

This Calendar Item No. C17
was approved as Minute Item
No. 17 by the State Lands
Commission by a vote of 2
to 0 at its 9/27/78
meeting.

CALENDAR ITEM

C17.

9/78
WP 5296
Gordon

TERMINATION OF GENERAL PERMIT PRC 5296.1
AND RECORDATION OF QUITCLAIM DEED;
ISSUANCE OF GENERAL PERMIT - RECREATIONAL USE

PRC 5296

APPLICANT: Northshore Townhouse Association
P. O. Box 1228
Tahoe City, California 95730

AREA, TYPE LAND AND LOCATION:
A 0.089 acre parcel and sixteen 0.029 acre
circular parcels of submerged lands, each
40 feet in diameter, in Lake Tahoe near
Lake Forest, Placer County.

LAND USE: Maintenance of 1 existing pier, 10 existing
mooring buoys and placement of 6 proposed
mooring buoys, respectively, for noncommercial
multiple-use recreational boating.

TERMS OF ORIGINAL PERMIT:
Initial period: 15 years from June 1,
1977.

Public liability insurance: \$600,000 per
occurrence for bodily
injury and \$100,000 for
property damage or combined
single limit coverage
of \$700,000.

Consideration: \$370 per annum: to construct
1 pier and place 10 mooring
buoys.

Special: 1. The permit was condi-
tioned on permittee's
conformance with
the Tahoe Regional
Planning Agency's
Shorezone Ordinance.

2. The permit was condi-
tioned on permittee's
littoral interest
in the upland.

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CALENDAR ITEM NO. C17. (CONTD)

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

TERMS OF PROPOSED PERMIT:

Initial period: 15 years from September 1, 1978.

Public liability insurance: \$900,000 per occurrence for bodily injury and \$100,000 for property damage or combined single limit coverage of \$1,000,000.

Special:

1. The permit is conditioned on permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.
2. The permit is conditioned on permittee's littoral interest in the upland.
3. The permit is entered into by all parties without prejudice to their respective claims of boundary.
4. Permittee covenants to practice water conservation on the premises.

CONSIDERATION: Pier: \$70 per annum. Buoys: \$480 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

2 Cal. Adm. Code 2005.

CALENDAR ITEM NO. C17. (CONTD)

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2.

B. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. The issuance to applicant of General Permit, PRC 5296.1 for construction of 1 pier and placement of 10 mooring buoys was authorized by the Commission on May 26, 1977 (Minute Item No. 9). Applicant now desires to place 6 additional mooring buoys at the permit site to receive future enjoyment of a greater recreational benefit adjacent to the littoral land.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Classes 1B and 3C, which exempt an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation, and small boat mooring buoys not used for commercial purposes, respectively.
3. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This project includes existing facilities for which no adverse comments have been received.

CALENDAR ITEM NO. C17.(CONTD)

Staff has also 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.

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. AUTHORIZE ACCEPTANCE AND RECORDATION OF A QUITCLAIM DEED TERMINATING, EFFECTIVE SEPTEMBER 1, 1978, PERMITTEE'S INTEREST ARISING BY VIRTUE OF OR PURSUANT TO GENERAL PERMIT - RECREATIONAL USE PRC 5296.1 ISSUED JUNE 9, 1977 FOR CONSTRUCTION OF 1 PIER AND THE PLACEMENT OF 10 MOORING BUOYS.
3. FIND THAT GRANTING OF THE NEW GENERAL PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PUSUANT TO SECTION 6370.1, OF THE P.R.C.
4. AUTHORIZE ISSUANCE TO NORTSHORE TOWNHOUSE ASSOCIATION OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE FROM SEPTEMBER 1, 1978; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$550, 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 \$900,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE, OR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR MAINTENANCE OF 1 EXISTING PIER, 10 EXISTING MOORING BUOYS AND PLACEMENT OF 6 ADDITIONAL MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Tahoe City 1 mi. approx.

