

MINUTE ITEM
No. C03 approved as Minute Item
No. 03 by the State Lands
Commission by a vote of 3
to 0 at its 6-30-92
meeting.

CALENDAR ITEM
C 0 3

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S 1

06/30/92
PRC 1797
J. Ludlow

APPROVE A RECREATIONAL PIER PERMIT

PERMITTEE:
Skyland Water Company
P. O. Box 523
Homewood, California 95718

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

LAND USE:
Reconstruction and 30-foot extension of an existing
authorized pier.

TERMS OF PROPOSED LEASE:
Initial period:
Five (5) years beginning June 30, 1992.

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 the upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee, processing fee, environmental fee and Fish and
Game fee 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.

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AB 884:

09/19/92

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 592, State Clearinghouse No. 92052040. 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 process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. The subject pier was reconstructed and extended an additional 30 feet during the fall of 1988 without authorization from the State Lands Commission. This application requests authorization for the retention of the reconstructed pier and the additional 30 feet of new construction.
4. The project was accomplished by demolishing the old pier and debris was loaded into an amphibious "Lark" vehicle to be disposed of. The new construction started at the shore and progressed lakeward. The "Lark" vehicle had large flotation tires which did not affect the cobbles on the beach on the few occasions when it was necessary to beach the vehicle for the removal and replacement of piles.

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5. No materials were stored or placed, nor was any activity associated with the construction conducted, above the low water line of the subject property. This procedure prevented any disturbance to the habitat of *Rorippa subumbellata*, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species.
6. The applicant incorporated the Interim Management Program Construction and Access Guidelines into the project for the protection of *Rorippa* and the State Lands Commission has included those Guidelines as part of the Negative Declaration.
7. Staff has determined that the Department of Fish and Game fee, pursuant to AB 3158, Chapter 1706, Statutes of 1990 (Section 711.4 of the Fish and Game Code), is applicable to the project, as presented herein,
8. The permit includes special language in which the Permittee agrees to protect and replace or restore, if required, the *Rorippa* habitat.
9. This property was physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.
10. 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 permit 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 structure hereby authorized is to be altered, pursuant to order of the Tahoe Regional Planning Agency, Permittee shall request the consent of the State to make such alteration.
11. The applicant has 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.

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12. The issuance of this permit supersedes any prior authorization by the State Lands Commission at this location.

