August 25, 2009

Tahoe Regional Planning Agency
P.O. Box 5310
Stateline, NV 89449

RE: Comments on proposed changes to the buoy placement line

Dear Mr. Chair, members of the Governing Board, and TRPA staff,

The League to Save Lake Tahoe and Tahoe Area Sierra Club (TASC) are concerned with the proposal to extend the buoy placement line from 350 feet to 600 feet lakeward of the high water mark and allow a significant exception in a location near Tahoe City of 1000 feet[1]. We also do not support a modification to the projection tangent line rule for buoy placement. These decisions should be made with tremendous caution and necessitate a comprehensive environmental at least the Environmental Assessment (EA) level (which may determine the need for an EIS), as the impacts to scenic quality, recreational, noise, fisheries, and water quality thresholds may be substantial. In addition, there are numerous and complex navigation and safety issues that need to be fully analyzed. A full environmental review (at least the EA level) needs to address not only the impacts from this proposed change, but needs to look at the cumulative effects of this change in conjunction with the addition of new buoys (as proposed in the Ordinances adopted in October 2008).

It is imperative to remember that TRPA staff and the Governing Board must follow the mandates of the Compact by regulating the location standards for buoys based on what is best for the achievement and maintenance of the thresholds. This decision may ultimately mean that certain unique lakefront parcels will not be able to place a buoy because there are no available locations that provide both a safe harbor while simultaneously following the regulations intended to protect the Basin's environmental thresholds.

Exceptions to the Rule

The effects of extending a buoy line to 1000 feet or more in some areas needs thorough examination. This exception is in direct conflict with extending past the No Wake Zone and needs a much more

[1] There is an inconsistency in the staff summary. In some locations, this is listed as 1,000 feet. TRPA staff (Gabby Barrett) confirmed the proposed exception in this area to be 1,050 feet.

comprehensive environmental review. This is of particular concern because by establishing this special area now, a precedent is being established for the future in which property owners in other areas may wish to create other "exception" areas. This scenario was already demonstrated at the May APC meeting, where one member requested that the Glenbrook area also be an area included for exception. Additional discussion proposed that when one individual buoy owner applies for an exception that all individuals in that area be granted an exception. Additionally, four adjacent parcel owners may work together to create an association so that their buoys may extend past the standardized buoy line. This is a slippery slope where exceptions start becoming the rule, and the regulation and its intent exist only in concept and not in reality.

The League and Sierra Club are particularly alarmed with allowing exceptions to the rules as found in 54.5.B (e) which states:

> (e) For projects covering multiple parcels, in unique circumstances such as coves, or as needed to address scenic or substrate disturbance impacts, TRPA in its sole discretion may aggregate buoy locations to permit an existing nonconforming buoy location to be maintained.

This portion of the code was adopted as part of the Shorezone amendments approved on October 22, 2008, but its implications were never analyzed as part of the FEIS and are currently a part of pending litigation. This exception grants that in the above circumstances the TRPA, at its sole discretion, does not have limitations to aggregate those buoy locations. Thus, the impacts may be significant.

The League and TASC do not support any exceptions to the buoy line as outlined in 54.5 B (g) and 54.5 B (h), including considering any exceptions to the rule in Shorezone Preservations Areas (g) or anywhere where a "unique cirucumstance" is found (h). 5.45 B (h) is particularly concerning as it provides an exception to the rule and opportunities for buoys to be placed or relocated on the 600' line, thereby eliminating any buffer zone between the buoy itself and the No Wake Zone. Once a boat is moored to the buoy, the boat will be able to drift across that 600' line, potentially 20-30 feet or more, creating navigation hazards.

The consequences of allowing exceptions to the 600 foot rule would likely be severe. At the May APC meeting, Executive Director Joanne Marchetta stated that the 600 foot line was chosen as the standard because staff felt going beyond this length would require further environmental review. So if TRPA believes that going beyond the 600 foot line has significant impacts that warrant a full analysis, why are exceptions being granted without at least EA level analysis?

