MINUTE ITEM
This Calendar Item No. 19
was approved as Minute Item
No. 19 by the State Lands
Commission by a vote of 3
0 at its 9/27/89
meeting.

CALENDAR ITEM

A 7

19

09/27/89
PRC 4456
J. Ludlow

S 1

APPROVAL OF A RECREATIONAL PIER PERMIT

APPLICANT: John A. Wickland, III and Marilyn J. Wickland
925 Somersby Way
Sacramento, California 95864

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

LAND USE: Use and maintenance of an existing pier and retention of two (2) previously unauthorized mooring buoys.

TERMS OF PROPOSED PERMIT:
Initial period: Five years beginning September 27, 1990.

CONSIDERATION: Rent-free, pursuant to Section 6503.5 of the P.R.C.

APPLICANT STATUS:
Applicants are owners of upland.

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. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 09/30/89.

OTHER PERTINENT INFORMATION:

1. As to the existing pier, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facility, 2 Cal. Code Regs 2905(a(2).

   Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.

2. As to the existing unauthorized mooring buoys, 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 464, State Clearinghouse No. 89030614. 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)]

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3. 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.

4. This property was physically inspected by staff for purposes of evaluating the impact on the public trust.

5. 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.

6. 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.

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7. All permits at Lake Tahoe include special language in which the permittee/lessee agrees to protect and replace or restore, if required, the habitat of Rorippa subumbellata, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species.

APPROVALS OBTAINED:
All permits for pier previously obtained.

EXHIBITS:
A. Land Description.
B. Location Map.
C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE PIER, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITY, 2 CAL. CODE REGS. 2905(a)(2).

2. AS TO THE BUOYS, CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 464, STATE CLEARINGHOUSE NO. 89030614, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

3. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

4. AUTHORIZE ISSUANCE TO JOHN A. WICKLAND, III AND MARILYN J. WICKLAND OF A FIVE-YEAR RECREATIONAL PIER PERMIT BEGINNING SEPTEMBER 27, 1989, FOR THE USE AND MAINTENANCE OF AN EXISTING PIER AND FOR THE RETENTION OF TWO EXISTING MOORING BUOYS, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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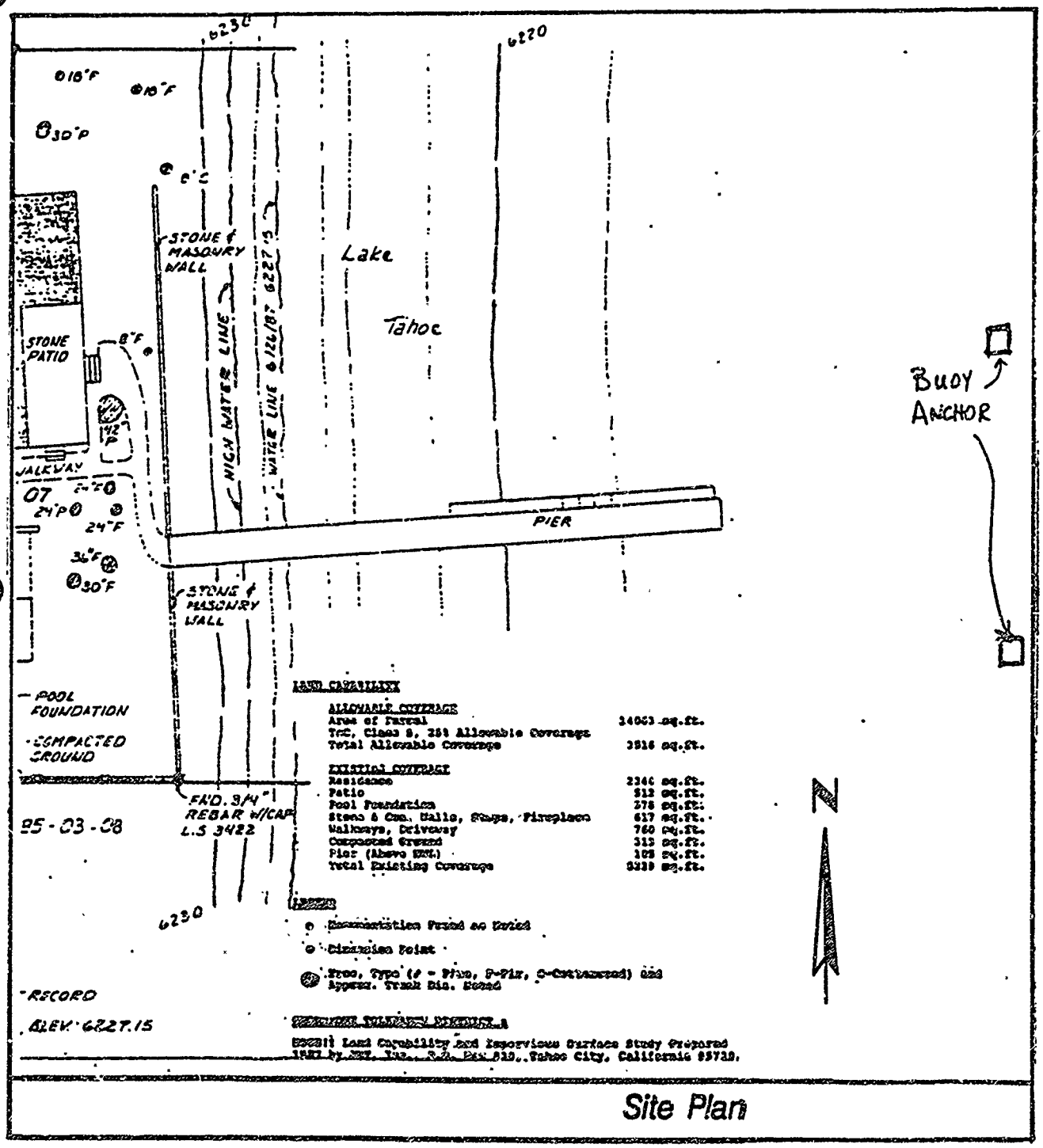
EXHIBIT "A"