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

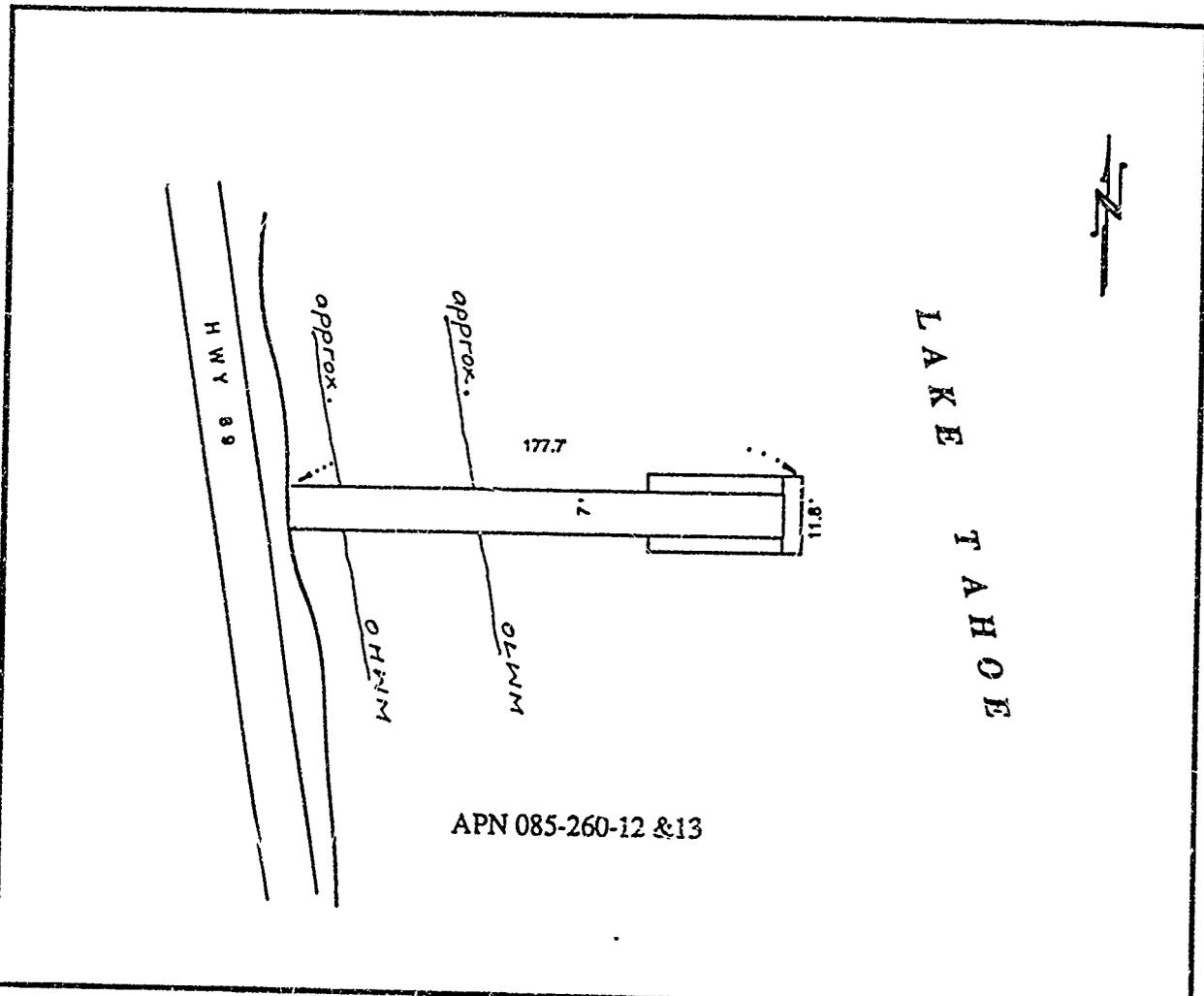
None

EXHIBITS:

- A: Site Map
- B: Location Map
- C: Placer County Letter of Approval
- D: Negative Declaration

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
2. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 592 STATE CLEARING HOUSE NO. 92052040, 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. ADOPT THE NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE ISSUANCE TO SKYLAND WATER COMPANY, OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING JUNE 30, 1992, FOR THE RETENTION, RECONSTRUCTION, AND 30 FOOT EXTENSION OF AN EXISTING PIER, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.
5. FIND THAT THE ISSUANCE OF THIS PERMIT SUPERSEDES ANY PRIOR AUTHORIZATION BY THE STATE LANDS COMMISSION AT THIS LOCATION.



