

MINUTE ITEM

This Calendar item No. C02
was approved as Minute Item
No. C02 by the State Lands
Commission by a vote of 2
to 0 at its 9/27/90
meeting.

CALENDAR ITEM

C 0 2

A 7

S 1

09/27/90

WP 3546

PRC 3546

J. Ludlow

RECREATIONAL PIER PERMIT

APPLICANT: Brian Johnson, Weyman I. Lundquist,
and Joan D. Lundquist
333 Bush Street
San Francisco, California 94104

AREA, TYPE LAND AND LOCATION:
A parcel of submerged land located in Lake
Tahoe near Homewood, Placer County.

LAND USE: Relocation, reconstruction and a 95-foot
extension of a multi-use pier including the
installation of two low-level boatlifts and the
retention of two mooring buoys.

TERMS OF PROPOSED PERMIT:

Initial period: Five years beginning
September 27, 1990.

CONSIDERATION: Rent-free pursuant to Section 3503.5 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 and processing costs have been
received.

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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:

01/26/91.

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 522, State Clearinghouse No. 90020849. 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 Department of Fish and Game has determined that the shorezone at this location is unsuitable habitat for Tahoe Yellow Cress (*Rorippa*) and has issued, pursuant to consultation under the California Endangered Species Act (CEQA), a letter of "no jeopardy" for the proposed project.
4. The issuance of this permit supersedes any prior authorization by the State Lands Commission at this location.

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5. The property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.
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: TRPA, 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. 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.
8. All permits issued 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.
9. If any structure hereby 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 this lease is automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof. If the location, size, or number of any

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structure hereby authorized is to be altered, pursuant to order of the Tahoe Regional Planning Agency. Lessee shall request the consent of State to make such alteration.

10. The Applicants have been notified that the public has a right to pass along the shoreline and the permittee must provide a reasonable means for public passage along the shorezone area occupied by the permitted structure.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, Department of Fish and Game, Placer County, and Lahontan Regional Water Quality Control.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Placer County Letter of Approval.
- D. Negative Declaration
- E. Fish and Game Letter of No Jeopardy.

IT IS RECOMMENDED THAT THE COMMISSION:

