



U.S Forest Service, Lake Tahoe Basin Management Unit
Re: Meeks Bay Restoration Project
35 College Dr.
South Lake Tahoe, CA 96150
comments-pacificsouthwest-ltbmu@fs.fed.us

October 25, 2018

Subject: Meeks Bay Restoration Project Proposed Action

Dear Ms. Downey:

The Friends of the West Shore appreciates this opportunity to provide comments on the Meeks Bay Restoration Project Proposed Action (Proposed Project). The Friends of the West Shore (FOWS) works toward the preservation, protection, and conservation of the West Shore, our watersheds, wildlife, and rural quality of life, for today and future generations. FOWS represents community interests from Tahoma to Tahoe City.

FOWS is pleased to see the project objectives focused on environmental improvements as well as enhanced public access and environmental protection. We also appreciate the extensive efforts of staff to host the 10/10 tour of the project area. Our members have a variety of questions and concerns that the Draft Environmental Impact Report/Statement/Statement (EIR/S/S) needs to address, as well as suggested alternatives. There is also extensive concern regarding impacts to the non-motorized recreation use along the beach where the pier and boat ramp are proposed, as well as reductions in affordable campsites. Given the differing views and interests among the public expressed during the 10/10 tour and through other public comments, it will be important for the EIR/S/S to carefully and adequately analyze and disclose the impacts of different alternatives so the public and decision-makers have the information necessary to weigh the pros and cons of the project. In addition, the EIR/S/S should include strong language and measures to ensure implementation of the project follows sufficient Best Management Practices and is monitored and inspected regularly to prevent sediment and nutrients associated with construction from entering Lake Tahoe. Measures should account for the more intense periodic storms and floods that we now experience more frequently as a result of climate change.

FOWS hopes these comments will assist the USFS and agency partners in preparation of an adequate EIR/S/S. Please feel free to contact Jennifer Quashnick at jqtahoe@sbcglobal.net if you have any questions.

Sincerely,

Judith Tornese,
President

Jennifer Quashnick,
Conservation Consultant

Cc: Brian Judge, Lahontan Regional Water Quality Control Board
Shannon Friedman, Tahoe Regional Planning Agency

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The following comments include questions, concerns, and alternatives that have been raised by our members and supporters as well as members of the public in attendance at the 10/10 field tour. We first present highlights documenting questions and concerns, followed by associated suggestions for the DEIR/S/S analysis.

Aquatic Invasive Species (AIS) Eradication:

FOWS understands the importance of addressing the existing AIS population in the marina, and appreciates that only non-chemical methods will be relied upon for treatment.¹

Highlights:

- Some members of the public expressed interest in rehabilitating the existing marina. Questions included whether the AIS problem could be treated if the marina were to remain open. Staff acknowledged that treatments could be performed, however noted that the marina is currently the only west shore source of the west shore AIS population and therefore restoration of the marina is a high priority.
- Warmer waters tend to provide a more habitable environment for AIS. Staff explained that the water temperatures in the restored lagoon would be cooler due to shade and more moving water.

Suggestions for the DEIR/S/S:

- To address comments related to rehabilitation of the existing marina, the DEIR/S/S needs to examine the existing conditions with regards to AIS infestations and what options are available for treatment. This should include any environmental impacts of the treatment types, the cost, the success rate, required ongoing treatment, etc. The potential for AIS to spread into other areas of the lake associated with future use of the marina (should it not be restored) should also be examined.

¹ Proposed Action, p. 4

- A variety of treatment options should be evaluated, including but not limited to use of mats, UV light, Laminar Flow Aeration, and other options.
- Evaluate the potential for the existing marina to harbor more AIS if not restored. For example, with warmer waters, existing AIS infestations, and other parameters, is there a greater chance for quagga/zebra mussel establishment if the marina were to remain open and these species were introduced?
- Treatment options, costs, etc., and outcomes associated with restoration of the lagoon must also be fully evaluated so the public and decision-makers can understand the AIS implications of marina rehabilitation versus restoration to a lagoon.
- Significance criteria should address whether project alternatives contribute to conditions more hospitable to additional/new AIS infestation.

