

MINUTE ITEM

Calendar Item No. C5
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 3
to 0 at its 12/16/82
meeting.

CALENDAR ITEM

C 0 5 1

12/16/82
WP 1710 PRC 1710
Gordon

ASSIGNMENT AND AMENDMENT OF
GENERAL PERMIT - RECREATIONAL USE
PRC 1710.1

ASSIGNOR: Victor O'Hara and Marian O'Hara
P. O. Box 4841
Incline Village, California 89450

ASSIGNEE: John Rufus McManus
P. O. Box F
Truckee, California 95734

AREA, TYPE LAND AND LOCATION:
An 0.052-acre parcel and an 0.029-acre
circular parcel, 40 feet in diameter, all
submerged lands in Lake Tahoe at Carnelian
Bay, Placer County.

LAND USE: Construction, reconstruction and maintenance
of one existing pier and one existing mooring
buoy utilized for multiple-use non-commercial
boating.

TERMS OF ORIGINAL PERMIT:
Initial period: 15 years from October 12,
1977.

Public liability insurance: \$500,000 per
occurrence for bodily
injury and \$50,000 for
property damage.

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CALENDAR ITEM NO. 05 (CONT.)

Current Consideration: \$231 per annum for the pier only; five-year rent review. The current rent was increased from \$40 per annum at the last rent review approved April 22, 1982.

TERMS OF PROPOSED AMENDED PERMIT:

Initial period: 15 years from October 12, 1977.

Public liability insurance: Combined single limit coverage of \$1,000,000 per occurrence for bodily injury and property damage.

- Special:
1. The amendment authorizes one existing mooring buoy, increases the area of use, increases the public liability insurance coverage, conditions the permit on permittee's conformance with the Shorezone Ordinances of California Tahoe Regional Planning Agency and Tahoe Regional Planning Agency and conforms the permit to the Lyon/Pogerty decision.
 2. All other terms and conditions of the permit remain in full force and effect.

CONSIDERATION. As to the pier: \$208.96 for the term October 12, 1982 through October 11, 1983, and \$202.68 per annum thereafter.

As to the buoy: \$44.32 for the term October 27, 1981 through October 11, 1982, and \$50 per annum thereafter, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

CALENDAR ITEM NO. 633 (CONTD)

BASIS FOR CONSIDERATION:

Fair Rental Lake Tahoe Benchmark appraisal pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

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: 10/13/83.

OTHER PERTINENT INFORMATION:

1. The subject facilities are utilized to accommodate applicant's tenants and guests. The upland is occupied by a total of six residential units located in two two-story apartment buildings. In addition to upland use, the reconstructed pier shall also be available for general public use. This application was received prior to the Commission's current moratorium on extensions of existing piers at Lake Tahoe (Calendar Item 10, April 27, 1982). The project has been authorized by the California Tahoe Regional Planning Agency and the Tahoe Regional Planning Agency.
2. This project is exempt from CEQA in that it is an existing facility in an acceptable state of repair, and that it is reconstruction of a deteriorated structure and new construction which will occupy less than 3,000 square feet pursuant to 2 Cal. Adm. Code 2905(a) Class 1(2), 2905(b) Class 2 and 2905(c) Class 3(1).

CALENDAR ITEM NO. 05 (CONTD)

3. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category "B" which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.

APPROVALS OBTAINED:

California Tahoe Regional Planning Agency,
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.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. APPROVE, EFFECTIVE JANUARY 1, 1983, THE ASSIGNMENT OF GENERAL PERMIT - RECREATIONAL USE, PRC 1710.1, COVERING MAINTENANCE OF ONE MULTIPLE-USE PIER UTILIZED FOR NON-COMMERCIAL BOATING, FROM VICTOR O'HARA AND MARIAN O'HARA TO JOHN RUFUS MCMANUS.
3. AUTHORIZE THE AMENDMENT OF GENERAL PERMIT - RECREATIONAL USE PRC 1710.1, EFFECTIVE JANUARY 1, 1983; IN CONSIDERATION OF RENT IN THE AMOUNT OF \$208.96 FOR THE TERM OCTOBER 12, 1982, THROUGH OCTOBER 11, 1983, AND \$202.68 PER ANNUM THEREAFTER, AS TO THE PIER, AND \$44.32 FOR THE TERM OCTOBER 27, 1981 THROUGH OCTOBER 11, 1982, AND \$50 PER ANNUM THEREAFTER, AS TO THE BUOY, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; AND WITH PROVISION

CALENDAR ITEM NO. C 0 5 (CONT'D)

OF PUBLIC LIABILITY INSURANCE HAVING COMBINED SINGLE
LIMIT COVERAGE IN THE AMOUNT OF \$1,000,000 PER OCCURRENCE
FOR BODILY INJURY AND PROPERTY DAMAGE; FOR CONSTRUCTION,
RECONSTRUCTION AND MAINTENANCE OF ONE PIER AND ONE
MOORING BUOY UTILIZED FOR MULTIPLE-USE NON-COMMERCIAL
BOATING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED
AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 1710

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

PARCEL 1 - Pier

All that land lying immediately beneath an existing pier and proposed additions thereto, TOGETHER WITH a necessary use area extending 10 feet from the extremities of said pier and additions, said pier and additions lying southerly of the W-1/2 of Lot 5, Block Q, and all of Lot 6, Block Q, as said Lots and Block appear on the map "Carnelian Bay on Lake Tahoe" filed in Book C-1 of Maps at page 14, filed January 6, 1908 in the office of the Placer County Recorder. The centerline of the northerly terminus of the existing portion of said pier has California Coordinate System Zone 2 coordinates of X = 2,644,635 and Y = 573,720.