Of additional concern regarding the Tahoe City area exception is that it is based on pier length. The Shorezone ordinances adopted in October allow for the addition of public piers with NO length limit. If public piers are allowed to be built to indefinite lengths this could potentially allow buoys to also be placed at indefinite lengths.

Proposed Minimum for the Buoy Line

There is a need for clarification and intent for information as presented in the Governing Board Memorandum (August 19, 2009) as compared with the proposed Chapter 12 Buoy Amendment language. The Memorandum states:

> Proposed Amendments: The proposed Buoy Placement Limit Line will be located *a minimum distance of 350 feet from high water line* and, with one exception, a maximum distance of 600 feet from high water line. Generally, single use buoys must be located Landward of the Limit Line.

This language suggests the Buoy Line starts at a *minimum* of 350 feet from high water line and extends to a distance of 600', with a notable exception of 1000'. This also seems to deceiving imply that all single use buoys would all need to placed between 350-600', yet TRPA staff has indicated that buoys can actually be placed anywhere between the high water line (the shoreline) and up to the 6213 elevation contour that does not exceed 600'.

The proposed amendment in Chapter 12 states:

> (6) Buoy Line: The Buoy Line data layer indicates the location of maximum distance lakeward of high water that mooring buoys not associated with a buoy field may be placed into Lake Tahoe. This line is generally based on establishing a maximum mooring depth *beyond a distance of 350' lakeward* of the high water line using a Lake bottom elevation of 6213' contour that does not to exceed a lakeward distance of 600' from the high water line [GIS File: Buoy Line, Adopted 8/26/2009]..

This amendment is also confusing with the language "beyond a distance of 350' lakeward" and use of the term "generally". According to TRPA staff, buoys will be allowed anywhere between the shoreline and up to 600 feet lakeward of the high water mark, so this is actually what is being codified. The impacts to recreation and scenic thresholds are much greater with a 600' (or 1000' with exception) wide buoy placement zone than a 250' (or 650' with exception) wide buoy placement area. With either scenario, the proposed permanent placement or relocation of single use buoys will be in a different zone than was analyzed in the FEIS, with a variety of scenic, fishery, recreation, water quality associated with substrate disturbance, and other threshold impacts that have not been properly analyzed.

Furthermore, by allowing for an extension of the buoy line and width of the placement area around Lake Tahoe's shoreline, parcels that would have previously been ineligible to have a buoy or multiple buoys due to their proximity to shallow water, lot-line limitations, and buoy placement restrictions (i.e. a 50 foot spacing requirement between other buoys) would now be eligible to place a buoy or buoys. The current and future capacity for buoy placement has been increased dramatically and also has not been disclosed by the TRPA in any of its documentation. Additional buoys will affect the scenic, water quality, air quality, and noise thresholds, as more buoys mean more boats and more associated pollution impacts

Temporary Location of Buoys

It is of great concern that the temporary relocation of buoys has no time limit and it is possible that temporary relocations could become permanent.

Public Safety

Loss of Buffer in the No Wake Zone

Under the current regulation there exists a buffer of 250 feet between buoys legally placed up to the 350 foot buoy line and the end of the 600' No Wake Zone. This new amendment either completely eliminates or greatly reduces this buffer, creating three potential consequences:

1. First, boats, such as wakeboarding boats, would be able to create a large wakes in closer proximity to moored boats. In addition, if boats are placed at or very near the No Wake Zone, boats attached to buoys may drift across the 600 foot mark and outside of the No Wake Zone. This scenario needs to be fully analyzed.

2. Second, after rowing or motoring to their moored vessels, boaters will have to transfer from their dingy to their boat without a buffer which may increase the potential for accidents, such as capsizing and people falling overboard, where they are even farther from shore.

