

MINUTE ITEM

This Calendar Item No. 65
was approved as Minute Item
No. 65 by the State Lands
Commission by a vote of 3
at its 6/11/90
meeting.

CALENDAR ITEM

65

A 7

S 1

06/11/90
W 24306 PRC 7416
J. Ludlow

APPROVAL OF A RECREATIONAL PIER PERMIT

APPLICANT: Richard C. Solari and Mary C. Solari, Trustees
527 St. Andrews Street
Aptos, California 95003

AREA, TYPE LAND AND LOCATION:
A parcel of submerged land located in Lake
Tahoe at Meeks Bay, El Dorado County.

LAND USE: Forty-five foot extension of an existing pier
and addition of a boatlift.

TERMS OF PROPOSED PERMIT:
Initial period: Five years beginning June 11,
1990.

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 upland.

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

(ADDED 06/08/90)

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AB 884: 10/25/90.

OTHER PERTINENT INFORMATION:

1. 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 3, New Construction of Small Structures, 2 Cal. Code Regs 2905(c)(1).

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

2. The existing pier extends to the low water mark. The extension of the pier will be conducted waterward of the 6,223-foot low water line and will be accomplished from a barge with a pile driver. All construction wastes will be collected onto the barge and disposed of at the nearest dumpster/sanitary landfill site.
3. Materials will be neither stored nor placed above the low water line of the subject property. This will prevent any disturbance to what may be considered a Tahoe Yellow Cress (*Rorippa*) habitat.
4. 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.
5. 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 El Dorado and the Tahoe Conservancy. None of these agencies expressed a concern that the proposed project would have a significant

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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. Staff also made a field inspection of the proposed construction site for identification of trust impacts. Trust uses in the area will not be significantly affected by the proposed project.

6. 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.
7. 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 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.
8. 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.

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4. 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 because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

APPROVALS OBTAINED:

None.

FURTHER APPROVALS REQUIRED:

None.

EXHIBIT:

A. 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. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. AUTHORIZE THE ASSIGNMENT OF LEASE PRC 3200, FROM J. E. PENDLETON AND ELSIE PENDLETON TO JOAN WASHBURN, EFFECTIVE MAY 4, 1990, AS TO THE LEASEHOLD INTEREST COVERED IN SAID LEASE PRC 3200.
3. AUTHORIZE EXECUTION OF AN ADDENDUM AFFIXED TO THE FOREGOING ASSIGNMENT DOCUMENT, PROVIDING FOR THE COMMISSION'S RIGHT TO REVIEW AND ADJUST THE ANNUAL RENT IN SAID LEASE PRC 3200 EFFECTIVE JULY 1, 2000, AND EACH FIVE YEARS THEREAFTER, IN CONFORMITY WITH TITLE 2, DIVISION 3 OF THE CALIFORNIA CODE OF REGULATIONS.

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APPROVALS OBTAINED:

Department of Fish and Game, Lahontan Regional
Water Control Board, El Dorado County, and
Tahoe Regional Planning Agency.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

EXHIBITS:

- A-1. Land Description.
- A-2. Land Description.
- B. Location Map.
- C. El Dorado County Letter of Approval.

IT IS RECOMMENDED THAT THE COMMISSION:

1. 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 3, NEW CONSTRUCTION OF SMALL STRUCTURES, 14 CAL. CODE REGS. 15300 AND 2 CAL. CODE REGS. 2905(c)(1).
2. AUTHORIZE ISSUANCE TO RICHARD C. SOLARI AND MARY C. SOLARI, TRUSTEES, OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING JUNE 11, 1990; FOR THE FORTY-FIVE FOOT EXTENSION AND INSTALLATION OF A LOW-LEVEL BOAT LIFT TO AN EXISTING PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

