

Mike and Christy Akatiff

August 14<sup>th</sup> 2020

Warren L. Crunk  
Senior Staff Counsel  
California State Lands Commission  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202

Re: Pier Lease #8271

Dear Mr. Crunk

Our consultant Abby Edwards forwarded a letter from Mrs. Ruth Bley and an email sent from Eric Ronning which was sent to you regarding our lease for an approved dock.

The following is a short recap of the project.

In 1996 I purchased the two Akatiff properties which are subject to this lease: [REDACTED] and [REDACTED] Brockway Vista Avenue. The [REDACTED] property was purchased from Brad Johnson, and the [REDACTED] property was purchased from the Bankruptcy Trustee of the Hal Johnson estate. There were TRPA and Building department permits for single family dwellings on both properties. The [REDACTED] property had 63.89 feet of lake frontage, and the [REDACTED] property had 31.80 feet of lake frontage.

Both these properties had been in a state of partial construction since 1988 and had loose roofing and insulation blowing into the lake. There were numerous complaints made to TRPA and the Building Department regarding the condition of the property. Approval was granted by TRPA and the Building Department to finish the construction. [REDACTED] was finalized by the building department in 1996 and [REDACTED] was finalized in 2000.

In 1998, after completing the residence at [REDACTED] and finishing the exterior and cleaning up the [REDACTED] property I inquired to TRPA about constructing a dock. I was told at that time I would be able to construct a dock within a couple of years. Years passed and in 2009 I, along with my two neighbors received permission from TRPA to construct a multi parcel dock serving the same properties as this application. We had plans designed, submitted all environmental and scenic documentation, paid all the fees and were waiting for the TRPA to issue the permit when a lawsuit challenging the environmental evaluation stopped our application. Since 2010 my neighbor and co-applicant, Mark Gilmartin, had attended every public meeting regarding the Shore Zone Ordinance. The public was able to convey their concerns during these meetings and a consensus was reached among all parties on the Ordinance adopted.

The TRPA board meeting concerning this application was an open meeting where members of the public could object to the project, and there were a number of people that voiced their objections to the project most notably our neighbors to the north who have a dock and objected to ours. After hearing the public comments, the full board unanimously approved the application. Several board members commented that staff had fully vetted the application and the application met all requirements of the Ordinance. Other board members commented that they did not intend to make changes to every conforming application coming before the board. Both Bley and Ronning had the opportunity to appeal the board decision within 30 days. They had 60 days from the meeting to sue TRPA which was long after they raised their objections both of which they chose not to do.

In regard to the Ruth Bley letter, there are several inaccurate statements:

1. She states the notification process was faulty. Everyone within the required radius was notified by TRPA. Many people made comments at the board meeting, several well beyond the notice area. If this was such an issue, she could have appealed the board's decision. In addition, I would point out that other neighbors raised the identical issues to the TRPA that Ms. Bley is now raising to you. The TRPA fully considered these issues when discussing whether or not to approve the project. As the governing planning agency, the TRPA was the appropriate agency to consider and rule upon these issues, and Ms. Bley's should have filed an appeal if she was dissatisfied with its substantive ruling.

2. She states the configuration of the pier is unusual. Virtually all docks run parallel to existing docks to facilitate boat traffic entering and leaving the docks. The length of this dock is required to reach the water depth at the pier head line establish by TRPA.

3. She states there are only three property owners. She is confusing property owners with real properties the ownership of which can change at any time.

4. She objects to the dock as having "swing out jet ski racks". There are no such jet ski racks. The legally existing jet ski lift is being removed along with two legally existing buoys. The lighting is TRPA approved lighting which is the same as docks to the north and south of us.

5. She states this pier will block any Chipmunk property from constructing a pier. I addressed this concern voiced by Eric Ronning earlier by submitting a layout showing that at least two piers could be constructed serving the Chipmunk properties. I have attached that layout.

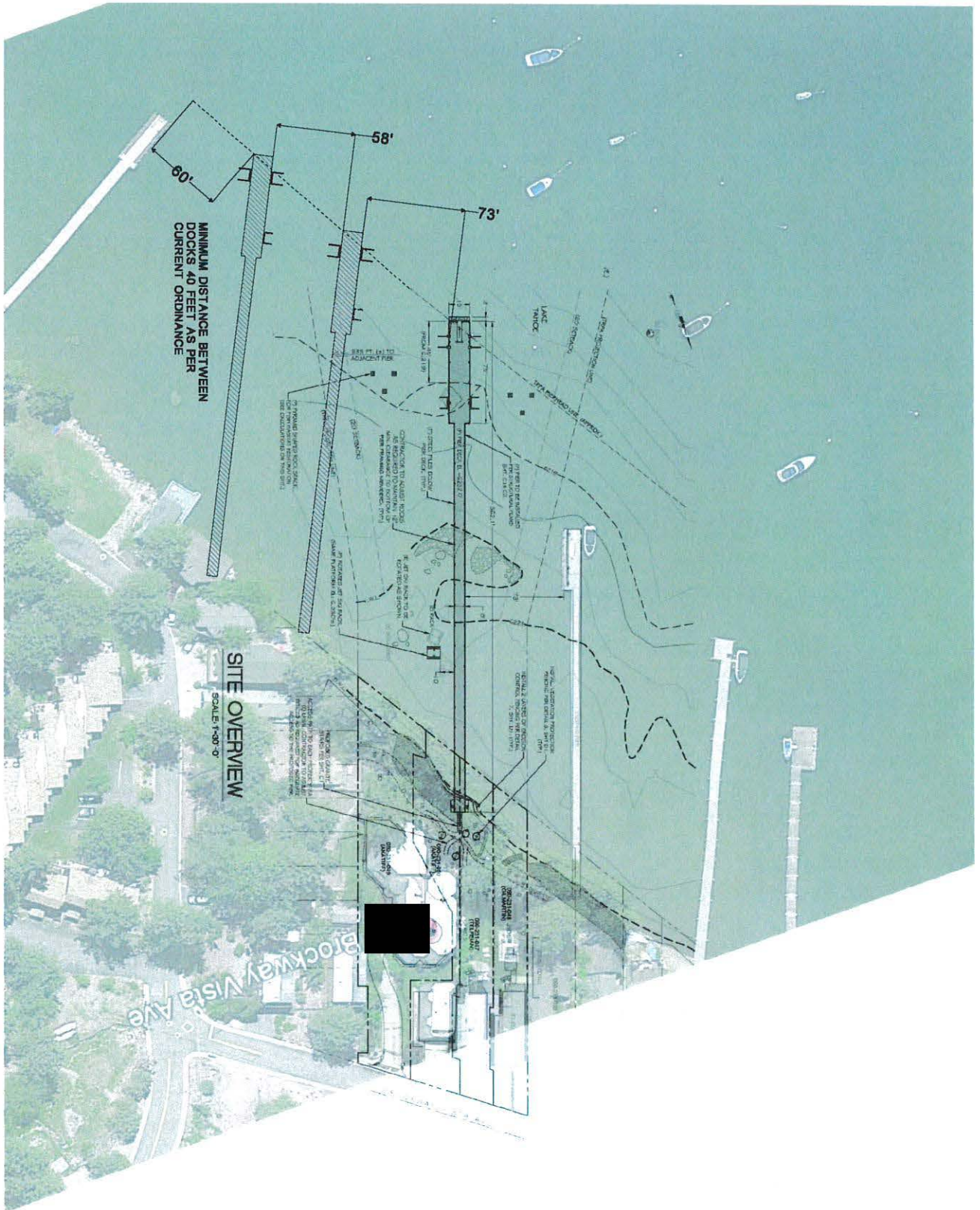
The comments in the email from Eric Ronning parrot the Bley letter concerns about noticing. Most of Bley's comments were taken from an earlier letter sent by Eric Ronning to TRPA.

This application has been vetted by all concerned agencies and has received required approvals. This dock is no different than other docks on the lake. To deny the lease while approving all the others on the consent calendar would seem to be discriminatory.

Thank you for your consideration.

A handwritten signature in blue ink, appearing to read "Mike Akatiff", with a long horizontal line extending to the right.

Mike Akatiff



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**From:** Mark Gilmartin <[REDACTED]>  
**Sent:** Monday, August 17, 2020 9:32 AM  
**To:** CSLC CommissionMeetings  
**Subject:** 8/20/2020 Comment on Agenda Item 01 - Pier Lease #8271  
**Attachments:** IMG\_3291\_markedup.jpg

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

Dear Council Members:

My name is Mark Gilmartin and I am part of the group applying for a multi-use pier lease #8271. This is my rebuttal to the opposition to our lease application.

It may also be worthy to note that our group was selected to pursue a pier permit in 2009 prior to the lawsuits that halted the implementation of the 2009 Shorezone Ordinances and therefore our pier application. Those lawsuits indirectly cost us tens of thousands of unrecoverable dollars that we have once again expended towards this application.

It's been a long wait since 2009 for this current opportunity, and as we did in 2009, four neighbors have band together in the spirit of the new Shorezone Ordinances to design a multi-use pier within the new development standards.

Our pier design conforms with each and every development standard contained within the Shorezone Ordinances. I would like to remind you that every agency, league, group, and committee in the Tahoe Basin, including CA State Lands, has collaborated for the past 10+ years to define these ordinances. The residents of Chipmunk St. and others have literally had dozens of opportunities to attend public meetings and express their concerns regarding the design and location of new piers. I know because I attended many of them myself. Yet now, at the 11<sup>th</sup> hour, certain residents are complaining about the length, design, and location of our TRPA unanimously approved pier without any regard to the facts that each and every spec is within the approved ordinances and our pier will in no way impede their ability to apply for piers of their own.

To address their complaints directly:

- The length of our pier meets all design specifications and is necessary to reach navigable waters of 30 feet past 6219 plus the 15 feet allowed to accommodate for more than 3 parcel shared use
- The lighting meets all design specifications
- The boat lifts meet all design specifications
- There are no "swing out jet ski racks"
- Mr. Akatiff's existing permitted lift (see picture attached) is being completely REMOVED from the lake as part of this project
- Our pier will not significantly change any Chipmunk St. resident's view. They already look perpendicular to the neighboring piers and ours will be more than 100 feet away from them (see picture attached).
- There have been no recent lot line modifications to the project area. Mr Akatiff purchased his two separate single family homes/parcels in 1996 exactly as shown on the plans.

It is for these reasons, that you must vote to approve our pier lease today and uphold the 10+ years of hard work of all the agencies, groups, organizations and committees in the Tahoe Basin, including your own, which worked so tirelessly to define the future of the Lake Tahoe Shorezone.

Thank you.

Mark Gilmartin



**Lunetta, Kim@SLC**

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**From:** Kelly Dahl <[REDACTED]>  
**Sent:** Wednesday, August 12, 2020 2:22 PM  
**To:** CSLC CommissionMeetings  
**Cc:** Jack Tucey  
**Subject:** Subject: 8/20/20: V. Consent Calendar:#01: Michael & Christy Akatiff, Gilmartin, Telfian Multi-Use Pier

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

On Behalf of:

Jack Tucey  
[REDACTED] Chipmunk St  
Brockway/Kings Beach, CA  
[REDACTED]

I was never informed of this application. This pier sits directly in front of my front porch, blocks my views and access to my boat mooring. The massive 4 boathead pier is abusive to my current view of Lake Tahoe to the south and the shoreline to the west in front of my house. I also have a 10 foot deep access across the lakefront part of my lot which connects to the 2 neighbors to the left of me and prevents us from building a pier in the future.

Sincerely,

Jack & Nora Tucey

--  
Kelly Dahl  
[REDACTED]

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August 17, 2020

Planning and Consulting Services  
Lake Tahoe

California State Lands Commission  
100 Howe Avenue Ste. 100 South  
Sacramento, CA 95825-8202

Attn: Betty T. Yee, State Controller Chair  
Eleni Kounalakis, Lieutenant Governor, Member  
Keely Basler, Director of Department of Finance, Member

**Re: Northern Region Consent Calendar 01-57 Item 01, Akatiff, Gilmartin,  
Telfeian/Stage New Four Parcel Multiple Use Pier, Placer County APNs 090-231-  
047, 048, 049 & 050**

To Whom It May Concern,

The following information is in response to the comment letters received from Mrs. Ruth Bley and Mr. Eric Ronning in regards to the above referenced project.

Background:

I represent and have been working with the property owners for the above four parcels since 2007 when the 2009 TRPA Shorezone Ordinance was being drafted. The Shorezone Ordinance that was adopted in 2009 awarded new multiple use pier allocations based on the amount of littoral parcels that would be sharing the pier. My clients were chosen as the top ranking pier. My clients then submitted a full pier application in 2009 to TRPA but due to litigation the 2009 adopted Shorezone Ordinance was vacated.

My clients patiently waited 10 years for the new Shorezone Ordinances to be redrafted and participated in the public meetings that took place. All of the governing agencies on Lake Tahoe took part in drafting the new Ordinance and much work and time was put into it. When the new pier allocation process opened again in 2019 my clients prepared an entirely new application package and were again chosen by TRPA as the top ranking pier.

The new pier being proposed today was approved unanimously on May 28, 2020 by the TRPA Governing Board. Although there were neighbor concerns about the project due to the length of the pier the Governing Board determined that this pier meets all Code requirements and is the ideal example of how the new Code should work. (Additional length is allowed for piers with more parcels sharing). The properties have all been deed restriction for additional shorezone development (new piers) per TRPA requirements (Please refer to "**Attachment A**") and all agency permits have been obtained except for this last approval.

Proposed Pier Design:

As discussed above, the proposed pier meets all TRPA and California State Lands Codes and requirements as follows:

- The TRPA Code allows one boatlift for each parcel if an existing mooring (buoy, etc.) is traded for the new boatlift(s). There are four littoral parcels sharing the pier and therefore four boatlifts are allowed. Three buoys plus a double jet ski lift that has been in place since the 1970's are being removed as part of this project.
- Piers that are shared by three or more littoral parcels are allowed additional length based on lake bottom elevation and the pier head line.