3. Third, kayakers, paddle boarders, windsurfers, outrigger canoeists, and top-line fishermen who wish to navigate their vessels beyond the buoy field will find themselves in an unsheltered region immediately beyond the no wake zone. Consequently, the risks for user conflict will inherently increase. As the above vessels will be moving at slow speeds and have slower response time in comparison with speed boats, consequences may include, at a minimum, a degradation of the high-quality recreational experience, wave inundation, collision, and injury.

Navigational Hazards and Safety

It is imperative that an in-depth historical study be performed that evaluates the nature, reasons, and consequences of boating accidents in close proximity to the No Wake Zone and near buoys. What was the severity and likelihood of accidents between non-motorized vessels and fast moving boats in these areas?

Also, allowing some buoys, such as in the instance of the Tahoe City area, to move past the standard buoy line will create a navigation hazard. As explained by the Coast Guard at the March 2009 APC meeting, in order to mitigate the navigation hazard of buoys located beyond on the standard buoy line, these buoys may need to be lighted. This could cause an increase in light pollution, scenic impacts, and detrimental effects to fish and other aquatic organism that are sensitive to light, which once again has not been evaluated at least the EA level of environmental review.

Threshold Impacts and Need for adequate environmental analysis

In the Governing Board Packet, the staff report claims in the Required Findings for the Ordinance Amendments that "the amendments provide opportunities that do not exist today to comprehensively protect the unique qualities of the shorezone" (Ch. 6 finding 2 and 87-8 Finding 1) and that "the amendments are predicted to [have] a positive impact to threshold attainment when compared to the existing situation" (87-8 Finding 2). However, staff does not provide any explanation or evidence of how these amendments will have positive impacts on the thresholds or better protect the shorezone and in many instances, threshold categories (such as scenic) will actually be degraded by these amendments and therefore the above mentioned Findings are inadequate. Furthermore, in Rationale 2, it is stated

that “The EA does not identify thresholds that would be exceeded.” Yet, no Environmental Assessment has been performed, only an IEC and a wholly inadequate “environmental analysis”, both of which are inadequate in sufficiently evaluating the substantial threshold-related impacts. Although an FEIS for the Lake Tahoe Shorezone Ordinance Amendments (November 2006) was prepared, the proposed buoy extension line was not analyzed in that document. Instead, TRPA staff has provided a woefully inadequate supplement to the IEC which certainly does not come close to the type of review that would be conducted in an Environmental Assessment (EA) or EIS. Furthermore, in some cases, as detailed further in this letter, the supplement to the IEC actually demonstrates that the thresholds will likely be degraded or fails to disclose the ones that will be impacted.

In fact, it is our understanding based on past discussions at Governing Board and APC meetings that the original intent for these extensions was not to improve environmental thresholds, but to allow certain parcel owners who do not qualify for buoys under the 350 foot limitation an opportunity to legally place buoys through this expanded limit by utilizing the pretense of safety issues.

Recreation

In reality, these amendments will likely cause harm to the environmental thresholds. Impacted thresholds include scenic, recreation, noise, fisheries, and water quality. By extending the limit up to 600 feet, non-motorized recreationists (kayakers, outrigger canoeists, top line fisherman, windsurfers, kite borders, and swimmers) will now have to navigate around the buoy fields spread throughout the Shoreline up to the 600’ line. This may require that such recreationists need to navigate through these areas in “zig zag” pattern to follow Tahoe’s shoreline. This will effectively degrade their high-quality recreational experience, but also potentially place them at greater risk of collision and injury if they choose or are forced to navigate the same area with fast moving watercraft. In addition, they will be located farther out in the Lake from Shoreline rescue opportunities.

Provided in supplement to the IEC are comments from the Lake Tahoe Water Trail Committee, which state:

> “We didn’t come up with something real definite, but between 300-600’ seemed to be around the distance most paddlers want to travel. (This produces the balance between being close enough to see things and far enough away so that we didn’t feel like we were traveling through someone’s back yard.)”

