

MINUTE ITEM

This Calendar Item No. C13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 2
to 0 at its 3/28/79
meeting.

CALENDAR ITEM

C13.

3/79
WP 4178
Gordon

GENERAL PERMIT
RECREATIONAL USE

APPLICANT: Thurlow Richard Murray
1579 Belmont Avenue
San Carlos, California 94070

Patricia Ann Murray Gerhart
8489 Valley View Road
Redding, California 96001

AREA, TYPE LAND AND LOCATION:

A 0.069 acre parcel and a 0.029 acre circular
parcel, 40 feet in diameter, all on submerged
lands in McKinney Bay, Lake Tahoe near
Tahoma, Placer County.

LAND USE: Maintenance of 1 existing pier and 1 existing
mooring buoy respectively, for recreational
boating.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years from December 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: \$70 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 2005.

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

OTHER PERTINENT INFORMATION:

1. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts 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.
2. 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 R, which authorizes Limited Use.

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

3. Applicant fails to fully meet the qualifications for a rent-free permit under P.R.C. 6503, in that the upland is unimproved.

APPROVALS REQUIRED AND OBTAINED:

This facility is subject to the jurisdiction of the Tahoe Regional Planning Agency, United States Army Corps of Engineers,

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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 P.R.C.
3. AUTHORIZE ISSUANCE TO THURLOW RICHARD MURRAY AND PATRICIA ANN MURRAY GERHARDT OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE FROM DECEMBER 1, 1978; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$70, 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 MAINTENANCE OF 1 EXISTING PIER AND 1 EXISTING MOORING BUOY UTILIZED FOR RECREATIONAL BOATING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 4178

Two parcels of submerged land in the bed of Lake Tahoe, Placer County, California, immediately beneath an existing pier and buoy described as follows:

PARCEL 1 -- PIER

Said parcel lies 15 feet on each side of a centerline bearing N 00° 07' W, 60 feet from a point designated "A" which bears N 89° 53' W, 15 feet and N 00° 07' W, 771.81 feet from the southeast corner of Section 7, T14N, R17E, MDM.

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

PARCEL 2 -- BUOY

A circular parcel of land 40 feet in diameter the centerpoint of which is located northwesterly 145 feet, more or less, from point "A" above.

END OF DESCRIPTION

Prepared *W. H. Kunnecke* Checked *Anna Marie Robinson*
Reviewed *Garry A. Walden* Date *11/27/78*
RW

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