

MINUTE ITEM

This Calendar Item No. C15
from
No. 15 of the 3 pages
to 0 at the 3/24/83
meeting.

CALENDAR ITEM

C 15 1

3/24/83
W 22641 PRC 6388
Omand

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Ilia G. and Betty S. Poppoff;
Oleg N. and Ruth Obuhoff
P. O. Box 35
Carnelian Bay, California 95711

AREA, TYPE LAND AND LOCATION: A .017-acre parcel of submerged land located in Lake Tahoe, Placer County.

LAND USE: Construction of a joint-use pier, and maintenance of an existing swim float and two buoys.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from March 1, 1983.

Combined single limit coverage of \$100,000.

Special: Lease terms conform to the requirements of the Lyons/Fogarty Decision.

- CONSIDERATION:
- 1) Swim Float: \$50 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.
 - 2) Pier and Two Buoys: Rent free pursuant to Section 6503.5 PRC.

A 3
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CALENDAR ITEM NO. C 15 (CONT'D)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003, and
Section 6503.5 PkC.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicants are owner of the uplands.

Filing fee and first year's rental have
been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

OTHER PERTINENT INFORMATION:

1. A Negative Declaration was prepared and certified by CTRPA, pursuant to CEQA and the State CEQA Guidelines, and it was found that the project will be mitigated so as not to have a significant effect on the environment.
2. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "B" which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.
3. The Commission at its meeting on November 27, 1978, suspended all leasing for new construction at Lake Tahoe, except for mooring buoys in designated areas, and Multiple-Use structures. This action was taken pending completion of an EIR which addresses the cumulative impact of continued construction of piers in Lake Tahoe. There are two existing buoys and an existing swim float. The proposed new construction is a pier for the joint use of the applicants and will project from the dividing property line of both parties.

The application for the proposed project is consistent with the 1978 moratorium in that it involves a multiple-use pier; the application pre-dates the March 1982 moratorium which prohibits acceptance of applications involving new piers or pier extensions.

4. This project has been coordinated with all appropriate agencies and all have concurred in this new construction.
5. 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:

United States Army Corps of Engineers;
California Tahoe Regional Planning Agency;
Department of Fish and Game. Water Quality
Control Board deemed approved through Tahoe
Regional Planning Agency approval.

FURTHER APPROVALS REQUIRED:

None.

AB 884: 4/14/83.

EXHIBITS:

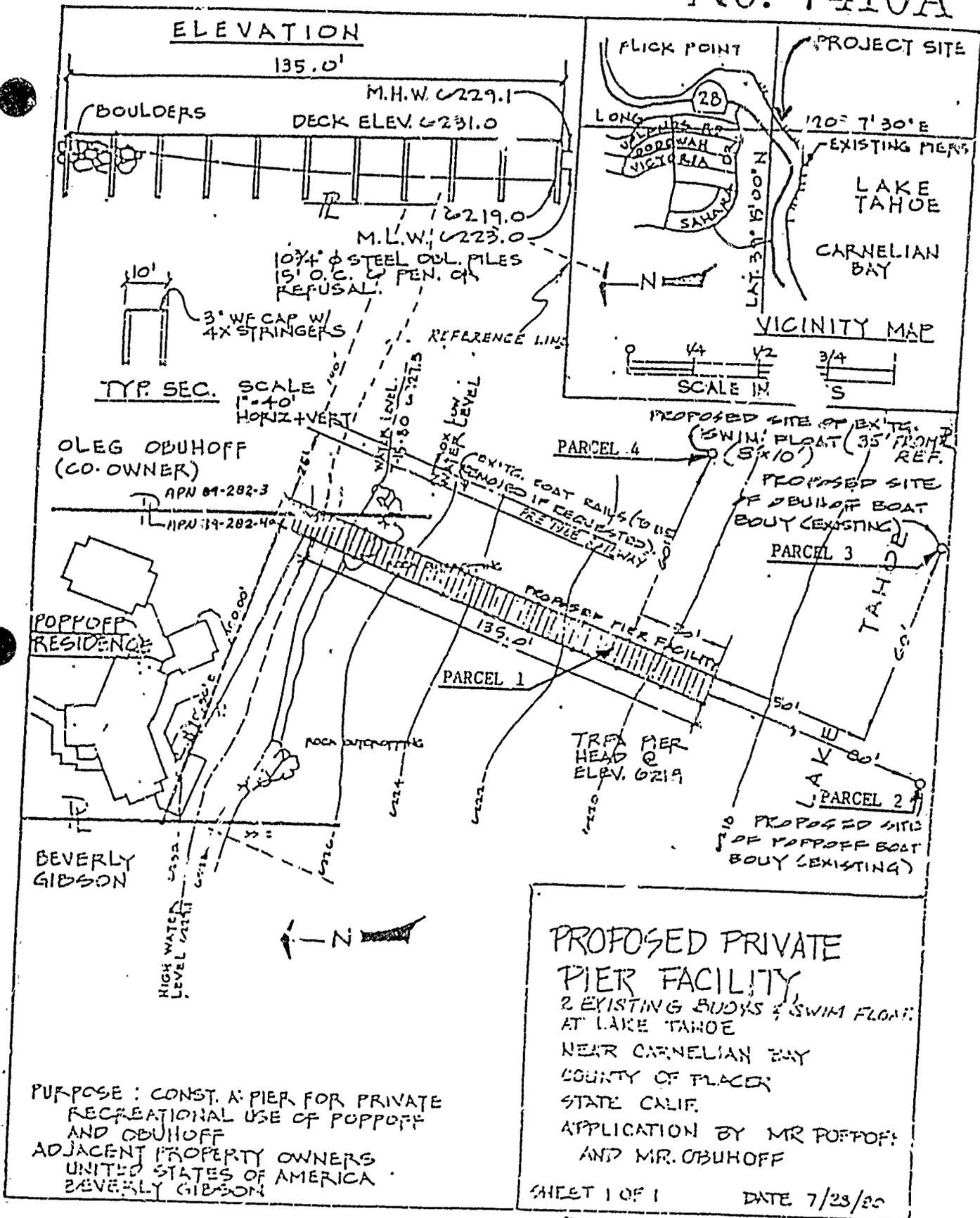
- A. Land Description.
- B. Location Map.
- C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A NEGATIVE DECLARATION HAS BEEN PREPARED FOR THIS PROJECT BY CALIFORNIA TAHOE REGIONAL PLANNING AGENCY.