LAND DESCRIPRION

PRC 4456.9



PREPARED AUGUST 18, 1989 BY BIU 1.

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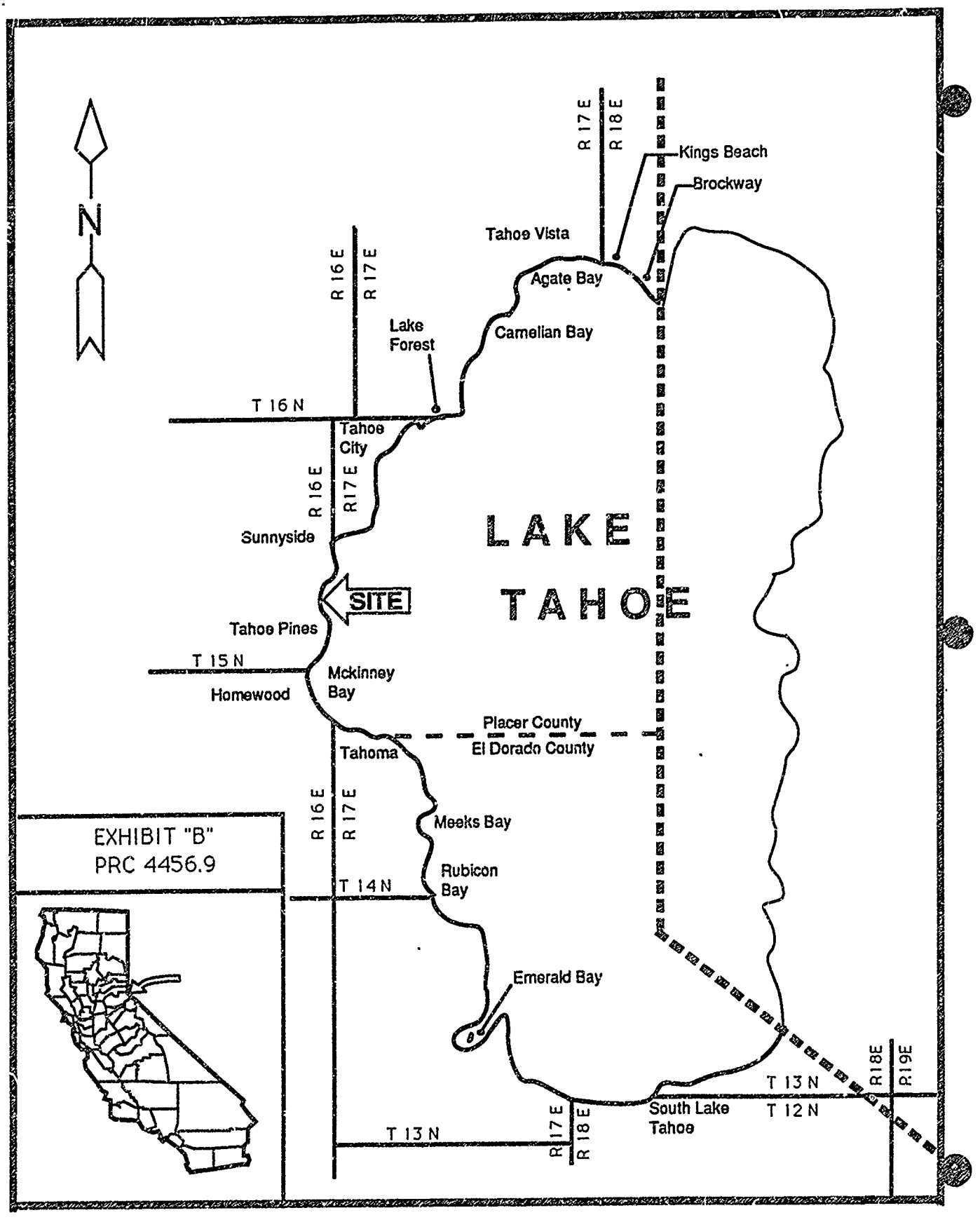