- The location of the pier was determined by the TRPA property projection lines, setbacks and by the orientation of the existing surrounding piers. (The proposed pier is oriented the same as all of the piers located to the northwest). The current TRPA code does not allow projection lines to be modified based on a cove or irregular shoreline.

(Please refer to “**Attachment B**”, TRPA Development Standards for Multiple use piers).

Site Plan:

The site plan that was submitted is the same format as is typically submitted for pier projects and included a vicinity map showing the surrounding area. In addition, Google Earth aerials, topographic maps and habitat maps were submitted to each agency as supplemental information to show the project area, surrounding shorezone structures and shoreline. Agency staff also conducted site visits prior to the project approval.

Pier Location:

When reviewing the proposal in light of both neighbors’ comments we do not feel that moving the pier over a few feet or angling it more would improve the view from Chipmunk as the majority of the Chipmunk residences face toward the northwest at the existing piers and shoreline and not towards the lake. (Please refer to “**Attachment C**”, aerial showing orientation of the Bley/Ronning residences). Any modification of the pier design would require new permits from all of the governing agencies, would delay the project by over one year and would probably be subject to many of these same objections.

Noticing:

I have attached the list of owners submitted to TRPA as part of the September 19, 2019 new pier application. (Please refer to “**Attachment D**”). TRPA noticed all property owners within 300’ two weeks prior to the TRPA Governing Board hearing and other property owners had ample time to comment on the project. Noticing was discussed at the TRPA Governing Board meeting and it was determined that proper noticing protocol was followed. Please note that the mailing address for Mrs. Bley matches the address on her letterhead. Any interested parties had an additional 30 days to appeal the project after Governing Board approval and 60 days to sue TRPA.

Akatiff Parcels:

Although there are three property owners proposing to share the new pier there are four legal littoral parcels. Per the Placer County Assessor and mapping department, the two Akatiff parcels have existed since before 1952 (Previous parcel numbers were 090-231-004 & 005). Even if only three parcels were proposing the new shared pier the TRPA Code would allow the same length as proposed.

Summary:

My clients have been working on this project for over 10 years and have done everything in their power to ensure that this new pier conforms to all agency requirements. The neighbors have had the opportunity to comment on or appeal the project since May and we feel that all of the comments that were submitted were already addressed at the TRPA Governing Board hearing on May 28, 2020. We have addressed all agency requests and have obtained approval from:

- TRPA
- Lahontan Regional Water Quality Control Board
- The Army Corps of Engineers; and

- California Department of Fish and Wildlife.

Thank you for your time. We hope you understand how much time and effort we have put into this project and feel that we have met all California State Lands requirements and guidelines in order for the Commission to approve this project.

Sincerely,



Abigail Edwards  
Principal Planner

Attachment A



PLACER, County Recorder  
RYAN RONCO

DOC- 2020-0076546-00

506

MONDAY, JUL 27, 2020 10:51 AM

MIC \$3.00 | AUT \$11.00 | SBS \$10.00

ERD \$1.00 | SB2 \$0.00 | REC \$19.00

ADD \$0.00

**RECORDING REQUESTED BY:**

Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449

**WHEN RECORDED MAIL TO:**

Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449  
Attn: Tiffany Good, Principal Planner  
TRPA File No.: ERSP2019-1326

Ttl Pd \$44.00 Rcpt # 02914176

CLKBZPK9T2/TN/1-11

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR PROJECT AREA SCENIC CALCULATION AND SHOREZONE DEVELOPMENT LIMITATIONS ("DEED  
RESTRICTION")**

**TO BE RECORDED AGAINST APNs 090-231-047, 090-231-048, 090-231-049, AND 090-231-050**

This Deed Restriction is made this 14<sup>th</sup> day of July, 2020, Henry F. Telfeian, An Unmarried Man and Elizabeth K. Stage, An Unmarried Woman, all as Joint Tenants; Mark R. Gilmartin, Trustee of the Mark R. Gilmartin 2006 Trust; Michael G. Akatiff and Christy D. Akatiff, Trustees of the Michael G. Akatiff and Christy D. Akatiff Revocable Living Trust (hereinafter "Declarants").

**RECITALS**

1. Declarants are the owners of certain real property located in Placer County, State of California, described as follows:

**PARCEL ONE:**

Lot 64, Block "BF", as shown upon that certain Map entitled "Brockway Vista Subdivision" filed April 6, 1926 in Book "D" of Maps, Page 16, Placer County Records.

EXCEPTING THEREFROM that portion described as follows:

BEGINNING on the Northerly corner of said Lot 64; proceed along the Northwesterly boundary, South 20° 44' West 25.65 feet to the point of beginning; thence from said point of beginning along said Northwesterly boundary, South 20° 44' West 46.00 feet; thence to a point toward the Southeasterly boundary of Lot 64, South 52° 6' East 2.61 feet; thence to a point toward the Northeasterly boundary of Lot 64, North 20° 44' East 46.00 feet; thence to the point of beginning, North 52° 16' West 2.61 feet.

**PARCEL TWO:**

A portion of Lot 65, Block "BF", as shown on that certain Map entitled "Brockway Vista Subdivision" filed April 8, 1926 in Book "D" of Maps, Page 16, Placer County Records, described as follows:

BEGINNING on the Northerly corner of said Lot 65; proceed along the Northwesternly boundary South 20°44' West 25.65 feet to the point of beginning; thence from said point of beginning along said Northwesternly boundary South 20°44' West 46.00 feet; thence to a point toward the Southeasterly boundary of Lot 65, South 52°16' East 5.75 feet; thence to a point toward the Northeasterly boundary of Lot 65, North 20°44' East 46.00 feet; thence to the point of beginning, North 52°16' West 5.75 feet.

Said parcel was recorded under document number DOC-2003-0193179 on November 14, 2003, in the Official Records of Placer County, California, and having Assessor's Parcel Number 090-231-047.

AND

PARCEL ONE:

LOT 63 IN BLOCK "bf", AS SHOWN UPON THAT CERTAIN MAP ENTITLED "BROCKWAY VISTA SUBDIVISION," FILED APRIL 6, 1926, IN BOOK "D" OF MAPS AT PAGE 16, PLACER COUNTY RECORDS.

PARCEL TWO:

A PORTION OF LOT 64 IN BLOCK "BF", BROCKWAY VISTA SUBDIVISION. FILED APRIL 8, 1926, IN BOOK "D" OF MAPS AT PAGE 16A, PLACER COUNTY RECORDS DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTHERLY CORNER OF SAID LOT 64, PROCEED ALONG THE NORTHWESTERLY BOUNDARY, SOUTH 20°44' WEST 25.65 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING ALONG SAID NORTHWESTERLY BOUNDARY, SOUTH 20°44' WEST 46.00 FEET; THENCE TO A POINT TOWARD THE SOUTHEASTERLY BOUNDARY OF LOT 64, SOUTH 52°16' EAST 2.61 FEET; THENCE TO A POINT TOWARD THE NORTHEASTERLY BOUNDARY OF LOT 64, NORTH 20°44' EAST 46.00 FEET; THENCE TO THE POINT OF BEGINNING NORTH 52°16' FEET WEST 2.61 FEET.

Said parcels were recorded under document number DOC-2007-0100821-00 as on October 23, 2007, in the Official Records of Placer County, California, and having Assessor's Parcel Number 090-231-048.

AND

PARCEL 2

Portions of Lots 65 and 66 in Block BF, Brockway Vista Subdivision, filed April 8, 1926 In Book D of Maps at Page 16A, Placer County Records, described as follows:

Beginning at the most Northerly corner of Lot 65 on the Southerly line of Brockway Vista Avenue as delineated on said Map:

Thence from said point of beginning along the Southerly line of said Avenue South 52°16' East 38.17 feet;

Thence leaving said line and parallel with the Southeasterly line of said Lot 65, South 20°44' West 72.93 feet;

Thence North 69°15'45" West 31.01 feet;

Thence South 20°44' West 50.00 feet;

Thence South 8°31'15" East 59.47 feet;

Thence South 20°44' West 64.61 feet;

Thence North 52°16' West 9.99 feet to a point on the line common to said Lots 65 and 66;

Thence along said common line, South 20°44' West 2069 feet;

Thence along the Southerly line of Lot 65, North 31°06'30" West 31.80 feet to the most Westerly corner thereof;

Thence along the Northwesterly line of said Lot 65, North 20°44' East 177.05 feet;

Thence South 52°16' East 5.75 feet;

Thence North 20°44' East 46.00 feet;

Thence North 52°16' West 5.75 feet to the Northwesterly line of said lot 65;

Thence along said Northwesterly line, North 20°44' East 25.65 feet to the point of beginning;

Containing 6343.5 square feet or 0.1456 of an acre, more or less

Subject to two airspace encroachments of  $\pm 2$  feet for two existing balcony overhangs from existing improvements along the northwester property line in favor of the adjacent improved parcel (APN 090-231-046).

Said parcel was recorded under document number DOC-2003-011900 on July 22, 2003, in the Official Records of Placer County, California, and having Assessor's Parcel Number 090-231-042 (now APN 090-231-049).

AND

**PARCEL 1**

A portion of Lots 65, 66, and 67 in Block BF, Brockway Vista Subdivision, filed April 8, 1926 in Book D of Maps at Page 16A, Placer County Records, described as follows:

Beginning at the Northerly corner of Lot 67 common to Lot 66 and Southerly line of Brockway Vista Avenue as delineated on said Map;

Thence from said point of beginning along the Southerly line of Brockway Vista Avenue South 52°16' East 26.14 feet;

Thence leaving said Southerly line of Brockway Vista Avenue and along the line common to Lots 67 and 68, South 20°44' West 7.67 feet;

Thence leaving said common line North 69°16' West 7.01 feet;

Thence South 20°44' West 49.00 feet;

Thence South 69°16' East 7.01 feet to the Southerly line of Lot 67;

Thence along said Southeasterly line of said Lot 67, South 20°44' West 228.04 feet to the Southerly corner thereof;

Thence along the Southerly line of Lots 67 and 66, North 31°06'30" West 63.59 feet to the common corner of Lots 65 and 66;

Thence leaving said Southerly line and along the line common to Lots 65 and 66, North 20°44' East 20.69 feet;

Thence leaving said common line, South 52°16' East 10.00 feet;

Thence North 20°44' East 64.61 feet;

Thence North 8°31'15" West 59.47 feet;

Thence North 20°44' East 50.00 feet;

Thence South 69°15'45" East 31.01 feet;

Thence North 20°44' East 72.93 feet to the Southerly line of Brockway Vista Avenue;

Thence along said line of said Avenue, South 52°16' East 14.11 feet to the point of beginning. Containing 13,064 square feet or 0.30 of an acre, more or less.

Reserved are two air space encroachments of  $\pm 2$  feet for two existing balcony overhangs from existing improvements on this parcel along its southeastern property line which encroach onto the adjacent parcel (APN 090-231-042).

Said parcel was recorded under document number DOC-2003-0118999 on July 22, 2003, in the Official Records of Placer County, California, and having Assessor's Parcel Number 090-231-046 (now APN 090-231-050).

IN WITNESS WHEREOF, Declarants have executed this Deed Restriction this the day and year written below.

Declarant's Signature:

Henry F. Telfeian

Henry F. Telfeian, An Unmarried Man  
Joint Tenant

Dated: 7/10/2020

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California

) SS.

COUNTY OF Placer

On July 10, 2020 before me, Rusel Heckert a Notary Public,  
personally appeared Henry F. Telfeian  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Rusel Heckert

(Seal)

Name: Rusel Heckert  
(typed or printed)



IN WITNESS WHEREOF, Declarants have executed this Deed Restriction this the day and year written below.

Declarant's Signature:

Elizabeth K. Stage  
Elizabeth K. Stage, An Unmarried Woman  
Joint Tenant

Dated: 7/10/20

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California  
 ) SS.  
COUNTY OF Placer

On July 10, 2020 before me, Rusel Heckert a Notary Public, personally appeared Elizabeth K. Stage who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he she they executed the same in his her their authorized capacity(ies), and that by his her their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Rusel Heckert

(Seal)

Name: Rusel Heckert

(typed or printed)



IN WITNESS WHEREOF, Declarants have executed this Deed Restriction this the day and year written below.

**Declarant's Signature:**

Declarant's Signature: Mark B. Gilmartin

**Mark R. Gilmartin, Trustee**  
**Mark R. Gilmartin 2006 Trust**

**Dated:**

6/29/20

***A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.***

STATE OF Nevada )  
 ) SS.  
COUNTY OF Washoe

On 6/29/20 before me, Brendan Cooper a Notary Public,  
personally appeared Mark Gilmartin,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Nevada that the foregoing paragraph is true and correct.

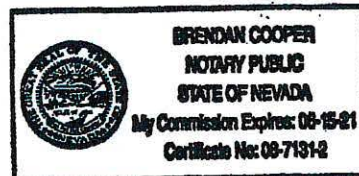
**WITNESS my hand and official seal.**

**Signature:**

(Seal)

Name: \_\_\_\_\_

(typed or printed)



IN WITNESS WHEREOF, Declarants have executed this Deed Restriction this the day and year written below.

Declarant's Signature:

 Dated: 7/7/2020

Michael G. Akatiff, Trustee and Christy D. Akatiff, Trustees of the  
Michael G. Akatiff and Christy D. Akatiff Revocable Living Trust

*A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

STATE OF  
California )  
COUNTY OF )  
Santa Clara

On July 7, 2020 before me, Michelle Antonowicz a Notary Public,  
personally appeared Michael G. Akatiff  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Michelle Antonowicz (Seal)

Name: Michelle Antonowicz  
(typed or printed)



IN WITNESS WHEREOF, Declarants have executed this Deed Restriction this the day and year written below.

