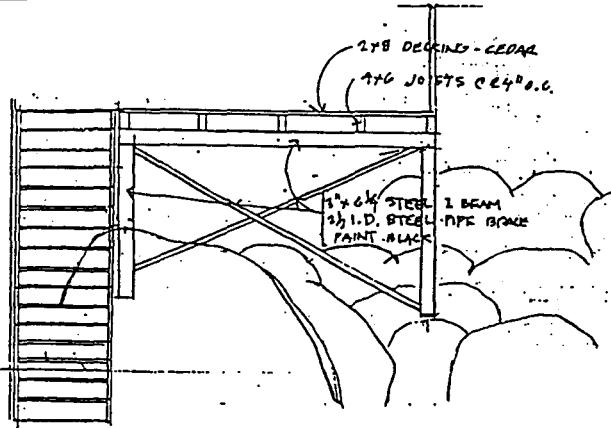


EXHIBIT "A"

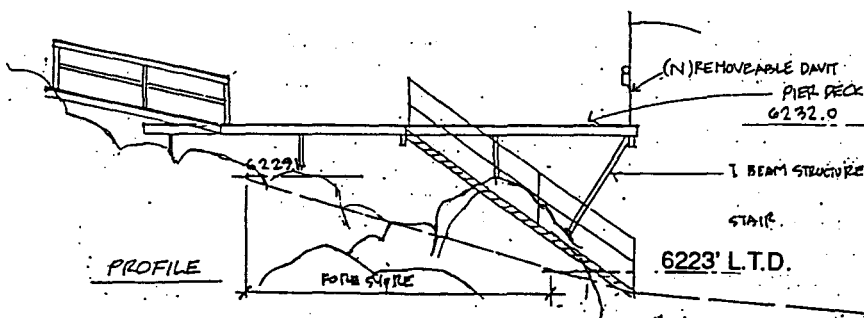
W 25170

APN 16 - 081 - 36

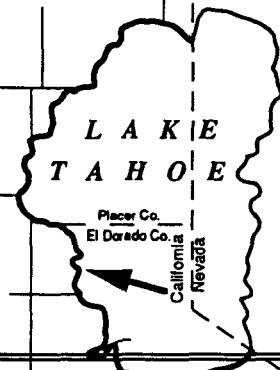
Lake Tahoe

EL DORADO COUNTY

Sheet 1 of 4 Sheets



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

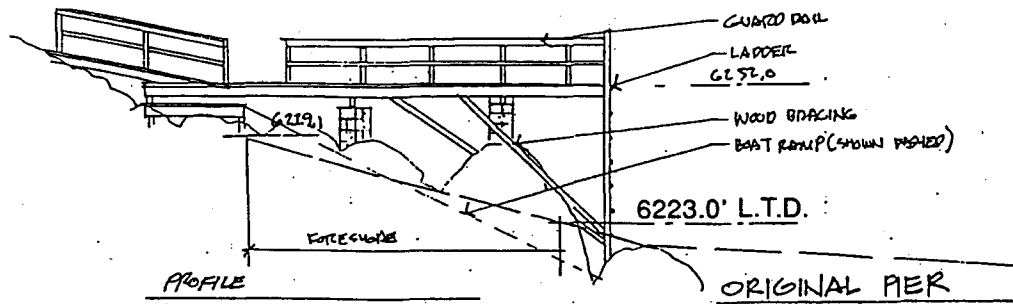
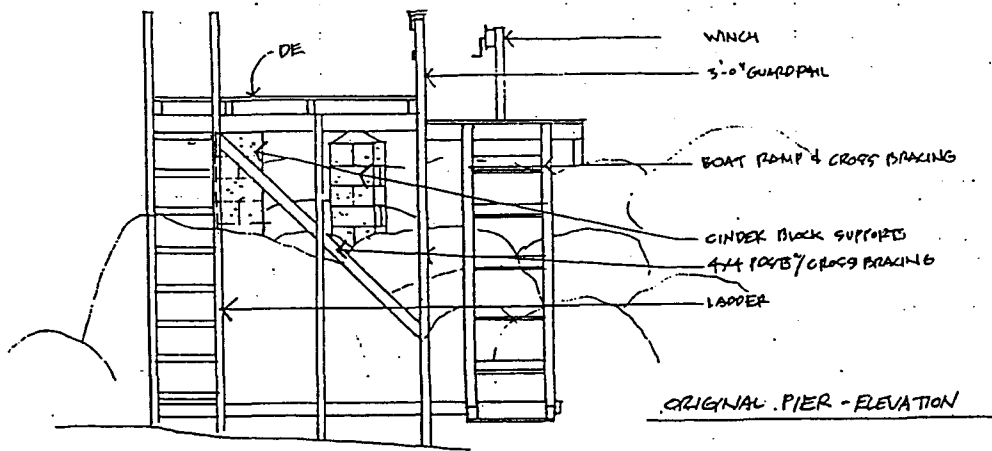


CALENDAR PAGE

146

MINUTE PAGE

527
CG 3/95



Lake Tahoe

NO SCALE

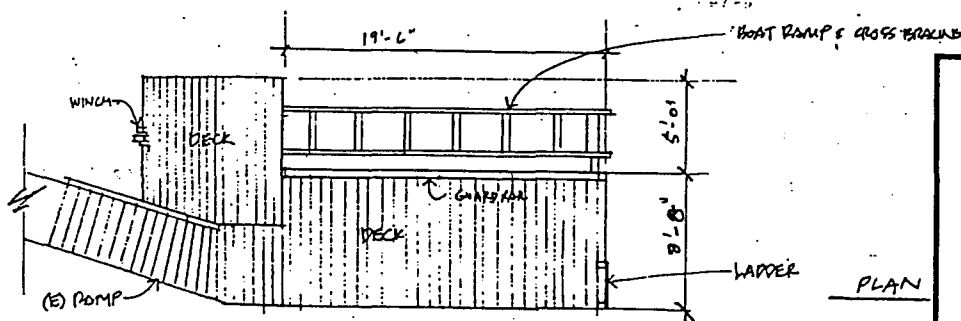


EXHIBIT "A"

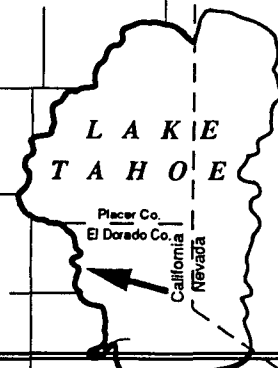
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APN 16 - 081 - 36

Lake Tahoe

EL DORADO COUNTY

Sheet 2 of 4 Sheets



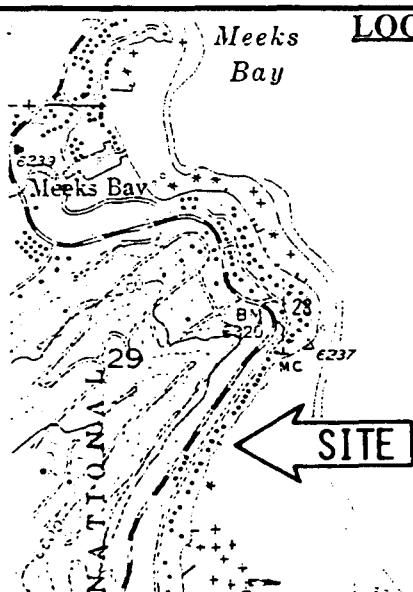
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CALENDAR PAGE 147

MINUTE PAGE

528
CG 3/95

NO SCALE



LOCATION MAP

Lake Tahoe

NO SCALE

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EXHIBIT "A"

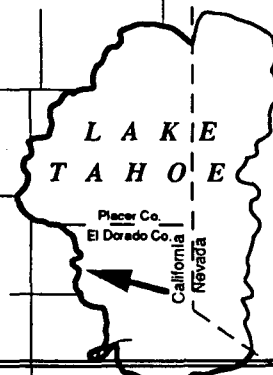
W 25170

APN 16 - 081 - 36

Lake Tahoe

EL DORADO COUNTY

Sheet 3 of 4 Sheets

**CALENDAR PAGE**

148

MINUTE PAGE

CG 5795

A map of the Lake Tahoe region. The text "LAKE TAHOE" is written in large, bold, serif capital letters across the top. Below it, "Placer Co" and "El Dorado Co" are written in smaller serif capital letters. To the right, "California" and "Nevada" are written vertically in a serif font. A thick black arrow points from the left towards the border between California and Nevada.

