

MINUTE ITEM

This Calendar Item No. C3
was approved as Minute Item
No. 3 by the State Lands
Commission by a vote of 2
to 1 at its 6-24-76
meeting. Commission-
alternate Walter McGuire
abstained from voting.

CALENDAR ITEM

C3.

6/76
W 8796
GDG
PRC 5134

USE PERMIT

APPLICANT: W. Grafton Worthington
70-209 Calico Road
Rancho Mirage, California 92270

AREA, TYPE LAND AND LOCATION:
One 0.078-acre parcel; one 0.067-acre parcel
and 2 circular parcels, each 40 feet in diameter
and each containing 0.029-acre; all of submerged
land in Lake Tahoe near Camp Richardson, El
Dorado County.

LAND USE: Two existing piers, and 2 small boat mooring
buoys for recreational boating.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years, from August 30, 1971.

Surety bond: \$6,000.

Special: 1. It is an express condition of
this permit that if any structure or appurtenances
hereby authorized are found to be situated upon
or adjacent to land of the County of El Dorado,
or any other entity, without their consent and
approval, then this permit is automatically
terminated, effective upon notice by the State,
and the site shall be cleared pursuant to the
terms herein.

2. As a supplement to Paragraph 6 of Section 5,
Permittee hereby agrees that when the State's
boundaries are established, the State has the
right to revise the rate and amount of the annual
rental in addition to the rights stated in
Paragraph 2 of Section 5 hereof; together with
the right to approve existing improvements and
fills in place.

CONSIDERATION: \$75 per annum pro-rated through June 29, 1975;
and \$100 per annum, thereafter, for each pier
and buoy.

BASIS FOR CONSIDERATION:
\$75 fixed annual rental through June 29, 1975;
and \$100 fixed annual rental, thereafter, for
this type of permit, as to each pier with one
buoy each.

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PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of the upland.

Filing fee has been received.

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. Because of various changes in title to the littoral land and the Commission's requirements of policy and procedure, the staff has been unable to place this application on an agenda of the Commission prior to the expiration of the qualified 5-year term of a Use Permit. All rental for the first 5 years of this agreement has been paid. Under the circumstances approval of a 10-year term is recommended for this agreement.
2. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) 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 further exempts single small boat mooring buoys.
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 significant use category, Class B: Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. These are existing facilities for which no adverse comments have been received.

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

CALENDAR ITEM NO. C3. (CONTD)

2. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO W. GRAFTON WORTHINGTON OF A 10-YEAR USE PERMIT FROM AUGUST 30, 1971; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$75 PRO-RATED THROUGH JUNE 29, 1975, AND \$100 THEREAFTER, FOR EACH PIER WITH ONE BUOY EACH; WITH PROVISION OF A \$6,000 SURETY BOND; FOR 2 EXISTING PIERS AND 2 SMALL BOAT MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 8796

Four parcels of submerged land in the State owned bed of Lake Tahoe, El Dorado County, California, adjacent to Section 6, T12N, R10E, M.D.M., more particularly described as follows:

PARCEL 1 - WEST PIER

That land lying immediately beneath and extending 10 feet from all sides of an existing pier which is adjacent to that land described in deed recorded in Book 1076 at Page 708, Official Records of El Dorado County.

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

PARCEL 2 - EAST PIER

The land lying immediately beneath and extending 10 feet from all sides of an existing pier which is adjacent to that land described in deed recorded in Book 1076 at Page 268, Official Records of El Dorado County.

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

PARCEL 3 - WEST BUOY

A circular parcel of land, having a diameter of 40 feet, the center of said parcel being 130 feet northerly of the north end of the pier described in Parcel 1.

PARCEL 4 - EAST BUOY

A circular parcel of land, having a diameter of 40 feet, the center of said parcel being 107 feet northwesterly of the northwest corner of the pier described in Parcel 2.

END OF DESCRIPTION

Prepared R. L. Blake Checked W. K. Jones
Reviewed W. K. Runnels Date 1/14/76