

MINUTE ITEM

40

07/10/89
W 23946
J. Ludlow

APPROVAL OF A RECREATIONAL PIER PERMIT

Calendar Item 40, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 40.

A 7

S 1

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CALENDAR ITEM

40

07/10/89

W 23946

J. Ludlow

A 7

S 1

APPROVAL OF A RECREATIONAL PIER PERMIT

APPLICANT: Barbara Hefner, Trustee
3711 Random Lane
Sacramento, California 95864

AREA, TYPE LAND AND LOCATION:
A submerged parcel of land in Lake Tahoe at
Dollar Point, Placer County.

LAND USE: A 104 foot extension of an existing pier and
retention of two previously unauthorized buoys.

TERMS OF PROPOSED PERMIT:
Initial period: Five-years beginning July 10,
1989.

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 upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee, processing costs and environmental
costs 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: 12/15/89.

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 EIR ND 454, State Clearinghouse No. 89011602. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

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 review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. The existing pier is located landward of the 6,223 foot low water mark. The extension will continue waterward of the low water mark onto the State's land.
4. The extension of the existing pier will be constructed from a barge with pile driver. All construction wastes will be collected onto the barge and disposed of at the nearest dumpster/sanitary landfill site.
5. Materials will be neither stored nor placed above the low water line of the subject property. This procedure will prevent any disturbance to what may be considered Tahoe Yellow Cress (Rorippa) habitat.

6. In order to determine the other potential trust uses in the area of the proposed project, the staff contacted representatives of the following agencies: Tahoe Regional Planning Agency, Department of Fish and Game, County of Placer, and the Tahoe Conservancy. None of these agencies expressed a concern that the proposed project would have a significant effect on trust uses in the area. The agencies did not identify any trust needs which were not being met by existing facilities in the area. Identified trust uses in this area would include swimming, boating, walking along the beach, and views of the lake.
7. All permits covering structures in Lake Tahoe will include a condition subsequent that if any structure authorized is found to be in nonconformance with the Tahoe Regional Planning Agency's shorezone ordinance and if any alterations, repairs, or removal required pursuant to said ordinance are not accomplished within the designated time period, then the permit will be automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof.

APPROVALS OBTAINED:

Placer County, Tahoe Regional Planning Agency, Department of Fish and Games, Lahontan Regional Water Quality Control Board, and United States Army Corps of Engineers (GPO16).

FURTHER APPROVALS REQUIRED:

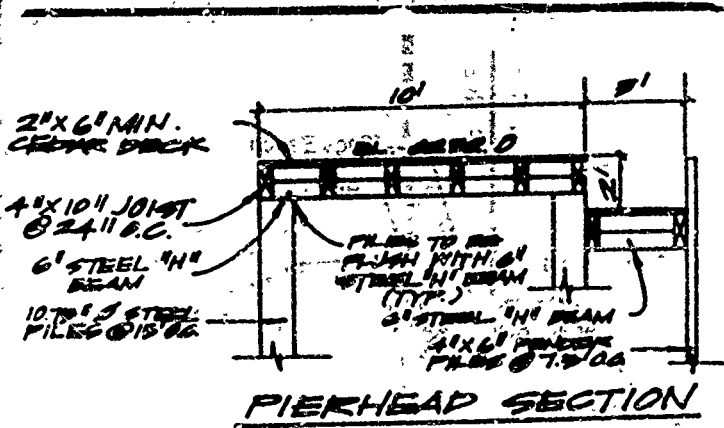
None.

EXHIBITS:

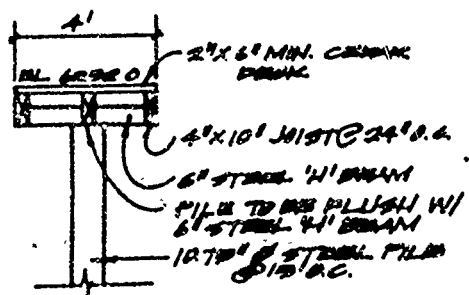
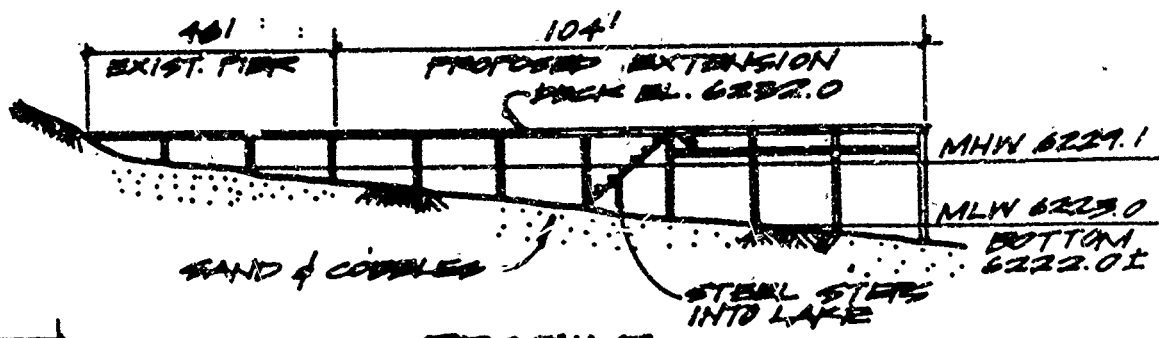
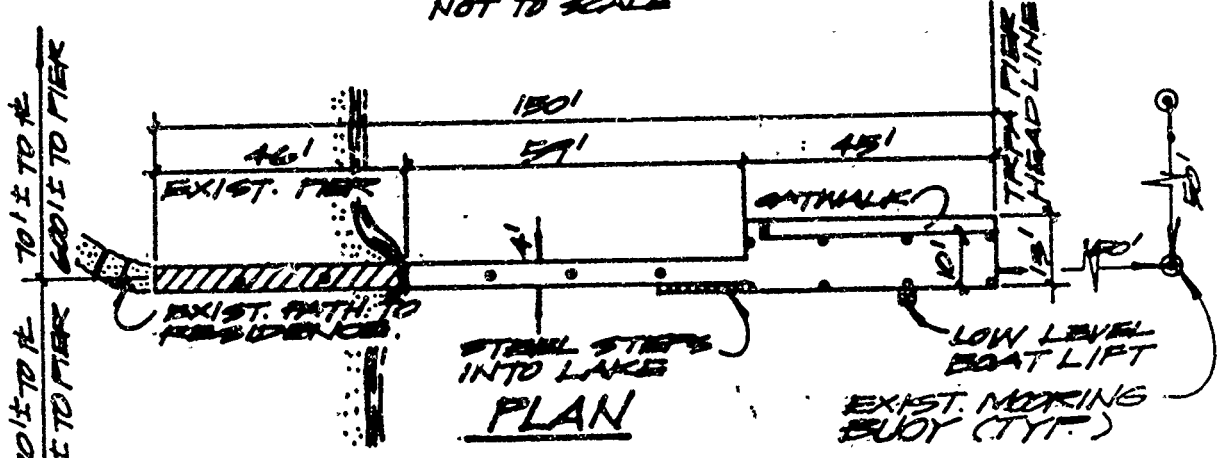
- A. Land Description.
- B. Location Map.
- C. Placer County Letter of Approval.
- D. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 454, STATE CLEARINGHOUSE NO. 89011602, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE ISSUANCE TO BARBARA HEFNER, TRUSTEE, OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING JULY 10, 1989; FOR A 104 FOOT EXTENSION OF AN EXISTING PIER AND RETENTION OF TWO EXISTING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.



NOT TO SCALE



EXTENSION OF EXIST. PIER - ANTIQUES AND HEIRLOOMS LTD PARCEL 3272 EDGEWATER DR. COLLAR POINT AREA PLACER COUNTY, CA APN: 93-094-26 APRIL 1989