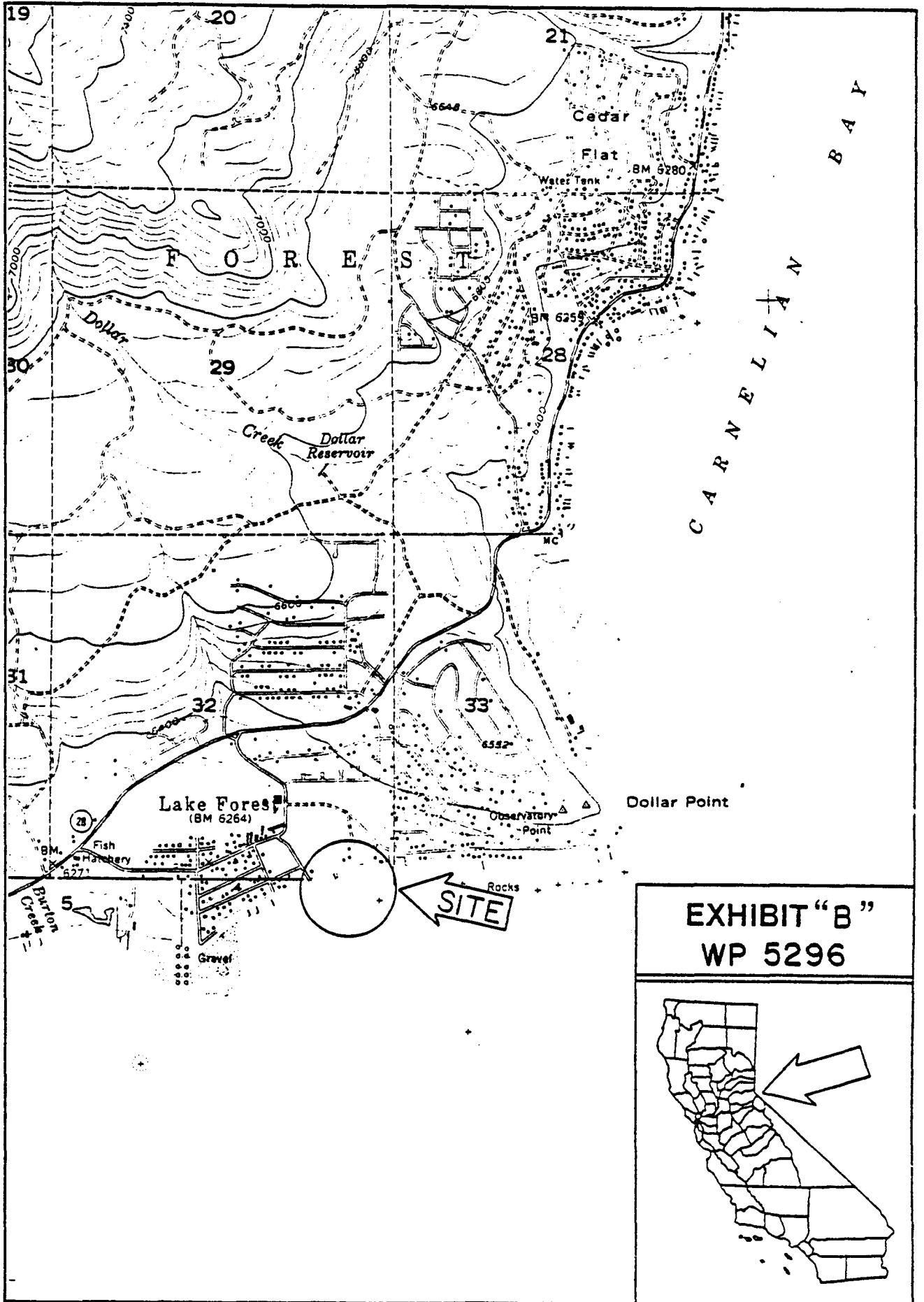


EXHIBIT "B"
WP 5296