CG 3/95

STATE LANDS COMMISSION

GRAY DAVIS, *Lieutenant Governor*
KATHLEEN CONNELL, *Controller*
RUSSELL S. GOULD, *Director of Finance*

March 7, 1995

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814-7187
ROBERT C. HIGHT
Executive Officer
File: W 25170
ND 668
SCH: 95032017

**NOTICE OF PUBLIC REVIEW
AND INTENT TO ADOPT A
PROPOSED NEGATIVE DECLARATION
(SECTION 15073 CCR & SECTION 21092 PRC)**

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 State Lands Commission Regulations (Section 2901 et seq., Title 2, California Code Regulations) for a project application currently being processed by the staff of the State Lands Commission.

This document is attached for your review. Comments should be addressed to the State Lands Commission office shown above with attention to the undersigned. All comments must be received by April 6, 1995.

The Negative Declaration will be considered for adoption at a meeting of the State Lands Commission no earlier than April 6, 1995. You will be notified of the date and location at least 10 days prior to the meeting.

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



JUDY BROWN *H*
Division of Environmental
Planning and Management

Attachment

CALENDAR PAGE	150
MINUTE PAGE	531

STATE LANDS COMMISSION

GRAY DAVIS, *Lieutenant Governor*
KATHLEEN CONNELL, *Controller*
RUSSELL S. GOULD, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814-7187

ROBERT C. HIGHT
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: W 25170

ND 668

Project Title: Jackson Reconstruction/Extension

Proponent: George and Carolyn Jackson c/o Pedersen Associates

Project Location: 8365 Meeks Bay Avenue, APN: 16-081-36, Lake Tahoe, El Dorado County

Project Description: Reconstruct an existing 19' wooden pier. Remove side ladders; reduce the wooden deck area from 10' x 10' to 6' x 6'. Replace pier supports; construct one stairway on the south side of the structure. Add a removable davit at the most lakeward extent of the pier. Construction access will occur from the upland residence through an existing foot path. Hand tools will be used to accomplish the reconstruction activity. Tarps will be spread beneath the construction area to prevent construction debris from entering the lake waters. 80% of the project was completed prior to application with the State Lands Commission. The California Department of Fish and Game has issued a Streambed Alteration Agreement for this project. The project site does not contain habitat for the California-listed endangered plant, Tahoe Yellow Cress.

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

This document is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, California Code Regulations), and the State Lands Commission regulations (Section 2901 et seq., Title 2, California Code Regulations).

CALENDAR PAGE	151
MINUTE PAGE	532

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.: W 25170

I. BACKGROUND INFORMATION

A. Applicant: CAROLYN JACKSON
C/O PEDERSEN ASSOCIATES
270 PROSPECT DRIVE
SAN RAFAEL CA 94901

B. Checklist Date: 02 / 15 / 95

C. Contact Person: JUDY BROWN
 Telephone: (916) 324-4715

D. Purpose: TO RECONSTRUCT AND MODIFY AN EXISTING RECREATIONAL PIER

E. Location: 8365 MEEKS BAY AVENUE; APN 16 - 081 - 36; LAKE TAHOE, EL DORADO COUNTY

F. Description: DISMANTLE AN EXISTING 19'6" X 8'8" PIER WITH SIDE LADDERS AND 10' X 10' DECK AND
STAIRWAY. RECONSTRUCT A 31' X 10' PIER AND 6' X 6' DECK WHICH INCLUDES ONE 15'6" X 2'8" STAIRWAY,
HANDRAILS, AND A REMOVABLE DAVIT. TWO MOORING BUOYS ARE PROPOSED TO BE RETAINED.

G. Persons Contacted: JON PAUL KIEL - TAHOE REGIONAL PLANNING AGENCY
MARK ZUMSTEG - CALIFORNIA DEPARTMENT OF FISH AND GAME
NANCY HALEY - US 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?	—	—	<u>X</u>
2. Disruptions, displacements, compaction, or overcovering of the soil?	—	—	<u>X</u>
3. Change in topography or ground surface relief features?	—	—	<u>X</u>
4. The destruction, covering, or modification of any unique geologic or physical features?	—	—	<u>X</u>
5. Any increase in wind or water erosion of soils, either on or off the site?	—	—	<u>X</u>
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?	—	—	<u>X</u>
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?			<u>X</u>

CALENDAR PAGE — 153

MINUTE PAGE

534

	Yes	Maybe	No
B. Air. Will the proposal result in:			
1. Substantial air emissions or deterioration of ambient air quality?	—	—	<u>X</u>
2. The creation of objectional odors?	—	—	<u>X</u>
3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	—	—	<u>X</u>
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?	—	—	<u>X</u>
2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?	—	—	<u>X</u>
3. Alterations to the course or flow of flood waters?	—	—	<u>X</u>
4. Change in the amount of surface water in any water body?	—	—	<u>X</u>
5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	—	—	<u>X</u>
6. Alteration of the direct on or rate of flow of ground waters?	—	—	<u>X</u>
7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	—	—	<u>X</u>
8. Substantial reduction in the amount of water otherwise available for public water supplies?	—	—	<u>X</u>
9. Exposure of people or property to water-related hazards such as flooding or tidal waves?	—	—	<u>X</u>
10. Significant changes in the temperature, flow or chemical content of surface thermal springs?	—	—	<u>X</u>
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)?	—	—	<u>X</u>
2. Reduction of the numbers of any unique, rare or endangered species of plants?	—	—	<u>X</u>
3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	—	—	<u>X</u>
4. Reduction in acreage of any agricultural crop?	—	—	<u>X</u>
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)?	—	—	<u>X</u>
2. Reduction of the numbers of any unique, rare or endangered species of animals?	—	—	<u>X</u>
3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	—	—	<u>X</u>
4. Deterioration to existing fish or wildlife habitat?	—	—	<u>X</u>
F. Noise. Will the proposal result in:			
1. Increase in existing noise levels?	—	—	<u>X</u>
2. Exposure of people to severe noise levels?	—	—	<u>X</u>
G. Light and Glare. Will the proposal result in:			
1. The production of new light or glare?	—	—	<u>X</u>
H. Land Use. Will the proposal result in:			
1. A substantial alteration of the present or planned land use of an area?	—	—	<u>X</u>
I. Natural Resources. Will the proposal result in:			
1. Increase in the rate of use of any natural resources?	—	—	<u>X</u>
2. Substantial depletion of any nonrenewable resources?	—	—	<u>X</u>

	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?	—	—	<u>X</u>
2. Possible interference with emergency response plan or an emergency evacuation plan?	—	—	<u>X</u>
K. Population. Will the proposal result in:			
1. The alteration, distribution, density, or growth rate of the human population of the area?	—	—	<u>X</u>
L. Housing. Will the proposal result in:			
1. Affecting existing housing, or create a demand for additional housing?	—	—	<u>X</u>
M. Transportation/Circulation. Will the proposal result in:			
1. Generation of substantial additional vehicular movement?	—	—	<u>X</u>
2. Affecting existing parking facilities, or create a demand for new parking?	—	—	<u>X</u>
3. Substantial impact upon existing transportation systems?	—	—	<u>X</u>
4. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	<u>X</u>
5. Alterations to waterborne, rail, or air traffic?	—	—	<u>X</u>
6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	—	—	<u>X</u>
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?	—	—	<u>X</u>
2. Police protection?	—	—	<u>X</u>
3. Schools?	—	—	<u>X</u>
4. Parks and other recreational facilities?	—	—	<u>X</u>
5. Maintenance of public facilities, including roads?	—	—	<u>X</u>
6. Other governmental services?	—	—	<u>X</u>
O. Energy. Will the proposal result in:			
1. Use of substantial amounts of fuel or energy?	—	—	<u>X</u>
2. Substantial increase in demand upon existing sources of energy, or require the development of new sources?	—	—	<u>X</u>
P. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
1. Power or natural gas?	—	—	<u>X</u>
2. Communication systems?	—	—	<u>X</u>
3. Water?	—	—	<u>X</u>
4. Sewer or septic tanks?	—	—	<u>X</u>
5. Storm water drainage?	—	—	<u>X</u>
6. Solid waste and disposal?	—	—	<u>X</u>
Q. Human Health. Will the proposal result in:			
1. Creation of any health hazard or potential health hazard (excluding mental health)?	—	—	<u>X</u>
2. Exposure of people to potential health hazards?	—	—	<u>X</u>
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?	—	—	<u>X</u>

S. Recreation. Will the proposal result in:

Yes Maybe No

1. An impact upon the quality or quantity of existing recreational opportunities? ☐ ☐ ☒

T. Cultural Resources

1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site? ☐ ☐ ☒
2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? ☐ ☐ ☒
3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? ☐ ☐ ☒
4. Will the proposal restrict existing religious or sacred uses within the potential impact area? ☐ ☐ ☒

