

MINUTE ITEM

This Calendar Item No. C3
was approved as Minute Item
No. 3 by the State Lands
Commission by a vote of 3
to 0 at its 5/26/77 CALENDAR ITEM
meeting.

S/77
W 4553
GDG
PRC 5290

C3.

PUBLIC AGENCY PERMIT

APPLICANT: County of Placer
County Administrative Center
175 Fulweiler Avenue, Room 301
Auburn, California 95603

AREA, TYPE LAND AND LOCATION:
An 0.129 acre parcel of submerged land near
Tahoe Pines, Placer County.

LAND USE: One existing multiple use public recreational
pier.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from August 4, 1970.
Public liability insurance: \$300,000 per
occurrence for bodily injury
and \$50,00 for property damage.

SPECIAL:

1. If any structure hereby authorized is found to be in nonconformance with the Tahoe Regional Planning Agency's Shorezone Ordinance and if any alterations, repairs, or removal required pursuant to said Ordinance is not accomplished within the designated time period, then this permit is automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof.
2. The Permittee hereby covenants and agrees that any signs or other types of printed notices published or installed to provide notification of the public use and benefit of the facilities as set forth herein, shall contain and reasonably display a statement to the effect that the State Lands Commission has contributed the lands underlying a portion of the project. Such statement may be as follows:

"A portion of the land required for this project was contributed by the State Lands Commission."

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3. Paragraph 2 of Section 5, entitled "MONETARY CONSIDERATION", is not applicable to this permit and has been deleted.

CONSIDERATION: The public use and benefit, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

APPROVALS REQUIRED AND OBTAINED:

This is an existing facility of long standing which has been grandfathered by the U.S. Corps of Engineers. The staff has received no negative comments relative to its existence from any other agency. T.R.P.A. has not yet considered the facility.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is the owner of the upland.

As this transaction was in the process of negotiation prior to June 30, 1975, there are no applicable processing costs.

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. The annual rental value of the site is estimated to be \$675.
2. The subject pier projects from littoral land at the foot of Grand Avenue which is claimed by the County of Placer and designated as Lakeside Park on the map of the resubdivision of a part of Tahoe Pines. This facility was constructed over 35 years ago through private subscription by residents in the area. The Tahoe Pines Homeowners Association, Inc., being the entity representing the present residents in the adjacent subdivision, disclaims ownership and responsibility for the pier. However, the Association expressed to the County its willingness to maintain the pier for public recreational use.

Therefore, pursuant to an agreement dated August 4, 1970, by and between Tahoe Pines Homeowners Association and the County of Placer, the Association quitclaimed to the County, for a term of 10 years, all its right,

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title and interest in the pier. The County accepted the pier as a public recreational facility subject to the Association keeping it in good repair and maintenance during the term of the agreement. Applicant advises that no charges are imposed for use of the facility by the public.

3. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) 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.
4. This project is situated on State land identified as possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified in significant use category, Class B: 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.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 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 ET SEQ., OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO THE COUNTY OF PLACER OF A 10-YEAR PUBLIC AGENCY PERMIT FROM AUGUST 4, 1970; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$300,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR AN EXISTING MULTIPLE-USE PUBLIC RECREATIONAL PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A" -3-

EXHIBIT "A"

W 4553

A parcel of land in the bed of Lake Tahoe, County of Placer, State of California, situate in Section 36, T15N, R16E, MDM, said parcel being immediately beneath and 10 feet on all sides of an existing pier and boat docking improvement, said pier and boat docking improvement being adjacent to and easterly of Grand Avenue and Lakeside Park as shown on the "Map of Tahoe Pines", filed in Book "C" of Maps, page 12, Placer County Records.

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

END OF DESCRIPTION.

Prepared

M. L. Gray

Checked

John K. ...

Reviewed

A. H. ...

Date

12/9/76

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