

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 4-27-78
meeting.

CALENDAR ITEM

C3.

4/78
WP 1710
Gordon

GENERAL PERMIT
RECREATIONAL USE

APPLICANT: Victor and Marian O'Hara
6402 McAbee Road
San Jose, California 94120

AREA, TYPE LAND AND LOCATION:
A 0.046 acre parcel of submerged lands
in Lake Tahoe at Carnelian Bay, Placer
County.

LAND USE: Maintenance of 1 existing pier for multiple-use
noncommercial boating.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years from October 12,
1977.

Public liability insurance: \$500,000 per
occurrence for bodily
injury and \$50,000 for
property damage or combined
single limit coverage
of \$550,000.

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

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CONSIDERATION: \$40 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

\$40 minimum rental for this type of permit.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner 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. This facility is utilized to accommodate, without charge, the owners, tenants and guests of a 6-unit motel on the upland known as Heritage Pines.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1B, 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.
3. 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 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.

APPROVALS REQUIRED AND OBTAINED:

This facility is subject to the jurisdiction of the Tahoe Regional Planning Agency,

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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. R. 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 THIS 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, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO VICTOR AND MARIAN O'HARA OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE FROM OCTOBER 12, 1977; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$40, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; AND WITH A PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$500,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE, OR COMBINED SINGLE LIMIT COVERAGE OF \$550,000; FOR MAINTENANCE OF 1 EXISTING PIER UTILIZED FOR MULTIPLE-USE NONCOMMERCIAL BOATING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 1710

A parcel of submerged land in the State owned bed of Lake Tahoe lying immediately beneath and 10 feet on all sides of an existing pier lying southerly of the W¹/₂ of Lot 5 and all of Lot 6, Block Q, as said lot and block appear on the map "Carnelian Bay on Lake Tahoe" filed in Book C-1 of Maps at page 14, filed January 6, 1908, in the Office of the Placer County Recorder and described in Deed dated Sept. 28, 1973, and recorded in Book 1523, Page 509 of Official Records of Placer County.

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

END OF DESCRIPTION

Prepared Garry A. Wolcott Checked J. J. Krummacker
 Reviewed Donald Brittracher Date 12/16/75



