

MINUTE ITEM

This Calendar Item No. C23 was approved as Minute Item No. 23 by the State Lands Commission by a vote of 2 to 0 at its 9.26.77 meeting.

CALENDAR ITEM

C23.

9/79
WP 3545
Gordon

PRC 3545

GENERAL PERMIT
RECREATIONAL AND RIGHT-OF-WAY USES

APPLICANT: Schwartz-Ricci Enterprises
P. O. Box 331
Carnelian Bay, California 95711

AREA, TYPE LAND AND LOCATION: A 0.087 acre parcel, a 0.029 acre parcel and a 0.017 acre parcel together comprising an aggregate of 0.133 acre of submerged lands in Lake Tahoe at Carnelian Bay, Placer County.

LAND USE: Maintenance of 1 existing pier, 1 existing pumphouse - sundeck and 1 existing pipeline, for recreational boating, sunbathing and the intaking of domestic water, respectively.

TERMS OF PROPOSED PERMIT: Initial period: 15 years from July 1, 1977.

Public liability insurance: \$400,000 per occurrence for bodily injury and \$100,000 for property damage, or combined single limit coverage of \$500,000.

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 the County of Placer's authorization and consent of any of the subject facilities found to be on or adjacent to County lands.

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CONSIDERATION: \$70 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.

PREPREQUISITE 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. The facilities serve to accommodate the owners, patrons and guests of a motel, known as the Trading Post Resort, located on the adjacent upland.
2. 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 where there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
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 indicate 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.

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APPROVALS REQUIRED AND OBTAINED:

These existing facilities are subject to the jurisdiction of the Tahoe Regional Planning Agency, United States Army Corps of Engineers, California Department of Fish and Game, State Water Resources Control Board, 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 SCHWARTZ-RICCI ENTERPRISES OF A 15-YEAR GENERAL PERMIT - RECREATIONAL AND RIGHT-OF-WAY USES FROM JULY 1, 1977; IN CONSIDERATION OF \$70 PER ANNUM, 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 \$100,000 FOR PROPERTY DAMAGE, OR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR MAINTENANCE OF 1 EXISTING PIER, 1 EXISTING PUMPHOUSE - SUNDECK AND 1 EXISTING PIPELINE UTILIZED FOR RECREATIONAL BOATING, SUNBATHING AND THE INTAKING OF DOMESTIC WATER, RESPECTIVELY, ON THE LANDS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

WP 3545

Three parcels of submerged land in the State owned bed of Lake Tahoe, Placer County, State of California, lying southerly of and adjacent to that parcel of land described in a Grant Deed as being Lots 1, 2, 3 and 4 and the East half of Lot 5 of Block Q of Carnelian Bay as shown on the Map of Carnelian Bay on Lake Tahoe filed for record in the Office of the County Recorder of Placer County on January 6, 1908 in Book C No. 1 of Maps at page 14, more particularly described as follows:

PARCELS 1 and 2

All that land being immediately beneath and extending 10 feet on all sides of (1) an existing pier, and (2) an existing pumphouse-sundeck.

PARCEL 3

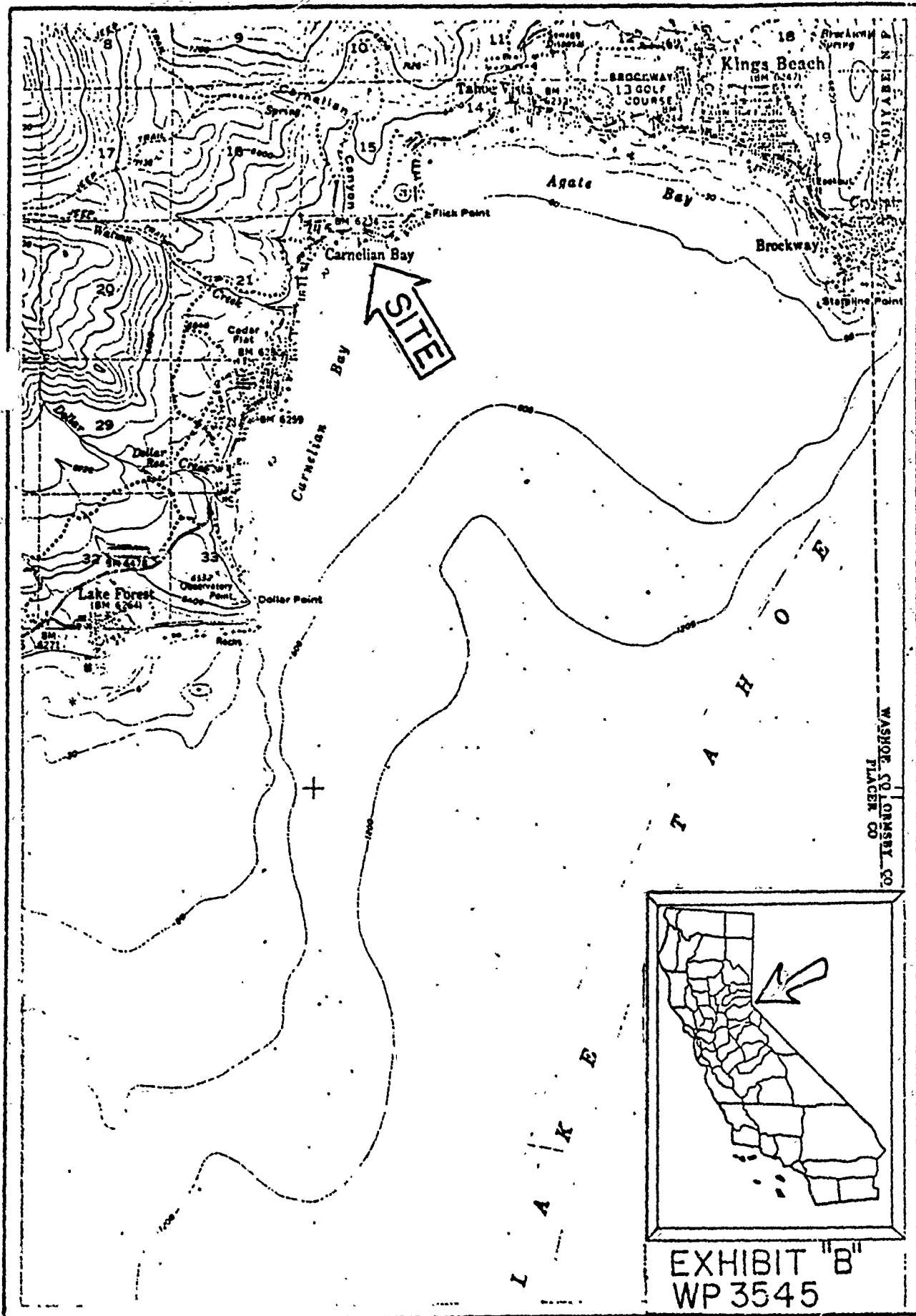
A 2 foot strip of land being one foot on each side of the centerline of an existing 1 1/2 inch diameter pipeline extending 364 feet, more or less, waterward of the aforementioned pumphouse - sundeck.

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

END OF DESCRIPTION

Prepared M. J. Shah Checked J. Hill
Reviewed H. K. Runnecke Date 7/14/76
ZJB

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WASHOE CO LANSERY CO
PLACER CO



EXHIBIT "B"
WP 3545

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