Declarant's Signature:

C Christy Dated: 7/7/2020  
Christy D. Akatiff, Trustee  
Michael G. Akatiff and Christy D. Akatiff Revocable Living Trust

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California )  
COUNTY OF San Jose ) SS.

On July 7, 2020 before me, Michelle Antonowicz a Notary Public, personally appeared Christy D. Akatiff who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Michelle Antonowicz (Seal)

Name: Michelle Antonowicz  
(typed or printed)



APPROVED AS TO FORM:

Theresa Avance  
Theresa Avance, Senior Planner  
Tahoe Regional Planning Agency

Dated: 6/25/2020

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF NEVADA )  
 ) SS.  
COUNTY OF DOUGLAS )

On JUNE 25<sup>TH</sup>, 2020 before me, TRACY CAMPBELL a Notary Public,  
personally appeared THERESA AVANCE  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Nevada that the foregoing paragraph  
is true and correct.

WITNESS my hand and official seal.

Signature: Tracy Campbell (Seal)

Name: TRACY CAMPBELL  
(typed or printed)



CHAPTER 84: DEVELOPMENT STANDARDS LAKEWARD OF HIGH WATER IN THE SHOREZONE AND LAKEZONE

84.4 Piers

84.4.3 Development Standards

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**C. Additional Standards for Multiple-Use Piers**

**1. Applicability.** These provisions apply to:

- a. Piers on littoral parcels serving three or more residential units on the same parcel, including multifamily housing, condos, and homeowner's associations; and
- b. Piers on littoral parcels serving two or more primary residential littoral parcels, subject to the deed restriction provisions in subparagraph 84.4.4.E.

**2. Development Standards.** Piers shall be constructed consistent with the following provisions:

- a. Length. Piers shall extend no farther lakeward than 30 feet lakeward of elevation 6,219 feet Lake Tahoe Datum or 60 feet lakeward of the pierhead line, whichever is more limiting. Up to an additional 15 feet in length lakeward may be permitted for piers serving three or more primary residential littoral parcels.
- b. Pier width shall be a maximum of 15 feet, not including catwalks.
- c. Pier orientation shall be perpendicular to the shoreline, as feasible;
- d. Properties with deep water adjacent to shore, such as parts of Crystal Bay or Rubicon Bay, where placement of a pier is not feasible under the limits above, may orient the pier in a non-perpendicular fashion. The non-perpendicular pier but shall be no more than 30 feet in length and no portion of the structure may be located more than 30 feet lakeward of the shoreline. The pier may include a catwalk and boatlift;
- e. Piers shall be setback a minimum of 40 feet from all other piers, as measured from the pierhead;
- f. Piers shall be setback from each adjacent parcel boundary projection line by a minimum of 20 feet unless the adjacent property has legal shared access to the pier;
- g. To permit free circulation of water, piers shall be floating, or shall be built on an open piling foundation, but in no case shall a pier be supported on a foundation that is less than 90 percent open.
- h. Pier decks shall not extend above elevation 6,232.0 feet, Lake Tahoe Datum. Pier decks may extend up to elevation 6,234.0 feet in limited situations where TRPA finds that the additional height is necessary for safety reasons, because local wave characteristics represent a real threat to the integrity of the structure, or to provide lateral public access.
- i. Allowable visible mass (Figure 84.4.3-3) shall be as follows:
  - (i) For a pier serving two primary residential littoral parcels or serving three or four residential units on the same parcel, a maximum of 400 square feet;
  - (ii) For a pier serving three primary residential littoral parcels or serving five to 20 residential units on the same parcel, a maximum of 460 square feet; and
  - (iii) For a pier serving four or more primary residential littoral parcels or serving more than 20 residential units on the same parcel, a maximum of 520 square feet.

- (iv) In all cases, visible mass due to lateral public access accommodations (e.g., added height, ladders, or stairs) shall not count towards the visible mass limit set forth above nor be subject to the mitigation requirements of subparagraph 84.4.3.A.6 nor be part of the parcel's shoreland scenic score.

j. Catwalks

- (i) Allowed accessory structures include up to two catwalks, subject to the provisions of this subsection.
- (ii) Catwalks shall be no more than three feet wide.
- (iii) Catwalk length shall be a maximum of 30 feet for piers serving two primary residential littoral parcels, and a maximum of 45 feet for piers serving three or more primary residential littoral parcels. For a pier serving three or more residential units on the same parcel, catwalk length shall be as necessary to accommodate multiple users, but no more than 45 feet.

- k. Boatlifts. One boatlift per parcel eligible for shorezone development is allowed in association with a multiple-parcel pier, up to a maximum of four boatlifts.

**D. Additional Standards for Public Piers**

- 1. Public piers shall be designed as necessary to accommodate their intended function, subject to review by TRPA on a case-by-case basis, with the following limitations:
  - a. Pier length shall be limited to no more than 600 feet lakeward of elevation 6,229 feet Lake Tahoe Datum. Additional length may be granted by TRPA to accommodate public health and safety facilities or waterborne transit; and
  - b. Navigational buoys shall be installed to identify the location of the no-wake zone relative to the pier.
- 2. Permanent moorage on public piers shall be prohibited, except where permitted for commercial or tourist accommodation user's watercraft.

**E. Additional Standards for Commercial and Tourist Accommodation Piers**




- 1. Commercial or tourist accommodation facilities eligible for an additional pier under 84.4.2.C of this Section and deed restricted to be open to the public may comply with the additional standards for multiple-use piers serving four or more littoral parcels, as set forth in (C) of this subsection.
- 2. Commercial or tourist accommodation facilities eligible for an additional pier under 84.4.2.C of this Section that are not deed restricted to be open to the public shall comply with the additional standards for single-use piers, as set forth in (B) of this subsection.

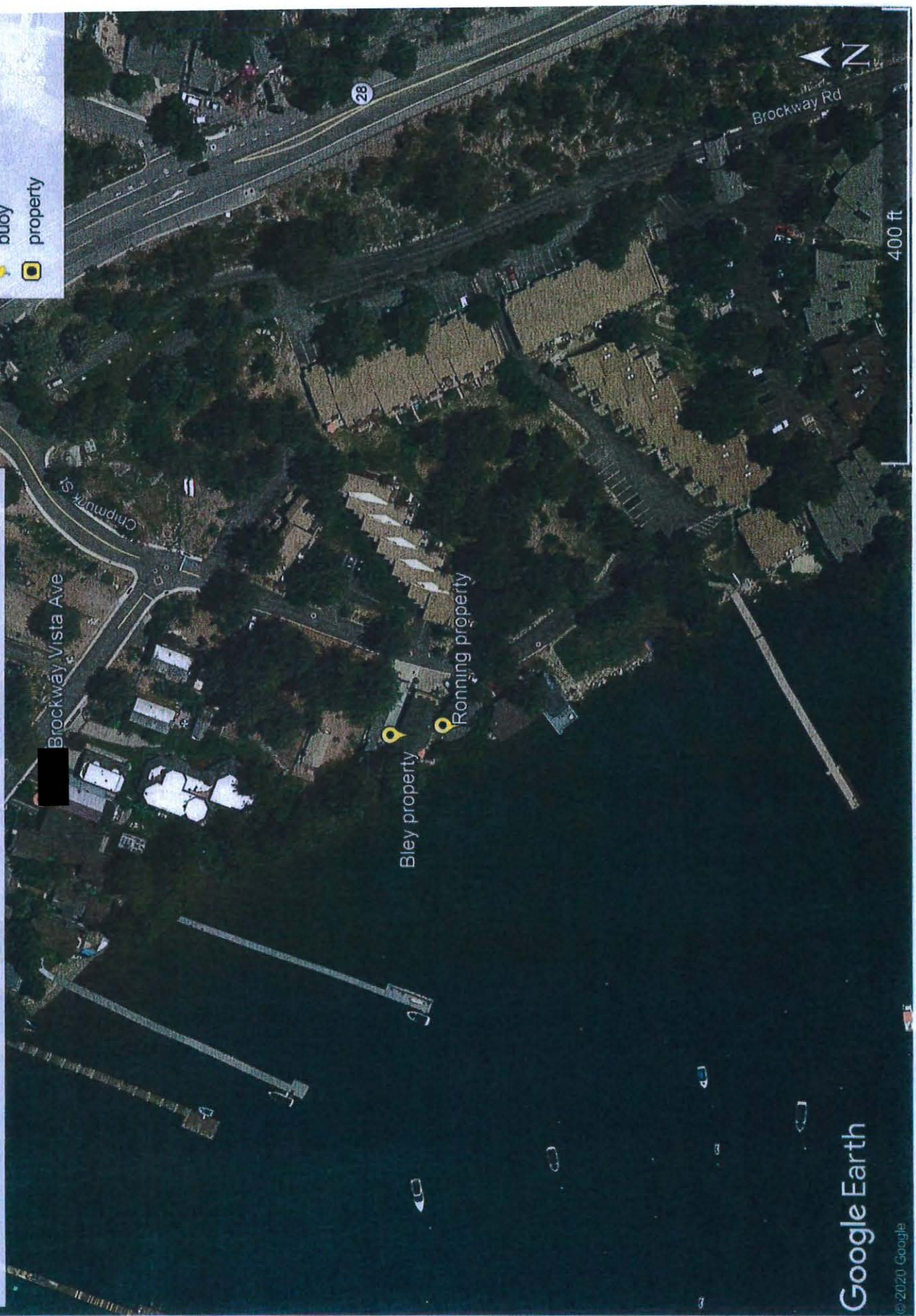
**F. Expansion or Modification of Existing Piers.** Subject to the following provisions, a legally existing pier may be expanded or modified. These provisions apply to legally existing piers outside of marinas; expansion or modification of legally existing piers within marinas is subject to subsection 84.6.3.E.

- 1. **Modification of a conforming pier.** An existing pier that conforms to the applicable development standards set forth in this Section may be modified if the modification results in a net environmental benefit and is

# "Attachment C" Bley and Ronning Property Orientation

Legend

-  Brockway Vista Ave
-  buoy
-  property



Attachment D

List of Adjacent Property Owners Within 300'

090-141-019  
William and Barbara Thorton



090-231-007  
Michael & Eileen Blesio



090-141-020  
Larry and Patricia Gannon



090-231-010  
Elizabeth Noble



090-221-001, 018, 020 & 021  
090-231-019, 090-221-012, 013, 014, 026 & 027  
Placer County  
P.O. Box 1909  
Tahoe City, CA 96145

090-231-011  
Jack Tukey



090-221-002  
Comstock Partners West LLC



090-231-014  
Christopher White



090-221-010  
Oleysa Rubtsova



090-231-015  
Dennis Cornell



090-221-011  
Edwin Kelvein Trust



090-231-024  
Cynthia Seymour Bashford



090-231-048  
Mark Gilmartin



090-231-026  
McKinneys Landing  
No available mailing address

090-221-019  
Bradley and Caren Johnson



090-231-029  
Darin Bosch



090-221-025  
Alosep Ltd



090-231-030  
Stephen Gordon Trustee



090-221-028, 029  
8795 & 8793 Brockway Vista LLC



090-231-031  
James and Kathy Robertson



List of Adjacent Property Owners Within 300'

090-231-052

Egon and Carmen Grundmann

090-410-006

Danielle and Jennifer Sites

090-231-037

Graeme & Renee Major

090-410-007

Jerry Dean Collar

090-231-038

Ruth Bley

090-410-008

Craig and Kerry Pedersen

090-231-039

Grable Ronning

090-410-009

Brian and Kristen Tyler

090-231-049, 050

Mike Atakiff

090-410-010

Robert Andrew Davidson

090-330-034, 090-410-002, 012

Brockway Shores

090-410-011, 012

McKinneys Landing Unit #2

No available mailing address

090-410-003

Pamela June Warnock

090-231-047

Henry Telfeian and Elizabeth Stage

090-410-004

Richard Elam

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**Lunetta, Kim@SLC**

---

**From:** Lunetta, Kim@SLC  
**Sent:** Thursday, August 20, 2020 7:26 AM  
**To:** Lunetta, Kim@SLC  
**Subject:** FW: BUOY MURDER RE: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier"  
**Attachments:** Ca State Lands Letter.pdf; ATT00001.htm

**From:** Ruth Bley [REDACTED]  
**Date:** August 19, 2020 at 4:16:26 PM PDT  
**To:** "Crunk, Warren@SLC" <Warren.Crunk@slc.ca.gov>  
**Cc:** Eric R [REDACTED]  
**Subject:** BUOY MURDER RE: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier"

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

Hello Mr. Crunk,

I've attached the letter that I previously wrote regarding this project however I have since become aware of another issue that greatly concerns me. Eric Ronning provided me with a diagram that overlays the proposed project on a current satellite view (Chipmunk area satellite view added to TRPA site plan) and apparently the pier runs over the top of one of my buoys and it makes the other buoy unusable. What is propose to resolve this double use of land?

My primary use of these buoys is to attach my kayaks or paddle boards during the day and overnight so that I do not have to launch over my rocky shore repeatedly during my stays. I therefore appreciate the very short swim my buoys provide. Secondarily I have friends who bring boats up and the location is ideal for these visits. What is to become of these buoys? Are there no rights associated with them?

I purchased my house in 2018 and it was sold to me with two permitted buoys and a clear value attached to that fact. It was not disclosed to me that the adjacent properties were trying to install a pier that would overrun my buoys and block my lovely view of the lake.

Thank you for taking the time to review this issues.

Sincerely,

Ruth Bley  
[REDACTED]

California State Lands Commission  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202

Attention:

Ms. Betty T. Yee, State Controller, Chair  
Ms. Eleni Kounalakis, Lieutenant Governor, Member  
Ms. Keely Bosler, Director of Department of Finance, Member

**RE: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier"**

Dear Council Members:

Thank you very much for considering the arguments against the approval of the above referenced project. I am the owner of [REDACTED] Chipmunk and I have multiple objections but was unable to voice them during the approval process. I was unaware this project was being considered by the TRPA because of a faulty notification process prior to the hearings. I believe if we (the neighborhood) had been properly notified we would have provided this opposition then and not be pleading to be heard now.

