

MINUTE ITEM

16

10/07/88
WP 6526
J. Ludlow

GAIL C. HIGH

Calendar Item 16, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 16.

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3019

CALENDAR ITEM

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10/07/88
WP 6526
J. Ludlow

GENERAL PERMIT - RECREATIONAL USE

APPLICANT:

Gail C. High
1010 Lake Street
San Francisco, California 94118

AREA, TYPE LAND AND LOCATION:

A 0.102-acre parcel of submerged land in
Lake Tahoe, Placer County.

LAND USE:

Use and maintenance of a pier with boathouse
and storage.

TERMS OF PROPOSED PERMIT:

Initial period: Ten years beginning July 1,
1988.

Public liability insurance: Combined single
limit coverage of \$300,000.

CONSIDERATION: \$890.40 per annum; with the State reserving
the right to fix a different rental on each
fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and first year's annual rental 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. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 11/01/88.

OTHER PERTINENT INFORMATION:

- 1. 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 categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction, 2 Cal. Adm. Code 2905(b).

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

- 2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

United States Army Corps of Engineers.
Lahontan Water Quality Control Board.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Placer County Pier Waiver.
- D. TRPA Permit.

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 CATEGORICALLY EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION, 2 CAL. ADM. CODE 2905(b).
- 2. AUTHORIZE ISSUANCE TO GAIL C. HIGH OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING JULY 1, 1988; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$890.40.

CALENDAR ITEM NO. 16 (CONT'D)

WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR THE USE AND MAINTENANCE OF A RECREATIONAL PIER WITH BOATHOUSE AND STORAGE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

WP 6526

All that submerged land in the bed of Lake Tahoe, Placer County, California, lying immediately beneath a pier and boathouse TOGETHER WITH a necessary use area extending 10 feet from the extremities of said pier and boathouse, said pier and boathouse being adjacent to and waterward of the land described in the Grant Deed to Gail C. High recorded August 21, 1985 in Book 2852, Page 581, Official Records of Placer County.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark of Lake Tahoe.

END OF DESCRIPTION

PREPARED MAY 26, 1988 BY BIU 1.

.0855b.

