

MINUTE ITEM

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06/30/88
W 30005
Moory

CONSTRUCTION OF NEW PIERS
AND PIER EXTENSIONS

Calendar Item 41, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 41.

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CONSTRUCTION OF NEW PIERS AND PIER EXTENSIONS

APPLICANT: State Lands Commission
1807 13th Street
Sacramento, California 95814

At its November 1978 meeting, the Commission suspended all leasing for construction of new piers at Lake Tahoe, excepting mooring buoys and multiple-use facilities, until June 30, 1979. The intent of this interim policy was to allow time for the Commission staff to explore funding sources, including a State appropriation in the Commission's budget, for the preparation and initiation of a research effort which would address the cumulative impacts associated with additional boating and recreation facilities in the Tahoe shorezone.

In August 1979, the Commission extended this policy through December 1979, subject to staff working: (1) with the California Tahoe Regional Planning Agency (CTRPA) to develop a full range of alternatives for management of the Tahoe shorezone; and (2) to acquire the funding necessary to conduct a scientific study of the environmental effects of development in the Tahoe shorezone.

By adopting the Shorezone Ordinance of the Tahoe Regional Planning Agency (TRPA), the California Tahoe Regional Planning Agency (CTRPA) became the "Lead Agency", under the provisions of the California Environmental Quality Act of 1970, as amended, in the consideration of such private structures.

In January 1981, the Commission extended this policy until December 1983, when the Commission's study of the effects of piers would be completed. The Commission again recognized the status of the California Tahoe Regional Planning Agency as lead agency for purposes of CEQA.

(ADDED 06/27/88)

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Subsequent to this action, two developments occurred which required reconsideration of this policy. First, a new bistate compact for the Tahoe Regional Planning Agency (TRPA) was agreed to by California and Nevada. This compact required TRPA to prepare threshold studies for further development in the Lake Tahoe Basin. Second, both CTRPA and TRPA prohibited any additional construction of either single- or multiple-use piers in Lake Tahoe or the extension of existing piers. These prohibitions were designed to continue until TRPA updated the Regional Plan to consider the threshold limit for piers. This update was to be based upon the data supplied from the Commission study. In furtherance of this policy, neither agency was accepting permit applications for new piers or extension (length of structure, etc.) of existing piers.

As a result, the Commission, at its meeting of April 22, 1982, adopted a policy "under which it would no longer accept applications for new piers or pier extensions at Lake Tahoe until the Tahoe Regional Planning Agency (TRPA) has updated its Regional Plan for the shorezone of Lake Tahoe".

The study of the littoral zone of Lake Tahoe focused on the cumulative impacts of pier development on littoral sediment transport. The study was funded by a \$175,000 appropriation from the California Environmental License Plate Fund and was performed under contract with the Department of Geological Sciences at the University of Southern California.

Results of the study showed that the littoral zone was highly segmented and there was little littoral zone transport of sediment between these segments. It also showed that most of the sediment that was present on the beaches was derived from the erosion of backshore cliffs and not from streams entering the lake. Evidence was found the piers did have a small effect on littoral sediment transport, but there was no evidence that this effect was cumulative.

On July 15, 1987, TRPA adopted their shorezone ordinance to implement their previously adopted Regional Plan. Although the plan and ordinance allow the construction of new structures in Lake Tahoe, TRPA indicated that it will continue to restrict development in certain areas of the lake until an analysis is done to determine the impacts of structures on fish spawning and fish habitat. The TRPA has begun issuing permits for piers and pier extensions.

(ADDED 06/27/88)

CALENDAR ITEM NO. 41 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

AB 884: N/A.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. AUTHORIZE STAFF TO ACCEPT AND PROCESS APPLICATIONS FOR NEW PIERS AND PIER EXTENSIONS OR MODIFICATIONS AT LAKE TAHOE PROVIDED THAT SUCH APPLICATIONS ARE ACCOMPANIED BY A VALID TRPA PERMIT.

(ADDED 06/27/88)

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