Remove Marina Infrastructure and Restore Meeks Lagoon:

FOWS commends the project's restoration-focused purpose: “[T]o move the Meeks creek stream channel, and wetland/lagoon below SR 89 to a more natural condition where geomorphic and hydrologic processes support a functioning ecosystem...”² We also understand that removal of the existing marina has already been discussed for some time in conjunction with the previously proposed Settlement Agreement with the Lahontan Regional Water Quality Control Board (LRWQCB), which called for a project with multiple benefits, including but not limited to: “biodiversity, bank stabilization, riparian vegetation density and diversity, groundwater recharge and elevation, wildlife habitat and diversity, and flood attenuation.”³ However, the restoration of the marina will affect existing motorized public access, and members of the public have raised several questions and concerns.

Highlights:

- FOWS understands that the USFS cannot provide an in-stream marina and still meet water quality objectives for the site,⁴ as also indicated throughout extensive documentation with the LRWQCB.
- During the tour, many members of the public expressed concerns over the removal of the marina including the loss of the slips (as well as the proposed location of the ‘moved’ boat ramp). Some questioned whether the existing marina could be retained; USFS staff acknowledged that the decision to remove the marina had not been finalized.
- There were concerns about the impacts of moving the marina and slips, and associated boat traffic, from an ‘offshore’ location to out onto the lake on a popular beach. For example, with existing boat ramps and marinas, there tends to be a greater concentration of air and water pollution from boat emissions, unanticipated gasoline spills/leaks, trash in the water and on the beach, noise, and increased turbidity from propeller action. Although the existing marina is connected to Lake Tahoe, these types of impacts generally occur within the marina, and therefore have little effect on the popular beaches

² Proposed Action, p. 3

³ Proposed USFS Meeks Resort Settlement, 3/30/2017. The proposed settlement was later rescinded as other acceptable solutions were approved. LRWQCB July 2017 meeting minutes.

https://www.waterboards.ca.gov/lahontan/board_info/agenda/2017/july/2017_july_minutes.pdf

⁴ Mike Gabor, USFS. 10/10 tour.

nearby. Placing a new pier and boat ramp along the shoreline may ‘transfer’ these impacts to the beach area, creating environmental, social, and public health and safety impacts.

- Under the current marina configuration, users (including campers) may launch their boats once during their stay and leave them attached to the slips overnight. Without the slips, presuming there have been campers who bring and launch their boats, some members of the public noted the proposed boat ramp may result in more day use/in-and-out launches, which may increase vehicular traffic and create more noise and public safety concerns.
- Alternatively, because boats are expensive to own and operate, it is unclear how many users of the less expensive campsites actually bring and launch boats.

Suggestions for the DEIR/S/S:

- To address questions raised regarding motorized boat access, including slip/mooring capacity, we recommend the EIR/S/S analyze boat access and slip opportunities along the west and north shores. With the recent publication of extensive shoreline information in the TRPA Shoreline Plan EIS and the California Tahoe Conservancy (CTC) July 2018 *Lake Tahoe Public Access Investment Plan Site Inventory, Volume 1: South Shore, Emerald Bay, West Shore* (“CTC Access Report”),⁵ this information should be readily available. The EIR/S/S should discuss any future plans for potential marina expansions in the west and north shore area and the associated impacts on the number of boat slips and/or other moorings.
- The proposed 10-20 mooring spaces along the new pier would accommodate ‘smaller’ boats.⁶ The DEIR/S/S should disclose the size and number of boats accommodated by the existing marina and analyze these same parameters associated with all action alternatives.
- Alternatives should consider other boat mooring opportunities in the vicinity of the project, along with how removal of the marina may affect usage of those other areas.
- The Proposed Action and NOP/NOI documents do not disclose how many current campers bring boats and moor them in the slips during their stay. This must be analyzed as part of existing conditions as well as proposed alternatives. This will also affect the determination of traffic and parking impacts, depending on how many campers using the moorings would have to switch to in-and-out launches each day during their stay. In addition, the marina has been closed for several years, however the campground has remained at capacity during peak periods. This raises questions regarding the demand for boat launching and mooring by campers, as the closure of the marina does not appear to have discouraged camping at the site. The EIR/S/S must examine campground use during the years the marina was closed to assess the potential demand, if any, for overnight mooring by campers.
- The EIR/S/S needs to examine the potential vehicle traffic generated by the proposed boat ramps. The analysis should disclose the average and maximum previous use (when the marina was open), the existing patterns with the marina closed, and the impacts of future boat ramps for all alternatives. Further, the EIR/S/S must assess the potential maximum number of boats that could use the new ramps and access the pier.

⁵ P. 171

⁶ Proposed Action, p. 7

- The environmental benefits and consequences associated with existing conditions and each alternative must be adequately assessed. For example, the DEIR/S/S should quantify the current impacts associated with the existing marina on water quality, air quality, noise, aquatic invasive species, wildlife, etc., and analyze the benefits of restoration. Alternatively, the existing environmental conditions in the areas where a new pier and boat ramp are proposed must be quantified, and the impacts of constructing this infrastructure in those areas thoroughly evaluated. The analysis must also incorporate the benefits and consequences of other project impacts associated with each alternative, including impacts from additional coverage (e.g. new boat ramps, roads, trailer parking, paving of new RV sites, bike paths) and disturbance of the shoreline.
- The marina was previously closed during drought years due to low water conditions and has been closed in recent years for other reasons. The analysis should document what alternative options have been utilized by those who would otherwise have used the marina during years it is closed. This can provide insight into the impacts to motorized recreation access and economic considerations for the area if the marina is removed (for alternatives with and without construction of a public pier and boat ramp).
- With restoration of the marina, the depth of the outlet to Lake Tahoe may be shallower than the current inlet to the marina from the lake. This may allow for additional public access across the beach between the north and south end (where currently, the depth of the inlet creates a barrier for access). The estimated depth of the lagoon outlet and potential for increased public access across this area should be thoroughly evaluated. Any differences in parking availability, fees, etc., that would encourage users to park on one side and cross the beach to the other side, if it's possible, must also be assessed.

Restore Meeks Creek from the SR 89 Bridge to the Confluence of Lake Tahoe:

Staff explained how the undersized Caltrans bridge on SR 89 has resulted in water patterns that cause erosion and damage to Meeks Creek, and how as part of restoration, 'steps' will be constructed to provide for better water movement.

Highlights:

- In response to questions, staff stated that project implementers hope to coordinate with Caltrans for bridge replacement (which is planned by Caltrans, but not scheduled) but there were no guarantees. At this time, it appears the project is being designed under the assumption the existing bridge will remain.
- Questions involved the extent and size of trees that will be removed, as noted in the NOP.⁷ Staff explained that in wet areas such as the project site, tree age was not necessarily tied to tree size as much as in drier areas. The implication appeared to be that there are trees close to 30" dbh that may have only grown since the marina was created.

⁷ "Remove trees up to 30 inches diameter at breast height (dbh) as needed for topography changes." (Proposed Action, p. 5)

Suggestions for the DEIR/S/S:

- Alternatives should evaluate options that include the existing undersized bridge remaining in place as well as being replaced with a larger bridge, and the related impacts from each option.
- Alternatives should look at alternative design options which retain as many larger trees as possible, even if the trees have grown only since the marina was constructed.