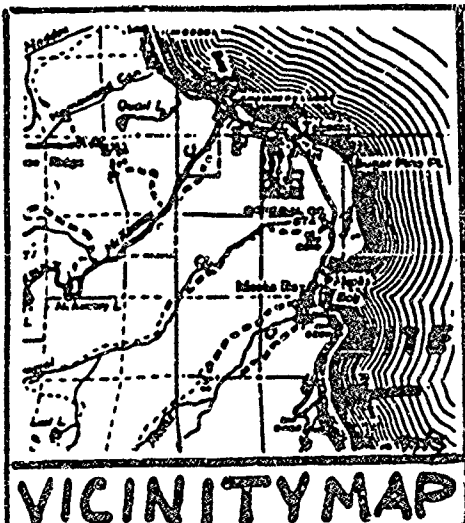
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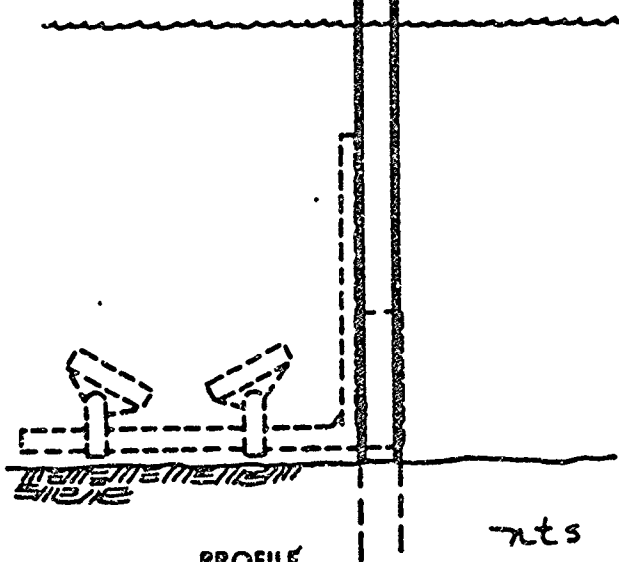
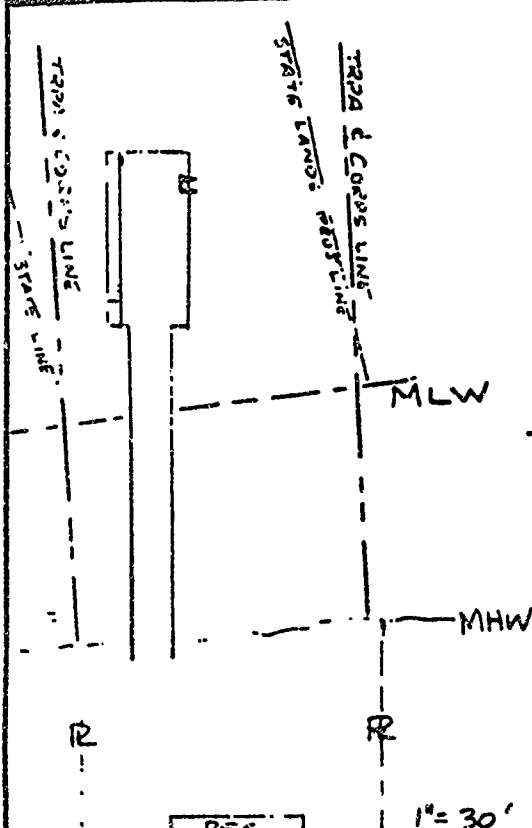
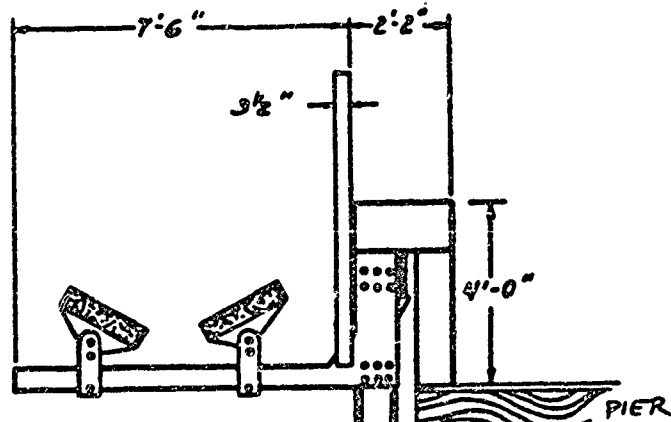
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EXHIBIT "A-1"
LAND DESCRIPTION

W 24306



VICINITY MAP



TYPICAL
BOAT LIFT DETAIL

ADJOINING PROPERTIES:
NORTH: A.P.N. 16-091-48
SOUTH: A.P.N. 16-091-46

PROPOSED PIER MODIFICATION
8453 MEERS BAY AVE.
A.P.N. 16-091-16
EL DORADO COUNTY CALIF.