The primary issue is that because the parcels on Brockway Vista Ave and Chipmunk St meet at the proposed pier location at a very unusual 90-degree angle (which is compounded by the natural curvature of the shoreline – see Exhibit 3), the proposed Akatiff pier cuts at a 45-degree angle from the shoreline in the direction of Brockway Shores' pier. This places the proposed pier directly across the waterfronts of the Chipmunk St lakefront owners. This is a very unusual situation and deserves special consideration. The TRPA was unable to consider this situation because the Chipmunk lakefront properties were not shown on the Pier Site Plan in the proposal and therefore the TRPA was misinformed.

Secondary, the proposed pier applicants represented themselves as FOUR property owners, while in reality they are only THREE. This is another example of the hoodwinking employed by the applicants to mislead the TRPA. The magical Akatiff lot line adjusted garage is the 4th property for the 4 parcel pier.

Thirdly the most egregious issue is the length **362'** with **50 pier lights**, the swing out **Jet Ski racks** and the **massive 75x15' pier head** with **4 boats lifted in the air** are put directly into full broadside view to the Chipmunk lakefronts. The longest existing piers are the Brockway Shores Pier at 232' with zero boatlifts and the adjacent pier to the north-west, the Gordon, Robertson shared pier at 272' with one 6,000Lb boatlift. Some other piers in the area have one 6,000Lb boat lift and none are over 272'. The passing paddle boarders kayakers and swimmers will be disrupted by the long pier sticking out well beyond all the piers in the vicinity. Going around the pier will cause these recreational boats to have to navigate through the existing buoy field (with bowlines + boats attached). The buoy field and the boats on them will also be affected.

And finally I believe this will negatively impact mine and my five neighbor's property values. To enrich one group of three at the detriment of five is not fair. I do not think any Chipmunk property will be able to have a shared pier as this pier will completely block all the waterfronts. In addition to irreparably harming my view, there is an underwater rock wall approximately 100' off shore that will be "adjusted" to accommodate this pier which may affect my property depending on how this work is done and we might only learn the affects when there is a large storm. I do not believe anyone should be allowed to move underwater rocks in the lake especially in front of someone else's property!

I am devastated by this proposal, you are taking away my sanctuary. Please consider coming out to the site prior to making a decision, delaying the decision if necessary. I or my neighbors would be happy to host a tour so that you could better visualize the impact on us. Please consider asking the questions such as:

- Why does the pier have to be so long?
- Why 4 boat lifts (other shared piers only have one)?
- Why are Chipmunk properties not shown on the plans?
- Why wasn't proper notification made to the surrounding properties?
- Why does a recently subdivided parcel with the same owner get to count as two people?
- Why allow a project that is clearly so detrimental to so many people?

Thank you for your time in reviewing this and I am trusting that you will right a wrong.

Sincerely,



Ruth Bley

Attachments: Exhibit 3 – indicating my property and view

*RUTH BLEY*



**EXHIBIT 3 "Chipmunk St Added to TRPA Provided Site Plan"**

PR-1077	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1078	THOMAS E. REARD 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1079	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1080	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1081	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1082	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1083	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1084	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1085	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1086	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1087	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1088	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1089	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1090	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1091	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1092	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1093	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1094	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1095	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1096	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1097	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1098	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1099	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231
PR-1100	WILLIAM PATRICK, JR. 10000 SOUTHWEST VISTA AVE. #100 DENVER, CO 80231

CUT / FILL VOLUMES:

PROPOSED PER VISUAL MASS	(sq. ft.)
Decking/terrace: (30' x 31) = 930 sq. ft.	11.25
Decking/terrace: 15' x 22' (cont.)	21.25
Steel plate: 0.50' x 4.50' x 25 plate (cont.)	122.00
Steel Plate: 0.50' x 4.50' x 4 plate (cont.)	16.42
Steel Grating: 0.88' x 25 plate:	2.00
Steel Grating: 0.70' x 15 (cont.)	1.00
Concrete guard rail and base: 0.25' x 25' x 1.5 x 4	12.50
Aluminum railing: 0.25' x 4' x 1.5' x 25' x 5' x 3'	6.36
Total Proposed Visual Screening:	483.28

<b>FISH HABITAT WITHIN POOL CALCULATIONS</b>	
AREA OF DISTURBANCE EXCLUDING POOL (TOTAL AREA OF 14 NORTH POND) (10.64 M <sup>2</sup> )	34.56 SQ. FT.
TOTAL FISH HABITAT RESTRICTIONS REQUIRED (1.1 X 3.8 METERS POOL)	12.94 SQ. FT.
TOTAL PROPOSED FISH HABITAT WITHIN POOL (1.1 X 3.8 METERS POOL) (10.64 M <sup>2</sup> )	50.80 SQ. FT.

[illegible]

Know what's below.  
Call before you dig.

**Ferrell Civil Engineering**

# TITLE SHEET/SITE PLAN

FLASER COUNTY



The secondary growth region is from a free surface, composed from secondary wall subregions, starting this stage no invagination or infolding (small) or infoldings of adjacent subregions, respectively, compound, chambered, this process of autophagocytosis (phagocytosis) is called a "phagocytosis" (phagocytosis).

- [illegible]

- CONTRACTOR TO HAVE THE APPROVED FORM FILLING AND STAMPED  
"MADE ON SITE AT ALL TIMES DURING CONSTRUCTION"
- CONTRACTOR TO COMPLY WITH THE TENDERS AND A SECOND  
CONDITIONS OF APPROVAL SET OUT IN THE TENDERS
- VEGETATION OF UNDERGROUND LINES AND NOT AFFECT OF THE DESIGN  
CONTRACTOR TO A FULL VEGETATION OF ALL LOTS PRIOR TO BEGINNING  
OF CONSTRUCTION, WORK ON PRIVATE PROPERTY
- ALL SPILL, FILL, TO BE A MINIMUM PROTECTION TO A 100% COVER

THESE CIVIL ENGINEERS WILL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE SURVEY, CONTRACTOR TO VERIFY ON SITE ALL ASPECTS OF PROPOSED DESIGN PRIOR TO BEGINNING OF WORK. IF CONTRACT AVOIDS INADEQUATE CONTRACT FOR DESIGN.



453

090-237-048  
090-237-048  
090-237-050

CALIFORNIA IS A... CALIFORNIA

T1

6

# GILMARTIN, TELFEIAN, AKATIFF FOUR PARCELS MULTIPLE-USE PIER STRUCTURAL PLANS

## EXHIBIT 1 "TRPA Provided Site Plan"

### PROJECT INFORMATION:

**OWNERS:** MARK GILMARTIN - BROCKWAY VISTA AVE.  
HENRY TELFEIAN - BROCKWAY VISTA AVE.  
MIKE AKATIFF - BROCKWAY VISTA AVE.

**PLANNER:** KAUFMAN EDWARDS PLANNING & CONSULTING  
ATTN: AARON EDWARDS

**ENGINEER:** FERRELL CIVIL ENGINEERING  
ATTN: TIM FERRELL

**PROJECT LOCATION:** KINGS BEACH, CALIFORNIA

### SHEET INDEX:

T1 - TITLE SHEET & SITE PLAN  
T2 - ALLOWABLE, EXISTING & PROPOSED COVERAGE  
C1 - (P) PIER LAYOUT & FRAMING PLANS  
C2 - (P) PIER FRAMING PLAN & ELEVATION  
D1 - STRUCTURAL & PAIP DETAILS  
D2 - BUOY DETAIL

### CUT / FILL VOLUMES:

PROPOSED CUT = 2.5 C.Y.  
PROPOSED FILL = 2.5 C.Y.

### PIER MASSING CALCULATIONS

PROPOSED PIER DIMENSIONS	(feet/in.)	(feet)
Pier length	367'-06"	367.10
Width of pier head	15'-0"	15.00
Decking height with joists	9"	0.75
Gravel depth	8" - 14"	0.70
Pile height (valve at 0.220' lake level)	4'-6.75"	4.56
Pile width	10.34"	0.90

PROPOSED PIER VISUAL MASS	(sq. ft.)
Decking/framing: (362.1' x 3') x 0.75' (side) =	273.83
Decking/framing: 15' x 0.75' (front) =	11.25
Steel piles: 0.30' x 4.56' x 25 (sides) =	102.60
Steel Piles: 0.30' x 4.56' x 4 (pile (front) =	16.42
Steel Graders: 0.03 SF x 25 (side) =	2.00
Steel Graders: 0.77 x 15 (front) =	10.50
Cutwalk guardrail & ramp: (0.98) x (5.25' x 3' + 1.5' x 2) =	26.74
New fence piles: (0.25' x 6' x 1') x 0.29' x 6' x 3' =	6.96
Total Proposed Visual Massing:	452.29

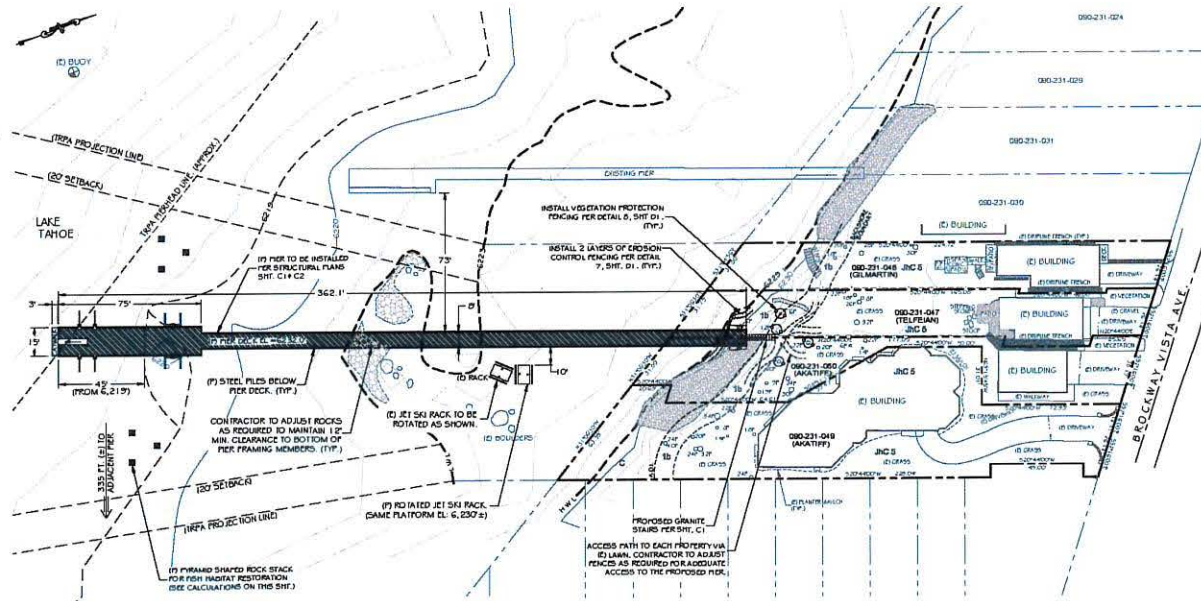
Allowed Visual Massing: 620.00

### FISH HABITAT MITIGATION CALCULATIONS

AREA OF DISTURBANCE RESULTING FROM INSTALLATION OF 50 NEW PILES (0.64 x 56)	36.16 SQ. FT.
TOTAL FISH HABITAT RESTORATION REQUIRED (1.11 MITIGATION)	51.84 SQ. FT.
TOTAL PROPOSED FISH HABITAT MITIGATION (6-BOX PYRAMIDS AT 9.50 FT. EACH)	54.00 SQ. FT.

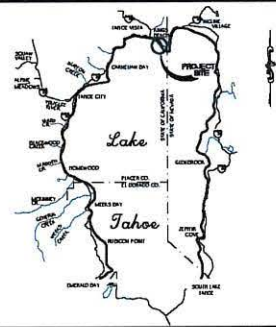


Know what's below.  
Call before you dig.



### SITE OVERVIEW

SCALE 1"=30'-0"



VICINITY MAP  
NOT TO SCALE

### SURVEY NOTES:

- THE BOUNDARY SHOWN HEREON IS FROM A FIELD SURVEY COMPILED FROM BROCKWAY VISTA SUBDIVISION. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESPECTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE & CURRENT TITLE SEARCH MAY DISCLOSE.
- NO INVESTIGATION CONCERNING ENVIRONMENTAL & SUBSURFACE CONDITIONS, OR THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
- NO INVESTIGATION CONCERNING THE LOCATION OR EXISTENCE OF UTILITY SERVICE LINES TO THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
- ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION.
- DATE OF FIELD WORK: JANUARY 15, 2020.
- THE TOPOGRAPHY SHOWN HEREON MEETS THE STANDARDS OF THE AMERICAN CONGRESS OF SURVEYING & MAPPING WITH 30% OF THE CONTOURS TO BE WITHIN PLUS OR MINUS ONE HALF OF A CONTOUR INTERVAL.
- VERTICAL DATUM IS BASED ON LAKE TAHOE DATUM.
- T.S.M. - BASED TAHOE ON 1/15/2009, ELEV = 6223.10'
- BUILDING SETBACKS SHOULD BE VERIFIED PRIOR TO ANY DESIGN.
- LAND CAPABILITY CLASSIFICATION IS FROM THE TANDIE LAND SLIDE, DATED SEPTEMBER 1901 & MUST BE VERIFIED BY THE CEQA.
- ALL PROPERTIES HAVE TRPA EMPERITICA TEST. PERMANENT IMPACTS ARE SHOWN FOR GRAPHICAL REPRESENTATION, BASED ON SITE INSPECTION.