Construct a Pier and boat launch:

FOWS appreciates the inclusion of “sustainable recreation opportunities” as part of the project purpose, however there are two types of recreation that should be carefully distinguished in the project analysis: motorized and non-motorized. Accommodating more motorized use should not come at the expense of non-motorized use, and many FOWS members are concerned with the proposed location of the new pier and boat ramp on the south beach. The location is currently a very popular day-use beach with “heavy summer season use,” as noted in the CTC Access Report. The CTC Access Report also lists the following day use amenities in the area: ten upland picnic tables, four barbeque grills, two benches in the beach area, and two restroom buildings.⁸ Many of our members note regularly using this area for beach activities, kayaking, paddling, swimming, and scuba-diving, and that constructing the proposed infrastructure and drawing motorized boats to this area will negatively impact their experience (e.g. through increased noise, air and water pollution, vehicle use in area) as well as lead to increased potential conflicts between motorized and non-motorized recreation, thereby creating safety concerns. Campers and day users also regularly enjoy eating at the picnic tables and using the installed barbeques, and the exhaust from increased boat launching and motorized boats in this area will negatively impact their experience, as well as expose them to harmful emissions from boats and the vehicles pulling their trailers. Members also note frequently accessing this area via on-lake non-motorized means from the southern end; the proposed pier and additional boat use will impede on this popular access route. These concerns were also shared by many members of the public during the 10/10 tour.

FOWS believes that our already-crowded beaches and the increasing number of visitors to our area indicate a need for *more* non-motorized public beaches, not less. We are concerned with any potential loss of public beach use (“loss” isn’t just about access; the pollution, noise, safety concerns, and other impacts of a new pier and boat ramp are likely to ruin the beach experience sought by locals and visitors, effectively rendering this beach area unusable for non-motorized recreation users). Further, far more people experience Lake Tahoe (as well as Meeks Bay) via non-motorized means than motorized; with the increased boating infrastructure and boat use associated with TRPA’s new Shoreline Plan combined with increase visitation by boaters, we are concerned that non-motorized recreationists are not being provided a fair share distribution of recreational access to the lake (and specifically, Meeks Bay).

⁸ P. 174

Highlights:

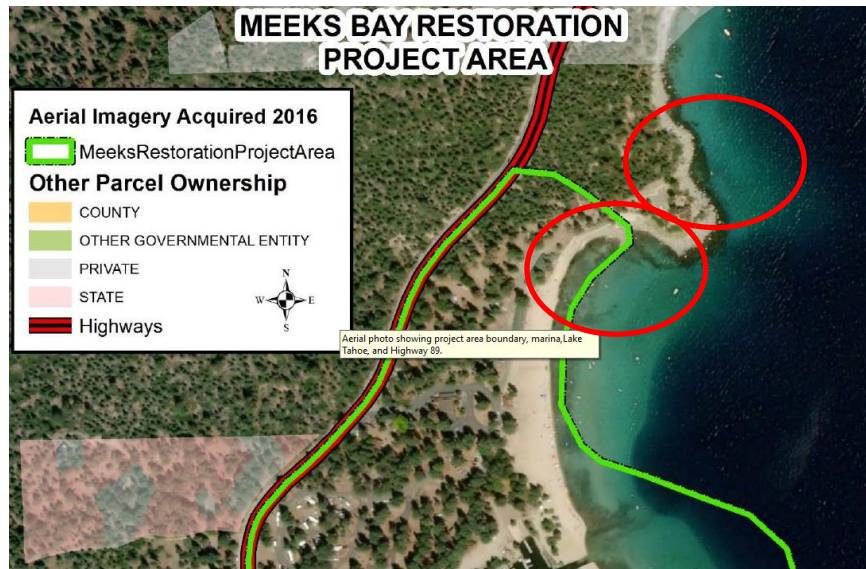
- There is extensive public concern regarding the proposed location of the new pier and boat ramp on the southern beach area. This area is popular with locals and campers seeking non-motorized recreation.
- USFS staff stated they had considered a northern location, however concluded that the impacts to the view shed were a concern, and that the depth of the bay made it more difficult. Staff also said they thought the public would prefer the southern location although they did not state why.
- The proposed pier would be up to 300' long. Buoys in place provided reference points for this length, raising concerns among many regarding the length and size of the pier in the proposed location (see image below).
- A member of the public stated that there are bald eagles on the south end (by proposed pier/ramp).



