

MINUTE ITEM

3/31/75
RO

14. 10-YEAR RECREATIONAL PIER PERMITS: LACHLAND M. RICHARDS, LAKE TAHOE, EL DORADO COUNTY; DALLAS G. & JOANNE AFFRONTE MORAN, HUNTINGTON HARBOUR, ORANGE COUNTY; VINCENT S. & BEVERLY G. DALSIMER, HUNTINGTON HARBOUR, ORANGE COUNTY; DEWITT C. & SHIRLEY J. CARR, SACRAMENTO RIVER, SACRAMENTO COUNTY; BETTE H. BUSCHER, LAKE TAHOE, PLACER COUNTY; CURTIS G. & FLORA HANISCH, TAYLOR SLOUGH, CONTRA COSTA COUNTY; KENNETH C. & RUTH M. SMITH, LAKE TAHOE, EL DORADO COUNTY; RONALD B. & AGNES MARY GRAVES, TAYLOR SLOUGH, CONTRA COSTA COUNTY; MALCOLM D. & PATRICIA L. AITKEN, LAKE TAHOE, EL DORADO COUNTY; THOMAS C. & ATRELL WINN AND RICHARD C. & WINIFRED V. THOMAS, OLD RIVER, CONTRA COSTA COUNTY; JOSEPH B. & HELEN E. KENNEDY, TAYLOR SLOUGH, CONTRA COSTA COUNTY - WP 3241, WP 3248, WP 3254, WP 3258, WP 3401, W 20747, W 20834, W 20843, W 20853, W 20869, W 20887.

During consideration of Calendar Item 12 attached, Commissioner Dymally asked whether the State has the right to condemn the land under permit if at a future date the State decided to use it for public recreation. Mr. N. Gregory Taylor, Deputy Attorney General, indicated that it would depend on the terms of the permit. Normally, he explained, if the permittee has a fixed term, there would have to be some settlement made with the property owner. Commissioner Dymally stated that he was not prepared to vote on the item until a policy had been developed by the Commission with regard to the questions of condemnation and rental. The matter was therefore deferred until the Commission has developed a policy on this matter.

Attachment:

Calendar Item 12 (3 pages)

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CALENDAR ITEM

3/75

12.

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WP 3241

WP 3248

WP 3254

WP 3258

WP 3401

W 20747

W 20834

W 20843

W 20853

W 20869

W 20887

RECREATIONAL PIER PERMITS

APPLICANTS: As listed on Exhibit "A" attached.

TERMS: Initial period: 10 years.
Renewal option: None.
Surety bond: None.
Insurance: None.

RENTAL: None (Section 6503, Public Resources Code).

PREREQUISITE ITEMS:

Applicants are littoral landowners as defined in Section 6503, Public Resources Code.

OTHER PERTINENT INFORMATION:

1. WP 3241, WP 3248, WP 3254, WP 3258 and WP 3401 cover existing facilities which have been in place for a number of years under previously authorized permits. W 20834, W 20853, W 20887 and W 20869 are existing facilities not under prior permit and brought under application by trespass investigation. All facilities are in an acceptable state of repair and are therefore exempt from the requirements of CEQA, as amended, pursuant to PRC 21085; 14 Cal. Adm. Code 15100; and 2 Cal. Adm. Code 2910.
2. W 20747 is a proposed replacement of an existing structure on the same site and substantially for the same purpose. It is therefore exempt from the provisions of CEQA, as amended, pursuant to PRC 21085; 14 Cal. Adm. Code 15100; and 2 Cal. Adm. Code 2910.
3. W 20843 is a proposed new floating structure which will occupy under 3,000 square feet and is therefore exempt from the provisions of CEQA, as amended, pursuant to PRC 21085; 14 Cal. Adm. Code 15100, et seq.; and 2 Cal. Adm. Code 2910.
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

A 3, 7, 10, 73, 5
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CALENDAR ITEM NO. 12. (CONTD)

if any alteration, repair, or removal required pursuant to said Ordinance is 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.

EXHIBITS: A. Applicants and Property Description.
 B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT ENVIRONMENTAL IMPACT REPORTS HAVE NOT BEEN PREPARED FOR THESE ACTIVITIES AS SUCH REPORTS ARE NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910.
2. AUTHORIZE THE ISSUANCE OF 10-YEAR RECREATIONAL PIER PERMITS TO THE APPLICANTS LISTED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

<u>W.O. NO.</u>	<u>APPLICANT</u>	<u>LOCATION</u>	<u>UPLAND PROPERTY DESCRIPTION</u>
WP 3241	Lachland M. Richards	Lake Tahoe, El Dorado County	That portion of Jameson Beach Tract as described in that deed dated July 3, 1946, on file in the office of the County Recorder of El Dorado County
WP 3248	Dallas G. & Joanne Affronte Moran	Huntington Harbour, Orange County	Lot 24, Tract 4677
WP 3254	Vincent S. & Beverly G. Dalsimer	Huntington Harbour, Orange County	Lot 47, Tract 5264
WP 3258	DeWitt C. & Shirley J. Carr	Sacramento River, Sacramento County	Ptn. of Lot 140, Natomas Elkhorn Subdvn.
WP 3401	Bette H. Buscher	Lake Tahoe, Placer County	Lot 1, Lake Forest Unit No. 2
W 20747	Curtis G. & Flora Hanisch	Taylor Slough, Contra Costa County	Lot 25, Anglers Ranch Subdvn. No. 4
W 20834	Kenneth C. & Ruth M. Smith	Lake Tahoe, El Dorado County	Lots 8 & 11, Blk. 1, Al Tahoe Subdvn.
W 20843	Ronald B. & Agnes Mary Graves	Taylor Slough Contra Costa County	Lot 86, Anglers Ranch Subdvn. No. 4
W 20853	Malcolm D. & Patricia L. Aitken	Lake Tahoe, El Dorado County	Lots 13 & 14, Blk. 8, Al Tahoe Subdvn.
W 20869	Thomas C. & Atrell Winn and Richard C. & Winifred V. Thomas	Old River, Contra Costa County	That certain parcel of land as described in Grant Deed recorded in Book 6745, page 624, O.R., Contra Costa County
W 20887	Joseph B. & Helen E. Kennedy	Taylor Slough, Contra Costa County	Lot 16, Anglers Ranch Subdvn. No. 4