

MINUTE ITEM

This Calendar Item No. 007
was approved as Minute Item
No. 1 by the State Lands
Commission by a vote of 3
to 0 at its 2/6/91
meeting.

CALENDAR ITEM

A 7

C 0 7

02/06/91

S 1

PRC 6864

Gordon

AMENDMENT OF GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT:

United States Coast Guard
P. O. Box 882
Tahoe City, California 95730

AREA, TYPE LAND AND LOCATION:

A 0.166-acre parcel of submerged land located in Lake Tahoe
near Lake Forest, Placer County.

LAND USE:

Construction of a low-level boat lift as an addition to an
existing pier utilized for boat mooring purposes.

TERMS OF ORIGINAL PERMIT:

Initial period:

Twenty-five (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 permittor 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.

TERMS OF PROPOSED AMENDMENT OF PERMIT:

Initial period:

Twenty-five (25) years beginning June 8, 1984.

Special:

1. The amendment authorizes the addition of a boat lift on the pier.

2. The amendment further restricts any residential use of the facilities; requires refuse containers for the disposal of vessel-generated trash; and conditions the permit on permittee's retention of the public trust area and the Rorippa habitat area in its natural condition.

3. All other terms and conditions of the permit remain in full force and effect.

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. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Applicant requests the Commission's processing fee 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.

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STATUTORY AND OTHER REFERENCES:

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

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$1,565.
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. The addition of a boat lift will greatly reduce Applicant's response time to emergency calls.
3. The Applicant is a public agency obligated by law to protect the endangered plant, *Rorippa subumbellata* and its habitat area.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that his activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures, 2 Cal. Code Regs. 2905(c)(1).

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

5. 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.

CALENDAR ITEM NO. C 07 (CONT'D)

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description
- B. Location Map
- C. Local Government Comment

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES, 2 CAL. CODE REGS. 2905(c)(1).
2. WAIVE THE PROCESSING FEE IN CONSIDERATION OF THE PUBLIC BENEFIT RESULTING FROM THE ENHANCEMENT OF SECURITY AND SAFETY OF THE BOATING PUBLIC.
3. AUTHORIZE THE AMENDMENT OF GENERAL PERMIT - PUBLIC AGENCY USE PRC 6864, EFFECTIVE AUGUST 16, 1989, TO CONSTRUCT A LOW-LEVEL BOAT LIFT AS AN ADDITION TO THE PIER AND TO ADD NEW STANDARD PROVISIONS TO THE PERMIT; 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.

EXHIBIT "A"

LAND DESCRIPTION

PRC 6864.9

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 and boat lift TOGETHER WITH a necessary use area extending 10 feet from the extremities of said pier and boat lift, said pier and boatlift being southerly 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 lying landward of the ordinary low water mark of Lake Tahoe

END OF DESCRIPTION

REVISED APRIL 5, 1989 BY SAS.

