MINUTE ITEM
This Calendar Item No. 12
was approved as Minute Item
No. 22 by the State Lands
Commission by a vote of 3
to 0 at its 7/16/87
meeting.

CALENDAR ITEM

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GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: California Tahoe Conservancy
Attn: Dennis T. Machida
Executive Officer
P.O. Box 7758
South Lake Tahoe, California 95731

AREA, TYPE LAND AND LOCATION:
Two parcels of submerged land in Lake Tahoe, one north of Taylor Creek and one near Camp Richardson, El Dorado County.

LAND USE: Construction and maintenance of two artificial, experimental reefs for fish feeding, spawning, and cover

TERMS OF PROPOSED PERMIT:

Initial period: 49 years beginning July 17, 1987.

Surety bond: None.

Public liability insurance: None

CONSIDERATION: The public benefit; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

CALENDAR ITEM NO. 12 (CONTD.)

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs 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.

AB 884: N/A.

OTHER PERTINENT INFORMATION:
1. This project involves the introduction of artificial reefs for fish feeding, spawning, and cover at Lake Tahoe. This would be done by placing boulder clusters 10 to 20 feet apart at two sites in the nearshore area at depths of 20 to 60 feet.

The cluster idea was recommended by Department of Fish and Game (DFG) staff as a method of increasing the number of cracks, crevices, and surface area for fish feeding, spawning and cover. A cluster would contain three large boulders, two to three feet in diameter, surrounding several smaller rocks and boulders. Cargo netting will be used to lower the small rocks and initially hold them in place between the boulders. Each cluster will consist of up to six (6) smaller clusters.

With the assistance of DFG, TRPA and USFS staffs, two sites were selected. One is a cobbled area just north of Taylor Creek near Cascade Point and the other is a sandy area just north of Camp Richardson. The project is designed to help provide 3,000 acres of enhanced fish habitat, which is proposed in the TRPA Regional Plan.

These sites were selected for several reasons. The Cascade Point site was chosen in order to enhance an area which partially provides for feeding, spawning and cover which fish tend to inhabit (i.e., a cobbled area). The placement of a reef here should increase the number of fish visiting this area.

The Camp Richardson site was chosen because it will allow the Conservancy to evaluate the effectiveness of artificial reefs in enhancing the fishery habitat and attracting fish to sandy areas which they would otherwise rarely inhabit.

These locations were also chosen because of their distance from boat traffic and other human disturbances.

2. Written approval of the upland owner was not obtained in that the facilities will be substantially offshore, not dependent upon the upland, and in depths of 20 to 60 feet.

3. The annual rental value of the two sites is estimated to be $6,500.

4. 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. This action was taken pending completion of an EIR which addresses the cumulative impact of continued construction of piers in Lake Tahoe. In that these facilities will increase fish habitat along the California shoreline, prove useful as a model for future offshore habitat enhancement in Lake Tahoe, will be at adequate depth to prevent risk to navigation and not involve pier construction, it is not subject to the Commission's suspension of leasing activities for new construction.

5. The proposed permit includes a requirement that should any structure authorized be found in nonconformance with the Tahoe Regional Planning Agency's Shorezone ordinance if any alterations, repairs, or removal required pursuant to said ordinance are not accomplished within the designated time period, then the permit will, effective upon notice by the State, be automatically terminated, and the site shall be cleared pursuant to the terms thereof.

6. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 4, Minor Alteration to Land and Class 6, Information Collection, 14 Cal. Adm. Code 15304 and 15306.

7. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands. 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.

APPROVALS OBTAINED:
None.

FURTHER APPROVALS REQUIRED:
Lahontan Regional Water Quality Control Board, California Department of Fish and Game, United States Army Corps of Engineers, and Tahoe Regional Planning Agency.

