

MINUTE ITEM

This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 3
by 0 at its 5-31-78
meeting.

CALENDAR ITEM

C11.

5/78
W 21725
Gordon
P.R.C. 5491

GENERAL PERMIT
RECREATION USE

APPLICANT: Mike and Virginia C. Mariani and
Robert D. and Grace E. Howard
P. O. Box 185
Homewood, California 95718

AREA, TYPE LAND AND LOCATION:

A 0.014 acre parcel and three 0.029 acre
circular parcels, each 40 feet in diameter,
all on submerged lands in McKinney Bay,
Lake Tahoe near Tahoe Pines, Placer County.

LAND USE:

Construction, placement and maintenance
of 1 pier and 3 mooring buoys, respectively,
for recreational boating.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years from June 1,
1978.

Public liability insurance: \$400,000 per
occurrence for bodily
injury and \$50,000 for
property damage or combined
single limit coverage
of \$450,000.

Special:

1. The permit is conditioned
on permittee's conformance
with the Tahoe Regional
Planning Agency's Shorezone
Ordinance.

2. The permit is entered
into by all parties without
prejudice to their respective
claims of boundary.

CONSIDERATION:

Pier - \$30 per annum and buoys - \$90 per
annum; with the State reserving the right
to fix a different rental on each fifth
anniversary of the permit.

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BASIS FOR CONSIDERATION:

2 Cal. Adm. Code 2006.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicants are owners of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 3(a) which exempts new construction of small structures that will occupy no more than 3,000 square feet of State land including the area of use; and 2 Cal. Adm. Code 2907, Class 3(c) where small boat mooring buoys are not used for commercial purposes.

2. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

3. The upland property is improved with two (2) single family dwellings, and may therefore qualify the proposed improvements for a rent-free private recreational pier permit; however, the applicants are aware of the requirements of Section 6503, Public Resources Code,

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and have requested staff to proceed with a general permit in the interest of commencing immediate construction of facilities. They have agreed to payment of rent until such time as their permit can be converted to a private recreational pier permit.

APPROVALS REQUIRED AND OBTAINED:

This facility is subject to the jurisdiction of the Tahoe Regional Planning Agency, United States Army Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and the County of Placer. The proposed permit is conditioned on the approval of all agencies having jurisdiction.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO MIKE MARIANI, VIRGINIA C. MARIANI, ROBERT D. HOWARD AND GRACE E. HOWARD OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE FROM JUNE 1, 1978; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$120, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$400,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE, OR COMBINED SINGLE LIMIT COVERAGE OF \$450,000; FOR CONSTRUCTION, PLACEMENT AND MAINTENANCE OF 1 PIER AND 2 MOORING BUOYS UTILIZED FOR RECREATIONAL BOATING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

W 21725

Four (4) parcels of land in Lake Tahoe, Placer County, California, adjacent to Section 36, T.15N., R.16E., M.D.M., described as follows:

PARCEL 1 (Pier)

A parcel of land lying immediately beneath an existing pier, TOGETHER WITH a necessary use area extending 10 feet from said pier, said pier being adjacent to that parcel of land described in the deed recorded December 21, 1977, in volume 1922, page 431, Office of the Placer County Recorder.

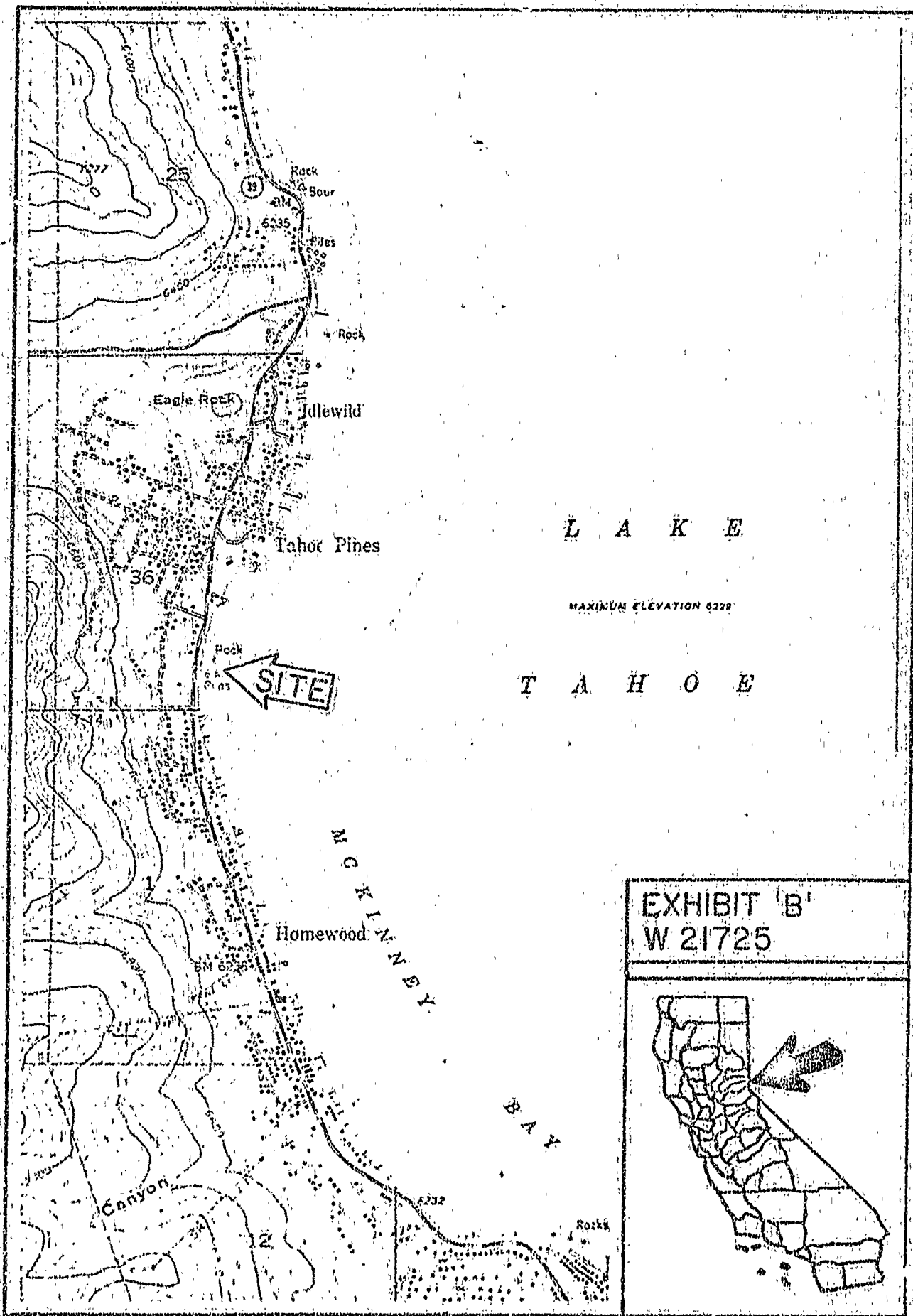
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Lake Tahoe.

PARCELS 2 - 4 (Buoys)

Three circular parcels of land 40 feet in diameter, the center of said parcels being three existing buoys, lying adjacent to the abovementioned pier.

END OF DESCRIPTION

Prepared Frank T. C. O. Checked John K. G. J. J.
Reviewed D. J. K. K. K. K. Date 4/11/78



L A K E

MAXIMUM ELEVATION 6220

T A H O E

EXHIBIT 'B'
W 21725