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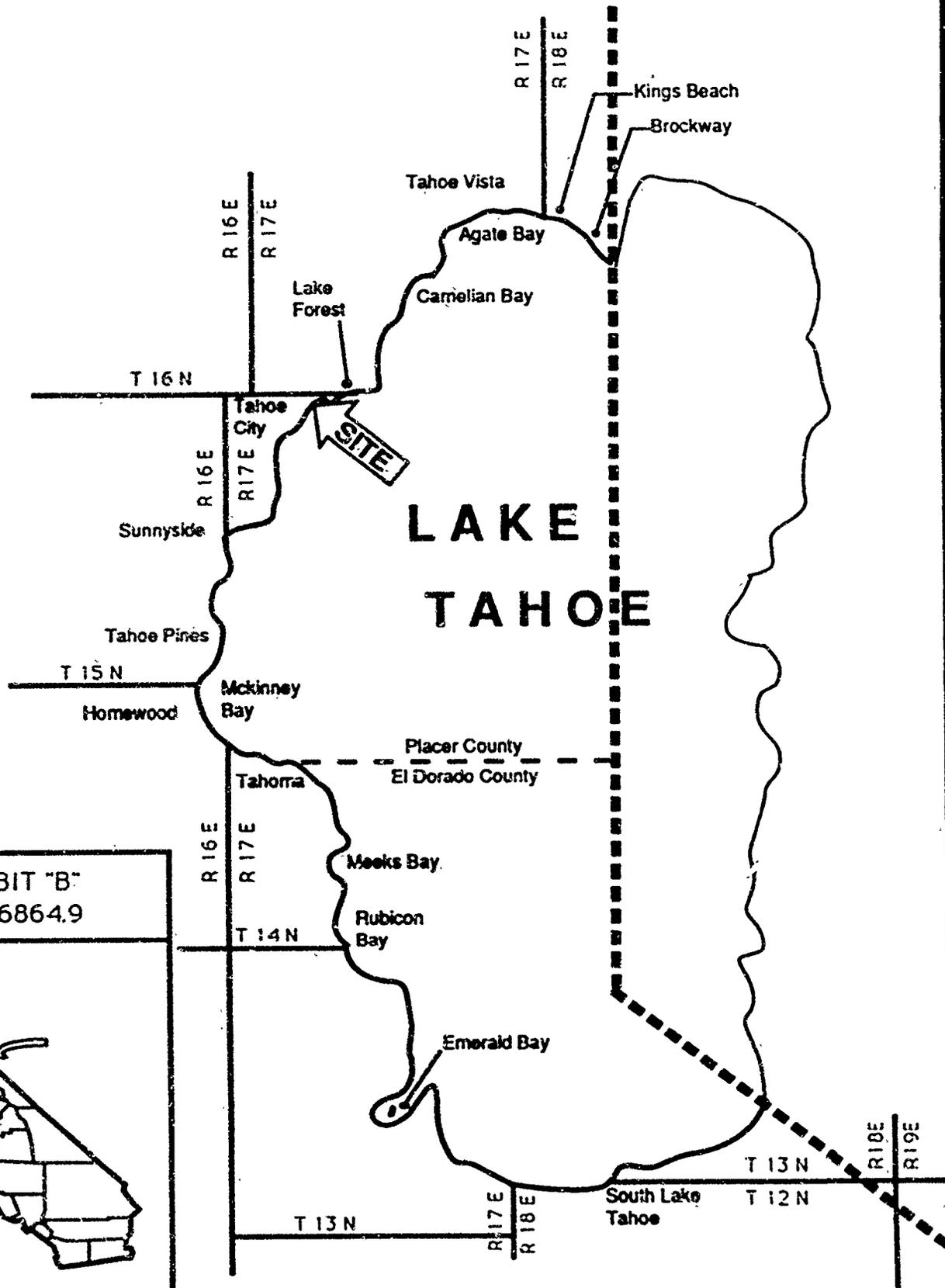


EXHIBIT "B"
PRC 6864.9



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RECEIVED
OCT 13 1989

PLACER COUNTY
DEPARTMENT OF PUBLIC WORKS

Date: 10/18/89

File Ref: PRC 6864.9

State Lands Commission
Attn: Gerald D. Gordon
1807 - 13th Street
Sacramento, California 95814

Greetings:

Subject: Low-level Boat Lift Addition to an Existing Pier in Lake Tahoe near Lake Forest

Name: United States Coast Guard

Address: P.O. Box 882
Tahoe City, California 95730

Assessor's Parcel No. 94-140-15

The County of Placer has received notice of the above-referenced activity in Lake Tahoe and has no objection to said facilities or to the issuance of a permit or lease by the State Lands Commission for such use of sovereign lands.

If you have any questions, you may reach me at (916) 823-4670.