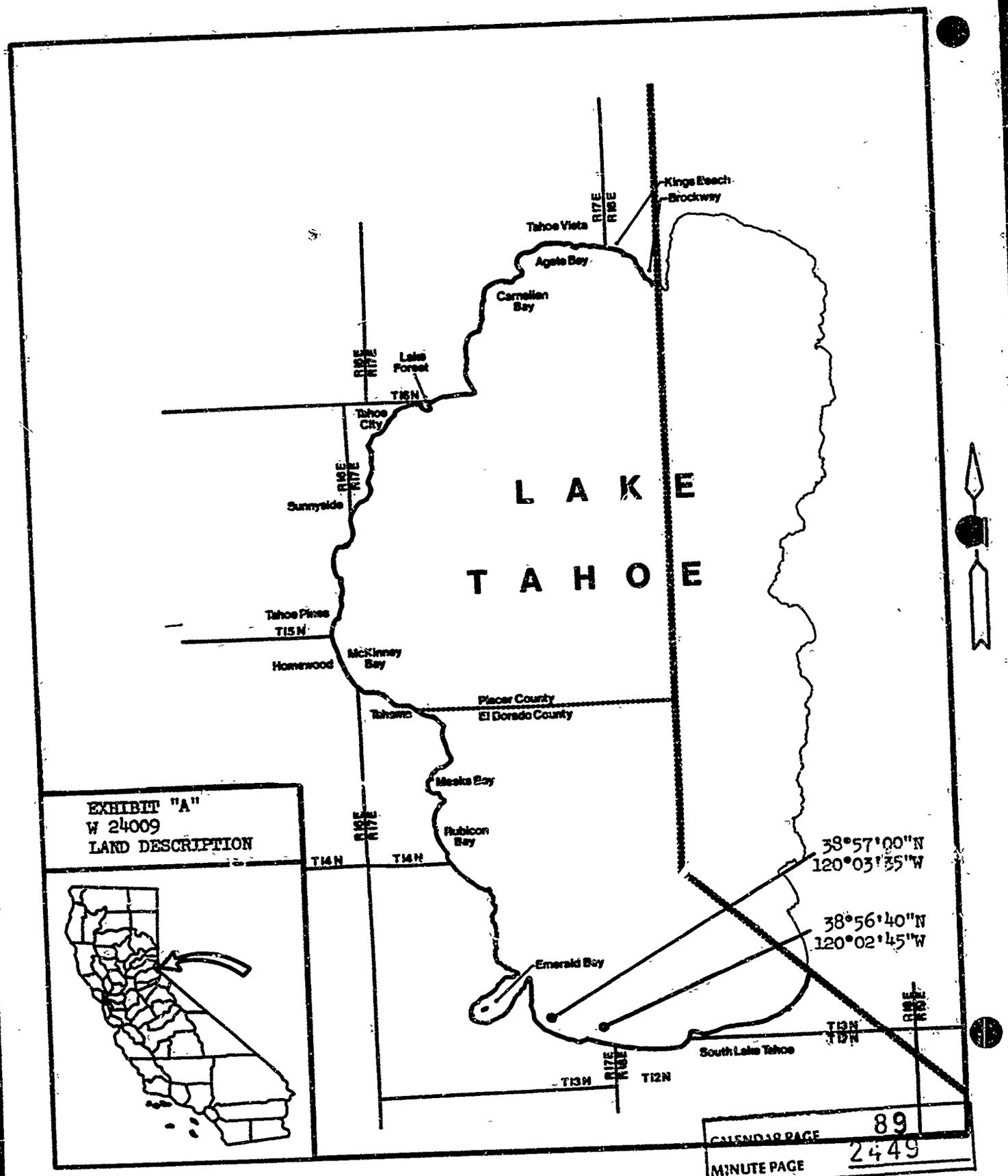
EXHIBIT: A. Land Description and Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND AND CLASS 6, INFORMATION COLLECTION, 14 CAL. ADM. CODE 15304 and 15306.

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3. AUTHORIZE ISSUANCE TO CALIFORNIA TAHOE CONSERVANCY OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE BEGINNING JUNE 17, 1987; IN CONSIDERATION OF THE PUBLIC BENEFIT/HEALTH, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR CONSTRUCTION AND MAINTENANCE OF ARTIFICIAL REEFS FOR FISH FEEDING, SPAWNING, AND COVER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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