Staff explained that the second buoy (barely detectable in this picture; circled) represented roughly 300'.

Suggestions for the DEIR/S/S:

- Analyze all impacts to non-motorized recreation experiences in this area associated with each alternative. The EIR/S/S must also discuss available public beaches, their conditions, amenities, access, visitation, etc., in the vicinity of the project. Further, the northern end of the project site contains many existing commercial uses⁹ and our members have observed that the very far end of the northern beach is not as heavily used as the other more popular beach areas on the north and south ends. As suggested below, placing the pier and boat ramp on the northern end of the site is anticipated to be less obtrusive compared to the south site, and more in line with the commercial aspect of the area. There also appears to be more room for boat trailer parking on the northern side.
- Based on concerns and questions raised by FOWS members and other interested members of the public, the following alternatives should be examined:
 1. Locate the proposed pier and boat ramp at the far northern end of the site (including past the north beach area); rough locations are noted below by red circles (we understand these extend beyond the project area identified by the NOP/NOI, however we note public ownership of these additional locations¹⁰ and request they be evaluated):



2. Examine alternative variations of a pier and boat ramp at alternative north side location(s), including:
 - a) the proposed pier configuration;
 - b) a smaller pier;
 - c) a shorter pier with temporary additional floating segments that could be used to extend pier length during summer months and then removed during the winter; and

⁹ The CTC Access report notes resort lodging (e.g. motel/hotel units), a beach side restaurant/grill, and a general store/gift shop, as well as commercial concessionaires. (p. 163)

¹⁰ CTC Access Report, p. 30

d) a pier that only allows boat access on one side (farthest from public beaches).

- It was also suggested that the project consider options to mitigate noise on the southern beach area associated with vehicles on SR 89.
- All habitat associated with special species must be fully analyzed and impacts mitigated.
- The impacts and operation of the proposed boat ramp and pier during drought years and high water years must be assessed. This should also be compared to the operation of the existing marina during these conditions.
- Significance criteria should include any loss of public beach access for non-motorized use, whether directly (i.e. lost to infrastructure like a new pier and boat ramp) or indirectly (lost due to negative impacts to the users experience resulting from new infrastructure).

Parking (including trailer parking) and Vehicular Circulation Routes:

The public raised numerous questions and concerns with regards to the proposed parking and circulation routes. In addition, the NOP states: “Construct day use parking area as described in Meeks Bay Master Plan, including pedestrian walkways, relocated vehicular circulation routes, entrance kiosk, drop-off areas, and supporting infrastructure.”¹¹ However, the referenced Master Plan was not provided. Upon further correspondence with USFS staff, it appears there is no “Master Plan.”¹²

Highlights:

- There are concerns about the loss of parking spaces, especially given parking already overflows onto SR 89 during peak use days. There are also questions regarding whether the project will address overflow parking along SR 89.
- Many question where the trailer parking would be associated with the proposed new public ramp. If on the south side, this could reduce the number of parking spaces available for day users of the beach area. Already, on many summer days, the parking lot is full and day-users are forced to park on Hwy 89 or give up going to the beach in that area of the West Shore. The closest other beaches are at Sugar Pine Point and D.L. Bliss State Parks (which also have limited parking), creating more West Shore traffic as people drive around looking for public beach access.
- In response to questions during the tour, staff did acknowledge that there would be more space for trailer parking on the north side of the project (noted with regards to an alternative pier and ramp location on the northern end).

