

MINUTE ITEM

This Calendar Item No. C23
was approved as Minute Item
No. C23 by the State Legislature
on 9-29-81

MINUTE ITEM

9/29/81
WP 5013
W 22776
W 22793
WP 5134
W 22777
Omand

C23. RECREATIONAL PIER PERMITS

During consideration of Calendar Item 23 attached, the resolution was adopted as presented by the following vote:

<u>W. O. No.</u>	<u>Applicant</u>	<u>Vote</u>
WP 5013	Randy C. Watson	2-0 - abstained by Ken Cory
WP 5134	W. Grafton Worthington	3-0
W 22793	Allen Antoyan	3-0
W 22777	Billy Treadway	2-0 - abstained by David Ackerman
W 22776	Bruno Giovannoni	3-0

Attachment: Calendar Item 23

A 4, 5, 7, 73
S 3, 4, 13, 36

CALENDAR ITEM

C 23

9/29/81
PRC 5013 WP 5013
PRC 6059 W 22776
PRC 6063 W 22793
PRC 5134 WP 5134
PRC 6064 W 22777
Omand

RECREATIONAL PIER PERMITS

APPLICANTS: As listed on Exhibit "A" attached.

TERMS: Initial period: 10 years.
Renewal options: None.
Filing fee: \$25 (all).
Processing fee: \$45 (all).

CONSIDERATION: None (Section 6503, P.R.C.).

PREREQUISITE TERMS:
Applicants are littoral landowners as defined
in Section 6503, P.R.C.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2.
B. Cal. Adm. Code: Title 2, Div. 3.

AB 884: Item Number 1 N/A, Item Number 2 7/16/82, Item
Number 3 and 4 8/4/82, Item Number 5 8/18/82.

OTHER PERTINENT INFORMATION:

1. Except in Huntington Harbour, EIRs are not required in that the existing facilities are in an acceptable state of repair; or boat mooring buoys not used for commercial purposes. The proposed floating docks are exempt under Class 3, 2 Cal. Adm. Code 2907; new construction of small facilities.

Authority: Cal. Adm. Code, Title 2,
Div. 3, Art. 10, Section 2907, Class 1.

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S 3, 4, 13, 36

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2. The individual projects are situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and are classified in use categories, Class B, which authorizes Limited Use, or are situated on other lands identified as possessing environmental values as stated in December 1, 1975 State Lands Commission meeting. Staff review indicates that there will be no significant effect on identified environmental values.
3. Lake Tahoe Application: The Commission at its meeting on November 27, 1978 suspended all leasing for new construction at Lake Tahoe, except for mooring buoys in designated areas. This action was taken pending completion of an EIR which addresses the cumulative impact of continued construction of piers in Lake Tahoe. Each of the applications herein, with the exception of WP 5013 are for the continued use of existing piers and buoys in the lake, and therefore are not subject to the Commission's suspension of leasing activities for new construction. WP 5013 proposes placement of one mooring bouy which is to be placed in an area not identified by the California Department of Fish and Game as a prime fish habitat area, a significant spawning area, or marsh. Staff has coordinated this proposed bouy placement with appropriate agencies; no adverse comments were received.
4. Permits covering structures in Lake Tahoe will include a condition subsequent that if any structure 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 are not accomplished within the designated time period, then the permit will be automatically terminated, effective upon notice by the State and the site shall be cleared pursuant to the terms thereof.

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5. Recreational piers in Huntington Harbour have been found to pose no significant adverse environmental effects (cumulative EIR by City). The area has been found capable of accommodating the development. A cumulative EIR for Huntington Harbour was approved by the State Lands Commission at its March 25, 1976 meeting. The impact of the specific projects were included in this cumulative report.

The proposed pier in Huntington Harbour is consistent with the requirements of Article 6.5, 2 Cal. Adm. Code, because the location and impact of this pier was considered in the above-referenced EIR in a manner which is encouraged in the Coastal Act.

- EXHIBITS:
- A. Applicants; area; location; land use and status; and classification.
 - B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT EIRS HAVE NOT BEEN PREPARED FOR THESE ACTIVITIES, EXCEPT AT HUNTINGTON HARBOUR AS SUCH REPORTS ARE NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100, ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE PERMITS WILL HAVE NO EFFECT ON THE SIGNIFICANT ENVIRONMENTAL VALUES IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE P.R.C.
3. DETERMINE THAT THE FACILITIES IN HUNTINGTON HARBOUR HAVE BEEN DISCUSSED IN A CUMULATIVE EIR AND FOUND NOT TO HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; AND ARE CONSISTENT WITH THE REQUIREMENTS OF ARTICLE 6.5 OF TITLE 2, OF THE CAL. ADM. CODE, AS THIS TYPE OF DEVELOPMENT IS PROVIDED FOR IN THE COASTAL ACT, AS DETAILED IN SECTION 2503, OF TITLE 2 OF THE CAL. ADM. CODE AND SECTION 30105 OF THE PUBLIC RESOURCES CODE.

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4. FIND THAT THE PROJECT SITUATED ON UNNOMINATED LAND IDENTIFIED AS POSSESSING ENVIRONMENTAL VALUES IN THAT THE STATE LANDS COMMISSION FOUND ALL WATERWAYS UNDER THE COMMISSION'S JURISDICTION HAVE ENVIRONMENTAL SIGNIFICANCE, IS COMPATIBLE WITH THAT FINDING AS IT APPLIES TO THE SUBJECT LAND.
5. DIRECT THE STAFF TO AMEND THE RECREATIONAL PIER PERMIT TO BE CONSISTENT WITH THE FOGERTY AND LYONS DECISIONS.
6. AUTHORIZE THE ISSUANCE OF 10-YEAR RECREATIONAL PIER PERMITS TO THE APPLICANTS LISTED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

PERMIT "A"

RECREATIONAL PIER PERMITS FOR CALENDAR OF SEPTEMBER 29, 1981

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P.O. NO.	APPLICANT	LOCATION	LAND USE & STATUS	UPLAND PROPERTY DESCRIPTION	CLASSIFICATION	
					ART. 10	ART. 11
WP 5013	Randy C. Watson P. O. Box 10708 South Lake Tahoe, CA 95731	Lake Tahoe El Dorado Co.	1 buoy (proposed)	Lots 8 and 11, Block 1, A1 Tahoe Subdivision	1(R) 3(C)	B
WP 5134	W. Grafton Worthington 4019 Westerly Place, Suite 103 Newport Beach, CA 92660	Lake Tahoe El Dorado Co.	2 piers and 2 buoys (existing)	Portion of Jameson Beach Tract	1(B)	B
W 22793	Allen Antoyan 16932 Coral Cay Huntington Beach, CA 92649	Huntington Harbour Orange County	A boat dock (proposed)	Lot 28, Tract 8040	3(A)	Uncommenat
W 22777	Billy B. Treadway 2915 Garden Highway Sacramento, CA 95833	Sacramento River Sacramento Co.	Floating dock & ramp (proposed reconstruct.)	Portion of Lot 23, Natoms Riverside Subdv. No. 2	3(A)	B
W 22776	Bruno Giovannoni P. O. Box 638 Isleton, CA 95641	Seven Mile Slough Sacramento Co.	Floating dock and walkway (proposed)	Portion of Andrus Island T3N, R3E, MDM	3(A)	B