APN 085-260-12 & 13

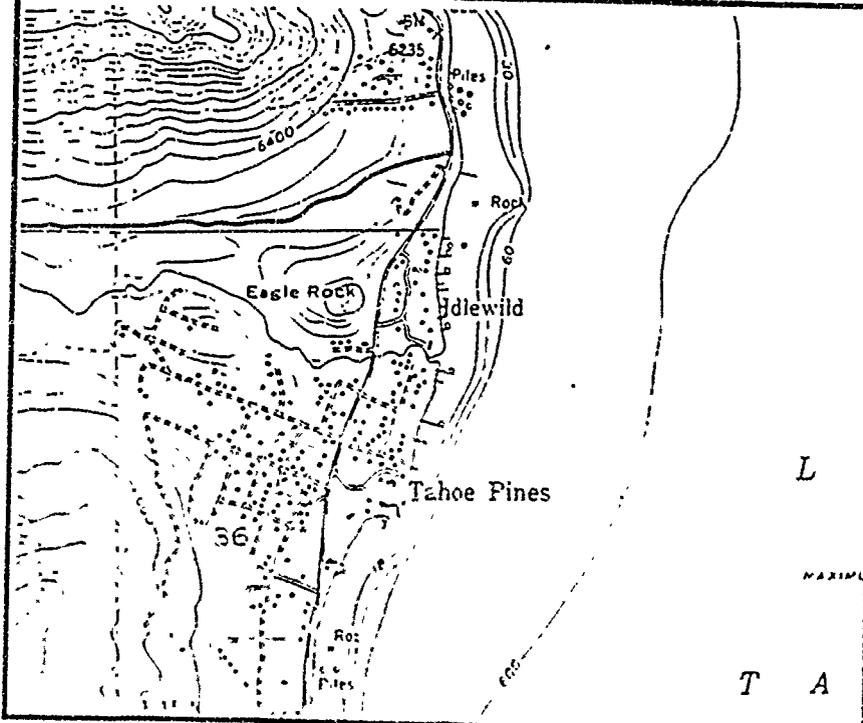


EXHIBIT "A"
 Site Map
 PRC 1797
 LAKE TAHOE
 PLACER COUNTY



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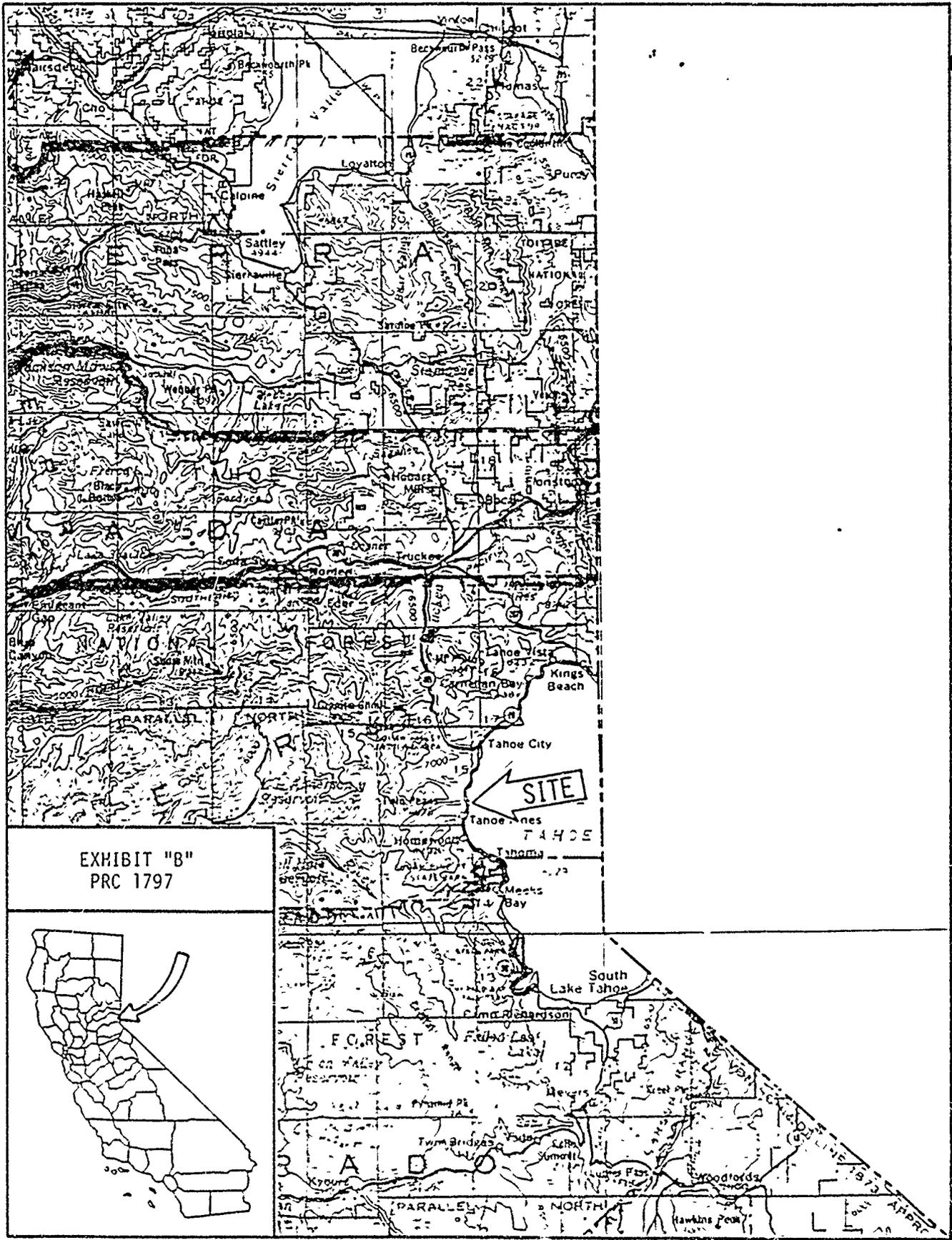


EXHIBIT "B"
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EXHIBIT "C"

Date February 13, 1991

File Ref: PRC 1797.9

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

Subject: Building Permit for Pier (Pier reconstruction & extension)

Name: Skyland Property Owners Association

Address c/o Rod Sutliff

P.O. Box 523

Homewood, CA 95718

Placer County Assessor's Parcel No. 85-260-12 & 13

Upland Address: _____

Dear Ms. Ludlow:

The County of Placer has received notice of the above-referenced project in Lake Tahoe and has no objection to the pier repair/construction or to the issuance of the State Lands Commission's permit.