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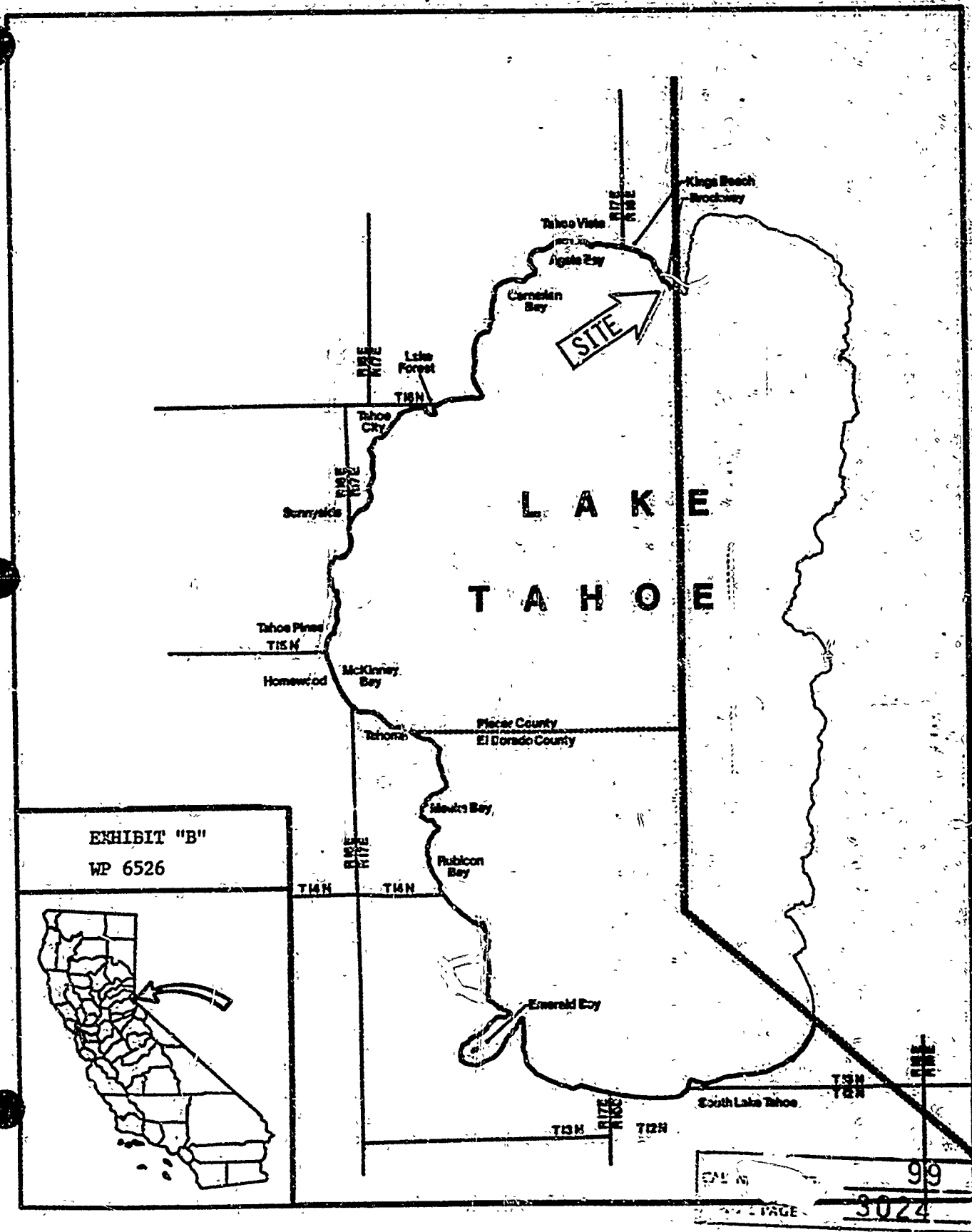


EXHIBIT "B"

WP 6526



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PLACER COUNTY

CHARLES G. GIBSON, P.E.
Chief Building Inspector
WILLIAM A. SCHULZE, II
Supervising Inspector

BUILDING DEPARTMENT

205 West Lake Blvd., P.O. Drawer CC, Tahoe City, CA 95730 Telephone (916) 581-5200

September 2, 1988

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

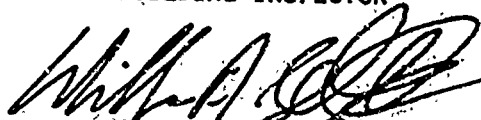
Dear Miss Ludlow,

I was asked to write this letter to inform you that at this time Placer County does not include piers in our permit process. The only exception to this is an electrical permit would be required if electrical power were to run to a pier.

Should you have any further questions, please let me know.

Sincerely,

ED JENKINS
CHIEF BUILDING INSPECTOR


WILLIAM A. SCHULZE, II
SUPERVISING BUILDING INSPECTOR

WAS:dt

cc: Kevin Agan, Raymond Vail & Associates

SEP 11 1988

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EXHIBIT "C"

TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1238
Zephyr Cove Nevada 89448-1038
PERMIT

(702) 586-4547

PROJECT TYPE Pier and bathhouse Repair APP# 90-321-19
PERMITTEE(S) Bob Spence and Ken High
COUNTY/LOCATION Placer County, 9872 Pilot Circle

Having made the findings required by Agency ordinances and rules, TRPA approved the project on 9-6-88, subject to the standard conditions of approval attached hereto (Attachment S) and the special conditions on the back of this permit.