U. Mandatory Findings of Significance.

1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? . . . ☐ ☐ ☒
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? ☐ ☐ ☒
3. Does the project have impacts which are individually limited, but cumulatively considerable? ☐ ☐ ☒
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ☐ ☐ ☒

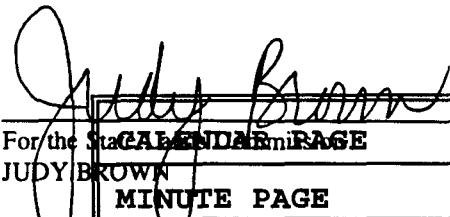
III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

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

Date: 02 / 15 / 95

	
For the State of California	CALENDAR PAGE 156
JUDY BROWN	537
MINUTE PAGE	

ATTACHMENTS

- A Site Drawing
- A-1 Original Pier Plan and Profile
- A-2 Proposed Pier Plan and Profile
- B Department of Fish and Game Streambed Alteration Agreement
- C Tahoe Regional Planning Agency Permit
- D United States Army Corps of Engineers Letter - Re: Buoys

CALENDAR PAGE	157
MINUTE PAGE	538

PROJECT DESCRIPTION

Applicant proposes to reconstruct an existing 19' wooden pier, remove two side ladders, reduce the wooden deck area from 10' x 10' to 6' x 6'. Wooden pier supports have been replaced by wooden pilings which have been anchored to the boulder substrate with steel plates. One side ladder will be constructed on the south side of the structure. A removable davit will be added at the most lakeward extent of the pier. Applicant has performed or cause to be performed approximately 80% of the project prior to intervention by Tahoe Regional Planning Agency (TRPA) enforcement staff and application with the State Lands Commission..

Work was accomplished utilizing hand tools and the access path from the upland. A California Department of Fish and Game (CDFG) Streambed Alteration Agreement has been issued covering the portion of work affecting the lake bed (Attachment B).

Tarps will be spread or suspended below the pier during construction operations to catch sawdust or construction debris.

The pier and two mooring buoys are proposed to be permitted by the State Lands Commission. The mooring buoys are represented by the applicant as existing and used since 1974 when the upland property was purchased. One mooring buoy has been acknowledged by the United States Army Corps of Engineers (USACOE), see Attachment D.

ENVIRONMENTAL SETTING

The proposed project is located in Meeks Bay, El Dorado County (APN: 16-081-36), lakeward of 83465 Meeks Bay Avenue, Lake Tahoe. The upland terrain from the pier to the residence is moderately sloped, see Attachment A.

The lakebed substrate at the project site consists of boulders and is determined to be characterized as fish habitat. Any remaining reconstruction activity affecting the lakebed will be limited to the non-spawning season as conditioned by TRPA and agreed to by the CDFG through amendment or issuance of a new Streambed Alteration Agreement.

The projected site was checked within the TRPA 1993 Shorezone Inventory to ascertain if the project was capable of supporting the California-listed plant species, Tahoe Yellow Cress. The database indicated that the project site did not contain nor was the substrate capable of supporting Tahoe Yellow Cress.

There are recreational piers located to the north and south of this pier project. There are several mooring buoys present in the surrounding adjacent water influence areas in the vicinity of the applicant's mooring buoys.

CALENDAR PAGE	158
MINUTE PAGE	539

III. DISCUSSION OF ENVIRONMENTAL EVALUATION JACKSON PIER RECONSTRUCTION CONSIDERATION OF TWO MOORING BUOYS

A. Earth

1. Stability, Geologic Substructures

The reconstruction project is 80% complete. Old wooden pile supports have been replaced with new steel pilings which have been anchored to the boulder substrate by drilling into the boulders and attaching steel plates. This is a construction technique used to maintain pier stability in an area containing large boulders. It appears that four boulders have been affected by this practice. No significant impacts have been identified.

2. Compaction, Overcovering of the Soil

As discussed in A.1., above, old wooden pilings will be removed and new steel piling and framing will be placed. A small amount of the substrate area to be covered by the reconstructed pier would be new, but the size of structure and amount of area to be covered would be reduced from that occupied by the previous pier structure. Refer to Attachment A. No significant impacts have been identified.

3. Topography

There are no known changes to the ground surface to accomplish this project. No impacts have been identified.

4. Geologic Features

The lake bed substrate at the project location is comprised of large boulders. Pier supports have been attached as described in project description and A.1., above. No significant impacts have been identified.

5. Wind, Water Erosion of Soils

Access to perform the reconstruction work will be obtained from the existing upland access path. Hand tools will be used to accomplish this reconstruction effort. TRPA has required temporary erosion control and turbidity prevention measures to be applied to upland areas in order for this project to be completed (refer to Attachment C, TRPA Permit). Access to the pier from the upland residence is via a moderately sloping foot path. Conditions of the TRPA permit will minimize impacts from the construction project to soil erosion or depositional processes. The project is located within the body of the

lake. No stream inlets are present within the project influence area. No significant impacts have been identified.

6. Erosion, Deposition

No significant impacts are anticipated, refer to discussion in A.5., above.

7. Geologic Hazards

There are no known geologic hazards at or near the project site. No significant impacts are anticipated.

B. Air

1. Emissions/Deterioration

The project will be accomplished utilizing hand tools. Some emissions may occur from the construction vehicle arriving and departing from the upland residence. This impact will be minor and temporary, lasting during the repair activity which may take several weeks. Use of the applicant's boat at the pier and buoys would continue to be a minor contribution to the cumulative air emissions within the Lake Tahoe Basin. The California Environmental Protection Agency has been evaluating air emissions from boat engines and is taking steps to minimize air emissions from boat usage. No significant impacts are anticipated from this proposed project.

2. Objectionable Odors

Epoxy has been used to affix the steel posts to steel plates which are then attached to the boulders. The epoxy was applied to the material prior to entering lake waters. This project does not propose the use of any other hazardous materials for the reconstruction of the existing pier. Some odors will be experienced from emissions of the construction vehicles arriving and departing from the upland residence. Continued use of the pier and buoys would create some odors as boats arrive and leave. The existing and proposed use of this pier and buoys is for the applicant only. No commercial activity is proposed at the project site. The impacts identified are considered to be insignificant.

3. Air Movement, Moisture, Temperature, Climate

This project does not propose the placement of any structure which would affect the air movement, moisture or temperature, or any change in climate, locally or regionally. No significant impacts would occur.

C. Water

1. Currents, Water Movements

This project does not propose any new intake or to discharge any fluids or materials into the lake waters.

2. Absorption, Drainage, Runoff

This project does not propose the construction or placement of any new impervious structures. No significant impacts to drainage or runoff would result from this project.

3. Flood Waters

The pier is located within the body of Lake Tahoe. The proposed reconstruction activity would not have a significant impact upon the lake water elevation. The pier is of open piling design with support pilings and/or footing placed into/on the lakebed substrate. No significant impacts have been identified.

4. Surface Water

No significant impacts have been identified as discussed in C.3., above.

5. Discharge, Dissolved Oxygen

This project would cause minimal turbidity to lake waters during the removal of the existing wooden piling and placement of new steel piling. Specific water quality measures proposed include:

- a) Placement of a tarp under the construction area to prevent debris from enter the lake waters;
- b) Collection of waste materials and disposal at an approved site.

Continued use of the mooring buoys would not significantly affect the water quality of Lake Tahoe.

6. Flow of Ground Waters

New steel pilings would replace the existing wooden pilings. The pilings have been attached to steel plates with epoxy and the plates have been anchored to the boulders. The pier is located within the body of Lake Tahoe. Reconstruction activity would not affect the flow of ground water. The existing mooring buoys anchor rests on the lake

bottom and would also not affect flows of ground water. No significant impacts have been identified.

7. Quantity of Ground Waters

This project does not propose to extract or use existing ground water; therefore, there would be no impact on ground water quantity.

8. Reduction of Public Water Supplies

This project does not propose the extraction, use or contamination of water used for an existing public water supply. No impacts have been identified.

9. Water-Related Hazards

The proposed project involves reconstruction of an existing recreational pier. No expansion is proposed which could be determined to be a water-related hazard. Other piers exist within the vicinity and are comparable in length. The existing mooring buoys have been in place since and possibly prior to 1974 when applicant purchased the upland residence. No significant impacts have been identified.

10. Temperature, Flow or Chemical Content

There are no known thermal springs in the vicinity of this project; therefore no impact is anticipated.

D. Plant Life

1. Diversity of Species

The lake bed at the project site contains large boulders. The wooden pilings which have been removed may have served as substrate for a now established sessile plant population. Replacement of the pilings will cause a minor population loss of aquatic plants at the site.