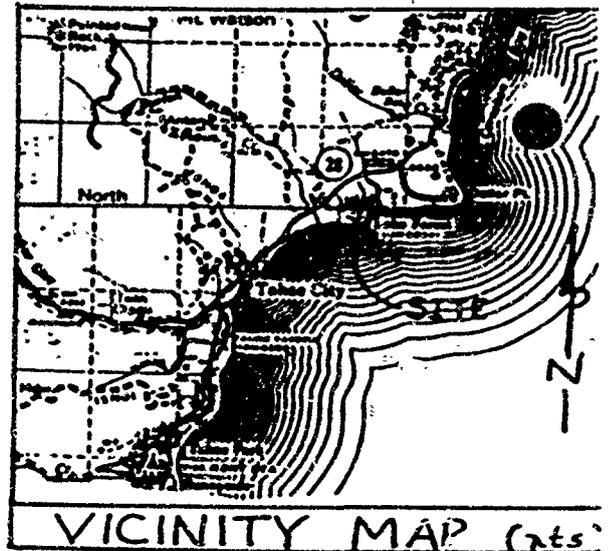
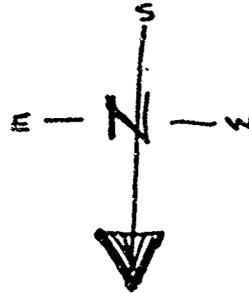
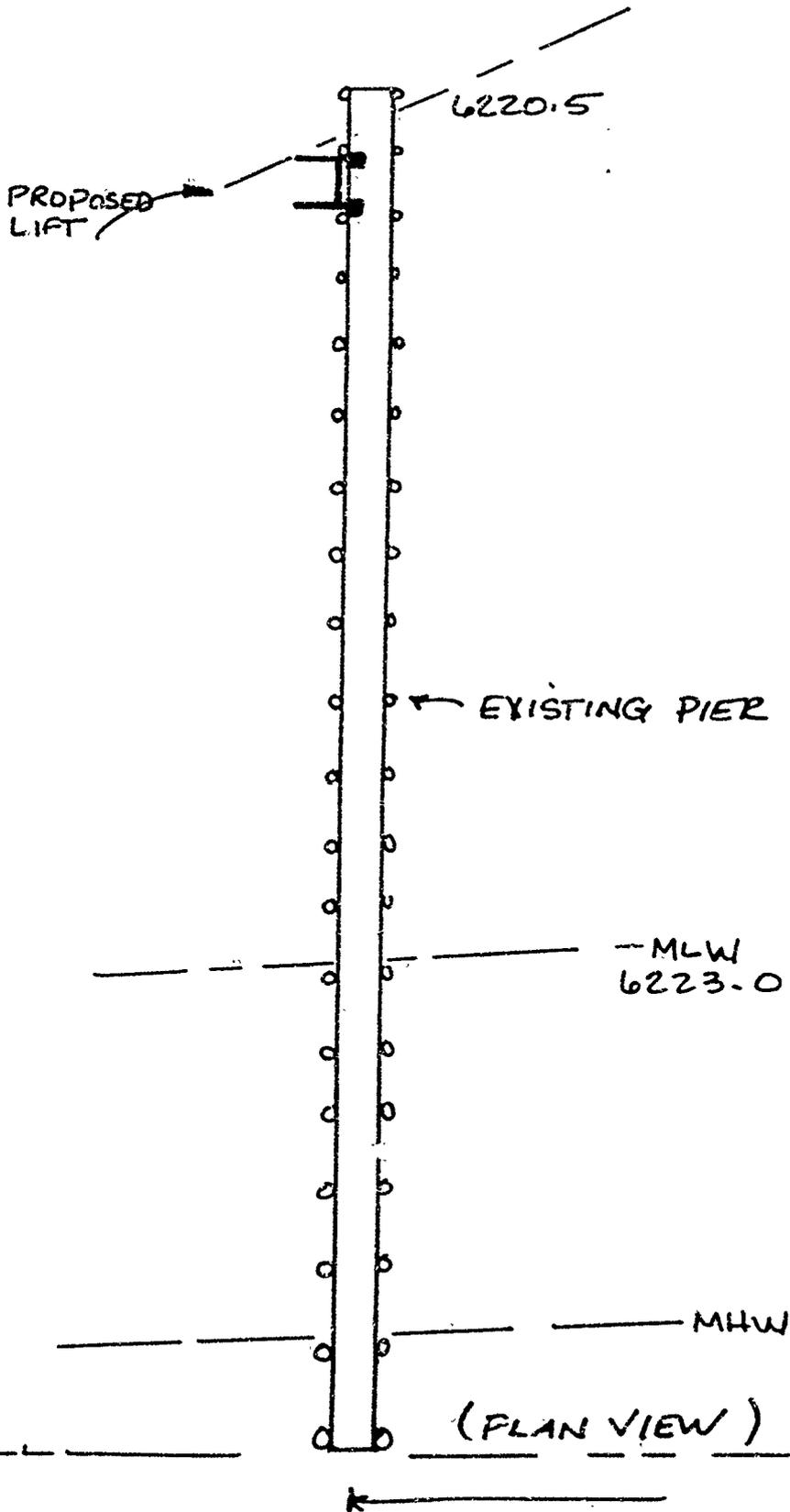
County of Placer
Department of Public Works
Jack Warren, Director

Maury Erickson

FERRICK R. ERICKSON
Associate Civil Engineer

84151

U. S. COAST GUARD STATION LAKE TAHOE
PLACER COUNTY APN 94-145-15
2500 LAKE FOREST RD.



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