BRISCO ENTERPRISES
Post Office Box 7468
Tahoe City, California 95730
(916) 503-6082

APPLICATION BY:
RICHARD SOLARI
527 ST. ANDREWS DR.
APTOS, CA 95003

JOB NO. 8-137

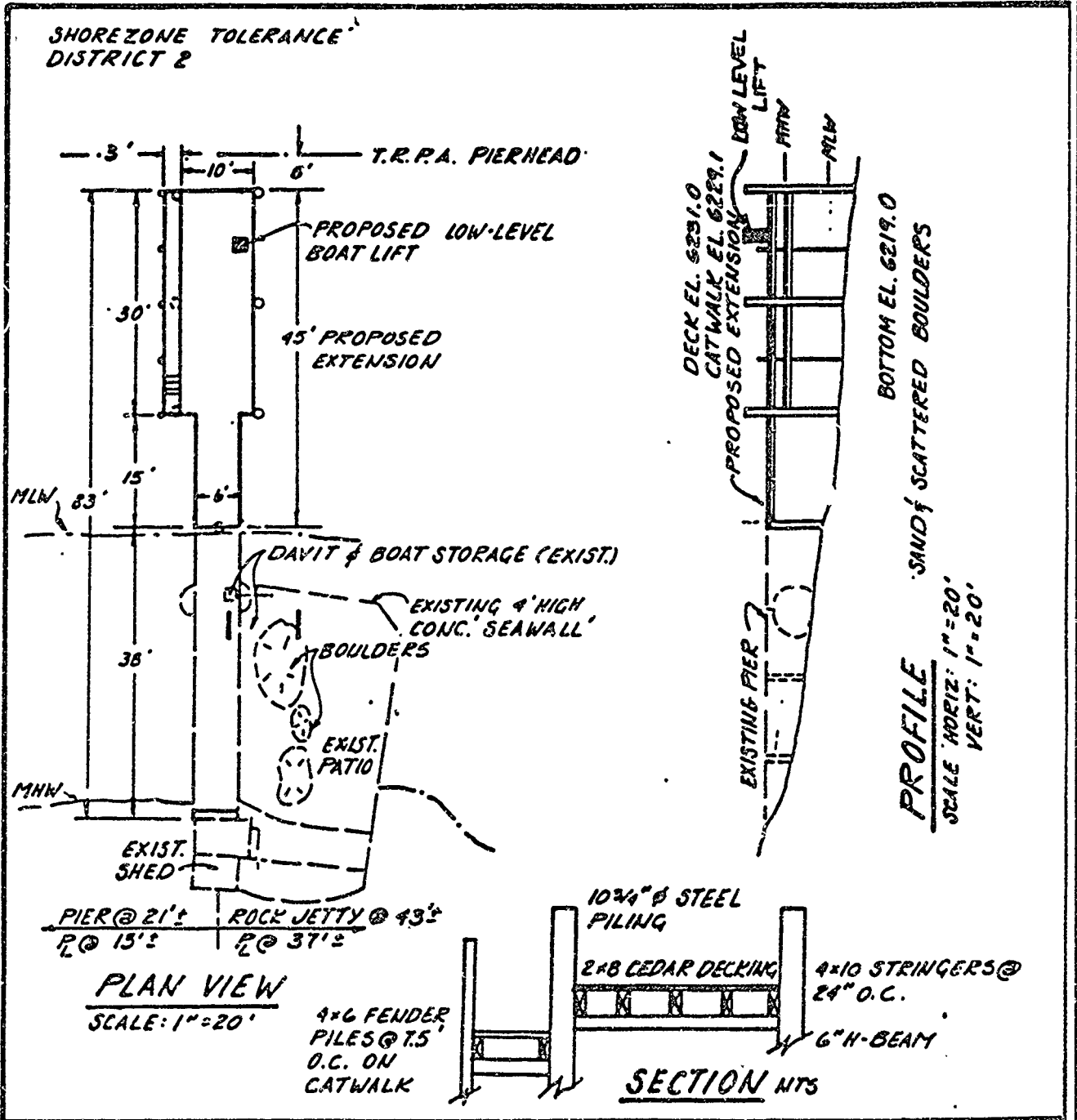
AUGUST, 1988

PREPARED SEPTEMBER 12, 1989 BY BIU 1.

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EXHIBIT "A-2"
LAND DESCRIPTION

W 24306



ADJOINING PROPERTIES:
NORTH: A.P.N. 16-091-98
SOUTH: A.P.N. 16-091-96

PROPOSED PIER MODIFICATION
8453 MEEKS BAY AVE.
A.P.N. 16-091-16
EL DORADO COUNTY CALIF.

BRISCO ENTERPRISES
Post Office Box 7468
Tahoe City, California 95730
(916) 583-6882

APPLICATION BY:
RICHARD SOLARI
527 ST. ANDREWS DR.
APTOS, CA 95003

PREPARED SEPTEMBER 12, 1989 BY BIU 1.