Placement of the new steel pilings could furnish new substrate for sessile aquatic plants. This impact would be minimal as the site is dominated by boulders and can furnish habitat for sessile aquatic plants.

2. Endangered Species

According to the 1993 Tahoe Regional Planning Agency shoreline survey, the project site does not contain habitat suitable to support the California-listed Tahoe Yellow Cress, an

endangered plant species. The project site contains predominantly small to large boulders 1-3 feet in diameter with some 5' or more. Access to the site to conduct the reconstruction activity will take place from the access path between the upland residence and the pier. No materials will be stored on the lake bed between elevation 6223' and elevation 6229' LTD. There would be no impacts to endangered species resulting from this project.

3. Introduction of Plants

Removal of the old wooden pilings may disturb sessile aquatic plants growing on them. New steel pilings will provide additional area for sessile aquatic plants to populate. The project is located in an area containing mostly small boulders which can provide a great amount of habitat for sessile aquatic plants. Each of the mooring buoy anchors rests on the lake bottom. No significant impacts have been identified.

4. Reduction of Agricultural Crops

The pier and mooring buoys are located within the body of Lake Tahoe. No agriculture or aquaculture activities are conducted in this area. There would be no impact.

E. Animal Life

1. Animal Species Diversity

The proposed project is located in fish habitat according to TRPA staff site verification. Replacement of the existing pilings could impact fish and benthic organisms which were attracted to the pilings for grazing and shelter. Construction activity involving lakebed disturbance has been limited by the CDFG through issuance of a Streambed Alteration Agreement. Any remaining lakebed disturbance will require an amended Streambed Alteration Agreement prior to commencement of such activity.

TRPA has conditioned the use of the mooring buoys to be seasonally used between May 2 and October 14 of each year.

No significant impacts have been identified.

2. Rare Species

This lakebed substrate at the project site is predominantly small to large boulders. Timing of the construction activity for this project within a fish habitat area has been limited by the CDFG through issuance of the Streambed Alteration Agreement required to be obtained by the applicant prior to construction. No significant impacts have been

identified.

3. New Species

This project does not propose the introduction of any new animal species into Lake Tahoe. There would be no impacts in this issue area.

4. Habitat Deterioration

Replacement of the pier pilings may cause a temporary disturbance to fish habitat. The project area is located in fish habitat. Timing of construction has been limited by the CDFG through issuance of the Streambed Alteration Agreement. Continued use of the pier once reconstructed should not have any detrimental impact upon existing fish habitat. Continued use of the mooring buoys, now to be used seasonally, should not have a significant impact upon fish habitat. No significant impacts have been identified.

F. Noise

1. Noise Increases

The proposed project would cause periodic, moderate increases to existing noise levels during the pier reconstruction activity. Periodic intermittent increases in noise levels may be experienced during the continued use of the recreational pier for recreational boating. These impacts would be considered temporary, and insignificant.

2. Severe Noise

Construction activity must take place between 8:00 a.m. and 6:30 p.m. in accordance with TRPA ordinances for construction projects. Continued, periodic, brief increases to the existing noise levels would occur adjacent to the recreational pier and mooring buoys when motorized boat engines are used. Noise standards are monitored and enforced through TRPA ordinances. No significant impacts have been identified.

G. Light and Glare

1. New light or glare

The proposed project would be constructed during the hours of 8:00 a.m. to 6:30 p.m. No lighting for construction activity has been proposed. No significant impacts have been identified.

H. Land Use

1. Alteration of the Present or Planned Land Use

This project does not propose new land uses at this location which would alter local use patterns. The pier to be reconstructed is located within the shore and water influence area of the applicant's upland littoral property. No significant impacts have been identified.

I. Natural Resources

1-2. Rate of Use of Natural Resources/ Depletion of Nonrenewable Resources

The proposed reconstruction of the existing recreational pier and continued seasonal use of the mooring buoys would not increase the rate of use of any natural resource, or loss of non-renewable resources. The pier would continue to be used for private recreational use of the applicant. No new facilities are proposed which would have a significant impact on the use of natural resources.

J. Risk of Upset

1. Explosion

Risk of explosion of fuel could occur during reconstruction of the pier or boat usage of the mooring buoys; however, TRPA permit conditions minimize this possibility. Such conditions include: no discharge of petroleum products into the Lake and, no containers of fuel, paint or hazardous materials may be stored on the pier. No significant impacts have been identified.

2. Emergency Response Plan

The recreational pier has existed at this location for many years. The proposed reconstruction of this pier does not include any major extensions or modification to the dimensions of the pier which would interfere with any existing emergency response plan for this area. The mooring buoys are located approximately 50+ and 70+ feet from the end of the recreational pier (refer to site drawing Attachment A). TRPA has conditioned the mooring buoys to be used seasonally between May and October. No significant impacts have been identified.

K. Population

1. Alteration, Distribution, Density, or Growth Rate

The proposed project is a reconstruction and minor modification of an existing facility which is an accessory structure to the upland residence. There would be no live-aboard vessels or increases in local population resulting from this project. No significant impacts have been identified.

L. Housing

1. Affect Existing Housing/Demand for Additional Housing

The proposed project would not have any effects in this issue area. As indicated in K.1., above, it is an accessory use to the existing upland residence, and it is used for private recreational purposes of the applicant. No significant impacts have been identified.

M. Transportation/Circulation

1. Vehicular Movement

The project site will be accessed by the use of a foot path between the upland residence and the pier. A construction vehicle will utilize parking available at the upland residence during the pier repair. No new vehicular movement is anticipated for the continued use of the recreational pier, as no new capacity nor change in use is proposed. No significant impacts have been identified.

2. Parking

No new parking is proposed or required to conduct the proposed reconstruction activity. Parking is available for the applicant's use at the upland residence. No significant impacts have been identified.

3. Transportation Systems

No significant impacts have been identified, refer to discussion in M.1., above.

4. Circulation

The recreational pier would be reconstructed with similar dimensions and capacity as the previous pier, and as described in the Project Description, above. The construction activity will be accomplished utilizing hand tools. There would be no new impacts to the circulation or movement of people and/or goods. The existing mooring buoys will be used

seasonally as indicated by TRPA permit #940850.

5. Traffic

Construction traffic will be minimal for this project, as hand tools will be utilized and the pier is small in size. No significant impacts are anticipated to waterborne traffic, as no significant extensions are proposed.

6. Hazards

The proposed repair activity would occur in the body of the Lake. Hand tools will be used to accomplish the replacement of pier parts, therefore, no impacts to motor vehicles, bicyclists or pedestrians would occur. Continued use of the pier and mooring buoys within the body of the Lake would create no new impacts to this issue area.

N. Public Services

1.-6. Fire, Police, Schools, Parks, Public Facilities, Other Governmental Services

The proposed reconstruction of an existing recreational pier would occur within the same water influence area and include similar dimensions and capacity. Some minor revisions will be accomplished (refer to Project Description discussion, above). Continued use of the pier and mooring buoys would not have a new effect on public services. No new facilities are proposed which would have a significant impact upon any of these issue areas.

O. Energy

1. Use

Minor amounts of fuel and electrical power would be required to conduct the reconstruction of the existing pier. These impacts would be temporary, lasting several weeks. Continued use of the existing pier and mooring buoys would not create a significant demand upon the existing sources of energy or require the development of new sources of energy.

2. Demand

As discussed in O.1., above, no significant impacts have been identified.

P. Utilities

1.-6. Power, Communication Systems, Water, Sewer, Storm Drainage, Solid Waste

The proposed reconstruction of the existing pier and retention of the mooring buoys would not significantly increase these issue areas. There is an existing residential dwelling located on the littoral property. The pier extends from the backshore, a few feet above the high water elevation (see Attachment A). All needed services are provided for the residential dwelling. No significant features are proposed which would require a change to the existing utility systems.

Q. Human Health

1.-2. Creation/Exposure to Health Hazard

Reconstruction of the existing recreational pier is needed in order to maintain a safe structure for the use of the applicant. Construction materials used in this project have been conditioned and will be enforced by TRPA and CDFG ordinances and regulations. Construction materials have been described in Project Description preceding environmental issue discussion. No significant impacts have been identified.

R. Aesthetics

The reconstruction activity will occur within the shoreline area where other similarly sized recreational piers occur with similar features and design. Colors to be used for the pier and stairway will be regulated by the conditional TRPA permit requiring earth-toned colors that blend rather than contrast with the surrounding environment. No new significant impacts to the scenic view have been identified. Use of the mooring buoys has been conditioned by the TRPA permit to require seasonal use between May and October of each year.