As the TRPA staff has indicated that buoys and their moored boats can be located anywhere between the shoreline and 600’, paddlers will face numerous obstacles in the area (300-600’) that they desire most for an unobstructed high-quality recreational experience.

> “Also, given a preference, members of the LTWTC committee would rather paddle just outside of buoyed boats so they get a sense of being in a more natural environment, rather than surrounded by evidence of development. We all agreed that the <u>best</u> paddling experience puts the buoys closer to the piers and shore with paddling room before the high speed motorized boat lanes really begin.”

Thus, the current regulations with a 350’ limit on the Buoy Line and no exceptions would provide the best experience from a paddler’s point of view. Pushing paddlers beyond the No Wake zone places

them in uncomfortable competition with high speed motorized watercraft. As TRPA plans in the near future to add thousands of new buoys to the lake, the amount of contiguous "open areas" will be dramatically decreased and the experience for paddlers will be further degraded.

Based on TRPA conversations with a limited number of fishing guides, it appears that areas between 5 and 10 feet of water depth (10 feet is considered an ideal mooring depth) are important areas for top line fishing. Therefore, top line fishermen could be negatively impacted by moving the buoy line to 600 feet, as they would also be pushed out beyond some of the prime fishing locations or be faced with difficult challenges navigating through buoy fields.

Scenic

All boaters, as well as beach goers, fishermen, swimmers, and hikers, will have their scenic view disrupted with a larger portion of their view impacted by buoys in the foreground and off in the horizon since private buoys will now be located within a zone nearly double the current legal distance from the high water mark. Looking at how one specific boat type and length looks from angles along the shoreline, as presented in the "Scenic Evaluation" by Packard and Associates, does not suffice. These scenic and recreational impacts are substantial and necessitate a comprehensive environmental review (at least the EA level) which is based on the actual types of watercraft using Lake Tahoe.

Buoys will be allowed anywhere between the shoreline and 600 feet lakeward of the high water mark. By allowing for an extension of the buoy line, parcels that would have previously been ineligible to have a buoy or multiple buoys due to their proximity to shallow water, lot-line limitations, and buoy placement restrictions (i.e. a 50 foot spacing requirement between other buoys) would now be eligible to place a buoy or buoys. Although TRPA states this will not increase the total number of buoys allowed on the Lake, it does affect where buoys are allowed. Buoy placement and location in the Lake, in addition to the total number of buoys, will affect the thresholds differently. The threshold impacts associated with the proposed and 'alternative' options being considered have not been properly analyzed; therefore the findings cannot be made to certify this proposal. Nonetheless, this amendment will facilitate the potential for more buoys (along with more boats and the associated environmental impacts) in potential future amendments or subsequent Shorezone plans.

Additionally, during the May APC meeting, California State Lands Commission voiced the concern that if TRPA failed to provide an adequate environmental review, then CEQA requirements would not be fulfilled and the Commission may potentially be responsible for providing CEQA review for each and every parcel with a buoy affected by this proposal.

Wave Inundation and Boat Sinking

The propensity for boats moored at far distances to be more susceptible to sinking due to wave inundation as well as become dislodged from moorings due to wind fetch, needs to be thoroughly examined in an adequate environmental analysis. Boats that are moved farther out into the Lake can become more exposed to fetches of wind and wave swells that move across the lake and lose their shelter from points and coves, especially in a thunderstorm situation or fall time wind conditions. It is our understanding that dozens of boats were sunk in 1997 alone from a single storm event. Sinking boats create toxic spills and are detrimental to water quality and fisheries as sunken vessels leak oil, gasoline, and other chemicals into surrounding waters. Furthermore, with boats located so far away

from the shoreline it will be more difficult to save a capsized or swamped vessel and more difficult to recover a sunken boat. The potential for more boats becoming dislodged from their moorings and sinking necessitates a much higher level of environmental review as life and property may be at stake.