ADJOINING PROPERTIES
 EAST 93-094-0523 WEST 93-094-26

REVISED 3/89

HAYMOND VAIL AND ASSOCIATES
 ENGINEERS • PLANNING • ARCHITECTURE • SURVEYING
 1725 71st ST
 MINUTE PAGE 2310

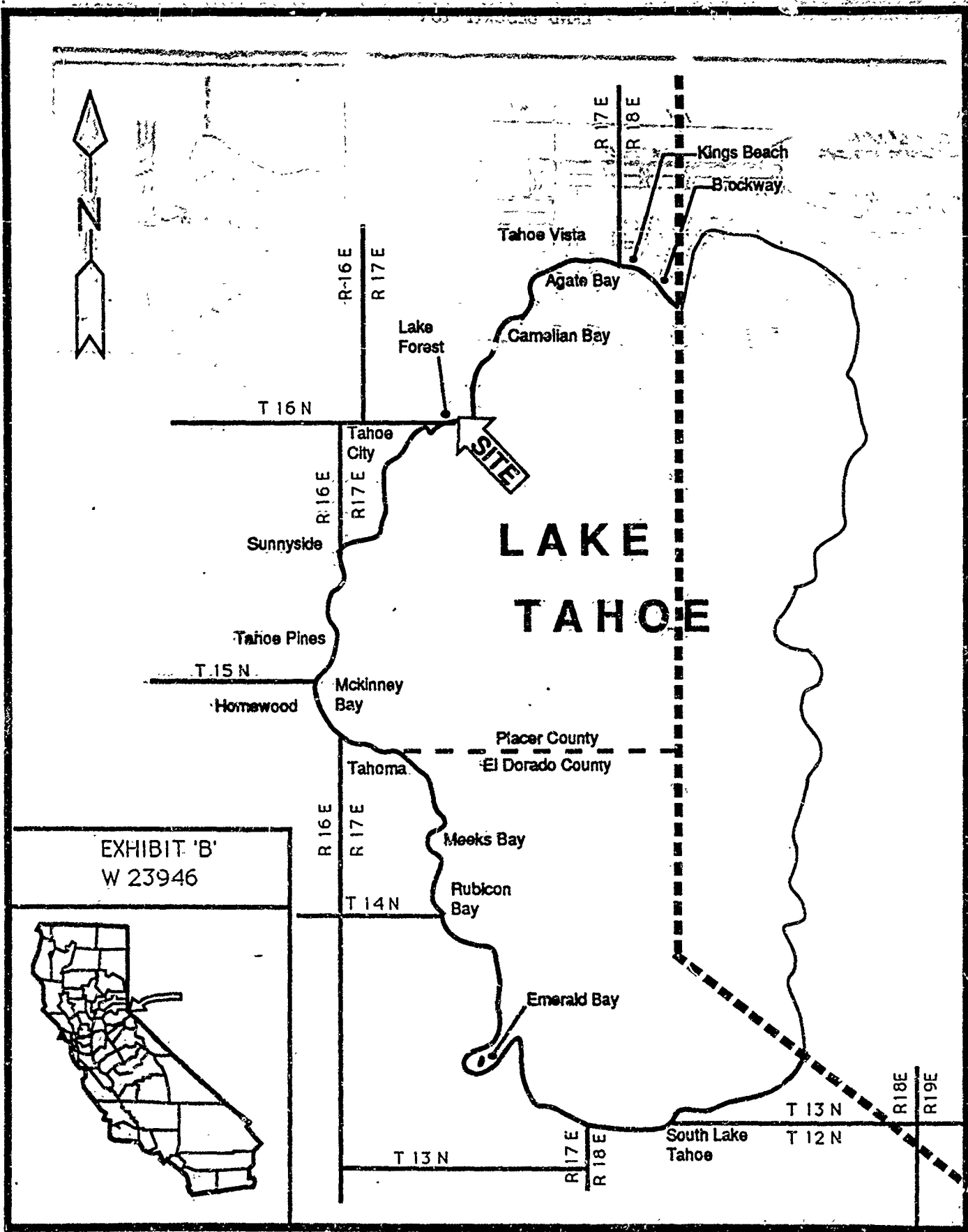
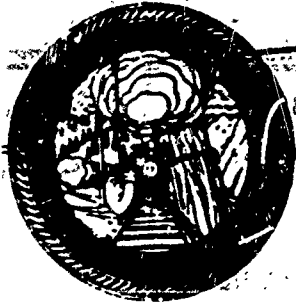


EXHIBIT 'B'
W 23946





PLACER COUNTY

DEPARTMENT OF PUBLIC WORKS

JACK WARREN, Director
JAN WITTER, Assistant Director
LARRY ODDO, Deputy Director
ALAN ROY, Deputy Director

OPERATING DIVISION

- Administration
- Engineering
- Equipment Maintenance
- Road Maintenance
- Special Districts
- Surveys
- Transportation

March 3, 1989

Gerald D. Gordon
California State Lands Commission
1807 - 13th Street
Sacramento, CA 95814

RE: PIER - SHOREZONE CONSTRUCTION

Dear Mr. Gordon:

The County of Placer has reviewed the below referenced requests for construction activities within the shorezone of Lake Tahoe. We have no objections to the construction activities described in the below applications contingent upon approval by your office.