S. Recreation

Reconstruction of the existing recreational pier would occur totally within the water influence area of the applicant's littoral property. Access to the pier site will be obtained utilizing an existing footpath from the residence. This would not impact adjacent recreational uses within the shoreline area. The existing mooring buoys have been conditioned by TRPA for seasonal use as indicated in R., above. The pier to be reconstructed will have similar dimensions and length as the previous structure, with minor modifications as described in the Project Description, above. No significant impacts have been identified.

T. Cultural Resources

1.4. Prehistoric/Archaeological Sites

The proposed pier repair activity will occur within the body of the lake. There are no known archaeological or ethnic sites at this location. Impacts to the lakebed anticipated from this proposed reconstruction activity are minor and would not require excavation of earth materials. The mooring buoy anchors rest on the lake bottom. No significant impacts are anticipated to prehistoric or archaeological features.

U. Mandatory Findings of Significance

1. Degradation of the Environment

The pier to be reconstructed is located in fish habitat. The proposed repair activity has been limited by the CDFG through issuance of the Streambed Alteration Agreement. The mooring buoys have been conditioned by TRPA to be used seasonally between May and October of each year. No significant impacts have been identified.

2. Environmental Goals

The environmental impacts which would be caused by the pier reconstruction and retention of the mooring buoys would be minimized as a result of the incorporation of project modifications such as: placing tarps or small boats under the construction area to prevent debris from entering the lake; utilizing caissons or turbidity barriers as determined to be required by TRPA staff, conducting the repair work in accordance with the CDFG Streambed Alteration Agreement, and seasonal use of the mooring buoys. It does not appear that environmental goals would be jeopardized by this proposed project.

3. Cumulative Impacts

The proposed reconstruction activity and retention of the pier and mooring buoys would not create any significant impacts as indicated in environmental issue areas described above.

4. Adverse Impacts

The proposed pier reconstruction activity and retention of the mooring buoys would not produce any significant adverse effects to human beings or the environment as discussed in the environmental issue areas above. In addition, this project will be monitored by the

staff of the Tahoe Regional Planning Agency and the State Lands Commission in conjunction with the staff of the CDFG and the Lahontan Regional Water Quality Control Board and the United States Army Corps of Engineers to ensure project modifications are implemented.

CALENDAR PAGE	170
MINUTE PAGE	548

**MONITORING PROGRAM
JACKSON PIER RECONSTRUCTION
8365 Meeks Bay Avenue
APN: 16-081-36, El Dorado County**

W25170

1. **Impact:** The proposed repair activity will occur within fish habitat and may disturb it.

Project Modification:

The construction activity was limited to the period October 15 - December 31, 1994, by the CDFG through issuance of a Streambed Alteration Agreement. If at the conclusion of the construction activity disturbed sediments are found, the affected areas will be hand rolled and/or rock cobble will be hand picked in order to reconsolidate the shoreline/lakebottom sediments.

Project Monitoring:

Prior to the circulation of this document, with the project 80% completed, staff of the Department of Fish and Game monitored this project. Staff of the State Lands Commission, or its designated representative, will be notified prior to the start of any remaining construction activity and will inspect the project site periodically, coordinate this activity with other responsible agencies, and upon conclusion of the project, ensure project modifications are implemented.

2. **Impact:** Access to the pier site is via a foot path on the steep upland bluff leading from the residence. There is a possibility of disturbance to the soils and vegetation during repair activities.

Project Modification:

No storage of equipment or materials is proposed on the beach. All storage of materials will be on the existing structure.

Project Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically monitor the project site and coordinate with other responsible agencies to ensure project modifications are implemented.

3. **Impact:** The proposed repair activity may have the potential to create a discharge

CALENDAR PAGE	171
MINUTE PAGE	549

into lake waters affecting the water quality of the lake.

Project Modification:

During the proposed repair activity, tarps or small boats will be placed under the construction area to prevent debris from entering the lake.

Caissons or steel sleeves will be used to prevent the resuspension of sediments during the driving of piles.

Project Monitoring: Staff of the State Lands Commission, or its designated representative, will periodically monitor the project site and coordinate with other responsible agencies to ensure project modifications are implemented.

CALENDAR PAGE	172
MINUTE PAGE	550

ATTACHMENT "A"

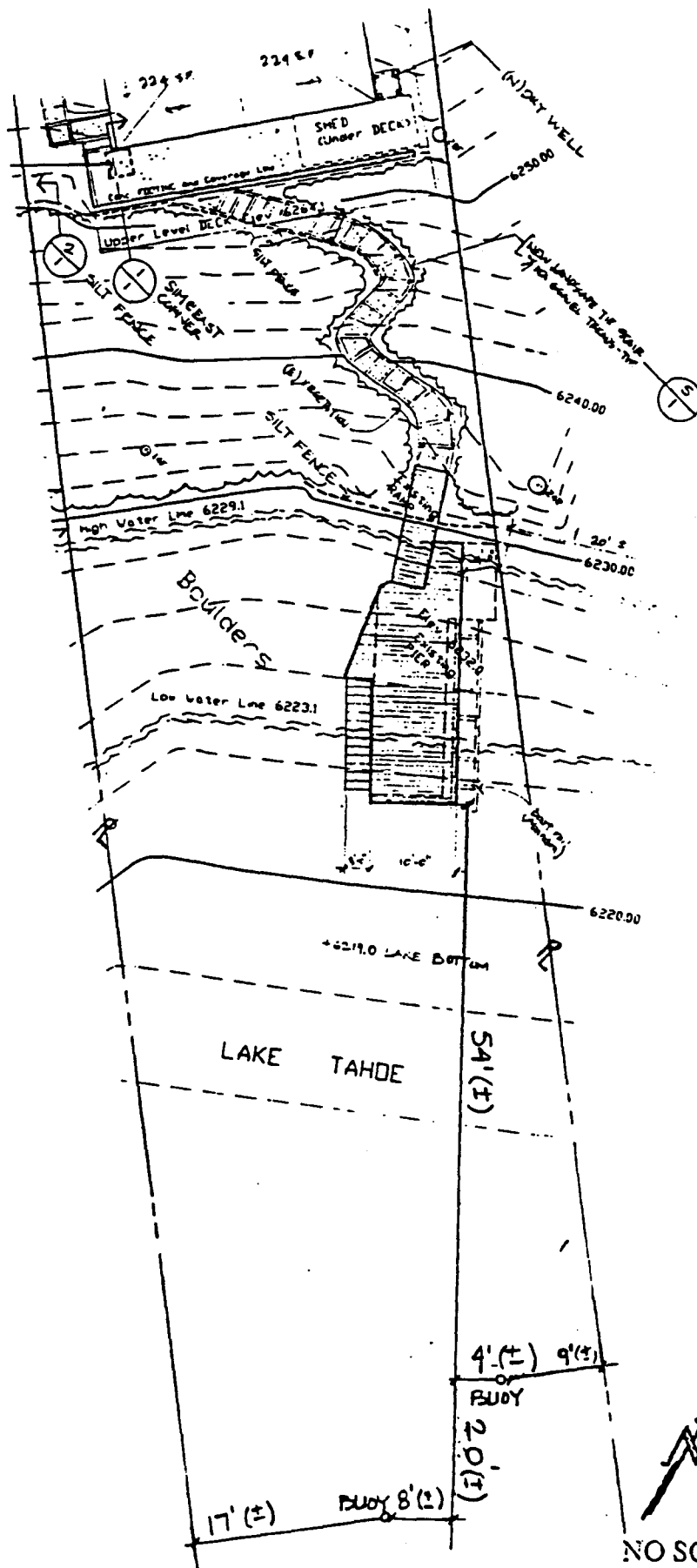


EXHIBIT "A"

