

MINUTE ITEM

This Calendar Item No. C10
was approved as Minute Item
No. 10 by the State Lands
Commission by a vote of 2
to C at its 7/25/85
meeting.

CALENDAR ITEM

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07/25/85

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W 23401

Gordon

GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: United States Coast Guard
R. J. Williamson, Commander
Comptroller Twelfth Coast Guard District
U. S. Department of Transportation
Government Island
Alameda, California 94501

AREA, TYPE LAND AND LOCATION:
A 0.161-acre parcel of submerged land located
in Lake Tahoe near Lake Forest, Placer County.

LAND USE: Maintenance of an existing pier utilized for
boat mooring purposes.

TERMS OF PROPOSED PERMIT:
Initial period: 25 years beginning June 8,
1984.

- Special:
1. The permit is conditioned on Permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.
 2. The permit restricts the utilization of the structure for floating residence purposes.
 3. The permit conforms to the Lyon/Fogerty decision.
 4. The permit will not waive Permittee's navigational servitude rights.

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5. Permittee indemnifies Permitter to the extent provided by the Federal Tort Claims Act.

6. The permit restricts any obligation of federal funds in advance of an appropriation of said funds.

Consideration: The public 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.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
Applicant is owner of upland.

FREREQUISITE CONDITIONS, FEES AND EXPENSES:
Applicant requests all fees, rents, and related charges be waived in consideration of its constitutional authority to exercise the rights of navigational servitude encompassing the protection and improvement of navigable waterways for public use and commerce.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 09/20/85.

OTHER PERTINENT INFORMATION:
1. The annual rental value of this site is estimated to be \$631.80.
2. This facility is located adjacent to the United States Coast Guard Station on the upland and utilized by the applicant to carry out search and rescue, law enforcement, and environmental protection responsibilities.

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3. 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, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the activity is consistent with its use classification.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, United States Army Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board 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, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. WAIVE THE FILING AND PROCESSING FEES IN CONSIDERATION OF THE PUBLIC BENEFIT RESULTING FROM INCREASED SECURITY AND SAFETY OF THE BOATING PUBLIC.

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4. AUTHORIZE ISSUANCE TO THE UNITED STATES COAST GUARD OF A 25-YEAR GENERAL PERMIT - PUBLIC AGENCY USE BEGINNING JUNE 8, 1984; IN CONSIDERATION OF THE PUBLIC 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; FOR MAINTENANCE OF AN EXISTING PIER UTILIZED FOR BOAT MOORING PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

A parcel of submerged land in the bed of Lake Tahoe, Placer County, California, described as follows:

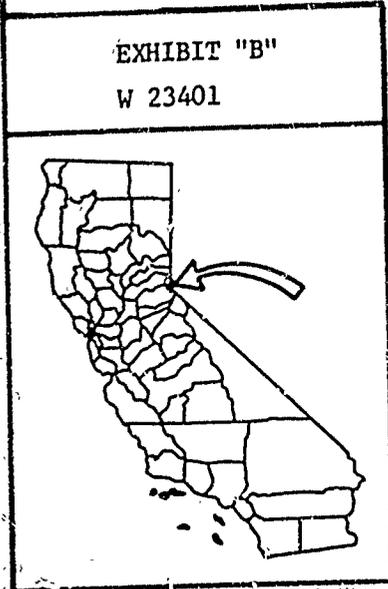
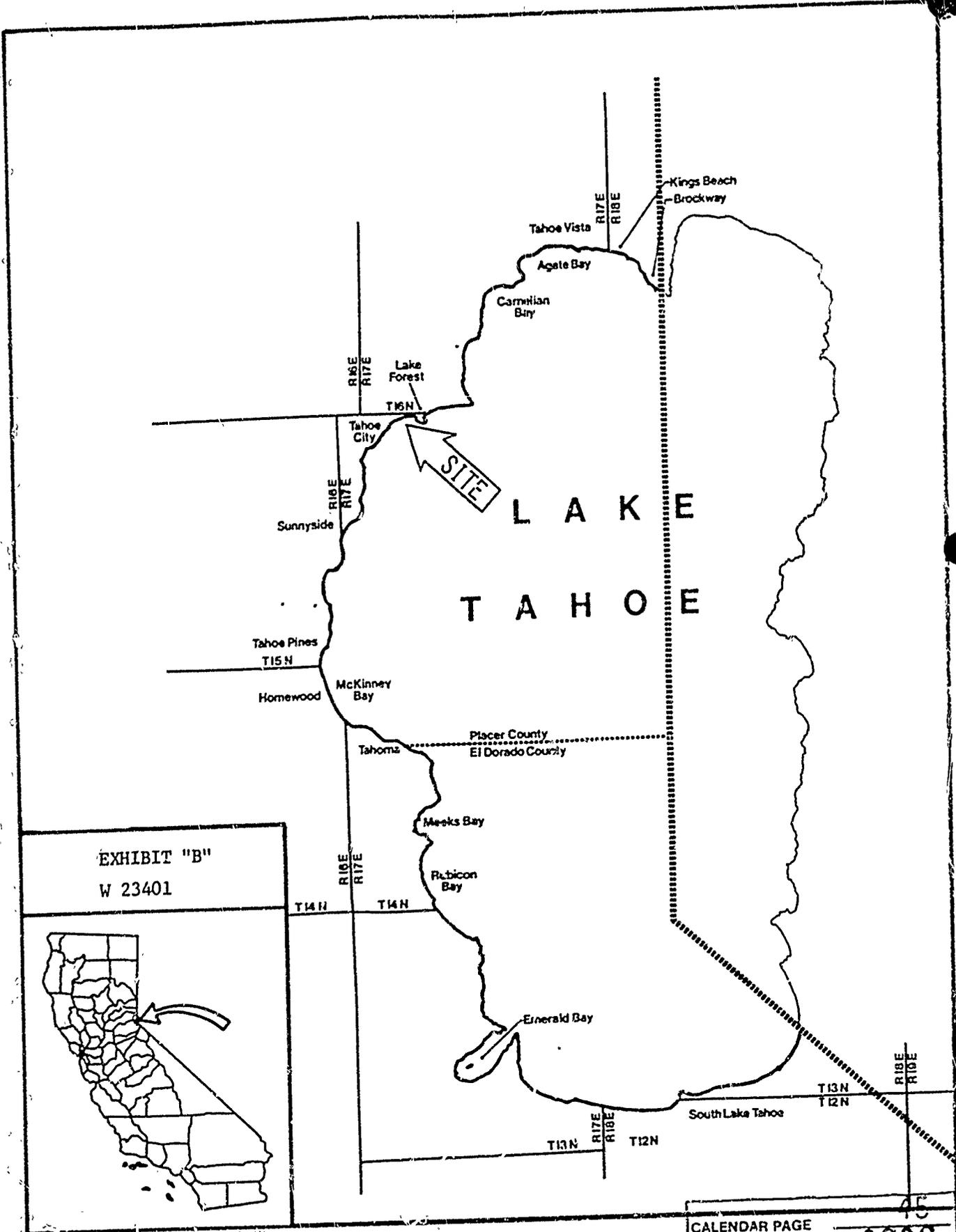
All that land lying immediately beneath a pier TOGETHER WITH a necessary use area extending 10 feet from the extremities of said pier, said pier being southerly of and adjacent to that land described in the Quitclaim Deed to the United States Coast Guard, filed for record on June 26, 1961 in Volume 881 of Deeds, Page 82, Placer County Official Records.

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

END OF DESCRIPTION

PREPARED DECEMBER 11, 1984 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR

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