Disturbance to Substrate

On page 139, the August Governing Board Packet presents several 'options' for amending the Buoy Line (or making no change). In each case, TRPA discusses the estimated number of buoys that would have to be relocated, appearing to imply that the fewer, the better. We agree that moving buoys and permitting new buoys is expected to cause disturbance. Nonetheless, it has not been clearly examined how many buoys can or will be moved under each scenario, how they will be moved, and the impacts associated with these different scenarios.

When lake levels are above the low water mark, current regulations require that buoys are placed within 350' of the high water line, thus from the 2006 TRPA GIS estimates, 1100 buoys were technically outside the established 350' Buoy Line and therefore either illegal or not in compliance with placement standards. Maybe only a small percentage of these buoys are legally authorized and therefore only a small number of buoys will need to be moved. TRPA continues to claim that moving or removing these 1100 buoys will have an impact, but how many of them are currently unauthorized and thus will be removed anyway as part of the buoy enforcement program? In fact, the TRPA estimates that only 385 buoys will not need to be relocated as a result of the Buoy Line extension proposed amendment and 715 would need to be relocated anyway. However, this does not make clear if those 385 buoys can still be relocated at the discretion of the owners to take advantage of even deeper water than where they are located now. Also, if a 600 foot rule is instituted how many owners who currently are in compliance with the 350 foot rule will chose to extend their buoys farther out into the Lake, thereby creating substrate disturbance in the process? There exists far greater substrate disturbance potential, if buoy owners (in the order of 1600 or more from TRPA estimates) who are currently in compliance with the 350 foot rule are given the opportunity to extend their buoy lines up to 600'. Thus, this amendment may cause significantly more substrate disturbance than if the 1100 buoys now outside the current 350' line are simply brought into compliance and illegal buoys are removed. TRPA cannot determine the disturbance to substrate without knowing how many buoys will need to or can be moved under each scenario, thus at least an EA needs to be performed.

Will a barge be utilized to move a buoy? Will the buoy be dragged? Will anchor lines simply be cut and a new anchor dropped in a different location? What will the impacts of these different methods be to substrate and fisheries?

The TRPA has yet to analyze the impacts of relocating a buoy on TRPA's thresholds, so there is no way to assess the impacts of the associated disturbance. Additionally, what are the short-term impacts of relocating a buoy to within the 350' buoy line versus the long term impacts of keeping a buoy farther out in the lake (on thresholds)? What are the impacts on fish habitat? If long term conditions are improved, are there mitigations which can prevent short term impacts from the relocation?

In summary, a full Environmental Assessment, which includes cumulative impacts, needs to be performed in order to understand the effects of this change and to address the disturbance created from moving buoys back and forth during low and high water years.

Removal of Illegal Buoys First

The May 2009 APC packet states that currently 1,100 hundred buoys are placed beyond the 350 foot line, 300 of which are placed even beyond the 600 foot mark. How many of these 1,100 buoys are legally authorized and how many of them are unauthorized? Why have any of these buoys been allowed to proliferate beyond the 350 foot mark that has been historically required? Parcel owners being currently out of compliance with the buoy extension line is not justification to change the regulation.

Further, the packet states: "Both State Lands Agencies issued leases/permits with conditions that the permittees/leasees *were required to conform to other agency's standards* and within two years of adoption of the TRPA Shorezone Ordinances to obtain a TRPA permit." (p 46).

As a general rule, TRPA's requirements have limited buoys to 350', except for limited periods of time when the Lake level is low. Thus, legally, all buoys with a State Lands permit/lease need to be located within the 350' line. Yet there appears to be a large number of such buoys that exceed this line. This suggests that owners of buoys with a State Lands permit/lease located beyond the 350' line did not follow TRPA's Code as required by State Lands and are not in compliance. Why were these buoys not brought into proper conformance according to TRPA regulations?

