

MINUTE ITEM

This Calendar Item No. C3
was approved as Minute Item
No. 2 by the State Lands
Commission by a vote of 2
to 0 at its 2-22-76
meeting.

CALENDAR ITEM

C3.

USE PERMIT

7/76
W 856U
GDG
PRC 5152

APPLICANT: William P. Fisher, Jr. and Candace C. Fisher
P. O. Box 190
Tahoe Vista, California 95732

AREA, TYPE LAND AND LOCATION: An 0.08 acre parcel of submerged land in Lake
Tahoe at Carnelian Bay, Placer County.

LAND USE: Maintenance of an existing pier.

TERMS OF PROPOSED PERMIT:

Initial period: 5 years from September 24, 1973.

Surety Bond: \$3,000.

Consideration: \$75 per annum prorated through
June 29, 1975, and \$100 per
annum, thereafter.

Special: (1) It is an express condition sub-
sequent of this permit that if any structure sub-
hereby authorized is found to be in nonconfor-
mance with the Tahoe Regional Planning Agency's
Shorezone Ordinance and if any alterations,
repairs, or removal required pursuant to said
Ordinance is not accomplished within the designated
time period, then this lease is automatically
terminated, effective upon notice by the State,
and the site shall be cleared pursuant to the
terms thereof. (2) 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 Placer
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. (3) 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 prorated through June 29, 1975,
and \$100 per annum, thereafter.

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CALENDAR ITEM NO. C3. (CONT'D)

BASIS FOR CONSIDERATION:

\$75 fixed annual rental through June 29, 1975; and \$100 fixed annual rental thereafter, for this type of permit.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is not the fee simple 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. 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.
2. This project is situated on State land identified as possessing significant environmental values, pursuant to Public Resources Code §370.1, 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. This is an existing facility 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.
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.

CALENDAR ITEM NO. 03. (CONTD)

3. AUTHORIZE ISSUANCE TO WILLIAM P. FISHER, JR. AND CANDACE C. FISHER OF A 5-YEAR USE PERMIT FROM SEPTEMBER 24, 1973; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$75 THROUGH JUNE 29, 1975; AND \$100 THEREAFTER; WITH PROVISION OF A \$3,000 SURETY BOND; FOR MAINTENANCE OF AN EXISTING PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 8560

A parcel of submerged land in the bed of Lake Tahoe, Placer County, California, said parcel of land is immediately beneath and extending ten (10) feet on all sides from an existing pier and is adjacent to the following described land:

Lot 4 Block C shown on that certain map entitled
CARNELIAN BAY ON LAKE TAHOE filed in Book C of Maps,
at page 14 Placer County Recorder.

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

END OF DESCRIPTION

Prepared *John M. Kaur* Checked *R. L. Blake*
Reviewed *H. J. Zunnacker* Date *4/2/76*
DJB