### GENERAL NOTES:

- CONTRACTOR TO HAVE THE APPROVED TRPA PERMIT AND STAMPED PLANS ON SITE AT ALL TIMES DURING CONSTRUCTION.
- CONTRACTOR SHALL COMPLY WITH THE TRPA SPECIAL AND STANDARD CONDITIONS OF APPROVAL SET FORTH IN THE PERMIT.
- LOCATION OF UNDERGROUND UTILITIES WAS NOT A PART OF THIS DESIGN. CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION, EVEN ON PRIVATE PROPERTY.
- ALL STEEL PILES TO HAVE A MINIMUM EMBEDMENT OF 3'. IF CONTACT ARMED IMMEDIATELY CONTACT F.C.E. FOR RE-DESIGN.

### DISCLAIMER:

- FERRELL CIVIL ENGINEERING WILL NOT BE RESPONSIBLE FOR THE ACCURACY OF THIS SURVEY. CONTRACTOR TO VERIFY ON SITE ALL ASPECTS OF PROPOSED DESIGN PRIOR TO BEGINNING OF WORK. IF CONTACT ARISES IMMEDIATELY CONTACT F.C.E. FOR RE-DESIGN.
- COVERAGE SHOWN HERE REPRESENTS INFORMATION DIRECTLY DERIVED FROM THESE SURVEYS. F.C.E. PERFORMED NO FIELD VERIFICATION OF ANY TYPE REGARDING COVERAGE ON THESE PROPERTIES.



5-6-20

DRAWN BY: HBC DESIGN BY: HBC  
CHECKED BY: TEF DWG: F:\P\KSC\G\m\trpa\trpa\CE-CIVL

REVISION	DATE	DESCRIPTION	APPROVED	DATE

**Ferrell Civil Engineering**

CA Lic 55548 NV #12027  
P.O. Box 360 Tahoe Vista, CA 96145

ferrell@ferrell.com

ph 530.848.2702  
fax 530.848.4408

KINGS BEACH

PLACER COUNTY

TITLE SHEET/SITE PLAN

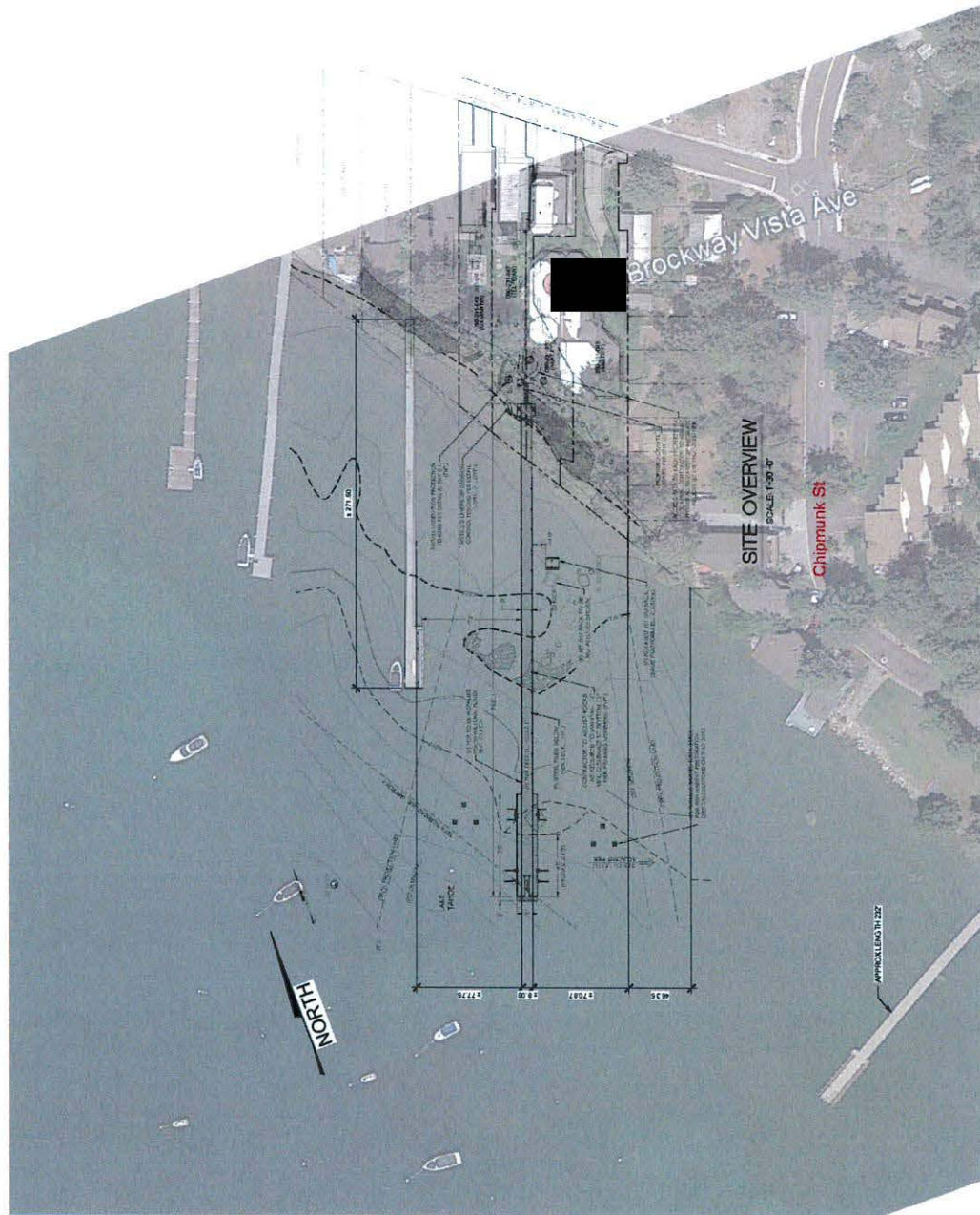
APN: 090-231-047  
090-231-048  
090-231-049  
090-231-050

DATE: MAY 6, 2020

SCALE: 1"=30'-0"

CALIFORNIA W.D. NO. 4174A PIER

SHEET  
T1  
OF  
6



**EXHIBIT 2 "Chipmunk Area Satellite View Added to TRPA Provided Site Plan"**

Shangri-la

Date: 5/13/2020

[illegible]

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**Lunetta, Kim@SLC**

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**From:** Lunetta, Kim@SLC  
**Sent:** Wednesday, August 19, 2020 2:48 PM  
**To:** Lunetta, Kim@SLC  
**Subject:** FW: Akatiff Pier Compromise RE: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier

**From:** Eric R <[REDACTED]>  
**Sent:** Wednesday, August 19, 2020 2:43 PM  
**To:** Crunk, Warren@SLC <[Warren.Crunk@slc.ca.gov](mailto:Warren.Crunk@slc.ca.gov)>  
**Subject:** Akatiff Pier Compromise RE: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

Dear Mr. Crunk, (After reading it, please go ahead and forward this to the Commissioners as well)

I have spoken about this with you and Brian Bugcsh, so I went ahead and put in writing.

As you know, the pier is so egregious to the properties on Chipmunk Street that our first choice is no pier broadsiding our shoreline; however, in the spirit of getting along and moving forward in a neighborly fashion, we are offering the following reasonable compromise:

1. Condition Precedent: Two boat lifts instead of 4. TRPA does not include Boats On Lifts in their visual mass calculations, but of course, in reality, it is the most massive element. None of the piers in our area have more than 1 boat lift, so it is a bonus for the multi-use pier to have 2 boat lifts. The current plan is for 4 boat lifts and 4 buoys. That would change to 2 boat lifts and 6 buoys. This needs to be agreed upon because otherwise, 4 boat lifts (that are 2 in tandem on both sides of the pierhead) are too much mass in the air above the lake directly in front of the Chipmunk St shoreline.
2. The pier will extend out to the elevation of 6,219'. There is an ellipse of that elevation and we are suggesting the shorter of the locations. The 6,219' elevation includes a bonus for a multi-use pier because the piers in this area do not extend out to 6,219'.
3. Reduce the size of the pierhead to about 35x12'. There is no need for the planned 75x15' pierhead because it's only going to have 2 boats on it now. It is still larger than pierheads in the area so that is the multi-use bonus.
4. The pier will be 7' wide instead of 8'. The adjacent neighboring pier is 6' wide, so 7' is the multi-use bonus.
5. The pier should have single supports under the walkway. This will help reduce mass like the neighboring pier that has single supports. And there is no need for double supports for the entire length.
6. The pier is planned to have 50 or so side-by-side lights. Reduce that to alternating lights just like the neighboring pier.

Thank you,  
Eric Ronning  
[REDACTED]

**Lunetta, Kim@SLC**

---

**From:** Lunetta, Kim@SLC  
**Sent:** Tuesday, August 18, 2020 12:31 PM  
**To:** Lunetta, Kim@SLC  
**Subject:** FW: Akatiff Pier On-Site Visit Request URGENT! Subject: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier  
**Attachments:** EXHIBIT 1 No Date, Vacant Parcel.PDF; EXHIBIT 2 Visual Effects Not the Same.PDF; EXHIBIT 3 Chipmunk Neighbors Blocked by Vegetation.PDF

**From:** Eric R <[REDACTED]>  
**Sent:** Monday, August 17, 2020 10:32 AM  
**To:** Crunk, Warren@SLC <[Warren.Crunk@slc.ca.gov](mailto:Warren.Crunk@slc.ca.gov)>  
**Subject:** Akatiff Pier On-Site Visit Request URGENT! Subject: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

Dear Mr. Crunk, (Please read and respond and then please feel free to pass this on to the decision-makers)

**How is it coming with somebody from the Commission coming to view the area in person before the hearing? This is so critical before making a decision!**

I got a chance this morning to start reading through the pier application you kindly emailed me. On the application is more wrong information that would keep someone who was flipping through it from thinking about Chipmunk Street, which is immediately next door to the pier via the shoreline. The application's Exhibit on page 7 (I've attached as "EXHIBIT 1 No Date, Vacant Parcel") at a glance depicts "No Date, Vacant Parcel" for the immediately adjacent parcel to the pier, APN # [REDACTED], which is actually [REDACTED] Chipmunk owned by Ruth Bley, and for the next parcel over us, APN # [REDACTED], which is [REDACTED] Chipmunk owned by Chris White. Those properties have existed there for some 25+ years. The pier depiction is hardly/not visible as it's in dark black. These are obviously residences there that are most affected by the pier that extends out across the lake 362' broadside at a 45-degree angle in front of them at the shoreline there. Further on the application, on page 13, paragraph 1, it is stated: "Visual effects to surrounding properties are consistent with current conditions." The pier will clearly make that statement false. I attached this as "EXHIBIT 2 Visual Effects Not The Same." On page 8 there is a picture from the application (I attached as "EXHIBIT #3 Chipmunk Neighbors Blocked by Vegetation") where the Chipmunk St residences are blocked by the shoreline vegetation, but they are actually just around this small outcropping of bushes and trees -again adding to the misconception of nothing to see there in regard to Chipmunk St. These are all more cases where decision-makers would likely ignore the Chipmunk St shoreline and the lake in front there.

**Please look closely again at "EXHIBIT 3 Chipmunk Neighbors Blocked by Vegetation," (a picture from the pier application) because you can extrapolate the 362' proposed pier project out into the lake from here. See the Jet Ski Rack? The pier passes just to the right of it and the Chipmunk lakefront residences are to the left, immediately around the trees and bushes. The existing Gordon/Robertson shared 272' pier is in the picture to the right.**

Put this together with the TRPA Site Plan that I emailed and explained last Wednesday (Aug 12th) that precludes Chipmunk St and it's no wonder that Chipmunk St was ignored.

**In the course of trying to figure out the Akatiff pier, I have talked on the phone to neighbors next door to the pier project that live on Brockway Vista Ave (lakefront owners). I invited them over to my mother's house on Chipmunk St to finally meet them and talk yesterday, Sunday, August 17th. When I showed them where the pier is going to be, how close it broadsides us, and how far out into the lake it goes out past our house, with 4 boatlifts at the end of it, and their masks nearly fell off in shock! I'm telling you this because they live in the immediate area, but on the other side of the pier, and I have shown them exhibits. But I can show all the exhibits in the world and they just don't convey the dramatic seriousness of the situation to Chipmunk St shoreline and lake use. That is why I'm pleading with the Commission to send someone out to see for themselves.**

Thank you and please try to let me know as soon as possible when someone can come out?