W 25170

APN 16 - 081 - 36

Lake Tahoe

EL DORADO COUNTY

Sheet 4 of 4 Sheets

LAKE
TAHOE

Placer Co.
El Dorado Co.
California
TREVINO

CALENDAR PAGE

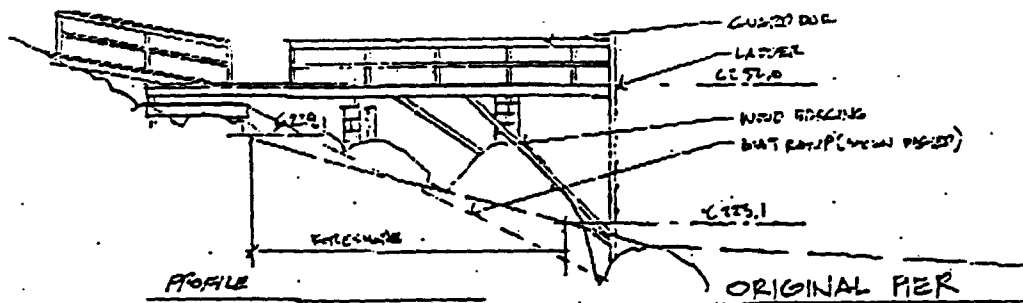
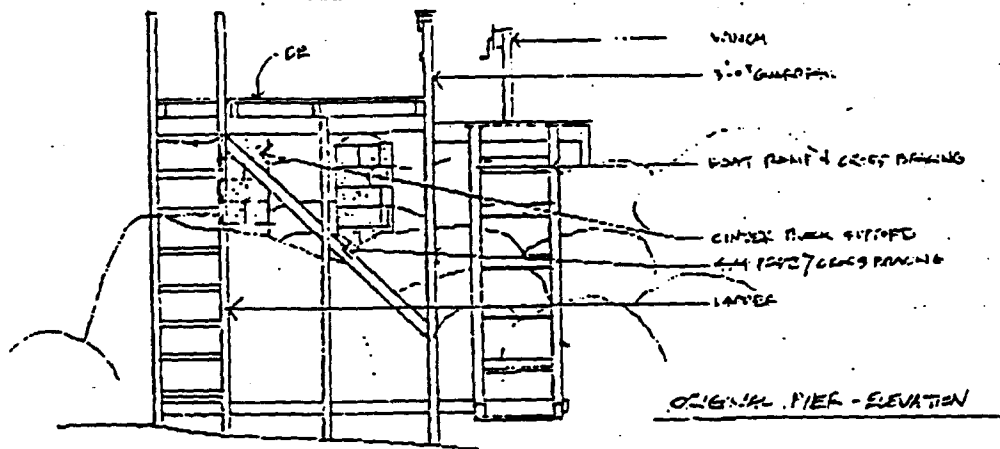
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NO SCALE

MINUTE PAGE

551

CG 1004



Lake Tahoe

NO SCALE

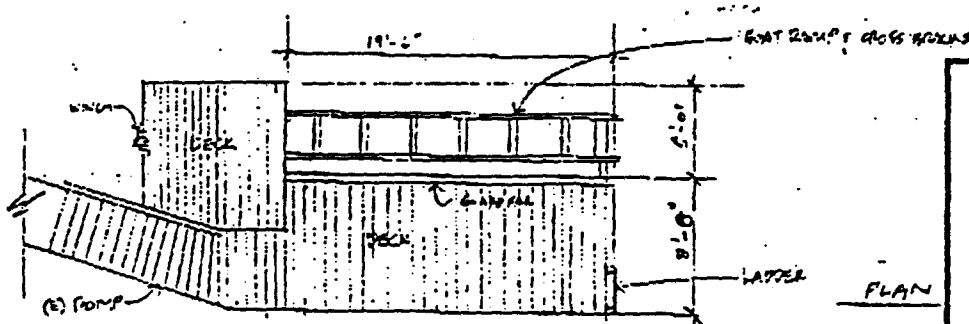


EXHIBIT "A"

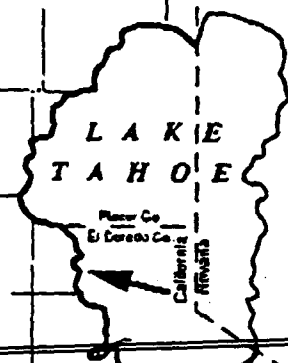
W 25170

APN 16 - 081 - 36

Lake Tahoe

EL DORADO COUNTY

Sheet 2 of 4 Sheets



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

CALENDAR PAGE

174

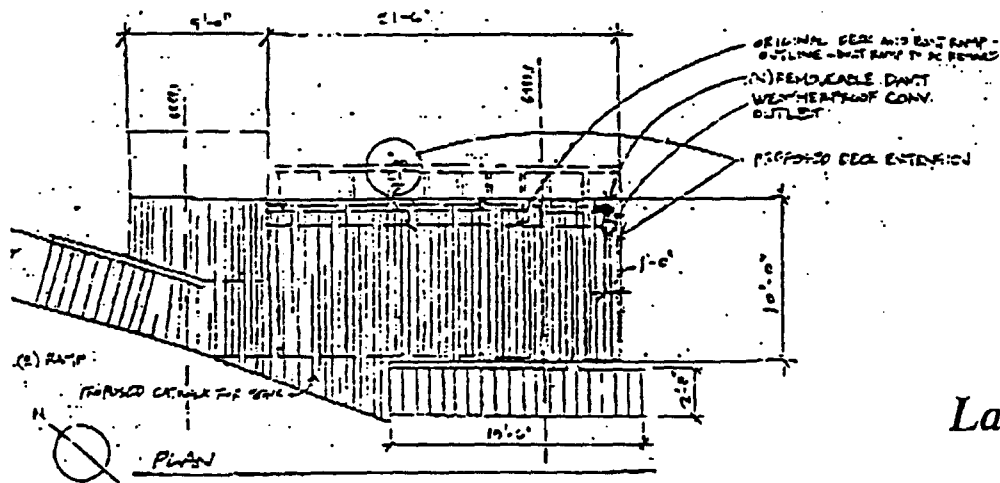
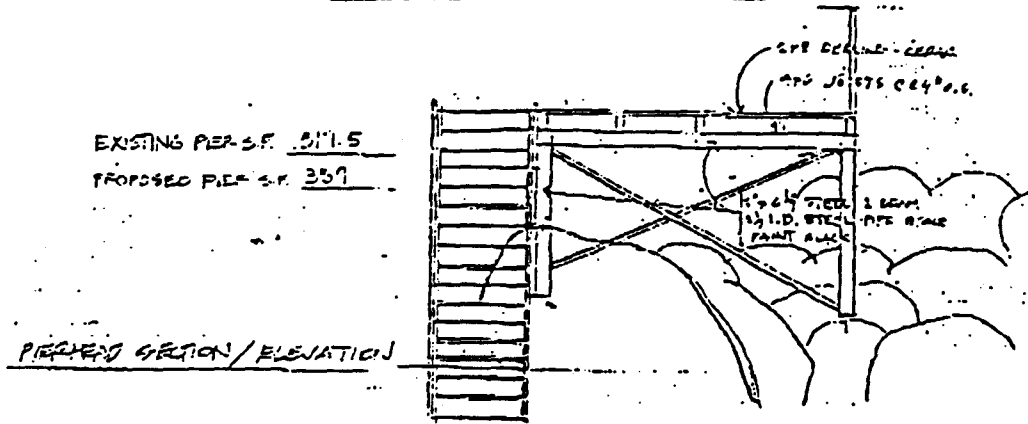
MINUTE PAGE

552

CG 1001

ATTACHMENT "A-2"

PROPOSED PIER EXTENSION



Lake Tahoe

NO SCALE

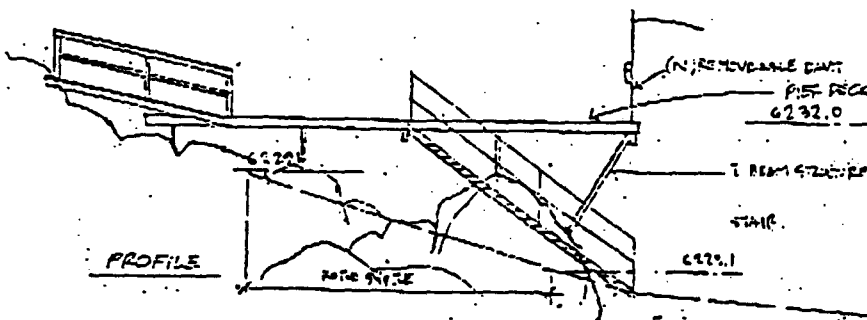
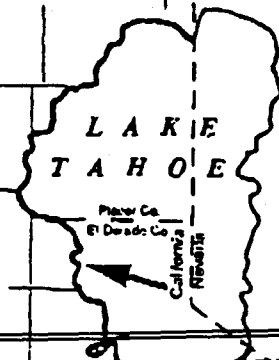


EXHIBIT "A"
W 25170
APN 16 - 081 - 36
Lake Tahoe
EL DORADO COUNTY
Sheet 2 of 4 Sheets



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CALENDAR PAGE 175

MINUTE PAGE 553

CG-100M

Notification II-550-94

AGREEMENT

REGARDING PROPOSED ACTIVITIES SUBJECT TO
CALIFORNIA FISH AND GAME CODE SECTIONS 1601/1603

WHEREAS:

1. Mr. Peder Jens Pedersen, hereinafter referred to as the Operator, representing Ms. Carolyn Jackson, on September 21, 1994, notified the Department of Fish and Game of the intent to change the bed or banks of, or use materials of Lake Tahoe, in El Dorado County, California, a water over which the Department asserts jurisdiction pursuant to Division 2, Chapter 6 of the California Fish and Game Code.