¹¹ Proposed Action, p. 9

¹² Pers. Comm., Michael Brumbaugh, Forest Planner: “The “Master Plan” reference in the Proposed Action was to an assessment we asked the tribe to provide concerning its vision of the resort part of the project we’re proposing. There is no actual “Master Plan”. The wording was inaccurate and somewhat misleading. The actual title is the “Meeks Bay Resort Design Assessment”, and we will be considering proposals from that assessment into our project, along with other public input such as yours.”

Suggestions for the DEIR/S/S:

- Impacts to parking, including number and size of spaces, associated with all alternatives must be rigorously examined.
- Alternatives should include options which maintain the existing number of spaces on-site.
- Alternatives should include parking strategies and management on SR 89 during peak use periods. Some suggested including options that would involve increasing the parking for the Meeks Bay trailhead across the highway and better managing overflow from the resort to help separate uses and reduce the need for people to cross SR 89.

Reconstruct Meeks Bay Campground:

According to the CTC Access Report there are approximately thirty-five camping spots; of this, nineteen are for tents and sixteen for RVs.¹³ The NOP states that the camping capacity will “remain within 20% of the existing capacity,” which suggests that the number of campsites may be reduced by up to 20%. Further, the NOP does not discuss whether reconstructed sites will include the same number of tent versus RV sites, however discussion by staff during the 10/10 tour indicated a potential loss in tent sites to favor more RV and “enhanced” sites (e.g. yurts).

FOWS members have expressed concern about the potential loss of tent sites at the campground. RV owners tend to be retired and/or have higher incomes, while many middle- and low-income families cannot afford to own or rent RVs, and therefore rely on tent camping to experience Lake Tahoe. The current campground is a popular area for campers with children, providing a unique and somewhat rare opportunity for young children to positively experience Lake Tahoe’s beauty from walking distance to a clean, sandy beach.

Highlights:

- Staff explained during the tour that the main purpose of the project was to restore the marina, however they are taking advantage of the opportunity to seek recreational enhancements for the south side/campground area, although funding was uncertain. Campground changes would include updated sites and amenities, better accessibility, and responding to current trends in recreation (e.g. RV versus tent camping). “Enhanced” camping such as camping in yurts, will also be included. Notably, RV sites will require larger spaces than tent sites, and the proposed reconfiguration may include more RV sites. The proposal would also seek to increase the space between sites, which will likely further reduce the total number of sites.
- FOWS members question the demand for ‘upgraded’ camping sites given the often full status observed at the existing campground, including tent campers. If demand for tent camping has declined, the campground should be experiencing vacancies in the tent sites during peak periods. From what our members have seen, this does not appear to be the case.
- Utility infrastructure will be improved, with one of the most notable changes being year-round water use.

¹³ P. 171

Suggestions for the DEIR/S/S:

- The EIR/S/S must disclose the existing utilization of the campground, including the occupancy of tent and RV sites during peak summer months. The EIR/S/S must also assess the demand for tent camping *specifically at this campground*; the EIR/S/S cannot simply rely on larger ‘trends’ in the camping industry that may not apply to this location.
- The EIR/S/S must analyze any changes to the number and type of existing campsites. If the proposed project and/or alternatives will reduce the number/type of campsites, the EIR/S/S must analyze alternative locations where camping is available on the beach along the West Shore and where increased opportunities for camping in equally close proximity to Lake Tahoe and with access to a similar beach will be located to make up for any losses at the project site.
- The EIR/S/S also needs to examine the economic and social impacts associated with any reductions in affordable campsites.
- As the campground updates were described as possibly ‘optional’ due to funding and other issues, the EIR/S/S should discuss what projects may be considered if the campsite changes are excluded from the project (or not funded). The EIR/S/S should also analyze an alternative with the pier and boat ramp located on the northern end of the bay and only minor upgrades made to the campground that would not affect the number, type, or size of existing sites.
- With year-round water use available, the EIR/S/S must analyze the impacts from additional camping, including vehicle use and emissions and any increases in boat use on the lake.
- Significance criteria should include whether there are reductions in the number of tent sites and any loss in affordable camp sites and access to Lake Tahoe.