2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION, AND DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND THAT IT IS CONSISTENT WITH ITS USE CLASSIFICATION.

3. AUTHORIZE ISSUANCE TO ILIA G. AND BETTY S. POPPOFF; AND OLEG N. AND RUTH OBUKOFF OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE, FROM MARCH 1, 1983, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$50, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE, WITH A COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR CONSTRUCTION OF A JOINT-USE PIER, AND MAINTENANCE OF AN EXISTING SWIM FLOAT AND TWO BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.



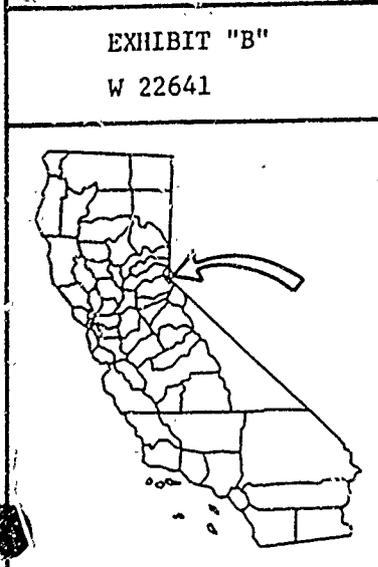
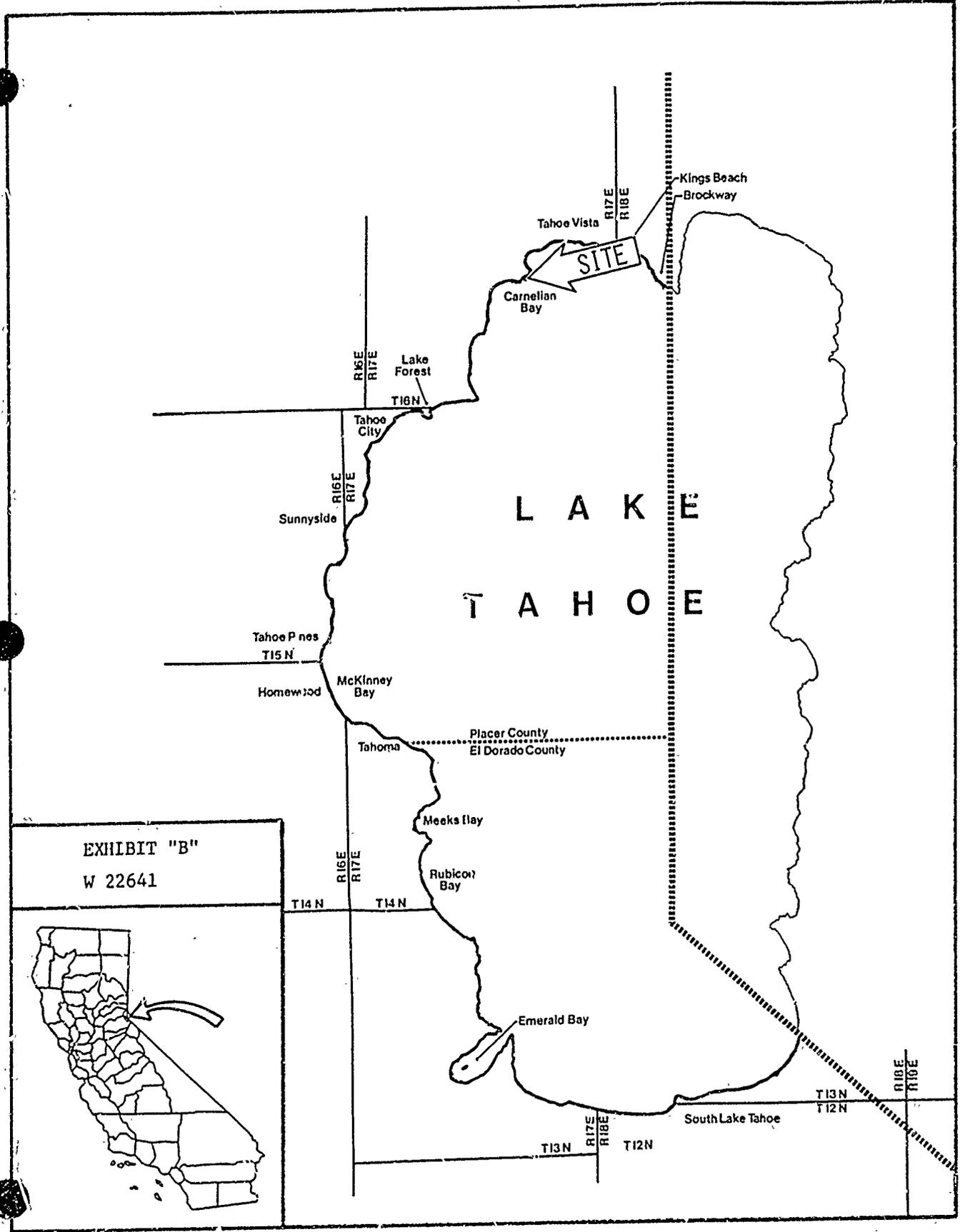
PURPOSE : CONST. A PIER FOR PRIVATE RECREATIONAL USE OF POPPOFF AND OBUHOFF ADJACENT PROPERTY OWNERS UNITED STATES OF AMERICA BEVERLY GIBSON