Eric Ronning



# EXHIBIT 1 No Date, Vacant Parcel

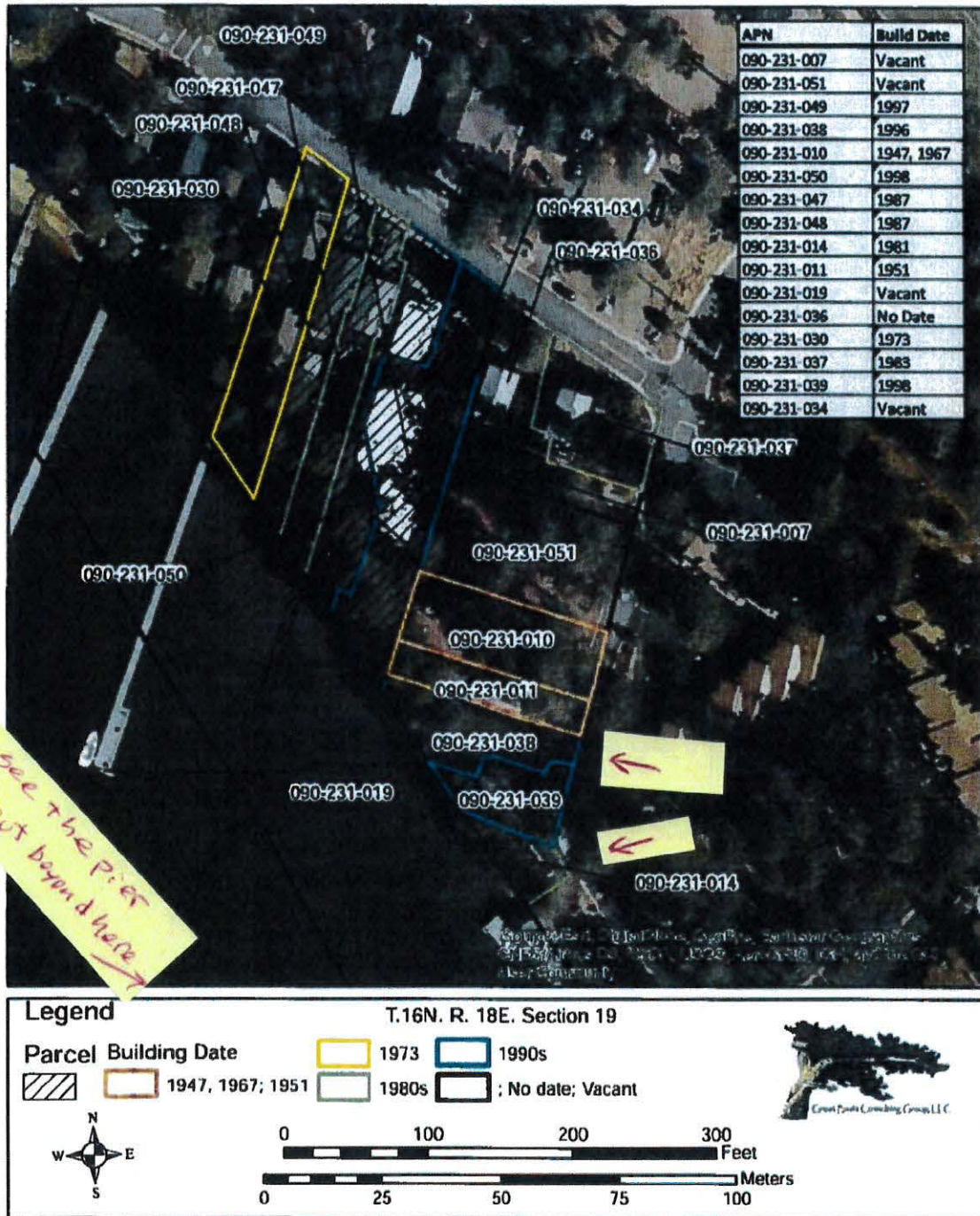



Figure 3. Building Dates for Properties Surrounding Gilmartin Akatiff, Tefcian Multi-use Pier Project Area

## "EXHIBIT 2 Visual Effects Not the Same"

### MANAGEMENT RECOMMENDATIONS

#### Determination of Effect

No cultural resources were located within the study area. All work, material storage and staging will be conducted via barge/amphibian to prevent disturbance to land. The new sheet pile will not increase the visible area or add any additional façade/massing as it will be the same height as the concrete wall. The sheet pile wall will consist of colors and materials that will blend in with the environment and will be an improvement from the grey, flat concrete sea wall. In addition, the corrugated metal will add texture to the existing conditions. Visual effects to surrounding properties are consistent with current conditions. Indirect effects due to noise and seismic vibration will be limited to the duration of construction activities. As a result, we recommend a finding of No Historic Properties Affected as defined in 36 CFR 800.4 (d)(1). 

The techniques and methods used during this investigation were such that existing cultural materials in the study area, visible to surface examination, would have been identified. If additional prehistoric or historic resources are subsequently discovered, the U.S. Army Corps of Engineers Tahoe Regional Planning Agency and California SHPO should be notified and activities in the area should cease until those resources can be evaluated. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. If historic properties are inadvertently discovered, reasonable efforts to avoid, minimize, or mitigate adverse effects to the property will be taken and the State Historic Preservation Officer (SHPO) and Indian tribes with concerns about the property, and the Advisory Council on Historic Preservation (Council) will be notified within 48 hours in compliance with 36 CFR 800.13 (b) (3).

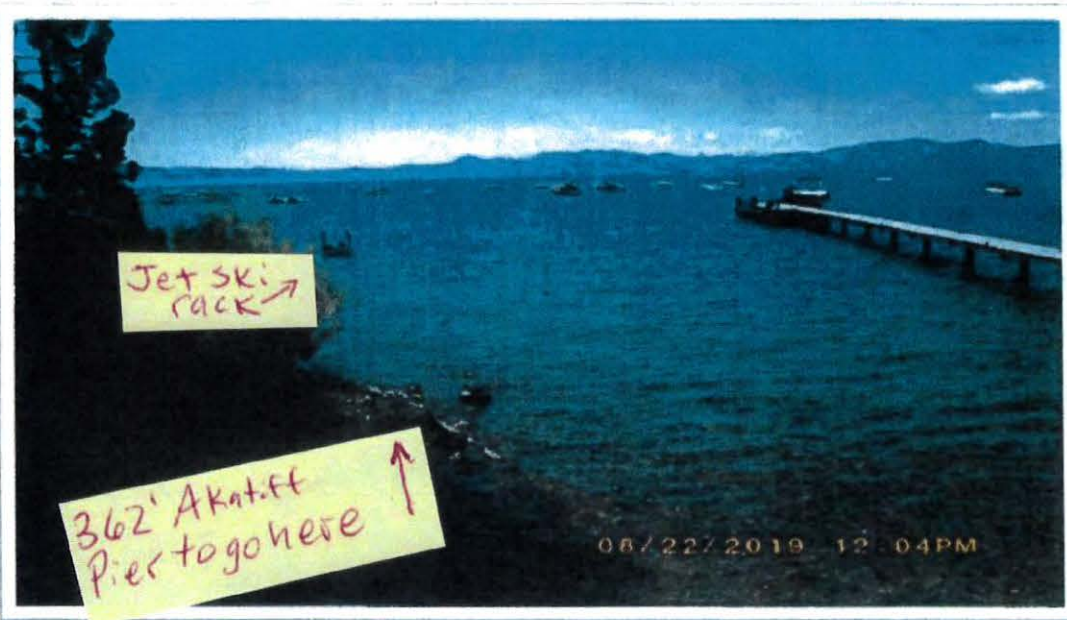
### EXHIBIT 3

### Chipmunk Neighbors Blocked by Vegetation

Visual effects are consistent with surrounding built environment which includes several piers, and boat mooring buoys (Figure 4). The project will result in a landscape consistent with the existing character and use of the area.

Chipmunk  
Neighbors  
this  
way

←  
immediately  
next door



Gordon/  
Robertso  
272' share  
pier to th  
north-west

Also can see  
that Akatiff  
362' proposed  
pier will extend  
into the  
buoy field

Figure 4. View South from Proposed Multi-use Pier

#### Environmental Context

The study area is located atop a low terrace above the Lake Tahoe high-water line. Engineered drawing depicts an undulating embankment with slopes ranging from 1.5:1 and 2:1 between the top of the terrace and the lake level shoreline. Existing landscaping including lawn, planters and fencing occupy most of the developed lots. Stone stairways lead to the water's edge. Native vegetation consists of scattered Jeffery Pine, willow, alder and buckbrush.

Soils atop the embankments are relatively shallow (>20cm) based upon exposures (Figure 5.) Soils overly a well cemented decomposed granite exposure. The lakebed extending out from the shoreline is relatively shallow, suggesting that it may be the natural inundated shoreline. Maximum depth 350 feet from the current shoreline is only 8 feet. The lakebed consists of rounded cobbles in a sandy matrix. Old surface soils were likely striped by wave erosion leaving the heavier rock armor. Cultural

**Lunetta, Kim@SLC**

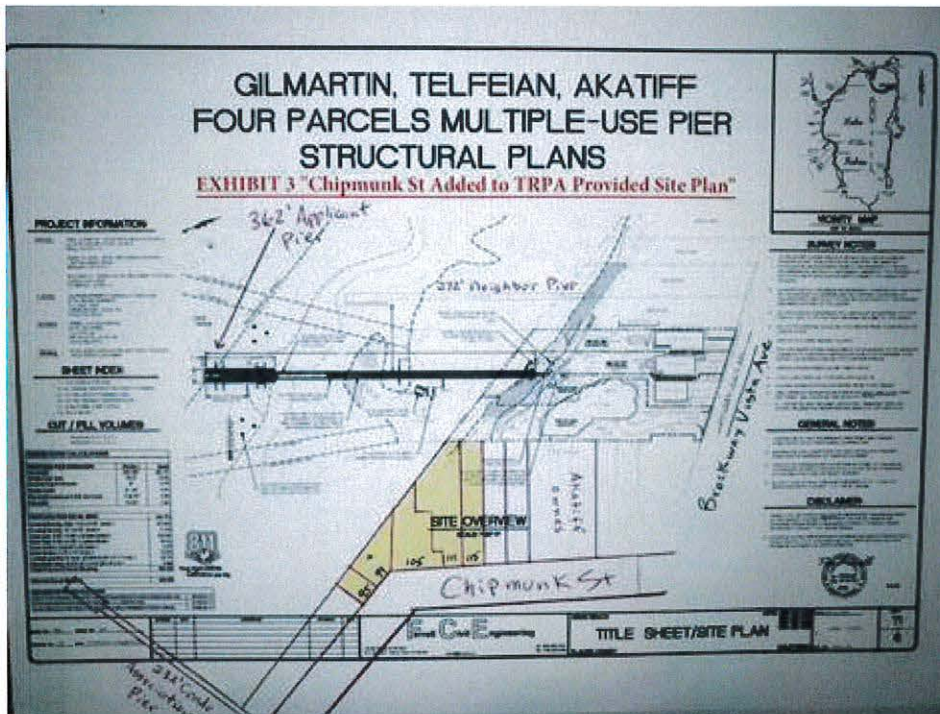
**From:** Lunetta, Kim@SLC  
**Sent:** Tuesday, August 18, 2020 12:37 PM  
**To:** Lunetta, Kim@SLC  
**Subject:** FW: URGENT Critical Information to Consider RE: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier  
**Attachments:** EXHIBIT 3 Chipmunk St Added to TRPA Provided Site Plan.pdf; EXHIBIT 1 Applicant's TRPA Application.PDF

**From:** Eric R <[REDACTED]>  
**Sent:** Monday, August 17, 2020 12:08 PM  
**To:** Crunk, Warren@SLC <[Warren.Crunk@slc.ca.gov](mailto:Warren.Crunk@slc.ca.gov)>  
**Subject:** URGENT Critical Information to Consider RE: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

Dear Commission,

The area of this pier is very unique -none other like it at the lake. The property parcels of the applicant's pier on Brockway Vista Avenue and the Chipmunk St come together here at a 90-degree angle. See "EXHIBIT 3 Chipmunk St Added to TRPA Provided Site Plan."



Although TRPA addresses a somewhat similar concept in Crystal Bay NV, showing that special situations at the lake do need special treatment, the situation of parcels meeting at a 90-degree angle with a very long pier is not addressed. And it needs to be, for sure.

Here are quotes from the Akatiff pier TRPA application that show exactly what I'm talking about (See "EXHIBIT 1 Applicants TRPA Application"):

Application Page 16: C.2.d: *"Pier orientation shall be perpendicular to the shoreline, as feasible;"*  
Applicant Response: *"The proposed pier will be oriented as it meets setback standards and is in the same orientation as the adjacent pier."*

My Comments: One adjacent shared pier to the north-west, where the parcel lines are parallel to the applicants, is in the same orientation. But those parcels and shorelines off of Brockway Vista Ave are utilized the same way. But, the adjacent pier to the south-east, on Chipmunk St, where the parcel lines are oriented differently, the Brockway Shores Condo Association shared pier, is oriented perpendicular to the shoreline, as stated directly by the TRPA code.

Application Page 16:C.2.e: *"Properties with deep water adjacent to shore, such as parts of Crystal Bay or Rubicon Bay, where placement of a pier is not feasible under the limits above, may orient the pier in a non-perpendicular fashion. The non-perpendicular pier but shall be no more than 30 feet in length and no portion of the structure may be located more than 30 feet lakeward of the shoreline. The pier may include a catwalk and boatlift;"*

Applicant Response: *"The proposed pier is not in deeper waters so will comply with the basic design standards."*

My Comments: This acknowledges that there are special situations at Lake Tahoe that need special consideration.

What I am saying, is that that there are rare, very unusual locations at the lake where a pier is just not feasible for the surroundings. This area, where the parcel lines meet at a 90-degree angle is so unusual: there is not another like it at the lake with a very long pier that extends out at a 45-degree angle from the shoreline that broadsides in front of and across parcels that are at a 90-degree angle to the pier's parcel. The TRPA code just doesn't address this situation because it hasn't happened before. It's only exacerbated by the negative effect this pier, in particular, has by overwhelming the area with its size and blocking lake use and views.

I respectfully request that the Commission please consider this before making a decision. And please come out to the location to see this in the field/lake.

Sincerely,  
Eric Ronning





# EXHIBIT 1 Applicant's TRPA Application

- b. Pier width shall be a maximum of 15 feet, not including catwalks.

**Finding Rationale:**

*The proposed pier will be 8' wide with a 15' wide pier head.*

TRPA

Form:

- d. Pier orientation shall be perpendicular to the shoreline, as feasible;

Response:

**Finding Rationale:**

*The proposed pier will be oriented as it meets setback standards and is in the same orientation as the adjacent pier.*

TRPA Form:

- e. Properties with deep water adjacent to shore, such as parts of Crystal Bay or Rubicon Bay, where placement of a pier is not feasible under the limits above, may orient the pier in a non-perpendicular fashion. The non-perpendicular pier but shall be no more than 30 feet in length and no portion of the structure may be located more than 30 feet lakeward of the shoreline. The pier may include a catwalk and boatlift;

Response:

**Finding Rationale:**

*The proposed pier is not in deeper waters so will comply with the basic design standards.*

- f. Piers shall be setback a minimum of 40 feet from all other piers, as measured from the pierhead;

**Finding Rationale:**

*The proposed pier is located a minimum of 73' to the adjacent pier to the west.*

- g. Piers shall be setback from each adjacent parcel boundary projection line by a minimum of 20 feet unless the adjacent property has legal shared access to the pier;

**Finding Rationale:**

*The proposed pier will be set back 20' from both outside projection lines.*

- h. To permit free circulation of water, piers shall be floating, or shall be built on an open piling foundation, but in no case shall a pier be supported on a foundation that is less than 90 percent open.