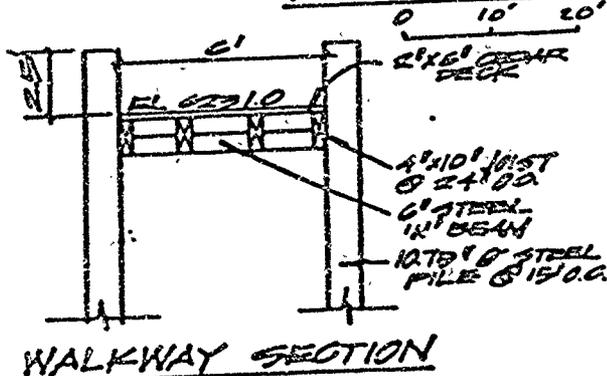
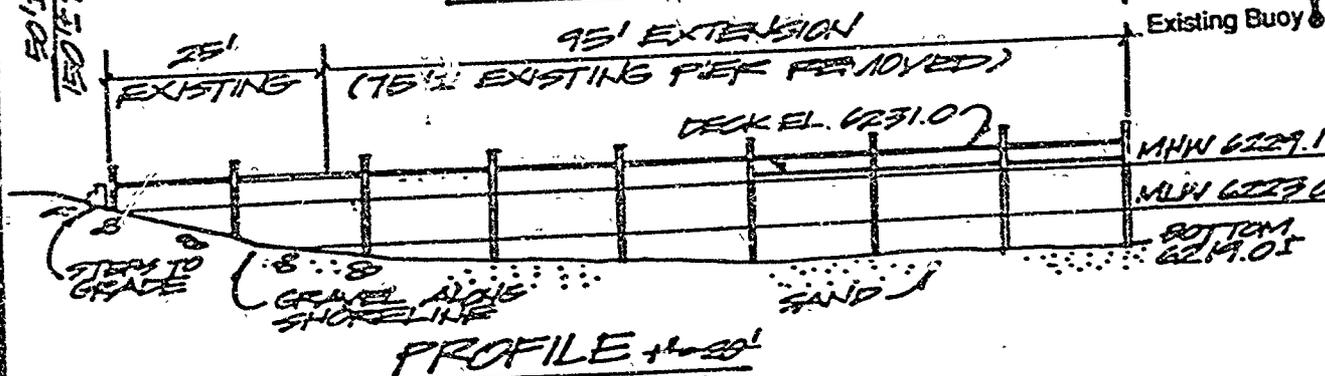
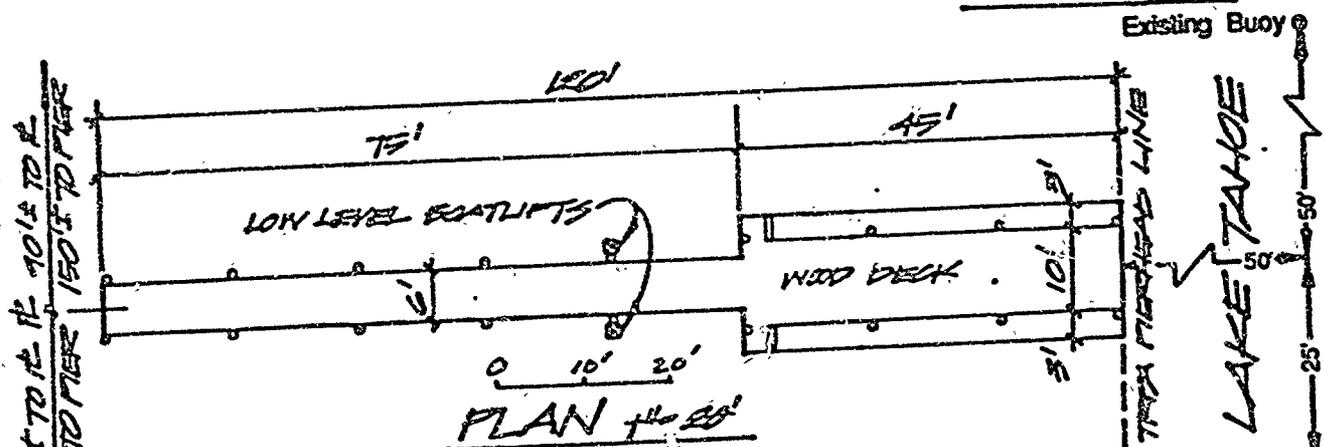
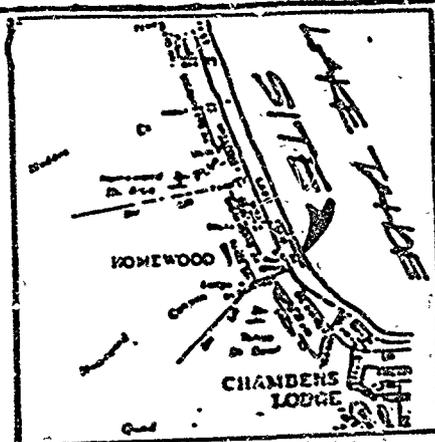
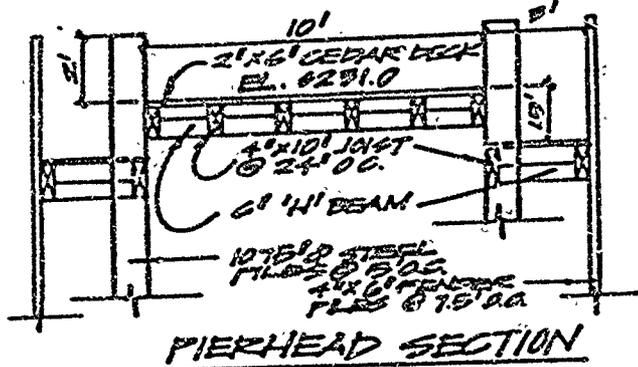
1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 522, STATE CLEARINGHOUSE NO. 90020849, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. FIND THAT THE ISSUANCE OF THIS PERMIT SUPERSEDES ANY PRIOR AUTHORIZATION BY THE STATE LANDS COMMISSION AT THIS LOCATION.
4. AUTHORIZE ISSUANCE TO BRIAN JOHNSON, WEYMAN I. LUNDQUIST, AND JOAN D. LUNDQUIST OF A FIVE-YEAR RECREATION PIER PERMIT, BEGINNING SEPTEMBER 27, 1990 FOR THE RELOCATION, RECONSTRUCTION, AND A 95-FOOT EXTENSION OF A MULTI-USE PIER INCLUDING THE INSTALLATION OF TWO LOW-LEVEL BOATLIFTS AND THE RETENTION OF TWO MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

