

## ATTACHMENT 5

### NOTICE OF DETERMINATION

**To:**  
Office of Planning and Research  
1400 10th Street, Room 121  
Sacramento, CA 95814

**From:**  
California Tahoe Conservancy  
1061 Third Street  
South Lake Tahoe, CA 96150

**Subject:**  
Filing a notice of determination in compliance with Public Resource Code section 21108.

**Project Title:** Land Bank Pier Program (Program)

**State Clearinghouse Number:** 2021070588

**Contact Person:** Jessica Wackenhut

**Telephone Number:** (530) 542-5580

**Project Location:**

The Program will be implemented within the shorezone of the California side of Lake Tahoe in Placer and El Dorado Counties (Exhibit A). While the specific locations of pier transactions that would be facilitated by the Program are unknown at this time, the future locations would be guided by the provisions of Section 84.4 of the Tahoe Regional Planning Agency (TRPA) Code of Ordinances. Private parcels potentially eligible for a new pier are shown in Exhibit B.

**Project Description:**

Under the Program, the Conservancy will adopt land bank pier program guidelines that allow for the sale of coverage and restoration credits to pier applicants to support pier infrastructure. Because of TRPA requirements that limit coverage in the shorezone, coverage and restoration credits available from the Conservancy could be used for support facilities (e.g., walkways, stairs, piles) in the backshore and other parts of the littoral parcel, allowing up to 86 private piers and ten public piers to be built in the California side of Lake Tahoe consistent with the Shoreline Plan. The Program will facilitate the Regional Plan and Shoreline Plan through transfers of land coverage and restoration credits associated with proposed pier projects; however, the TRPA would serve as the primary agency with responsibility to review and approve proposed pier projects.

This is to advise that the California Tahoe Conservancy (Conservancy), acting as a lead agency, approved the above-described Program on 11/8/2021 (Agenda Item 8) and has made the following determinations:

1. The Program will not have a significant effect on the environment.
2. The Conservancy adopted the negative declaration pursuant to the provisions of the California Environmental Quality Act (CEQA).
3. Mitigation measures were not made a condition of approval of the Program.
4. A mitigation reporting or monitoring plan was not adopted for this Program.
5. A statement of overriding conditions was not adopted for this Program.
6. Findings were not made pursuant to the provisions of CEQA.

A copy of the negative declaration and record of approval is available to the general public at

<https://tahoe.ca.gov/land-bank-pier-program-is-nd-documents>.

**Fish and Game Fees:** A California Department of Fish and Wildlife Environmental Filing Fee was paid for this Program.

**Date Received for Filing:**

*Jane Freeman*

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Jane Freeman  
Acting Executive Director