**Finding Rationale:**

*The proposed pier will be 90% open.*

- i. Pier decks shall not extend above elevation 6,232.0 feet, Lake Tahoe Datum. Pier decks may extend up to elevation 6,234.0 feet in limited situations where TRPA finds that the additional height is necessary for safety reasons, because local wave characteristics represent a real threat to the integrity of the structure, or to provide lateral public access.

**Lunetta, Kim@SLC**

---

**From:** Lunetta, Kim@SLC  
**Sent:** Wednesday, August 19, 2020 2:48 PM  
**To:** Lunetta, Kim@SLC  
**Subject:** FW: Akatiff Pier Compromise RE: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier

**From:** Eric R <[REDACTED]>  
**Sent:** Wednesday, August 19, 2020 2:43 PM  
**To:** Crunk, Warren@SLC <[Warren.Crunk@slc.ca.gov](mailto:Warren.Crunk@slc.ca.gov)>  
**Subject:** Akatiff Pier Compromise RE: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

Dear Mr. Crunk, (After reading it, please go ahead and forward this to the Commissioners as well)

I have spoken about this with you and Brian Bugcsh, so I went ahead and put in writing.

As you know, the pier is so egregious to the properties on Chipmunk Street that our first choice is no pier broadsiding our shoreline; however, in the spirit of getting along and moving forward in a neighborly fashion, we are offering the following reasonable compromise:

1. Condition Precedent: Two boat lifts instead of 4. TRPA does not include Boats On Lifts in their visual mass calculations, but of course, in reality, it is the most massive element. None of the piers in our area have more than 1 boat lift, so it is a bonus for the multi-use pier to have 2 boat lifts. The current plan is for 4 boat lifts and 4 buoys. That would change to 2 boat lifts and 6 buoys. This needs to be agreed upon because otherwise, 4 boat lifts (that are 2 in tandem on both sides of the pierhead) are too much mass in the air above the lake directly in front of the Chipmunk St shoreline.
2. The pier will extend out to the elevation of 6,219'. There is an ellipse of that elevation and we are suggesting the shorter of the locations. The 6,219' elevation includes a bonus for a multi-use pier because the piers in this area do not extend out to 6,219'.
3. Reduce the size of the pierhead to about 35x12'. There is no need for the planned 75x15' pierhead because it's only going to have 2 boats on it now. It is still larger than pierheads in the area so that is the multi-use bonus.
4. The pier will be 7' wide instead of 8'. The adjacent neighboring pier is 6' wide, so 7' is the multi-use bonus.
5. The pier should have single supports under the walkway. This will help reduce mass like the neighboring pier that has single supports. And there is no need for double supports for the entire length.
6. The pier is planned to have 50 or so side-by-side lights. Reduce that to alternating lights just like the neighboring pier.

Thank you,  
Eric Ronning  
[REDACTED]

**Lunetta, Kim@SLC**

---

**From:** Lunetta, Kim@SLC  
**Sent:** Wednesday, August 19, 2020 10:50 AM  
**To:** Lunetta, Kim@SLC  
**Subject:** FW: Subject: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier  
**Attachments:** Rec Water Use 1.jpg; Rec Water Use 2.jpg; Rec Water Use 3.jpg; Rec Water Use 4.jpg; Rec Water Use 5.jpg

**From:** Grable <[REDACTED]>  
**Sent:** Wednesday, August 19, 2020 10:18 AM  
**To:** Crunk, Warren@SLC <Warren.Crunk@slc.ca.gov>  
**Subject:** Subject: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

Dear California State Lands,

My name is Grable Ronning. I've lived in Lake Tahoe as a full-time resident for over 40 years. I own a small lakefront home at [REDACTED] Chipmunk in Kings Beach, CA.

I am concerned about the negative impacts of the proposed Atakiff/Telfian/Gilmartin 362' long pier, w/4 boat lifts. Imagine a pier that is 62' longer than a football field, slicing lengthwise in front of 5 small homes that fringe the lake on Chipmunk St! This pier will visually and physically block these lakefront families from enjoying their usual lake activities like accessing their buoys, paddle boarding, kayaking, swimming and fishing.

On weekends I enjoy watching all the kayakers and paddle boarders coming over from Kings Beach State Recreation Park. Their route is along the end of the existing piers, but now will be forced out into the middle of Brockway Shores' large powerboat buoy field by the Akatiff pier! The public has the right to safe navigation. Please see the attached pictures.

According to my research, the 362' Akatiff pier is literally the longest pier in all of Lake Tahoe! An exception would be an enormous unattached "floating dock" at Camp Richardson that has gas pumps, restaurants, shops and

bathrooms and a public beach. The Akatiff pier is longer than the Hyatt's pier in Incline Village; longer than the MS Dixie pier in Zephyr Cove; longer than the pier at Sunnyside Restaurant and Resort; and longer than the pier at Garwoods Restaurant and Bar in Carnelian Bay! None of those piers cut in front of other shoreline properties!

The Akatiff home has always been known by the neighbors as "The Castle!" The home sits on a very long, narrow parcel and the front door actually faces Chipmunk St. Three additional perpendicular parcels owned by the Akatiff's, constitute their dirt "front yard" which is enclosed by a fence with an ornate wrought iron and gold gate that opens onto Chipmunk St. There is no driveway, but Mr. Akatiff frequently uses the gate on Chipmunk to park a trailer and other miscellaneous vehicles in his front yard.

Yet Mr. Akatiff's pier application to TRPA (and I presume to State Lands) precludes the homes located on Chipmunk St. Instead, it only shows a small diagram of 4 homes located on Brockway Vista Ave to the Northwest beyond the Gilmartin property. Why would the applicant choose to show those homes, when his pier is built entirely in the opposite direction in front of Chipmunk's shoreline? A 362' long pier with 4 boat lifts is such an egregious overreach even for 3 homeowners.

8796 Brockway Vista Ave is the last lakefront parcel before the road "Ts" into Chipmunk St. Perhaps building a reasonable pier on the last lakefront parcel of Brockway Vista Ave is simply impossible!? The parcel map indicates that Chipmunk parcels go in the opposite direction than the parcels on Brockway Vista Ave. This is something I hope the State Board will address.

The 362' Akatiff pier (with 4 boatlifts) is inconsistent with all other piers and is in conflict with our area. The Brockway Shores pier, which serves 33 homeowners and is only 232' long has no boat lifts. In fact, none of the piers located along Brockway Vista Ave exceed 272', and none have more than one boat lift. Myself and 4 other lakefront neighbors here on Chipmunk would like to apply for a jointly shared pier but would be precluded from building one because of the sheer length and angle of the Akatiff pier.

And if we could build a pier like the Akatiff pier, significant cumulative impacts from projects of the same type would result. Therefore the lease for the Akatiff pier cannot be approved under the categorical CEQA exemption being used.

Many thanks for your consideration of this matter!

Sincerely,

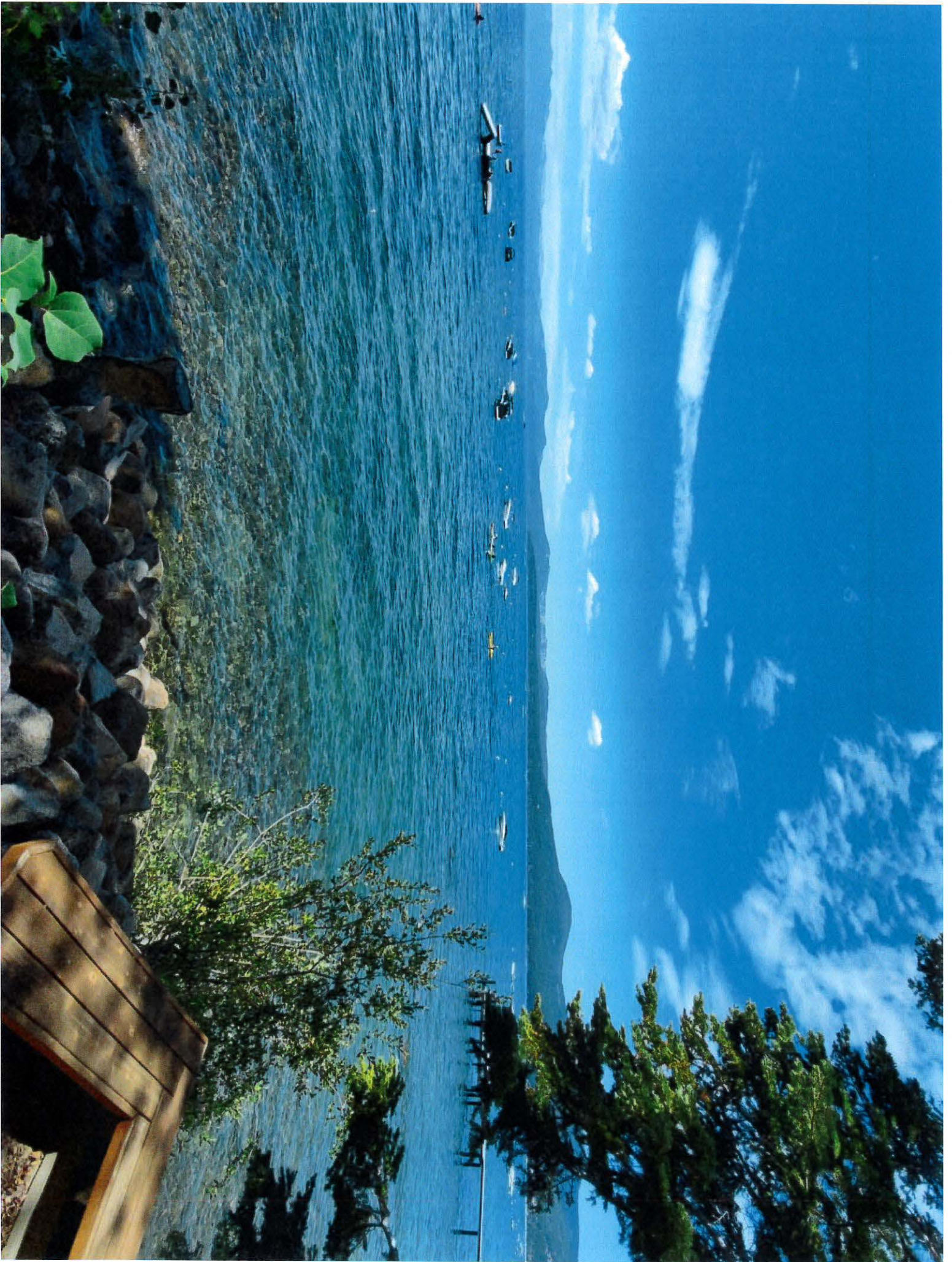
Grable B Ronning













**From:** Christopher White <[REDACTED]>  
**Sent:** Sunday, August 16, 2020 4:42 PM  
**To:** CSLC Commission Meetings  
**Subject:** : "Subject: 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier"

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

We are very much opposed of the giant pier coming up for Review on August 20<sup>th</sup>, with many other homeowners.

We never received TRPA notice of this prior to TRPA approving.

1. We would like someone from CSL to come out to see the site.. We Suggest that they delay this decision until someone from CSL can come out and look.
2. The size of the project is not consistent at all with the area. The proposed Akatiff Pier is 362' with four boatlifts (2x 12,000Lb & 2x 6,000Lb). The adjacent shared pier to the south-east is the Brockway Shores Pier at 232' with zero boatlifts and the adjacent pier to the north-west is the Gordon Pier at 272' with one 6,000Lb boatlift. Some other piers in the area have one 6,000Lb boat lift and none are over 272'.
3. There will be a substantial change in scenic views from the existing residential area (especially with four boat lifts: 2x 12,000LB & 2x 6,000LB). California coastal cities have laws preventing view obstruction.
4. Lake access is blocked/diverted for shore fishing, paddle boarding, swimming, kayaking, buoy/watercraft access etc.
5. The standard flow of passing paddle boarders kayakers & swimmers are disrupted by the long pier sticking out well beyond all the piers in the vicinity. Going around the pier will cause them to have to navigate through the existing buoy field (with bowlines + boats attached).
6. The buoy field and the boats on them will be affected.
7. The light will increase with 50 pier lights -light pollution at night.
8. Usually, when you look at a pier from the shore, the end of it looks smaller because it is getting farther and farther away. But not with this pier. Looking from the Chipmunk St shoreline, the massive 75x15' pierhead with 4 boats lifted in the air is put directly into full broadside view.
9. The Akatiff pier cuts at a 45-degree angle from the shoreline in the direction of Brockway Shores' pier and directly across the waterfront of the Chipmunk St lakefront owners. This is because the parcels on Brockway Vista Ave and Chipmunk St converge right here at a very unusual 90-degree angle and add to that the curvature of the shoreline. There is no other area at the lake where the property lines meet at a right angle causing this situation. THIS IS A VERY UNUSUAL CIRCUMSTANCE THAT NEEDS SPECIAL CONSIDERATION.
10. There are really only 3 property owners, not 4 as claimed, as the lot line adjusted garage is the 4th property for the 4 parcel pier. The 3 property owners are listed on Exhibit 1 "TRPA Provided Site Plan." The Agenda item makes it look like the whole block is applying for the pier.
11. The TRPA staff misrepresented the length of the piers in the vicinity to the TRPA Board during the hearing. Quoting the May 27th Minutes TRPA Staff Tiffany Good talking to the Board. Ms. Good: "Because of the way the shoreline works in this area there are other

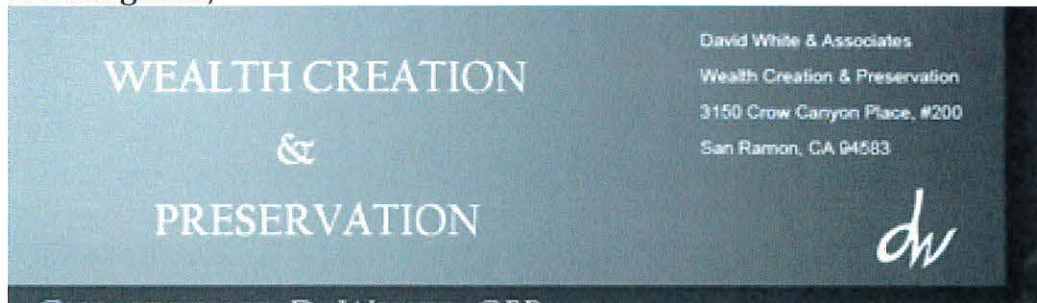
piers on either side that are not quite as long as this one. Although the homeowner's association pier to the south is almost as long as this and fits relatively in line with the piers along this area of shoreline." The truth: Akatiff pier 362', Brockway Shores Condo Association pier to the south is 232' and Mr. Gordon's pier to the north is 272' (and only 73' away from Akatiff's proposed pier). None of the piers in the area are over 272'. The Akatiff pier IS the longest pier at all of Lake Tahoe.