Install Pedestrian Connectivity Routes:

There was extensive discussion regarding the proposed pedestrian and bicycle paths during the 10/10 tour.

Highlights:

- There are concerns about conflicts between bicyclists and pedestrians on the shared use path, especially over the proposed pedestrian bridge between the south campground and the resort, where it is anticipated there may be high use by pedestrians during the summer. Users are concerned with the safety impacts with bicyclists being directed through a heavy-use area.
- There are questions regarding what motorized equipment would be allowed on the path. Concerns were raised about electric scooters and the potential user conflicts if they are allowed.
- There are questions related to the proposed bike path extension from Meeks Bay south to Emerald Bay. People asked if the route in the proposed project would be part of the larger around-the-lake bike path, expressing concerns that this would mean even more people using the path, which may already be crowded from heavy use by those at the project site. USFS and TRPA staff members indicated that would be looked at; it was also stated that recent discussions regarding the proposed bike route from Meeks Bay south were

focusing on a route that would avoid the project area, instead following a route above the other side of the highway. Staff did note the potential route was not a ‘done deal.’ Questions were then raised regarding potential confusion among users if there were a bike path through the project site as well as on the other side of the highway.

- Staff stated that a possible option to link the on-site bike path to the around-the-lake route, if it were on the other side of the highway, included an underground tunnel as is being constructed on SR 28 in Nevada.

Suggestions for the DEIR/S/S:

- Consider alternative path design that will separate pedestrians and bicyclists. During the tour, USFS staff noted this had been done at the campground by Camp Richardson during recent upgrades.
- Evaluate what motorized equipment may or may not be allowed on the proposed path.
- Analyze the proposed bike path and how it may connect to/be part of the larger around-the-lake bike path system that will be constructed from Meeks Bay south. Options evaluated should include maintaining a separate path through the project area and how it may connect with the around-the-lake path, and the associated safety implications.
- Consider the implications on path usage based on other site variations. For example, if a new boat ramp is placed on the south end (as proposed), whether parking is provided on the south side or north side of the lagoon would have an impact on path usage as those parking trailers on the north side would presumably walk across the path to get to their boat after parking.

Additional recommendations for DEIR/S/S analysis:

- Due to the increases in intense precipitation, more rain and rain-on-snow events, and other impacts of climate change, the project should consider designing for the 100-year storm event, especially given the extent of coverage to be added throughout the project site. Impacts to the level of particulate matter, nitrogen, and phosphorous that may reach Lake Tahoe associated with all alternatives must be assessed.
- Impacts to water quality in the nearshore associated with the new pier and boat ramp (in various locations, as recommended previously).
- Public exposure to localized vehicle and boat emissions associated with proposed pier and ramp.
- Impacts from noise (generated by boats, vehicles, trailers, etc.) on non-motorized recreation experience, including day use and overnight camping.
- Opportunities to increase area available for non-motorized recreation access.

Cumulative impacts

Cumulative impacts that should be examined include, but are not limited to:

- Extent of trees to be cut for project alternatives and number and location of large trees recently cut down in the area for the bike path (e.g. extension of bike path to south of Meeks Bay).

FOWS Comments on Meeks Bay Restoration Project NOP/NOI

- Impacts to the number and type of campsites (as well as their cost) available along the west shore with close access to the lake.
- Impacts to pedestrian and bicyclist circulation and safety from proposed project along with the bike path extension to the north (almost completed) and south (future).
- Impacts to parking and traffic flow along SR 89.
- Changes in extent of beach area available for non-motorized recreation in and around Meeks Bay as well as along the West Shore.
- Boat slips and launch opportunities for motorized boats along the west and north shore.
- Additional coverage associated with project, along with increased coverage from bike path to the north and future path to the south.