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

PARCEL 2 - Buoy

A circular parcel of submerged land 40 feet in diameter adjacent to and southeasterly of the above described Parcel 1.

END OF DESCRIPTION

REVISED OCTOBER 6, 1982, BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR

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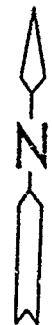
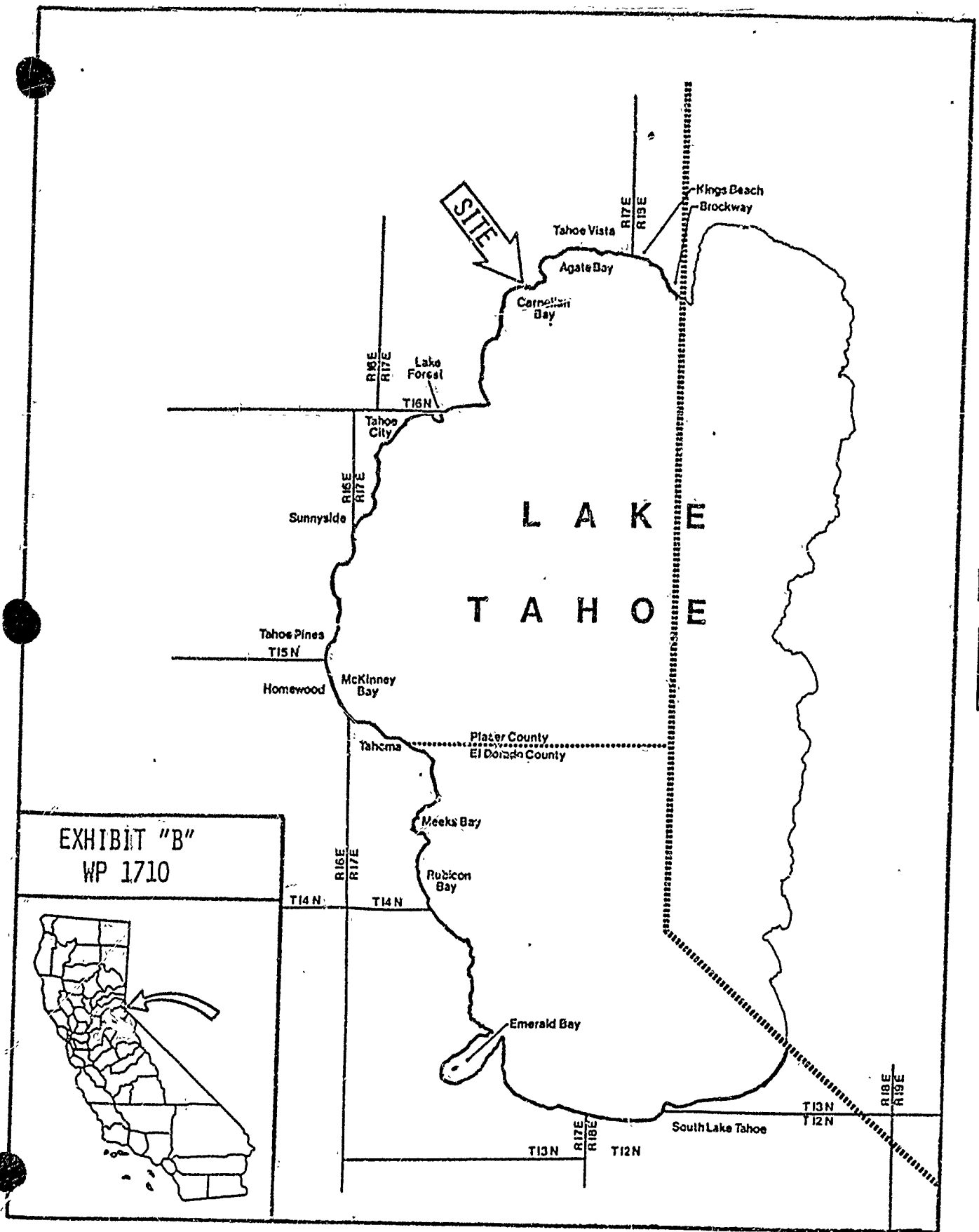


EXHIBIT "B"
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