12. California should not allow a man-made obstacle that is so inconsistent with the area.
13. My house at [REDACTED] Chipmunk will lose sight of my existing buoys, boats and causes me an issue to make sure my vehicles in the water are safe.

Please consider delaying this project until a further in person inspection can take place on site of our properties to review all of these issues.

Thank You

Best Regards,



**President**

**David White & Associates**

3150 Crow Canyon Place, #200

San Ramon, CA 94583

(800) 548-2671 Ext. 2666 Toll Free

(925) 277-2666 Direct Line

(925) 277-2676 Direct Fax

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[www.dwassociates.com](http://www.dwassociates.com)

[Chris's Website](#)



[Please click here to watch a short video about our process](#)

Christopher D. White offers products and services using the following business names: David White and Associates – insurance and financial services | Ameritas Investment Company, LLC (AIC), Member FINRA/SIPC – securities and investments | Ameritas Advisory Services (AAS) – investment advisory services. AIC and AAS are not affiliated with David White and Associates .

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private as it is subject to review. If you are not the intended recipient and have received this e-mail in error, please contact the sender immediately and delete this material from your computer.

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**From:** Dennis Cornell <[REDACTED]>  
**Sent:** Sunday, August 16, 2020 2:04 PM  
**To:** CSLC CommissionMeetings  
**Subject:** 8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier"

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

Subject:

8/20/20: V. Consent Calendar: #01: Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier"

From:  
Dennis & Charlene Cornell  
[REDACTED]

I am writing to express my concern for the Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier that is under consideration/review by the California State Lands Commission. My wife and I find that although the pier appears to meet the TRPA code requirements for construction, the unique location, small lots adjacent to each other and the angle of the shore line create very negative consequences for the homeowners on Chipmunk Street if the pier is allowed to be constructed as planned. The TRPA codes are in place to provide minimum impact. However, we find that what was approved by TRPA, demonstrates that the code is not perfect and the context of the scenario (length and angle of pier to the shore line) and the corresponding impact must be considered (Chipmunk Street impact was not shown in the plans disseminated to the public) so that ultimately the spirit of what is intended for piers and the lakefront home owners can be realized. This seems a bit rubber stamped by TRPA with a desire to get the first pier project out the door after a 10 year hiatus. The negative impact is as follows

1. Scenic view and access – The scenic view will be greatly impacted for those on Chipmunk Street. The pier cuts at a 45 degree angle from the shoreline and is 362 feet long. This has the pier crossing in front of our line of sight to the lake. No one buys a property on the lake to then later have a pier block their view and access to the lake. For example, my neighbor will no longer be able to kayak straight out from his home to access his jet skis attached to buoys, he will now have to go around the pier. In addition, he currently has line of sight to his Jet Skis attached to the buoys so he can monitor them. The pier will now obstruct that view.
2. Recreation and access - Swimming, Kayaking and Paddle Boarding – The area in front of our homes on Chipmunk serves as an area to swim and float in the water as well as Kayaking, Paddle Boarding and shore fishing without going into the buoy field. The new pier encroaches on this area tremendously due to the shoreline angle and blocks our access forcing swimmers/floaters, kayakers and paddle boarders to go around the pier and into the buoy field. In addition, boats arriving and departing from the planned

four boat launches will create a natural buffer/block zone extending further than the pier further impacting how we currently enjoy and access the lake. This is especially a concern for younger kids that swim out there now and pay less attention to boats that come and go.

3. Consistency with area – One of the questions associated with the review for a pier has to do with consistency to the area. I cannot see how this requirement is met for this project. For example, this will be the longest private pier on Lake Tahoe at 362' and is anything but consistent with the other piers in the area at ~100' shorter or less. In addition, it cuts a 45 degree angle blocking the view and access of other homeowners with a 75'x15' pier head with four boats lifts at the apex of the view for Chipmunk homeowners. As a result, it becomes a scenic impact issue.

In Summary, the Michael & Christy Akatiff, Gilmartin, Telfeian Multi-Use Pier plan as is, does not align with the spirit of being a lakefront front homeowner on Lake Tahoe or the TRPA plan for piers– achieve minimal impact, do not block scenic views, do not block access etc. The TRPA code falls short in protecting the neighbors on Chipmunk Street. It does not consider the 45 degree angle from our shoreline or the length in conjunction with that angle. This project needs to be reduced to something similar to the other piers in scope, scale and length. I realize the homeowners pursuing the pier have a desire to get to deeper water and are allowed under TRPA rules to do so, which is ultimately driving the longer pier. However, I think this should be subordinated to the issues mentioned above.

Best regards,

Dennis and Charlene Cornell

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**Lunetta, Kim@SLC**

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**From:** James Robertson <[REDACTED]>  
**Sent:** Monday, August 17, 2020 9:03 AM  
**To:** CSLC CommissionMeetings  
**Cc:** Avila, Sandra@SLC  
**Subject:** 8/20/20 V Consent Calendar #01 Akatiff, Gilmartin, Telfeian multiuser pier

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

Jim Robertson  
[REDACTED]

To: California State Lands Commission

8/16/2020

I am the homeowner at [REDACTED], Kings Beach and I have several concerns about the Akatiff et al pier proposal at 8778, 8780, 8782 and 8796 Brockway Vista

The TRPA recently approved this pier under the new Shorezone Plan. This was despite the strenuous objections of many of the neighbors, some of whom did not receive proper notice of the May 27 meeting to discuss the proposed pier. To the best my knowledge, no one from TRPA ever came out to review the site prior to approving the pier. This resulted in the TRPA board making several false statements at the meeting on May 27, the most egregious of which was the statement that the proposed pier would be similar to other piers in the area. Nothing could be further from the truth. Because of the format of the meeting we could not verbally challenge these false statements.

This will be a massive pier, extending 362 ft from shore. To put it into perspective, this pier will be one of the largest, if not the largest on the Lake and will serve exactly 3 families. It is larger than the Brockway Shores and Tonopalo, piers, which serve many times the number of residences as the proposed pier. TRPA has always considered the visual impacts of proposed projects. This project will have a huge visual mass, and will affect not only homeowners in the area, but also boaters, kayakers, paddle boarders and swimmers.

Finally, my written comments to TRPA in advance of the May 27 meeting were shared with the applicants before the meeting. This gave them the opportunity to question some of my arguments, without giving me the chance to refute them.

All in all it was a very rushed and unfair process and I feel the State Lands Commission should put a hold on this proposed pier pending further review.

Thank you for your attention to these issues

Sincerely

Jim Robertson  
Kings Beach

Jim

**Lunetta, Kim@SLC**

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**From:** Joyce [REDACTED]  
**Sent:** Saturday, August 15, 2020 12:18 PM  
**To:** CSLC CommissionMeetings  
**Subject:** Construction of pier 8796 Brockway Vista Kings Beach

Attention: This email originated from outside of SLC and should be treated with extra caution.

As an owner at Brockway Shores, [REDACTED], I wanted to voice my objection to the proposed pier in Kings Beach.

The pier will be objectionable to all those living in the area and should not be permitted.

Thank you, Joyce Grunauer

Sent from my iPhone

**Lunetta, Kim@SLC**

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**From:** Noble, Elizabeth <[REDACTED]>  
**Sent:** Wednesday, August 19, 2020 9:21 AM  
**To:** CSLC CommissionMeetings  
**Subject:** FW: "8/20/2020: Comment on Agenda Item 01"

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

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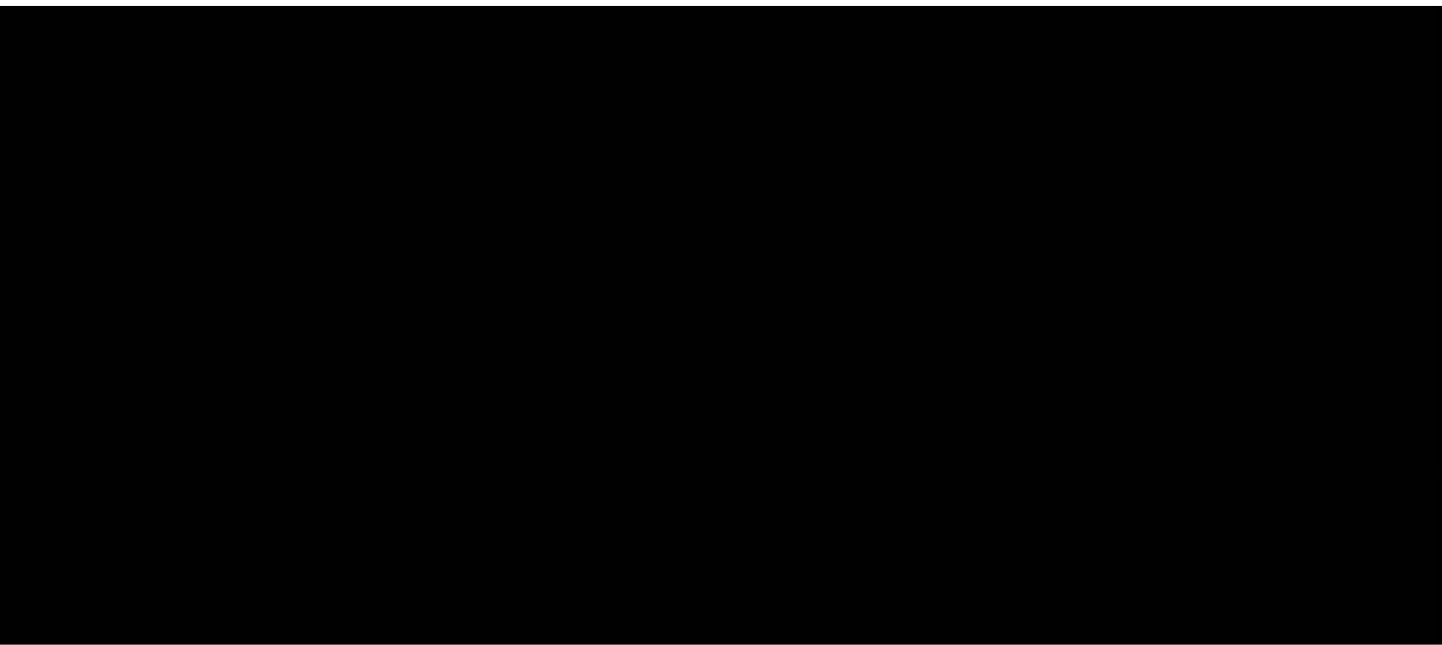
**From:** Noble, Elizabeth  
**Sent:** Monday, August 17, 2020 3:12 PM  
**To:** 'cslc.commissionmeeting@slc.ca.gov' <cslc.commissionmeeting@slc.ca.gov>  
**Subject:** "8/20/2020: Comment on Agenda Item 01"

To Whom it may Concern,

I am a property owner at [REDACTED] Chipmunk, Kings Beach, CA. It was brought to my attention that there have been complaints from some in our area regarding the plans my neighbors have with regards to them building a pier. I just wanted to write to let you know I have no issues with them doing so. I am the closest neighbor, so it would be my view that would be impacted the most. We have owned our property since the early 50's. There are several other existing piers that were allowed for other neighbors, so it is confusing as to why this one would be held up or questioned. They have been great neighbors, who love and appreciate as do we the beauty of Lake Tahoe.

Please let me know if you have any questions, or I can help in any other way.

Elizabeth Noble



**Lunetta, Kim@SLC**

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**From:** Donald Weir <[REDACTED]>  
**Sent:** Friday, August 14, 2020 11:20 AM  
**To:** CSLC CommissionMeetings  
**Subject:** 8/20/2020: Comment on Agenda Item 01 - pier lease 8271

Attention: This email originated from outside of SLC and should be treated with extra caution.

My name is Don Weir. I am a condo owner in Brockway Shores next to the proposed pier lease 8271. I am in favor of this pier being built and therefore giving water access to multiple parties under the new TRPA guidelines.

Don Weir  
[REDACTED]

Sent from my iPhone

**Lunetta, Kim@SLC**

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**From:** Kevin Hall <[REDACTED]>  
**Sent:** Monday, August 17, 2020 9:59 AM  
**To:** CSLC CommissionMeetings  
**Subject:** 8/20/2020 Comment on Agenda Item 01 (Pier Lease #8271)

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

To Whom It May Concern:

My name is Kevin Hall and I am a homeowner in Brockway Shores located in Kings Beach within 300 feet of the proposed Pier Lease #8271 on your August agenda. I am a firm believer that Lake Tahoe is meant to be enjoyed by all. Although I will be able to see this new pier out my front window, I am very appreciative of all the Tahoe Basin organizations and agencies that participated over the last 10 years to rewrite the Tahoe Shorezone Ordinances allowing for strictly defined new structures to access the lake. It is for this reason I am in favor of the proposed pier referenced above.

Kevin Hall  
[REDACTED]