

MINUTE ITEM

This Calendar Item No. C7
was approved at Minute Item
No. 7 by the State Lands
Commission by a vote of 2
to 0 on 7/25/85

Minute item 7, meeting of 7/25/85 resc.
Minute item 23, meeting of 12/19/85 JP

CALENDAR ITEM

A 7
S 1

C 0 7

07/25/85
WP 3905
Omand

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Holland & Mercurio, a Nevada General
Partnership; James Balsdon and
George Montgomery
50 West Liberty Street, Suite 700
Reno, Nevada 89501

AREA, TYPE LAND AND LOCATION:
A 0.059-acre parcel and a six circular parcels
totaling 0.173 acres of submerged land, located
in Lake Tahoe at Tahoe Pines, Placer County.

LAND USE: An existing pier for multiple use, and six
mooring buoys for private recreational
boating. Pier involves reconstruction.

TERMS OF PROPOSED PERMIT:
Initial period: Ten years beginning July 25,
1985.

Public liability insurance: Combined single
limit coverage of \$100,000.

CONSIDERATION: \$531.30 per annum; with the State reserving the
right to fix a different rental on each fifth
anniversary of the permit.

BASIS FOR CONSIDERATION:
Pursuant to Cal. Adm. Code 2003.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

CALENDAR ITEM NO. C 0 7 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
8. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

12/21/85.

OTHER PERTINENT INFORMATION:

1. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 1 and 2, Existing Facilities (buoys) and Reconstruction (pier), 2 Cal. Adm. Code 2905(a)(2) and 2905(b).

Authority: P.R.C. 21064, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

3. The Commission at its meeting of November 27, 1978, suspended all leasing for new construction at Lake Tahoe, except for mooring buoys in designated area. This action was taken pending completion of an EIR which addresses the cumulative impact of continued construction of piers in Lake Tahoe. The application herein is for the continued use of an existing pier and six buoys in the lake, and therefore is not subject to the Commission's suspension of leasing activities for new construction.
4. This is a multiple-use pier and buoys. Robert C. Holland, Thomas A. Mercurio, James Balsdon and George Montgomery each have an interest in the pier and the six mooring buoys. The pier projects from the upland property belonging to Holland and Mercurio.

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5. Permit is conditioned on permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.

APPROVALS OBTAINED:

United States Army Corps of Engineers; Tahoe Regional Planning Agency; and County of Placer.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1 AND 2, EXISTING FACILITY (BUOY) AND RECONSTRUCTION (PIER), 2 CAL. ADM. CODE 2905(a)(2) AND 2905(b).
2. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.
3. AUTHORIZE ISSUANCE TO HOLLAND & MERCURIO, ET AL, OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING JULY 25, 1985; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$531.30, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR RECONSTRUCTION AND MAINTENANCE OF AN EXISTING MULTIPLE USE PIER AND MAINTENANCE OF SIX MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 3905

Seven parcels of submerged land in the bed of Lake Tahoe, Placer County, California, said parcels being described as follows:

PARCEL 1 - Pier

All that land lying immediately beneath a pier TOGETHER WITH a necessary use area extending 10 feet from the extremities of said pier, said pier being adjacent to and easterly of Lot 4A, Block 2, as shown on the map entitled "Resubdivision of a part of Tahoe Pines" filed for record in Book "D" of Maps, Page 37, Placer County Records.

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

PARCELS 2-7 - Buoys

Six circular parcels of submerged land, each 40 feet in diameter, adjacent to and easterly of above described Parcel 1.

END OF DESCRIPTION

PREPARED JUNE 21, 1985 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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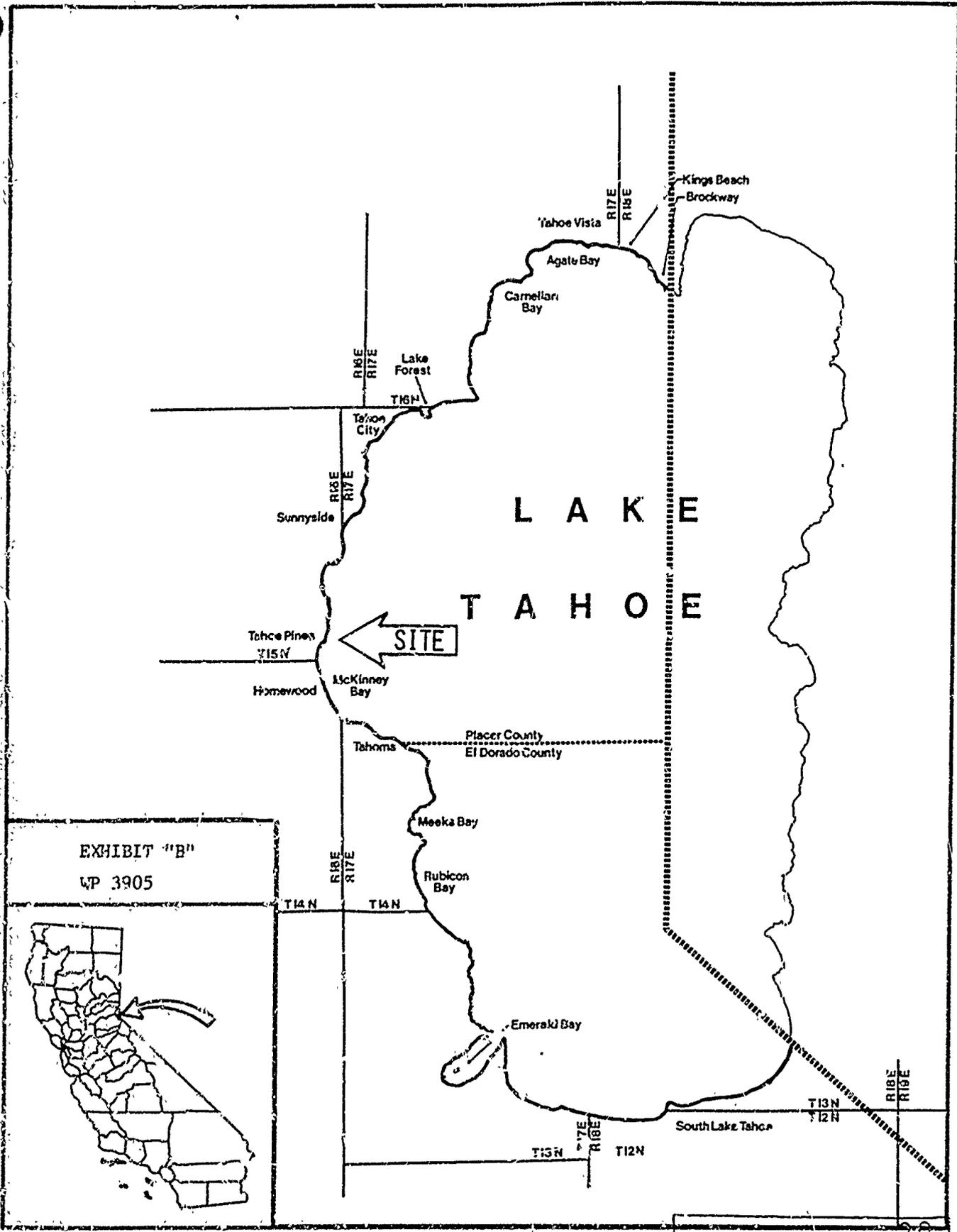


EXHIBIT "B"
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