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DATE PAGE 2385

EXHIBIT "A"

LAND DESCRIPTION

PRC 3546



PIER RELOCATION /
REPAIR/EXTENSION
LUNDQUIST-UNION
PROPERTIES/HOMWOOD
54015 RD W. LAKE BLVD.
PLACER COUNTY, CA
APP. 97-164-04, 05
OCTOBER 1988

RAYMOND VAIL AND ASSOCIATES
ENGINEERS - PLANNERS - ARCHITECTS - SURVEYORS

ADJOINING PROPERTIES
NORTH 97-164-03 SOUTH 97-164-06

REVISED
4/90

PREPARED JULY 16, 1990 BY LLB.

NO. 3546

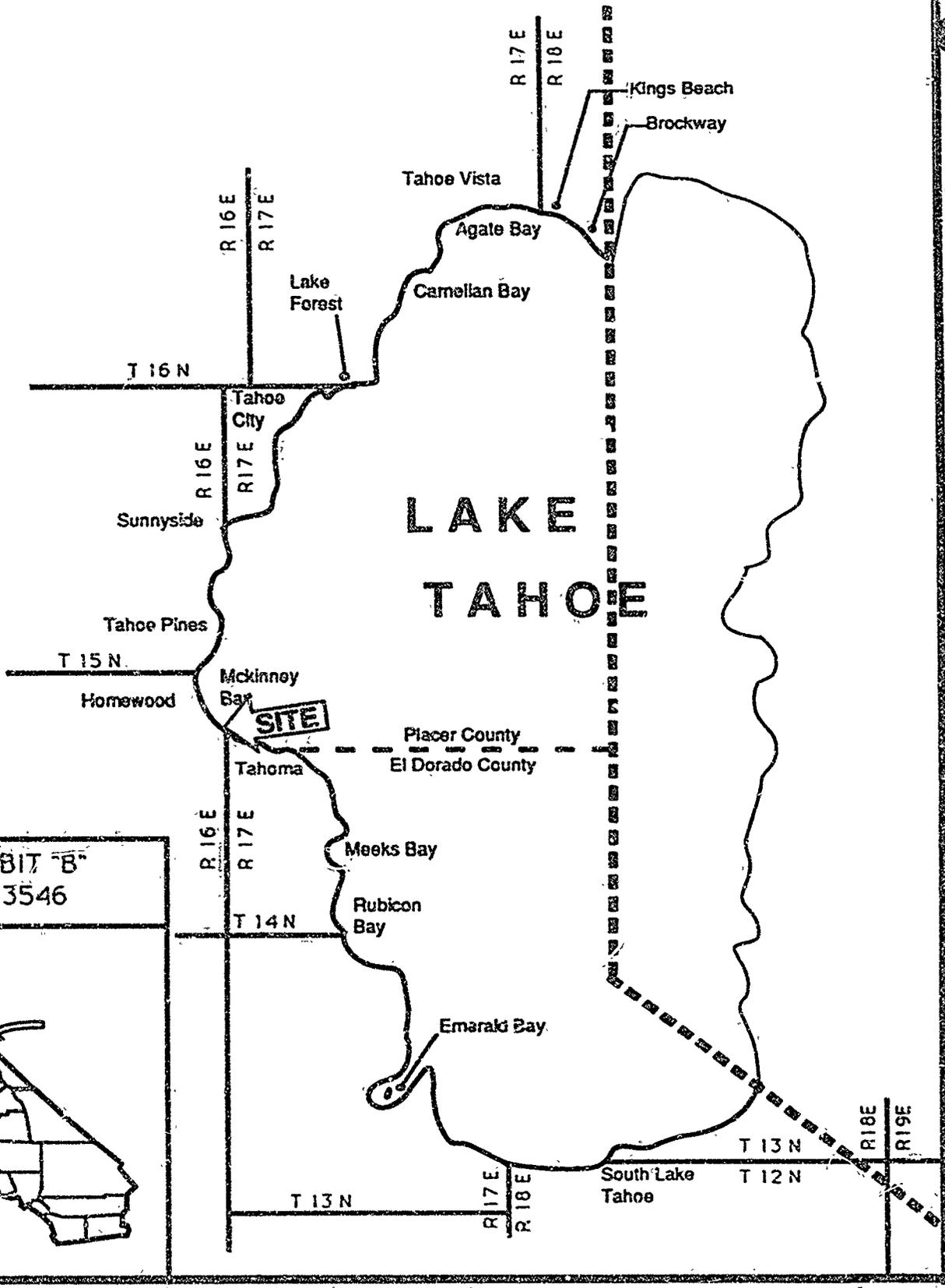


EXHIBIT "B"
PRC 3546



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PLACER COUNTY

EXHIBIT "C"