This permit shall expire on 9-6-91 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL THE PERMITTED OBTAINS A COUNTY/CITY BUILDING PERMIT. THE COUNTY/CITY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS. NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT ON THE BACK OF THIS PERMIT. IN ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT AND A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT.

Rich A. [Signature]
TRPA Executive Director/Designee

9.16.88
Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance.

Signature of Permittee(s) _____ Date _____

PERMIT CONTINUED ON BACK

TC:cs

EXHIBIT "D"

EXHIBIT PAGE 101
SHEET PAGE 3026

Excess Coverage Mitigation Fee: Amount * _____ Paid _____ Receipt No. _____

Security Posted: Amount * _____ Posted _____ Receipt No. _____

* To be determined.

Required plans determined to be in conformance with approval: Date _____

TRPA ACKNOWLEDGEMENT: The applicant has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

TRPA Executive Director/Designee

Date

SPECIAL CONDITIONS

Prior to commencement of construction the following special conditions of approval must be satisfied.

1. The site plan shall be revised to include:

a. The following revised land coverage calculations:

(1) Lot area above highwater line = 14,815 square feet as per TRPA measured.

(2) Allowable land coverage - 148 square feet as per class 1a.

(3) Existing land coverage:

Residence	= 1,620 square feet
Garage	= 240 square feet
Rear Decks	= 1,480 square feet
Front Deck	= 651 square feet
Pier Walkway	= 75 square feet
Compacted Dirt	= 630 square feet
Paving	= <u>1,060 square feet</u>
Total	= 5,756 square feet*

* Shall be revised accordingly upon submittal of final BMP plans including delineation of northern deck, stairs, and path which were not shown on the preliminary site plan.

b. A three inch layer of gravel (3/4" drainrock) beneath all raised decks not currently covering boulders.

SPECIAL CONDITIONS CONTINUED ON NEXT PAGE

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SPECIAL CONDITIONS (continued)

APN 90-321-19

- c. Land capability district (Ia) and backshore (II) 1. 1. 1. 1.
- d. A note indicating that all existing disturbed areas and areas disturbed by construction activity, shall be revegetated with vegetation species in accordance with Standard Condition A.1.b of Attachment S. A list of acceptable plant species is enclosed with this permit.
- e. Dripline infiltration trenches, sized 18" wide x 8" deep, constructed beneath all roof gutters where vegetation or ground cover does not already exist.
- f. Vegetation protective fencing around the entire construction site during BMP installation.
- g. Revise the following existing boathouse dimensions:

Roof pitch - 4:12.

Distance between walls on "Existing Boathouse and Rock Cribbing" elevation view - 26 feet 8 inches (not 28 feet).

The existing plan view of boathouse, deck, slip and wood pile placement - 34 feet 6 inches (not 40 feet) (not including catwalk of three feet wide) by 49 feet (same).

2. The security required under Standard Condition 3 of Attachment S shall be determined upon the applicant's submittal of required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures.
3. The applicant shall submit plans, cost estimates and installation schedule for the installation of all required water quality improvements (BMPs) for the entire project area. All required BMPs outside of the construction site boundary up to a minimum of five percent of the estimated construction cost of the project as well as all required BMPs inside the construction boundary, shall be installed prior to project completion. The balance of the required BMPs shall be installed as follows: At least 50 percent of the BMPs shall be installed within five years and 100 percent within ten years, as determined by an estimate of the cost of the BMPs. The security required under Standard Condition 3 of Attachment S shall be equal to 110 percent of the estimated BMP costs.
4. The applicant shall mitigate excess land coverage on this property in a manner consistent with Chapter 20 of the TRPA Code of Ordinances. This condition may be satisfied by submittal of a: excess land coverage mitigation fee as follows:

Cost of project x 0.05 (TRPA Reduction Factor) x Excess Land Coverage percentage.

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SPECIAL CONDITIONS (continued)

APR 90-321-19

The excess land coverage percentage equals the existing land coverage percentage () minus the allowed land capability percentage (1%). Please provide a written cost estimate by your contractor, architect or engineer. In no case shall the mitigation fee be less than \$100.