2. Fish and Game Code Sections 1600 et seq. make provisions for the negotiation of agreements regarding the delineation and definition of appropriate activities, project modifications and/or specific measures necessary to protect fish and wildlife resources.

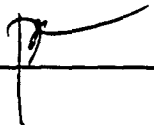
3. The Department has determined that without the mitigative features identified in this agreement, the activities proposed in the Operator's notification could substantially adversely affect fish and wildlife.

NOW THEREFORE, IT IS AGREED THAT:

1. If this agreement is found to be in conflict with any other provisions of law or general conditions of public safety, it is void.

2. This agreement does not constitute or imply the approval or endorsement of a project, or of specific features, by the Department of Fish and Game, beyond the limited scope of responsibility, established by Code sections 1600 et seq. This agreement does not therefore assure concurrence by the Department with the issuance of permits from this or any other agency. Independent review and recommendations will be provided by the Department as appropriate on those projects where local, state, or federal permits or environmental reports are required. Any fish and wildlife protective or mitigative features that are adopted by a CEQA or NEPA lead agency or made conditions for the issuance of a permit for this project become part of the project description for which this agreement is written.

Operator's initials



Department Representative



CALENDAR PAGE	176
MINUTE PAGE	554

3 To the extent that the provisions of this agreement provide for activities that are subject to the authority of other public agencies, said activities are agreed to with the understanding that all appropriate permits and authorizations will be obtained prior to the commencement of activities.

4. All provisions of this agreement remain in force throughout the term of the agreement. Any provision of the agreement may be amended or the agreement may be terminated at any time provided such amendment and/or termination is agreed to in writing by both parties. Mutually approved amendments become part of the original agreement and are subject to all previously negotiated provisions. Amendments to the original agreement are subject to additional fees.

5. The Operator agrees to provide the Department access to the worksite at any time to ensure compliance with the terms, conditions, and provisions of this agreement.


6. A copy of this agreement must be provided to the Operator's project supervisors and all contractors and subcontractors. Copies of the agreement must be available at the work site during all periods of active work and must be presented to Department personnel upon request. Any contractor used on the project must sign the attached "NOTICE AND VERIFICATION" form and return it as designated prior to the start of construction.

7. The Operator assumes responsibility for the restoration of any fish and wildlife habitat which may be impaired or damaged either directly or incidental to the project, as a result of failure to properly implement or complete the mitigative features of this agreement, or from activities which were not included in the Operator's original notification.

8. The following provisions, including any additional project features resulting from the above, constitute the limit of activity agreed to and resolved by this agreement. The signing of the agreement does not imply that the Operator is precluded from doing other activities at the site. However, activities not specifically agreed to and resolved by this agreement are subject to separate notification pursuant to Section 1603.

PROVISIONS

1. This agreement is limited in scope to the work delineated by the Notification received September 21, 1994, to wit: Pier modifications at 8365 Meeks Bay Ave. APN 16-081-36 in El Dorado County. The Department and the Operator understand that most of the work on the pier was done prior to any notification to the Department.

Operator's initials 

Department Representative 

CALENDAR PAGE

177

MINUTE PAGE

555

2. Construction design shall conform to the specifications submitted with the notification.
3. No debris, soil, silt, sand, rubbish, cement or concrete or washings thereof, oil or petroleum products or other organic or earthen material shall be allowed to enter the lake or be placed where it may enter the lake in subsequent rain storms.
4. The Operator will notify the Department of the date of commencement of operations and the date of completion of operations at least five days prior to such completion. Notification may be made to the Region 2 office at (916)355-7030 or to Mark Zumsteg at (916)577-5416.
5. This agreement allows for work to be carried out from October 15, 1994 through December 31, 1994. The Operator may request an extension by making a written request prior to the expiration of this agreement. The Department may grant an extension at its discretion. A request for an extension is an amendment to the original agreement and is therefore subject to additional fees.
6. The Department reserves the right to suspend and/or revoke this agreement if the Department determines that the circumstances warrant. Circumstances that could require such action include, but are not limited to:
- A. Failure to comply with the terms/conditions of this agreement.
 - B. The information provided by the Operator in the notification is determined by the Department to be incomplete or inaccurate.
 - C. When new information becomes available to the Department that was not known when preparing the original terms/provisions of this agreement.
 - D. The project as described in the notification/agreement has changed, or conditions affecting fish and wildlife resources change.

Operator's initials



Department Representative





CALENDAR PAGE	178
MINUTE PAGE	556

7. This agreement becomes effective on the date upon which the Department receives the agreement signed by both parties.

CONCURRENCE

California Department of
Fish and Game


(signature) 11-11-91
(date)


(signature) 10-11-91
(date)

Operator's initials

Department Representative 

CALENDAR PAGE	179
MINUTE PAGE	557

ATTACHMENT "C"

TAHOE REGIONAL PLANNING AGENCY

308 Doria Court
Elks Point, Nevada

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038
SHOREZONE PERMIT

(702) 588-4547
Fax (702) 588-4527

PROJECT DESCRIPTION: Pier Reconstruction/Expansion

APN 16-081-36

PERMITTEE(S): Pete Pedersen/Carolyn Jackson

File No. 940850

COUNTY/LOCATION: El Dorado/8365 Meeks Bay Avenue

- Includes Diagram

Having made the findings required by Agency ordinances and rules, TRPA approved the project on October 26, 1994, subject to the standard conditions of approval attached hereto (Attachment S) and the special conditions found in this permit.

This permit shall expire on October 26, 1997, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO FURTHER CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT, IF REQUIRED. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS. NO FURTHER CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGMENT OF THIS PERMIT. IN ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT AND A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED. TRPA'S ACKNOWLEDGMENT IS NECESSARY TO OBTAIN A COUNTY/CITY BUILDING PERMIT.

[Signature]
TRPA Executive Director/Designee

Oct 26/1994
Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s)

Carolyn R. Jackson Date 2/22/11, 1994

PERMIT CONTINUED ON NEXT PAGE

CALENDAR PAGE

180

MINUTE PAGE

558

TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court
Elks Point, Nevada

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547
Fax (702) 588-4527

October 31, 1994

RECEIVED

Mr. Pete Pedersen
270 Prospect Drive
San Rafael, CA 94901

NOV 16 1994

TAHOE REGIONAL

Subject: Jackson Pier Reconstruction and Expansion Permit, 8365 Meeks Bay
Avenue, El Dorado County, APN 16-081-36.

Dear Mr. Pedersen:

Enclosed please find a Tahoe Regional Planning Agency (TRPA) permit and attachments for the project referenced above. TRPA will acknowledge the permit only after all the standard and special conditions of approval have been satisfied. Failure to satisfy these conditions of approval will cause unnecessary time delays. TRPA acknowledgement is required prior to application to other reviewing agencies and recommencement of construction. Upon TRPA acknowledgement, the CEASE AND DESIST ORDER currently in force will be removed.

Please schedule an appointment with me to finalize your project. Due to time demands, TRPA cannot accept drop-in or unannounced arrivals to finalize plans.

Please note that combined security and mitigation fee payments cannot be accepted. All payments must be submitted separately. Acceptable ways to post a security are listed in the enclosed handout entitled "Attachment J".

Thank you very much for your attention and assistance in this matter. Please feel free to call me if you have any questions regarding this letter or your permit in general.

Sincerely,



Jon Paul Kiel
Associate Environmental Specialist

JPK:jsd

Enclosures

cc: Judy Ludlow, California State Lands Commission
Brad Hubbard, U.S. Army Corps of Engineers
Mark Zumsteg, California Department of Fish and Game
Kevin Kratzke, California Regional Water Quality Control Board,
Lahontan Region
John Walker, El Dorado County Building Department

CALENDAR PAGE	181
MINUTE PAGE	559

TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court
Elks Point, Nevada

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038
SHOREZONE PERMIT

(702) 588-4547
Fax (702) 588-4527

PROJECT DESCRIPTION: Pier Reconstruction/Expansion

APN 16-081-36

PERMITTEE(S): Pete Pedersen/Carolyn Jackson

File No. 940850

COUNTY/LOCATION: El Dorado/8365 Meeks Bay Avenue

Having made the findings required by Agency ordinances and rules, TRPA approved the project on October 26, 1994, subject to the standard conditions of approval attached hereto (Attachment S) and the special conditions found in this permit.