TRPA must examine how many buoys issued a permit or lease by one of the noted agencies were placed beyond the line legally required by TRPA. The impacts of no action, relocation, and removal of such buoys must be adequately analyzed before it is possible to assess which actions best achieve thresholds.

Inadequate Initial Environmental Checklist

The checklist that was provided in the August Governing Board packet has failed to adequately analyze the following to arrive at the conclusions provided. As pointed out in the August, 2009 Governing Board packet, "the major concerns appear to be navigation and safety (especially at night), scenic impacts, and recreation impacts (generally fishing and kayaking). There is a related issue of impacts on fisheries due to buoy relocations." There are also the following concerns with inadequate reasoning or analysis:

1. Land: In section f, the impacts to fisheries, especially spawning areas, needs additional analysis in the 350' to 600' (as well as the 1000') zones.

2. Air Quality: All sections of the air quality section are marked "no", yet are motorized boats and/or equipment used when buoys are relocated? Such activities would emit air pollution (including the increased use of diesel fuel [questions 2a, b, and e]), which, may impact ambient air quality [p 77-78]. Also, where pollutant impacts typically occur in areas with concentrated emissions (i.e. carbon monoxide), which may be further impacted by Tahoe's typical atmospheric inversions, what are the impacts of the locations of buoys under each option?

3. Water Quality: The extension of the buoy line could increase boating in certain areas which would have impacts to (e). Also, (i), was checked as " no," but this needs further examination as boats farther out in the lake may be more susceptible to underwater landslides, seiches, and wave action from storm events (especially fall storm events, which often cause boats to become dislodged from their moorings in the high winds and

subsequently sink). In section (k), moorings and boats will be placed in much greater proximity to drinking water intakes that serve communities around the lake. The potential for contamination of drinking water increases the closer the pollutant source to the intake.

4. Wildlife: Although section (d) is marked no, there is a concern that moving buoys will affect fish habitat. Also, in areas where buoys lie past the 600 foot mark (such as in Tahoe City), there will be a need to light buoys which may have a negative impact on fish and other aquatic species sensitive to nighttime lighting.

5. Noise: Increasing the buoy line may increase the number of boats in certain areas on the lake which could have impacts to noise, yet all sections of the noise section are checked "no impact."

6. Light and Glare: All sections under light and glare are checked "no", but as mentioned above, some buoys past the 600 foot mark (such as all those in the Tahoe City exception area) will need to be lighted because they are considered navigational hazards according to the Coast Guard. Therefore, sections a, b, and c, and d should be marked "yes."

7. Risk of Upset: (a) and (b) are marked "no," but upon further study, evaluators may find that these need to be marked "yes." For example the risk of leaking hazardous substances may increase by moving boats further out on the Lake where they are more susceptible to activities that can cause sinking. Additionally, having boats further out on the Lake would make a timely evacuation more difficult.

8. Human Health: (a) and (b) are marked "no," but should be marked "yes" because boaters and non-motorized recreationists (as explained below) will have lost their "no wake zone" buffer and may increase the incidence for injury.

9. Recreation: Section (b) "create additional recreation capacity" is marked "no", but should be marked "yes" because extending the buoy line creates opportunities for property owners who could not previously place buoys to be able to place buoys. Therefore, there will be an increase in capacity for boating and boat moorings in some areas of the Lake (and impacts to non-motorized recreationlists are not regional or 'lake-wide', but rather, occur on smaller scales), during the duration of the Shorezone Ordinance as well as in the future. The IEC discusses the issue of impacts to non-motorized recreation. However, the checklist includes a purported 'conclusion' of no impacts ("*The conflicts between kayaking and buoys remain the same or become reduced*" [p 94 May APC]), yet provides no details regarding the source of this 'conclusion'. Not only is any evidence lacking to support such a claim, but there has been no consideration of this impact at all. The supplemental information provided regarding paddling and fishing clearly shows that both these groups of recreationists will be impacted.