JOB NO. 8-132
AUGUST, 1988
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SHEET 2 OF 2

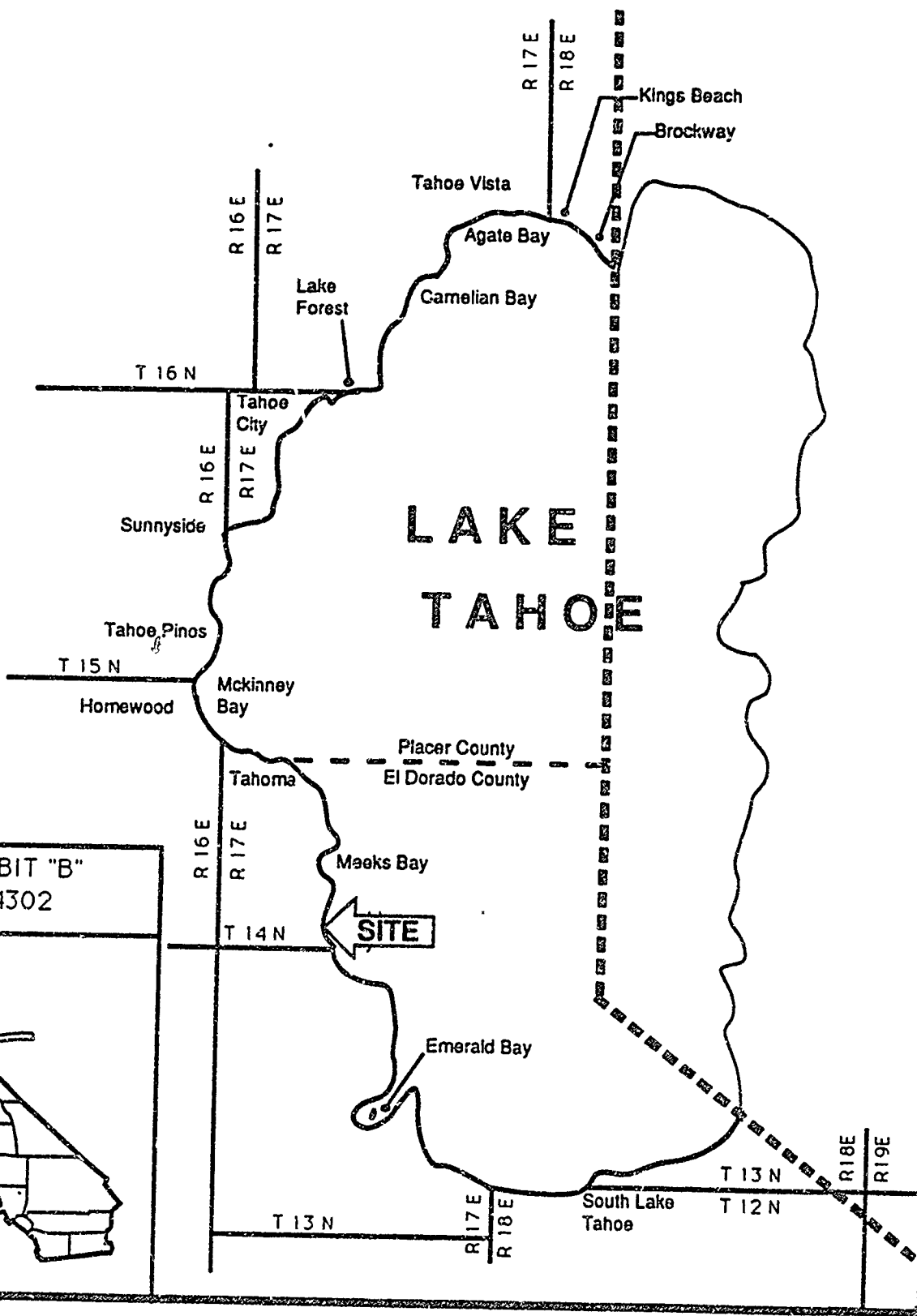


EXHIBIT "B"
W 24302



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RECEIVED

EXHIBIT "C"

EL DORADO CO. COMMUNITY DEVELOPMENT DEPT.
SOUTH LAKE TAHOE

Date 5-15-89

File Ref: W 24306

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

Subject: Building Permit for Pier (Pier extension and new boatlift)

Name: Richard and Mary Solari

Address: 527 St. Andrews Street

Aptos, California 95003

Tahoe Address: 8453 Meeks Bay Avenue

County Assessor's Parcel No. 16-091-16

Dear Ms. Ludlow:

The County of El Dorado 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) 573-3145.

Sincerely,

El Dorado County
Building Division

JOHN S. WALKER
Building Inspector III

66311

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