PROPOSED PRIVATE PIER FACILITY
 2 EXISTING BUOYS & SWIM FLOAT AT LAKE TAHOE
 NEAR CARNELIAN BAY
 COUNTY OF PLACER
 STATE CALIF.
 APPLICATION BY MR POPPOFF AND MR. OBUHOFF
 SHEET 1 OF 1 DATE 7/23/80
 REV. 4-22-82 J.B. 80215

PARCELS 1,2,3,4,

EXHIBIT "A"
 LAND DESCRIPTION

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CALIFORNIA TAHOE REGIONAL PLANNING AGENCY

NEGATIVE DECLARATION

Project Name: Poppoff/Obuhoff Multiple-Use Pier

Project Type: Shorezone

Applicant: ~~Obuhoff/Poppoff~~
P. O. Box 35
Carnelian Bay, CA 95711

Property Location: 5464 and 5468 North Lake Boulevard
Flick Point, Carnelian Bay

Assessor's Parcel No.: ~~89-262-03 and 04~~

Review per Ordinance: Shorezone Ordinance
Section 4.11

Project Description:

The applicant's ~~propose construction of a multiple use pier~~ on the property line dividing their lots. The pier is to be ~~155 feet long, 10 feet wide, and extend to lake bottom elevation 6219 feet.~~ The applicants are also seeking authorization of an existing buoy, swim float, and boat rails located lakeward of Obuhoffs property, and an existing buoy lakeward of Poppoff's property.

Environmental Setting:

The site is classified a shorezone tolerance 4 with gentle slopes and rocky cobble soil. The lake bottom is composed of rocks, rubble and boulders, characterizing a prime Fish Habitat.

Environmental Assessment:

Biological Environment: Lake bottom composition consisting of rocks, rubble and boulders within the 30 foot contour of the lake bottom has been identified by the Dept. of Fish and Game as prime fish habitat. The Dept. of Fish and Game Policy, adopted October 16, 1978 states that prime fish habitat areas are a limited resource in Lake Tahoe and should be protected from the proliferation of pier encroachment. However, the Dept. of Fish and Game has no objection to the construction of this pier in that topline trolling is already substantially impeded by two existing piers.

Physical Assessment:

An analysis of the cumulative effects of structures placed in the waters of Lake Tahoe is presently being studied. To date, studies have only determined that a high density of piers and other permeable structures can contribute to and perpetuate physical shorezone instability. The lack of sufficient data to assess the cumulative effects of increased pier densities have prompted Lake Tahoe Regional Planning Agencies to place a temporary moratorium on acceptance of new application for piers and pier extensions. Application for this project was made prior to adoption of this moratorium.

EXHIBIT "C"

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Recreational Assessment:

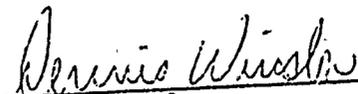
Lakeward encroachment of structures in Lake Tahoe continue to inhibit and diminish the public's access to use and enjoyment of the shorezone. However, because of the density of the existing piers in the area, recreation activities are restricted.

Mitigation:

The proposed pier should not impede safe navigation since it will not extend beyond the pier headline. The pier pilings would be installed in a manner that would minimize alteration of fish habitat. The pier would be an open pile construction which would allow minimum obstruction to water circulation and local sediment transport.

Additionally, the pier would be shared by two littoral property owners, therefore reducing the potential environmental impacts to half as much as two single use piers.

The overall impacts of the project on the environment with the inclusion of the above mentioned mitigation measures should not be significant.



Dennis Winslow
Executive Officer



Rick Herbert
Environmental Inspector

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