- | | | |
|----|--|---------|
| 1. | McKinney Landing Home Owners Association | WP 4195 |
| 2. | Strain Ranch | WP 4091 |
| 3. | Lake Tahoe Park Association | WP 3887 |
| 4. | Cedar Point Home Owners Association | WP 2859 |
| 5. | Antiques and Heirlooms | W 23946 |
| 6. | Michael Babcock | W 24201 |
| 7. | Tahoe Tavern Property Owners Association | WP 5956 |
| 8. | Lyon/Hawkins | WP 5884 |

Should you have any questions or if I can be of further assistance, please call at your convenience.

COUNTY OF PLACER
DEPARTMENT OF PUBLIC WORKS
JACK WARREN, DIRECTOR

JAMES A. MCLEOD
ASSISTANT CIVIL ENGINEER

JAN:ms

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STATE OF CALIFORNIA—STATE LANDS COMMISSION

GEORGE DELGADO, Governor

STATE LANDS COMMISSION

1907 13TH STREET
SACRAMENTO, CALIFORNIA 95814

W 23946

PROPOSED NEGATIVE DECLARATION

EIR NO 454

File Ref.: W 23946

SCH#: 8901 1602

Project Title: Pier Extension**Project Proponent:** Antiques & Heirlooms, LTD**Project Location:** In Lake Tahoe adjacent to 3272 Edgewater Drive, Dollar Point, approximately 2.5 miles northeast of Tahoe City, Placer County.**Project Description:** To extend existing pier 104' to the TRPA pierhead line and to place two existing buoys under permit.**Contact Person:**

TED T. FUKUSHIMA

Telephone:

(916)322-7813

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 Administrative Code), and the State Lands Commission regulation (Section 2901 et seq., Title 2, California Administrative Code).

Based upon the attached Initial Study, it has been found that:

the project will not have a significant effect on the environment.

mitigation measures included in the project will avoid potentially significant effects.

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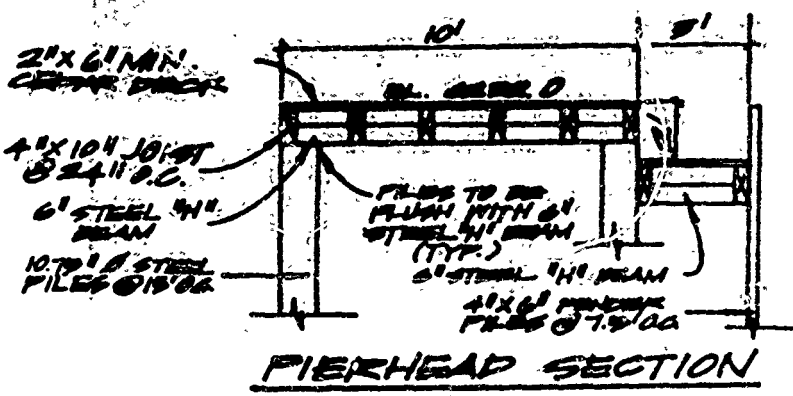