WP 3546

DEPARTMENT OF PUBLIC WORKS

OPERATING DIVISION
Administration
Engineering
Equipment Maintenance
Road Maintenance
Special Districts
Surveying
Transportation

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

July 19, 1990

Ms. Judy Ludlow
California State Lands Commission
1807 13th Street
Sacramento, CA 95814

Re: BUILDING PERMIT FOR PIER, APN 97-164-04, 05

We have reviewed the proposed project for the repair/construction of the existing residential pier for Brian Johnson, and Weyman & Joan Lundquist (P.O. Box 687, Homewood, CA 95718) at 5460 & 5480 West Lake Boulevard and have no objection to the pier repair/construction or the issuance of a permit by the State Lands Commission.

If you have any questions, please feel free to call me at 889-7534.

COUNTY OF PLACER
DEPARTMENT OF PUBLIC WORKS
JACK WARREN, DIRECTOR



JAY CHRISTIAN, P.E.
ASSOCIATE CIVIL ENGINEER

JW:JC:EK
Ref. PIERREP.LTR

ENCLOSURE PAGE 11
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STATE OF CALIFORNIA

STATE LANDS COMMISSION

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

EXHIBIT "D"

GEORGE DEUKMEJIAN, *Governor*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95833

CHARLES WARREN
Executive Officer

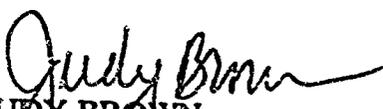
August 24, 1990
File Ref: WP 3546
SCH. NO. 90020849

**NOTICE OF PUBLIC REVIEW
OF AN
AMENDED NEGATIVE DECLARATION
(Section 15073 CCR)**

A 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 September 23, 1990.

Should you have any questions or need additional information, please call the undersigned at (916) 324-4715.


JUDY BROWN
Division of Research
and Planning

JB:ma
Attachment

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STATE LANDS COMMISSION

ED T. MCCARTHY, Lieutenant Governor
GRAY DAVIS, Controller
JESSE R. HUFF, Director of Finance

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814
CHARLES WARREN
Executive Officer

PROPOSED NEGATIVE DECLARATION

EIR ND: 522

File Ref: WP 3546

SCH. NO.:

Project Title: JOHNSON / LUNDQUIST PIER
RELOCATION/RECONSTRUCTION

Project Proponent: Brian Johnson/Weyman Lundquist

Project Location: Lake Tahoe, Placer County adjacent to APN: 97-164-04, 05,
5460/5480 W. Lake Blvd., Homewood

Project Description: Relocation, reconstruction and extension of an existing multi-
use recreational pier; addition of two low-level boatlifts.
Continued use and maintenance of an existing pipeline for
domestic water, and two existing mooring buoys.

Contact Person: Judy Brown Telephone: (916) 324-4715

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:

- that project will not have a significant effect on the environment.
- mitigation measures included in the project will avoid potentially significant effects.

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

Brian Johnson
P.O. Box 687
Homewood, CA 95718
(916) 525-5129

b. Contact person if other than applicant:

Kevin M. Agan - Agent
Raymond Vail & Associates
P.O. Box 879
Tahoe City, CA 95730
(916) 583-3417

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

In Lake Tahoe adjacent to 5460/5480 West Lake Boulevard
McKinney Bay southerly of Homewood, Placer County

b. Assessor's parcel number: 97-168-04.05

3. Existing zoning of project site: Single Family Residential

4. Existing land use of project site: Single Family Residential

5. Proposed use of site: Relocation/reconstruction/extension of existing multiple
use pier with two (2) low level boatlifts.

6. Other permits required: Tahoe Regional Planning Agency, Placer County

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 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 animal 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 slope 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 fossil 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: _____

Signed: 
Kevin M. Agan - Agent
Raymond Vail & Associates

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