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EXHIBIT "C"

STATE OF CALIFORNIA — GEORGE DEUKMEJIAN *Governor*

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
JESSE R. HUFF, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814

CLAIRE T. DEDRICK
Executive Officer

March 6, 1989
File Ref: PRC 4456.9

NOTICE OF PUBLIC REVIEW
OF A
PROPOSED NEGATIVE DECLARATION
(Section 15073 CCR)

A Proposed Negative Declaration has been 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 Code Regulations), and the State Lands Commission regulations (Section 2901 et seq., Title 2, California Code Regulations), for a project currently being processed by the staff of the State Lands Commission.

The document is attached for your review. Comments should be addressed to the State Lands Commission office shown above, with attention to the undersigned. All comments must be received by April 10, 1989.

Should you have any questions or need additional information, please call (916) 324-8497.

Dan Cohen

DAN COHEN
Environmental Coordinator
Division of Research
and Planning

DC:ma
Attachment

2861S

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STATE OF CALIFORNIA — GEORGE DEUKMEJIAN *Governor*

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
JESSE R. HUFF, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814

CLAIRE T. DEDRICK
Executive Officer

March 6, 1989
File Ref: PRC 4456.9

NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION
(Section 21092 PRC)

An application for the following described project is currently being processed by the staff of the State Lands Commission:

Project Title: Wickland Buoys

Project Proponent: John and Marilyn Wickland

Project Location: Lake Tahoe, Tahoe City, 1/2 mile south of Ward Creek, fractional Sec. 25, T.15N, R.16E, MDM, Placer County.

Project Description: Continued use and maintenance of 2 existing buoys, located off existing private pier - recreational use.

Contact Person: DAN COHEN Telephone: (916) 324-8497

A Negative Declaration identified as EIR ND 464 has been prepared pursuant to the requirements of the California Environmental Quality Act.

The above described document will be considered for adoption at a regular meeting of the STATE LANDS COMMISSION tentatively scheduled for March 23, 1989, State Capitol, Room 447, Sacramento, California. The meeting is tentatively scheduled for the afternoon; however the exact time has not been determined. Anyone interested in this matter is invited to comment on the document by written response prior to the meeting or by personal appearance at the meeting. Persons wishing to appear at the meeting should call (916) 322-4107 for more information and so that time can be allotted for such appearance.

CLAIRE T. DEDRICK
Executive Officer

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STATE OF CALIFORNIA–STATE LANDS COMMISSION
GEORGE DEUKMEJIAN *Governor*

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

PROPOSED NEGATIVE DECLARATION

EIR ND 464

File Ref.: PRC 4456.9

SCH#:

Project Title: Wickland Buoys

Project Proponent: John and Marilyn Wickland

Project Location: Lake Tahoe, Tahoe City, 1/2 mile south of Ward Creek, fractional Sec. 25, T.15N, R.16E, MDM, Placer County

Project Description: Continued use and maintenance of 2 existing buoys, located off existing private pier - recreational use.