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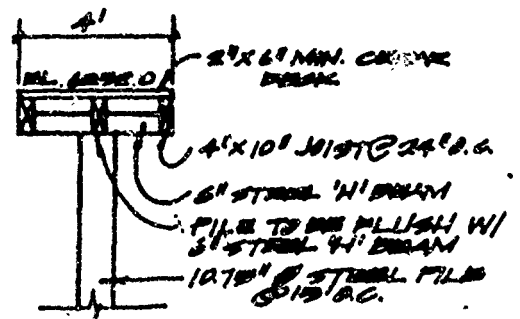
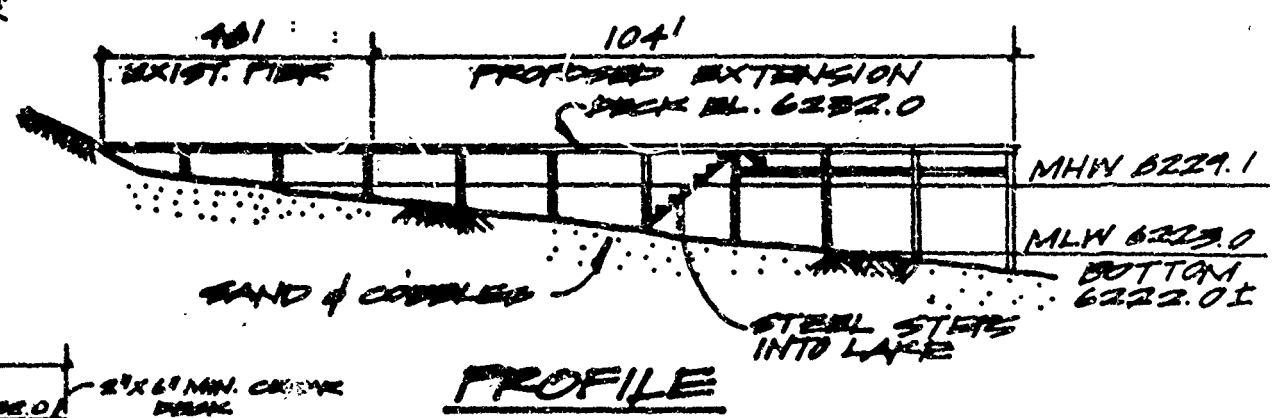
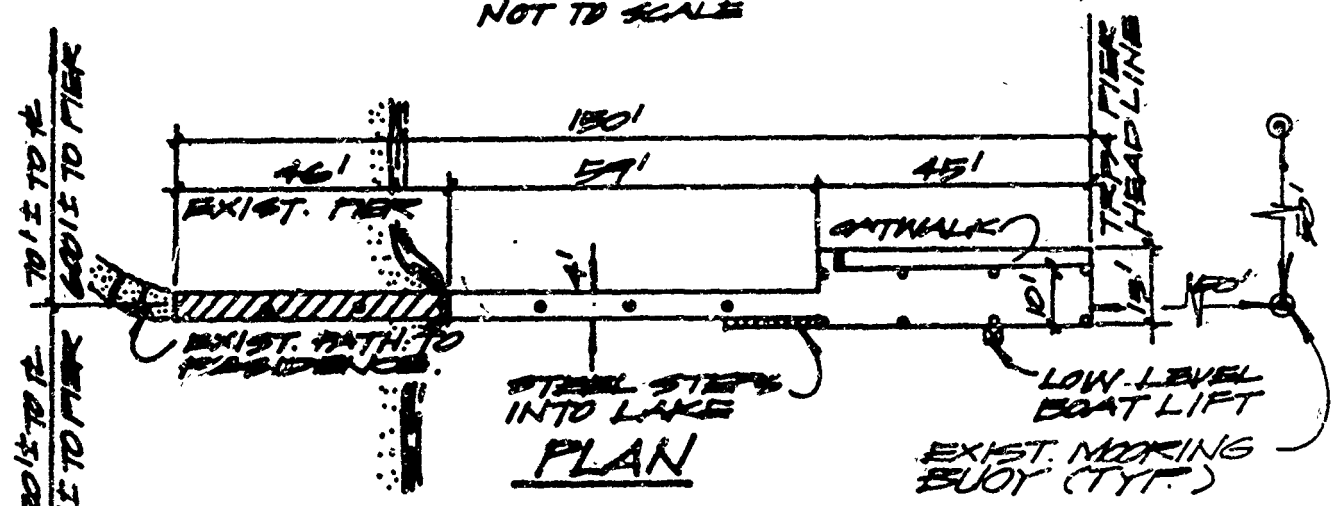
SITE

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NOT TO SCALE



EXTENSION OF EXIST. PIER - ANTIQUES AND HEIRLOOMS LTD. PARCEL 3272 EDGEWATER DR. DOLLAR POINT AREA PLACER COUNTY, CA APN: 93-094-36 APRIL 1989

RAYMOND VALENTI BAGASSO ASSOCIATES

ENGINEERING • PLANNING • ARCHITECTURE • SURVEYING

MINUTE PAD 710-712-0115

ADJOINING PROPERTIES
 EAST 93-094-0523 WEST 93-094-40

REVISED 3/89

RAYMOND VALENTI BAGASSO ASSOCIATES 88
 ENGINEERING • PLANNING • ARCHITECTURE • SURVEYING

C. ENVIRONMENTAL SETTING

- 1. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical, or scenic aspects. Describe any existing structures on the site, and the use of the structures.
- 2. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.).

