MINUTE ITEM
This Calendar Item No. 18
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 3
to 0 at its 9-23-87
meeting.

CALENDAR ITEM

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09/23/87
WP 3545 PRC 3545
Gordon

TERMINATION OF GENERAL PERMIT PRC 3545 AND
ISSUANCE OF GENERAL PERMIT - RECREATIONAL
AND RIGHT-OF-WAY USES

APPLICANT: Alvina Patterson
2101 Webster Street, Suite 1701
Oakland, California 94612

AREA, TYPE LAND AND LOCATION:
A 0.135-acre area of submerged land located in Lake Tahoe at Carnelian Bay, Placer County.

LAND USE: Maintenance of a pier, two mooring buoys, and a pipeline, all existing and utilized for recreational boating and fresh water intake purposes.

TERMS OF ORIGINAL PERMIT:

Initial period: 15 years beginning July 1, 1977.

Public liability insurance: Combined single limit coverage of $500,000.

Consideration: $220 per annum; five-year rent review.

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 situate on or adjacent to County lands.

3. The permit conforms to the Lyon/Fogerty decision.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years beginning September 8, 1986.

Public liability insurance: Combined single limit coverage of $500,000.

Special:

1. The permit is conditioned on permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.

2. The permit prohibits the use of the facilities for residential purposes.

3. The permit conforms to the Lyon/Fogerty decision.

CONSIDERATION: $606.80 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 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs have been received.

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: 11/04/87.

OTHER PERTINENT INFORMATION:

1. At its meeting on September 26, 1979, the Commission, in Minute Item 23, authorized the issuance of General Permit - Recreational and Right-of-Way Uses PRC 3545 to Schwartz-Ricci Enterprises for maintenance of a pier, pumphouse-sundeck, and intake pipeline.

   The format of this agreement is not consistent with the Commission's current rules and regulations. Therefore, termination of this permit is recommended.

   At its meeting on October 28, 1982, the Commission, in Minute Item 6, approved the assignment of said permit to Dennis Ricci, Shigeru Tokubo, Ronald Rossi (aka Ronald R. Rossi), Gloria Rossi, and T. G. Rossi.

   The permittees conveyed the facilities to Applicant without first receiving the Commission's approval of the assignment, transference, or subletting of said permit. The upland is improved with a six-unit motel known as Lakeside Chalets. The subject facilities serve as an accommodation for the benefit of the owner, patrons, and guests of the motel.

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, 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.

3. 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:

None.

FURTHER APPROVALS REQUIRED:

Tahoe Regional Planning Agency, United States Army Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and the County of Placer.

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 AUTHORIZE TERMINATION OF GENERAL PERMIT PRC 3545 DATED OCTOBER 12, 1979, EFFECTIVE SEPTEMBER 8, 1986.

4. AUTHORIZE ISSUANCE TO ALVINA PATTERSON OF A 15-YEAR GENERAL PERMIT - RECREATIONAL AND RIGHT-OF-WAY USES BEGINNING SEPTEMBER 8, 1986; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $606.80, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $500,000; FOR MAINTENANCE OF A PIER, TWO MOORING BUOYS, AND A PIPELINE, ALL EXISTING AND UTLILIZED FOR RECREATIONAL BOATING AND FRESH WATER INTAKE PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION WP 3545

Four parcels of submerged land in the State owned bed of Lake Tahoe, Placer County, State of California, lying southerly of and adjacent to that parcel of land described in a Grant Deed as being Lots 1, 2, 3, and 4 and the East half of Lot 5 of Block Q of Carnelian Bay as shown on the Map of Carnelian Bay on Lake Tahoe filed for record in the Office of the County Recorder of Placer County on January 6, 1908 in Book C No. 1 of Maps at page 14, more particularly described as follows:

PARCEL 1

All that land being immediately beneath and extending 10 feet on all sides of an existing pier.

PARCEL 2

A 2 foot strip of land being one foot on each side of the centerline of an existing 1 1/2 inch diameter pipeline extending 364 feet, more or less, waterward of an existing pumphouse-sundeck.

PARCELS 3 and 4

Two circular parcels of submerged land 40 feet in diameter lying 160 feet and 220 feet, more or less, waterward of the above described Lots.