Contact Person: Dan Cohen Telephone: (916) 324-8497

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

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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Date Filed: / /

File Ref.: ~~PRC 3596~~ PRC 995

ENVIRONMENTAL IMPACT ASSESSMENT FORM -- Part I

(To be completed by applicant)

FORM 69.3(11/82)

A. GENERAL INFORMATION

1. Name, address, and telephone number:

a. Applicant	b. Contact person if other than applicant:
John & Marilyn Wickland	
925 Somersby Way	
Sacramento, CA 95864	
(916) 921-3477	( )

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

2770 West Lake Blvd.
Tahoe City, CA 95730
Placer County

b. Assessor's parcel number: 85-030-07

3. Existing zoning of project site: Residential

4. Existing land use of project site: Residential

5. Proposed use of site: ~~[illegible]~~ two buoys on Lake Tahoe adjacent to a single family dwelling

~~Note: Replacement for expiration of prior~~

6. Other permits required: None

B. 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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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.
EXISTING PIER

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.).
SANDY BEACH

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?	☐	☐	☒
2. a change in scenic views or vistas from existing residential areas or public lands or roads?	☐	☐	☒
3. a change in pattern, scale, or character of the general area of project?	☐	☐	☒
4. a significant effect on plant or animal life?	☐	☐	☒
5. significant amounts of solid waste or litter?	☐	☐	☒
6. a change in dust, ash, smoke, fumes, or odors in the vicinity?	☐	☐	☒
7. a change in ocean, bay, lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns?	☐	☐	☒
8. a change in existing noise or vibration levels in the vicinity?	☐	☐	☒
9. construction on filled land or on slope of 10 percent or more?	☐	☐	☒
10. use or disposal of potentially hazardous materials, such as toxic or radioactive substances, flammables, or explosives?	☐	☐	☒
11. a change in demand for municipal services (police, fire, water, sewage, etc.)?	☐	☐	☒
12. an increase in fossil fuel consumption (electricity, oil, natural gas, etc.)?	☐	☐	☒
13. a larger project or a series of projects?	☐	☐	☒

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: Nov. 1, 1988 Signed: [signature]

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STATE LANDS COMMISSION

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST – PART II

Form 13.20 (7/82)

File Ref.: PRC 4456.9

I. BACKGROUND INFORMATION

A. Applicant: John and Marilyn Wickland
2770 West Lake Blvd.
Tahoe City, CA 95730

B. Checklist Date: 03 / 06 / 89

C. Contact Person: Dan Cohen

Telephone: (916) 324-8497

D. Purpose: Lake Tahoe, Tahoe City, 1/2 mi. south of Ward Creek - fractional sec. 25, T.15N, R.16E, MDM, Placer County

E. Location: Continued use and maintenance of 2 existing buoys located off existing private pier - recreational use.

F. Description:

G. Persons Contacted: TRPA; Department of Fish and Game

II. ENVIRONMENTAL IMPACTS. *(Explain all "yes" and "maybe" answers)*

A. *Earth.* Will the proposal result in:	Yes	Maybe	No
1. Unstable earth conditions or changes in geologic substructures?	☐	☐	X
2. Disruptions, displacements, compaction, or overcovering of the soil?	☐	☐	X
3. Change in topography or ground surface relief features?	☐	☐	X
4. The destruction, covering, or modification of any unique geologic or physical features?	☐	☐	X
5. Any increase in wind or water erosion of soils, either on or off the site?	☐	☐	X
6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake?	☐	☐	X
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	☐	☐	X

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

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	Yes	Maybe	No
J. *Risk of Upset.* Does the proposal result in:			
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?	☐	☐	☒

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T. *Cultural Resources.*

	Yes	Maybe	No
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)*

- Each of the two buoys is located approximately 45 degrees and 50 feet off the end of an existing private recreational pier (pier is approximately 112 feet long).
- There are no other authorized buoys known to exist in the immediate area.
- Continued use of the buoys is not anticipated to interfere with boating or fishing activities.

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 requied.

Date: 03 / 06 / 89

For the State Lands Commission

Dan Cohen

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ATTENDANT PAGE

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Form 13.20 (7/82)