10. Findings of Significance: (a), (c) should be marked "yes" for all of the reasons explained above.

Inadequate Scenic Assessment

The authors of the Scenic Evaluation ("Evaluation") included in the August GB packet (the four page document prepared by Tom Packard and Associates in April 2009, entitled *An Evaluation of Scenic Consequences Associated with the Distance from Shore of Single-Use Buoys at Lake Tahoe)* have noted several areas that require further analysis and the limited scope of results in their report. The buoy line limit extension is an "eleventh hour" amendment that has not undergone adequate environmental analysis and was not analyzed in the FEIS (although recognized in the FEIS as a scenic issue).

> "Buoys up to and beyond 600 feet from shore have been in place at Lake Tahoe for some time. Yet during a review of TRPA scenic threshold monitoring data reports of scenic impacts related to the distance of buoys from shore were not found. The EIS for Lake Tahoe Shorezone Ordinance Amendments indicates that buoy fields were a scenic issue but the issue of their distance from shore was not addressed. The EIS does indicate buoy enforcement to be a scenic issue, but not in the context of distance." (p 189, GB Packet).

The Evaluation also fails to analyze the individual and cumulative impacts of the proposed change on scenic quality when viewed from the Lake looking towards the shore, with special focus on scenic resources. The Evaluation does, however, note the need for such an analysis to be performed:

> In cases where boats would be moored within the view limits of recorded a scenic resource, the position of a boat within the scene, including its distance from shore, could potentially affect views of the scenic resource. In such cases, buoy location(s) should be reviewed and adjusted if necessary so that boats moored to the buoys do not interfere with established views of scenic resources. (p 189).

The evaluation simply does not substitute for a useful, comprehensive, legally-acceptable environmental review, and the mere use of an environmental checklist is unacceptable. For example:

- The assessment merely examines how one specific boat looks from different angles along a shoreline (a 24' Master Craft ski boat) [page 187]. Yet how does this boat compare to other boats on Lake Tahoe? What are the proportions and sizes of boats on the Lake, and their associated scenic impacts?
- Although the Report is clearly titled an "*Evaluation of Scenic Consequences Associated with the Distance from Shore of Single-Use Buoys at Lake Tahoe",* TRPA is using this assessment of one boat on one single use buoy as the purported analysis of the cumulative impacts of allowing hundreds to a thousand or more buoys to extend beyond the line. Not only does this fail to consider all boat types on the lake, and scenic impacts from all directions (e.g. on Lake Tahoe looking towards the Shoreline) but it also fails to consider multiple buoys in multiple areas, Lake-wide.
- "Samples" were done in the 'off season' for boating, so as expected, very few boats were attached to buoys. It is therefore impossible to use this information to draw conclusions based on these 'samples'.

> In the field, live observations of boats moored to buoys were made on April 15 and 16, 2009 at Zephyr Cove, Bijou, El Dorado Beach/South Lake Tahoe Recreation Area, and Camp Richardson.

> Although large numbers of buoys arranged as buoy fields are found at these locations, only a few boats were moored there on the dates that observations were made. (P 187-188)

- The few observations taken for north and west shore didn't even include boats attached to the buoys.

> Buoy placements at various locations along the west shore and north shore were observed and photographed on April 30, 2009. (p 188).

How can the impacts of boats attached to buoys be analyzed if there aren't any boats actually attached?

The EIS for the Shorezone Amendments did not analyze the impact that buoy distance from shore has on the scenic threshold. A comprehensive environmental analysis is vital. Furthermore, the analysis did not examine the scenic impacts of moving buoys out to 1000 foot distance in the Tahoe City area.

Summary

Extension of the buoy line as this action has the potential to cause substantial negative impacts to TRPA mandated thresholds, which necessitates that a comprehensive Environmental Assessment is performed, which may then highlight that an EIS is necessary.

We appreciate the opportunity to provide comments and if you are in need of further information please contact the undersigned.

Thank you.

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The League to Save Lake Tahoe

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