* To be determined.

Also, if you choose, existing land coverage may be removed in lieu of payment of an excess land coverage mitigation fee. To calculate this land coverage reduction amount, divide the amount of the mitigation fee by \$5 per square foot. If you choose this option it will be necessary for you to revise your site plan and land coverage calculations to account for the coverage removal.

5. The final construction drawings shall have notes indicating conformance to the following design standards for color and roofs:
 - a. Color: The color of this structure shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthtone colors are considered to be shades of reddish brown, brown, tan, ochre, umber and sand.
 - b. Roofs: Roofs shall be composed of nonglare earthtone or woodtone materials that minimize reflectivity.
6. The adequacy of all required BMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pre-grading inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.
7. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
8. The use of wood preservatives on wood in contact with the water is prohibited and extreme care shall be taken to insure that wood preservatives are not introduced into Lake Tahoe. Spray painting and the use of tributyltin is prohibited.
9. Disturbance of the lake bed materials shall be kept to the minimum necessary for project construction.

SPECIAL CONDITIONS CONTINUED ON NEXT PAGE.

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SPECIAL CONDITIONS (CONTINUED)

APR 90-271-10

10. Best practical control technology shall be employed to prevent earthen materials to be resuspended as a result of pier construction and from being transported to adjacent lake waters. The applicant shall install a turbidity screen around the entire construction site (in the water) prior to construction. This screen may be removed upon project completion only upon a satisfactory inspection by TRPA to insure that all suspended materials have settled.
11. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. All surplus construction waste materials shall be removed from the project site and deposited only at approved points of disposal.
12. Existing lake bottom gravel, cobble, and/or small boulders shall not be disturbed or removed to leave exposed sandy areas before, during, or after construction.
13. Final construction drawings shall conform to all the applicable design standards of Section 54.4.B. TRPA Code of Ordinances, and all other applicable TRPA design standards.
14. The applicant shall submit a construction schedule prior to commencement of construction. This schedule shall identify dates for the following: when installation of temporary erosion control structures and turbidity screens will occur; when construction will start; when construction slash and debris will be removed; when installation of all permanent erosion control structures will occur; and, when construction will be completed.
15. The applicant shall submit a slope stabilization plan for the bluff adjacent to the beach.
16. The applicant shall obtain all required approvals from the U. S. Army Corps of Engineers, Lahontan Regional Water Quality Review Board, California Department of Fish and Game, California State Lands Commission and Placer County Public Works Department for this project.
17. No containers of fuel, paint, or other hazardous materials may be stored on the pier.
18. The applicant shall comply with all the conditions issued by the Lahontan Water Quality Control Board waste discharge application letter of July 22, 1988.
19. Prior to commencement of construction, the applicant shall submit a revised site plan indicating all water quality improvements (BMPs) in accordance with Standard Condition 1.a of Attachment S.

SPECIAL CONDITIONS CONTINUED ON NEXT PAGE

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SPECIAL CONDITIONS (continued)

APN 90-321-19

20. The existing rocks from the rock cribbing shall be dispersed along the lake bottom with least practical disturbance to existing lake bottom.
21. All pier projects shall include post-construction photos as well as pre-construction photos.
22. The applicant shall submit three sets of final construction drawings and site plans to TRPA.

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TAHOE REGIONAL PLANNING AGENCY

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

(702) 588-4547

STATEMENT OF NO SIGNIFICANT EFFECT

PROJECT TYPE Pier and Boathouse Repair APN 96-221-19

PERMITTEE(S) Bob Spence and Ken High

COUNTY/LOCATION Placer County, 9872 Pilot Circle

Staff Analysis: In accordance with Article VI of the Tahoe Regional Planning Compact, as amended, and Section 6.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.

Bill A. ...
TRPA Chairman or Executive Director

9.16.88
Date

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