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

END OF DESCRIPTION

REVISED APRI' '7, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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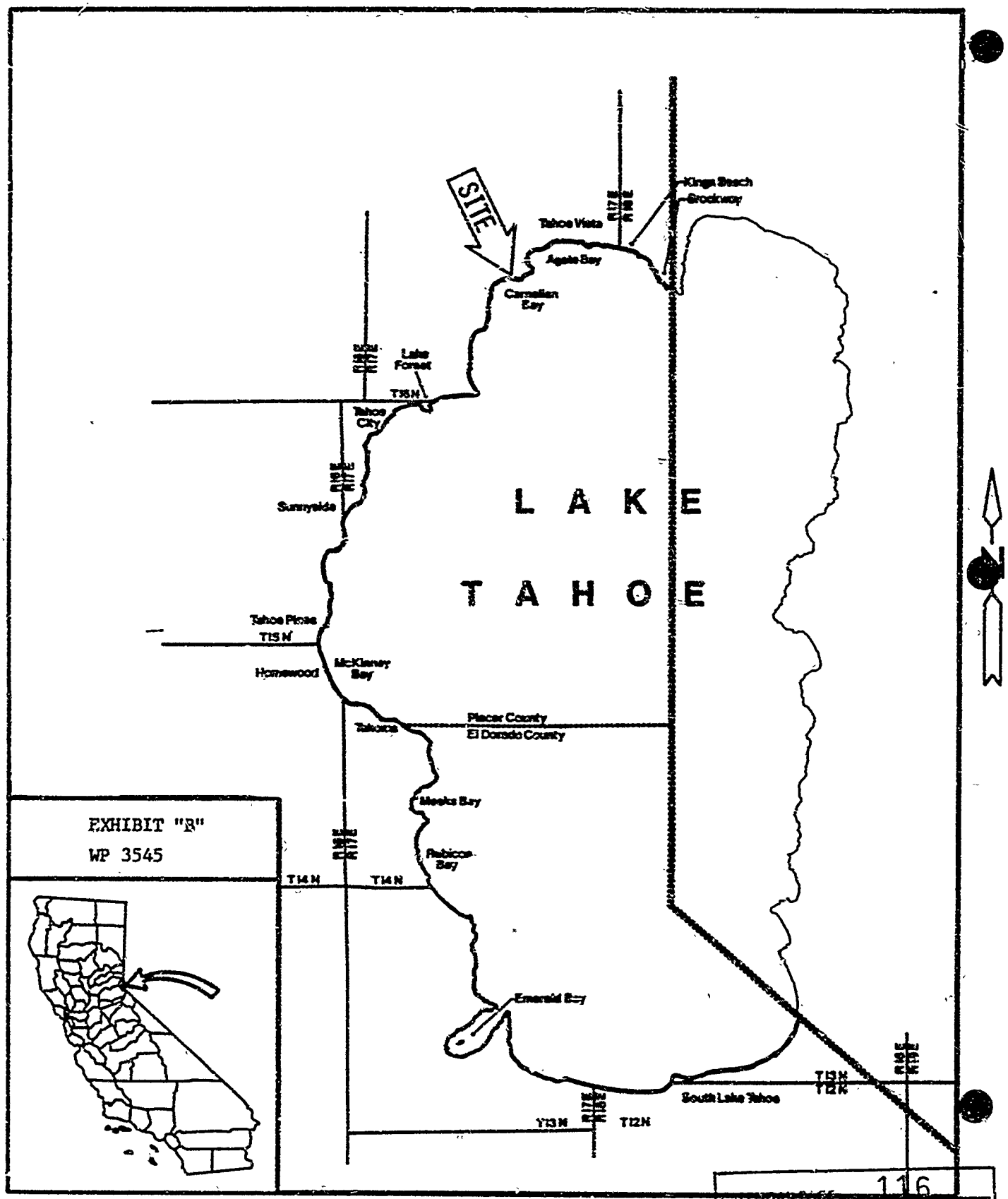
SITE
Kings Beach
Brockway
Tahoe Vista
Agate Bay
Carnelian Bay
Lake Forest
T16N
Tahoe City
Sunnyside
LAKE
TAHOE
Tahoe Pines
T15N
Homewood
McKinney Bay
Placer County
El Dorado County
Tahoma
Meeks Bay
Rubicon Bay
T14N
T14N
Emerald Bay
South Lake Tahoe
T13N
T12N
T13N
T12N
EXHIBIT "B"
WP 3545