D. ENVIRONMENTAL IMPACT ASSESSMENT

Answer the following questions by placing a check in the appropriate box. Discuss all items checked "yes" or "maybe". (Attach additional sheets as necessary)

Will the project involve:	YES	MAYBE	NO
1. a change in existing features of any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. a change in scenic views or vistas from existing residential areas or public lands or roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a change in pattern, scale, or character of the general area of project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. a significant effect on plant or animal life?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. significant amounts of solid waste or litter?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. a change in dust, ash, smoke, fumes, or odors in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. a change in ocean, bay, lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. a change in existing noise or vibration levels in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. construction on filled land or on slopes of 10 percent or more?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. use or disposal of potentially hazardous materials, such as toxic or radioactive substances, flammables, or explosives?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. a change in demand for municipal services (police, fire, water, sewage, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. an increase in fuel consumption (electricity, oil, natural gas, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. a larger project or a series of projects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E. CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: 7-29-88

Signed: Gregg R. Lien - Attorney

ENVIRONMENTAL IMPACT ASSESSMENT FORM - Part I

(To be completed by applicant)

FORM 60.3(11/82)

A. GENERAL INFORMATION

1. Name, address, and telephone number:

a. Applicant

Antiques & Heirlooms LTD

3710 Gateway Oaks Dr, Suite 300

Sacramento, CA 95833

(916) 925-6620

b. Contact person if other than applicant:

Gregg R. Lien - Attorney

P.O. Box 7740

Tahoe City, CA 95730

(916) 583-8582

2. a. Project location: (Please reference to nearest town or community and include county)

3272 Edgewater Drive - Dollar point (Lake Tahoe)

2.5 miles northeast of Tahoe City, Placer County

b. Assessor's parcel number: Placer County APN: 93-094-36

3. Existing zoning of project site: _____

4. Existing land use of project site: Single family residence w/ pier & two buoys

5. Proposed use of site: Single family residence w/ pier & two buoys

6. Other permits required: Tahoe Regional Planning Agency, Army Corp's of Engineers, Lahontan Water Quality Control Board.

2. PROJECT DESCRIPTION

1. For building construction projects, complete "ATTACHMENT A".

2. For non-building construction projects: Describe fully, the proposed activity, its purpose and intended use, e.g. for proposed mineral prospecting permits, include the number of test holes, size of holes, amount of material to be excavated, maximum surface area of disturbance, hole locations, depth of holes, etc. Attach plans or other drawings as necessary.

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

J. *Risk of Impact*. Does the proposal result in: Yes Maybe No

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?

2. Possible interference with emergency response plan or an emergency evacuation plan?

K. *Population*. Will the proposal result in:

1. The alteration, distribution, density, or growth rate of the human population of the area?

L. *Housing*. Will the proposal result in:

1. Affecting existing housing, or create a demand for additional housing?

M. *Transportation/Circulation*. Will the proposal result in:

1. Generation of substantial additional vehicular movement?

2. Affecting existing parking facilities, or create a demand for new parking?

3. Substantial impact upon existing transportation systems?

4. Alterations to present patterns of circulation or movement of people and/or goods?

5. Alterations to waterborne, rail, or air traffic?

6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

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?

2. Police protection?

3. Schools?

4. Parks and other recreational facilities?

5. Maintenance of public facilities, including roads?

6. Other governmental services?

O. *Energy*. Will the proposal result in:

1. Use of substantial amounts of fuel or energy?

2. Substantial increase in demand upon existing sources of energy, or require the development of new sources?

P. *Utilities*. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

1. Power or natural gas?

2. Communication systems?

3. Water?

4. Sewer or septic tanks?

5. Storm water drainage?

6. Solid waste and disposal?

Q. *Human Health*. Will the proposal result in:

1. Creation of any health hazard or potential health hazard (excluding mental health)?

2. Exposure of people to potential health hazards?

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?

S. *Recreation*. Will the proposal result in:

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

J. Risk of Impact. Does the proposal result in:

Yes Maybe No

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?

2. Possible interference with emergency response plan or an emergency evacuation plan?

K. Population. Will the proposal result in:

1. The alteration, distribution, density, or growth rate of the human population of the area?

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S. Recreation. Will the proposal result in:

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

Yes Maybe No

T. Cultural Resources (to be filled in by the applicant) (to be filled in by the applicant) (to be filled in by the applicant)

- 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)

- F1 - Minor increase of noise level during construction.
- E1 - The proposed extension may impact fish spawning area.

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: 12 / 13 / 88

John S. Johnson
 For the State Lands Commission

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