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CALENDAR ITEM

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WP 5113
Gordon

RESCISSION OF USE PERMIT PRC 5113.1;
ISSUANCE OF GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Stanley Hiller, Jr.
3000 Sand Hill Road
Menlo Park, California 94025

AREA, TYPE LAND AND LOCATION: A 0.065 acre parcel, and two 0.029 acre circular parcels, each 40 feet in diameter, all on submerged lands in Lake Tahoe near Tahoe, Placer County.

LAND USE: Reconstruction of 1 pier and the placement and maintenance of 2 mooring buoys, respectively, for recreational boating.

TERMS OF ORIGINAL PERMIT FOR 1 PIER:
Initial period: 5 years from November 19, 1975.
Surety bond: \$3,000.
Consideration: \$100 per annum.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from November 19, 1977.
Public liability insurance: \$400,000 per occurrence for bodily injury and \$100,000 for property damage.

Special: 1. The permit is conditioned on permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.
2. The permit is entered into by all parties without prejudice to their respective claims of boundary.

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CALENDAR ITEM NO. C15. (CONTD)

CONSIDERATION: Pier: \$50 per annum; buoys: \$6⁰⁰ per annum, with the State reserving the right to fix a differential rental on each fifth anniversary of the permit.

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

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.
Filing fee has been received.

APPROVALS OBTAINED:

1. Tahoe Regional Planning Agency.
2. United States Army Corps of Engineers.
3. California Department of Fish and Game.
4. 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 5113.1 to Stanley Hiller, Jr., for 1 pier was authorized by the Commission on April 28, 1976 (Minute Item No. 4). Applicant now desires to reconstruct the pier and to place 2 mooring buoys for his future enjoyment of a greater recreational benefit adjacent to his littoral land.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 3A and 3C which exempt construction of small structures, and small boat mooring buoys not used for commercial purposes, respectively.

CALENDAR ITEM NO. C15. (COMED)

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 compatible with their goals.

EXHIBITS: A: Lard Deser. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT 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 APRIL 28, 1976 (MINUTE ITEM NO. 4) WHICH AUTHORIZED ISSUANCE OF A USE PERMIT FOR 1 PIER.
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 STANLEY HILLER, JR., OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE FROM NOVEMBER 19, 1977; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$110, 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 IN AMOUNTS OF \$400,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE; FOR RECONSTRUCTION OF 1 PIER AND THE PLACEMENT AND MAINTENANCE OF 2 MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 5113

Four parcels of land in the bed of Lake Tahoe, in the vicinity of Tahoe, Placer County, California, said parcels 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 the extremities of said pier, said pier being adjacent to and northerly of that land described in the Trustee's deed recorded December 10, 1975, Volume 1688, page 223, Placer County Records.

PARCEL 2 - BOAT RAMP

That land immediately beneath a boat ramp being adjacent to and northerly of that land described in the aforementioned Trustee's deed in Parcel 1.

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

PARCELS 3 and 4 - BUOYS

Two circular parcels of land 40 feet in diameter situated adjacent to and northerly of that land described in the abovementioned lands of record.

END OF DESCRIPTION

Prepared R. N. Hill Checked Fred Thompson
Reviewed G. W. Hummel Date 6/14/77