If you have any questions, you may reach me at (916) 889-7584

Sincerely,

Jan Christian

JAN CHRISTIAN
Associate Civil Engineer

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STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
THOMAS W. HAYES, *Director of Finance*

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

PROPOSED NEGATIVE DECLARATION

File: PRC 1797
ND 592
SCH No. 92052040

Project Title: Skyland Pier Reconstruction and Extension
Proponents: Skyland Water Company
Project Location: Skyland Pier, Homewood, Lake Tahoe, APN 85-260-13, Placer County.
Project Description: Authorization of use for reconstructed open-pile designed pier with a 30-foot extension.
Contact Person: Doug Miller Telephone: 916/322-7826

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:

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

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

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 1797.9

I. BACKGROUND INFORMATION

- A. Applicant: Rod Sutliff, Agent
Skyland Water Company
P.O. Box 523
Homewood, CA
- B. Checklist Date: / /
- C. Contact Person: Doug Miller
 Telephone: (916) 322-7826
- D. Purpose: Authorize the use of a reconstructed pier which was extended 30 feet
without Commission authorization.
- E. Location: Lake Tahoe, Homewood, CA, Placer County, APN 85-250-13
- F. Description: Authorization of use for reconstructed, open-pile designed pier
with a 30-foot extension.
- G. Persons Contacted: Judy Ludlow - State Lands Commission
Rod Sutliff

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2 | Disturbances, displacements, compaction, or overcovering of the soil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3 | Change in topography or ground surface relief features? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4 | The destruction, covering, or modification of any unique geologic or physical features? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5 | Any increase in wind or water erosion of soils, either on or off the site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6 | Change in deposition or erosion of beach sands, or change in siltation, deposition of silt, or change in the channel of a river or stream, or the bed of the ocean or any bay, inlet, or lake? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7 | Exposure of a geologic property to a hazard, such as a earthquake, flood, landslide, mudslide, or volcanic activity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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Gnaphalium sp., bracken fern Pteridium aquilinum var. pubescens, brome grass Bromus sp., and sedge Carex sp. The species found near the water's edge include ripgut brome Bromus diandrus, thistle Cirsium sp., common Monkeyflower Mimulus guttatus, white fir seedlings Abies concolor, curly dock Rumex crispus, western yellow cress Rorippa curvisiliqua, peppergrass Lepidium sp., mountain alder Alnus tenuifolia, buttercup Ranunculus sp., and common mullein Verbascum thapsus.

CONCLUSIONS

The Skyland Water Company's parcel was surveyed for TYC populations or potential habitat. No TYC was found at the site. The vegetation present on the beach is not typical of TYC habitat. The substrate of the upper beach could support TYC; however, the narrow beach, especially at higher lake levels, does not offer the right width or protective topography from rising lake water which is typical of TYC sites.

During the 1988 growing season, a full basin survey of known TYC sites was performed (Ferreira 1988), and the closest known population of TYC to the Skyland parcel is still (Ferreira 1990) to the south at Blackwood Creek. The topography and substrate are very different at Blackwood Creek, due to the fact that the creek transports and deposits sand at the mouth. The beach between the mouth of Blackwood and Kaspian is very rocky and, like the Skyland parcel, does not offer much habitat for TYC.

The Skyland parcel, as surveyed on June 19, 1991, does not offer potential habitat for TYC; therefore, the likelihood of habitat being present in the fall of 1988 was less likely than in 1991 when the lake elevation was two inches lower than it was in 1988.

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PROJECT DESCRIPTIONPROJECT NARRATIVE

This pier was reconstructed and an additional 30 feet was added to the length of the pier during the fall of 1988, without authorization from the State Lands Commission. This project proposes authorization to retain and use both the reconstructed portion of the original pier and the additional 30 feet of new construction. PRC1797.9 authorized the use of a 148 foot long pier called Skylan Pier on West Lake Blvd., Placer County, A.P.N. 085-260-12 & 13 at Lake Tahoe, California.

The reconstruction project consisted of the removal of approximately 148' of wooden pile pier and replacement with an approximately 178' of steel pile pier over the same footprint, except that it projects an additional 30' lakeward. Demolition of the old pier was accomplished by removal of the wood deck and framing from the outer end, working landward, on the existing structure, taking the debris to a truck parked on the highway shoulder for disposal. The wood pilings were cut off at ground level and loaded on the amphibious "Lark" vehicle to be removed by the "Lark" contractor.

CONSTRUCTION METHOD

New construction began by driving 10 3/4" diameter steel piles, utilizing the floating "Lark" vehicle, and welding steel crossbeams to each pair of piles forming bents. The bents are installed 14' 10 1/2" apart for the length of the pier. Wood frame and deck construction started at shore and progressed lakeward. No materials or equipment were stored on the beach. The "Lark" vehicle has large flotation tires which did not affect the cobbles on the beach on the few occasions when it was necessary to beach the vehicle for the removal and replacement of piles.

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