This permit shall expire on October 26, 1997, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO FURTHER CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT, IF REQUIRED. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS. NO FURTHER CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGMENT OF THIS PERMIT. IN ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT AND A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED. TRPA'S ACKNOWLEDGMENT IS NECESSARY TO OBTAIN A COUNTY/CITY BUILDING PERMIT.


TRPA Executive Director/Designee

Oct 26/1994
Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of the transfer. I understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) _____ Date _____

PERMIT CONTINUED ON NEXT PAGE

CALENDAR PAGE	182
MINUTE PAGE	560

Excess Coverage Mitigation Fee: Amount* ____ Paid ____ Receipt No. ____

Shorezone Mitigation Fee: Amount \$530 Paid ____ Receipt No. ____

Security Posted: Amount* ____ Posted ____ Receipt No. ____ Type ____

Security Administrative Fee: Amount ____ Paid ____ Receipt No. ____

Monetary Penalty: Amount \$1115 Paid ____ Receipt No. ____

* To be determined.

Required plans determined to be in conformance with approval: Date ____

TRPA ACKNOWLEDGMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

TRPA Executive Director/Designee

Date

SPECIAL CONDITIONS

1. Prior to permit acknowledgment, the following special conditions of approval must be satisfied:
 - A. The permittee shall mitigate excess land coverage within the project area by submitting an excess coverage mitigation fee, or by removing coverage within Hydrologic Transfer Area Number 6 in accordance with the provisions of Chapter 20 of the Code.
 - B. The security required under Standard Condition A.3 of Attachment S shall be determined upon the applicant's submittal of the required Best Management Practices plan for the project area, and related cost estimate. Please see Attachment J. Security Procedures.
 - C. The applicant shall submit plans, cost estimates and installation schedule for the installation of all required water quality improvements (BMPs) for the entire project area.

SPECIAL CONDITIONS CONTINUED ON NEXT PAGE

CALENDAR PAGE	183
MINUTE PAGE	561

SPECIAL CONDITIONS CONTINUED

- D. Final construction drawings shall conform to all applicable design standards of Section 54.4.B, TRPA Code of Ordinances, and all other applicable TRPA design standards.
- E. The applicant shall submit a pier mitigation fee of \$530 for the construction of 1 foot of new pier and the addition of a davit. This fee is based on the additional length extending into the lakezone beyond the existing pier.
- F. The applicant shall submit an additional filing fee of \$1115 to TRPA within thirty days of project approval.
- G. The applicant shall submit a construction schedule prior to commencement of construction. This schedule shall identify dates for the following: when installation of temporary erosion control structures and turbidity barriers, if required, will occur; when construction will start; when construction debris will be removed; when installation of all permanent erosion control structures will occur; and when construction will be completed.
- H. The final colors and materials used for construction of the pier shall be approved by TRPA staff.
- I. Final construction drawings shall have notes containing the following information:
- (1) All work on the pier reconstruction/expansion shall be accessed via the original pier structure, or by a rubber-tired barge, or other vessel, from the lake.
 - (2) All construction work shall be restricted to the existing and proposed pier "footprint". Footprint of the pier shall be defined as that area directly below the pier extension.
 - (3) Any lake bottom disturbance shall be corrected using handrollers to reconsolidate disturbed shorezone sediments.
 - (4) All disturbed lake bottom cobbles shall be returned to their natural state, in a contiguous manner consistent with the natural setting.

SPECIAL CONDITIONS CONTINUED ON NEXT PAGE

CALENDAR PAGE	184
MINUTE PAGE	562

SPECIAL CONDITIONS CONTINUED

- (5) The removal and installation of all pier pilings may require the use of cassions. The requirement to utilize cassions or other turbidity barriers shall be at the TRPA Associate Environmental Specialist's discretion. Disturbed sediment and turbidity shall be allowed to settle before removal of any cassion or turbidity barrier.
- (6) Tarps shall be placed under the pier during construction to prevent falling debris from entering the lake.
- (7) Storage of construction materials shall be prohibited on the beach or within the backshore.
- (8) All foundation material previously disposed of on the lake bottom shall be removed.
- (9) The residence shall be repainted the equivalent of Benjamin Moore Tudor Brown 62. Trim shall be painted Benjamin Moore Essex Green #43 or equivalent.
- (10) Color: The color of all structures, including any fences on the property, shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthtone colors are considered to be shades of reddish brown, brown, tan ochre, umber and sand.

J. The applicant shall submit 3 sets of final construction drawings and upland site plans to TRPA.

2. Spray painting and the use of tributyltin (TBT) is prohibited.
3. Storage of construction materials shall be prohibited on the beach or within 50 feet of the beach bluff. Construction materials may be stored on the existing pier.
4. Fertilizer use on this property shall be managed to include the appropriate type of fertilizer, rate, and frequency of application to avoid release of excess nutrients and minimize use of fertilizer.

SPECIAL CONDITIONS CONTINUED ON NEXT PAGE

CALENDAR PAGE

185

MINUTE PAGE

563

SPECIAL CONDITIONS CONTINUED

5. No trees shall be removed or trimmed for view enhancement purposes without prior TRPA written approval.
6. The adequacy of all required BMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pre-grading inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.
7. Disturbance of the lake bed materials shall be kept to the minimum necessary for project construction.
8. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal.
9. The use of wood preservatives on wood in contact with the water is prohibited and extreme care shall be taken to insure that wood preservatives are not introduced into Lake Tahoe.
10. No containers of fuel, paint, or other hazardous materials may be stored on the pier.
11. Gravel, cobble, or small boulders shall not be disturbed or removed to leave exposed sandy areas, before, during, or after construction.
12. All construction activity shall take place during the non-spawning season, between July 1 and October 1.
13. The applicant shall submit post-construction photos within 30 days of the project completion date, demonstrating any resultant impacts to scenic quality as viewed from 300 feet from shore looking landward and to lake bottom conditions as viewed from the subject parcel.
14. Best practical control technology shall be employed to prevent earthen materials to be resuspended as a result of pier construction and from being transported to adjacent lake water. If determined by the TRPA Compliance Officer to be necessary, the applicant shall install cassions around pilings or a turbidity barrier around the entire construction site (in the water) prior to construction. This barrier may be removed upon project completion only upon a satisfactory inspection by TRPA to insure that all suspended materials have settled.

SPECIAL CONDITIONS CONTINUED ON NEXT PAGE

CALENDAR PAGE	186
MINUTE PAGE	564

SPECIAL CONDITIONS CONTINUED

15. No trees or other plants shall be removed to provide foot or vehicular access to the pier during or after the project construction.
16. No raking of the beach or shoreline shall be allowed before, during, or after construction.
17. All legally existing buoys shall be seasonal. The buoy float and anchor chain shall be removed each year by October 15th and not re-installed until May 1st of the following year.

END SPECIAL CONDITIONS

CALENDAR PAGE	187
MINUTE PAGE	565

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STATEMENT OF NO SIGNIFICANT EFFECT

PROJECT DESCRIPTION: Pier Reconstruction/Expansion

APN: 16-081-36

PERMITTEE(S): Pete Pedersen/Carolyn Jackson

COUNTY/LOCATION: El Dorado/8365 Meeks Bay Avenue

File No: 94850

Staff Analysis: In accordance with Article VI of the Tahoe Regional Planning Compact, as amended, and Section 6.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.



TRPA Chairman or Executive Director



Date

CALENDAR PAGE

188

MINUTE PAGE

566



REPLY TO
ATTENTION OF

ATTACHMENT D
DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

W25170

February 2, 1995

Regulatory Branch (199400943)

California State Lands Commission
ATTN: Mrs. Judy Ludlow
1807 - 13th Street
Sacramento, California 95814-7187

Dear Mrs. Ludlow:

This is in response to your request for verification of the presence of a buoy, on Lake Tahoe (mile 23.5). The buoy is located within 350 feet of ordinary high water of Lake Tahoe (elevation 6229.1 feet), in front of El Dorado County Assessor's Parcel Number 16-081-036, California.

Aerial photography dated October, 1970 shows one buoy in front of this parcel; in accordance with 33 CFR 330.3(b), this buoy is considered grandfathered and does not require specific authorization by the Department of the Army, provided it has been maintained in its original configuration.

If you have any questions, please write to Nancy Haley, Room 1444 or telephone (916) 557-7772.

Sincerely,

Robert W. Junell, Chief
Nevada/Sierra Office

Copies Furnished:

Mary Tappan, Peder Jens Pedersen, 270 Prospect Drive, San Rafael,
California 94901
Mr. Jim Lawrence, Tahoe Regional Planning Agency, P.O. Box 1038,
Zephyr Cove, NV 89448-1038

CALENDAR PAGE	189
MINUTE PAGE	567