

to be at its meeting

1/23/77

8/77  
WP 5022  
Gordon  
PRC 5022

CALENDAR ITEM

C17.

CANCELLATION OF USE PERMIT  
P.R.C. 5022.1; ISSUANCE OF  
GENERAL PERMIT - RECREATIONAL USE

APPLICANTS: Donald Sweet, Sara Sweet, George S. Avanesian,  
Patricia Avanesian, Joseph E. Venosa and  
Joy Neomi Venosa  
9 Sutter Street, Room 901  
San Francisco, CA 94104

AREA, TYPE LAND AND LOCATION: An 0.068-acre parcel and two 0.029-acre  
circular parcels, each 40 feet in diameter,  
all on submerged lands in Lake Tahoe at  
Kings Beach, Placer County.

LAND USE: Construction of 1 pier, placement and mainten-  
ance of 1 new buoy and maintenance of 1  
existing buoy, respectively, for recreational  
boating.

TERMS OF ORIGINAL PERMIT FOR ONE BUOY:  
Initial period: 5 years from July 1, 1975.  
Surety bond: \$500  
Consideration: \$100 per annum.

TERMS OF PROPOSED PERMIT:  
initial period: 10 years from July 1, 1977.  
Public liability insurance: \$300,000 per  
occurrence for bodily  
injury and \$50,000 for  
property damage.

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

A 3  
S 1

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2. The permit is conditioned on the County of Placer's authorization and consent of any of the subject facilities found to be on or adjacent to County lands.

3. The permit is entered into by all parties without prejudice to their respective claims of boundary.

CONSIDERATION: \$102.33 from July 1, 1977 through June 30, 1978; and \$110 per annum thereafter, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:  
2 Cal. Adm. Code 2006.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicants are the owner and permittees of the upland.

Filing fee and environmental costs have been received.

APPROVALS REQUIRED AND OBTAINED:  
This project is subject to the jurisdiction of the Tahoe Regional Planning Agency's, U. S. Army, Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and the County of Placer. The proposed permit is conditioned on the approval of all agencies having jurisdiction.

STATUTORY AND OTHER REFERENCES:  
A. Public Resources Code: Div. 6, Parts 1 & 2.  
B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:  
1. The issuance of Use Permit, PRC 5022.1 to Donald and Sara Sweet for placement

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of 1 buoy was authorized by the Commission on June 23, 1975 (Minute Item No. 14, page 645). Applicants, pursuant to an agreement dated October 25, 1976, a copy of which is on file in the office of the Commission and by reference made a part hereof, now desire to construct a pier, and to place a second buoy, for their future enjoyment of a greater recreational benefit adjacent to their littoral land. Staff has been specifically requested to cancel the Use Permit and to incorporate the previously authorized buoy with the proposed facilities in a General Permit under regulations of 2 Cal. Adm. Code 2006 effective March 1, 1977.

2. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation; and Class (A) and (C) which exempts new construction of small structures.
3. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be comparable with their nomination.

EXHIBITS:                    A. Land Description                    B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT

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REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

2. RESCIND ITS ACTION OF JUNE 23, 1975 (MINUTE ITEM NO. 14, PAGE 645) WHICH AUTHORIZED ISSUANCE OF A USE PERMIT FOR ONE BUOY.
3. FIND THAT GRANTING OF THE GENERAL PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
4. AUTHORIZE ISSUANCE TO DONALD SWEET, SARA SWEET, GEORGE S. AVANESSIAN, PATRICIA AVANESSIAN, JOSEPH E. VENOSA AND JOY NEOMI VENOSA OF A 10 YEAR GENERAL PERMIT - RECREATIONAL USE FROM JULY 1, 1977; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$102.33 FROM JULY 1, 1977 THRU JUNE 30, 1978, AND \$110 THEREAFTER; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$300,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR CONSTRUCTION OF 1 PIER, PLACEMENT AND MAINTENANCE OF 1 NEW BUOY AND MAINTENANCE OF 1 EXISTING BUOY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 5022

Three parcels of land in the bed of Lake Tahoe, Placer County, California, more particularly described as follows:

PARCEL 1 - PIER

That land immediately beneath a pier TOGETHER WITH a necessary use area extending no more than 10 feet from said pier, said pier being adjacent to Lot 24 and the W 1/2 of Lot 25 of Block BF of Brockway Vista Subdivision as shown on that map filed in Book D of Maps, page 16, Placer County Records.

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

PARCELS 2 and 3 - BUOYS

Two circular parcels of land 40 feet in diameter, said parcels being adjacent to and southerly of Lot 24 and the W 1/2 of Lot 25 of Block BF of Brockway Vista Subdivision as shown on that map filed in Book D of Maps, page 16, Placer County Records.

END OF DESCRIPTION

Prepared M. J. Shahan Checked Edward F. King  
Reviewed A. W. Ginnelcke Date 7/8/77