

MINUTE ITEM

This Calendar Item No. C16
was approved as Minute Item
No. C16 by the State Lands
Commission by a vote of 3
to 0 at its 9/30/76
meeting.

CALENDAR ITEM

C16.

USE PERMIT

9/76
WP 4240
RJV
PRC 4240

APPLICANT: David C. Sargent
c/o 235 Montgomery Street, Suite 2100
San Francisco, California 94104

AREA, TYPE LAND AND LOCATION: A 2340 square foot parcel of submerged land
in Lake Tahoe near Idlewild, Placer County.

LAND USE: Existing recreational pier.

TERMS OF PROPOSED LEASE:
Initial period: 5 years, from January 1, 1975.
Surety bond: \$2,000.

CONSIDERATION: \$75 per annum. The consideration is based
upon Article 2, Cal. Adm. Code, in effect at
the date of construction.

BASIS FOR CONSIDERATION:
\$75 fixed rental for this type of lease or
permit.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is permittee of upland. Filing fee
and 2 years' rent 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. The State's former permittee sold his
interest to the proposed permittee on
January 1, 1975. The upland owner, U. S.
Forest Service, has issued a permit to the
proposed permittee, effective through
December 31, 1979. State's permit will be
effective only so long as permittee has
upland owner permission to utilize upland
area.
2. State's permit will specify that should any
structure be found in nonconformance with
the Tahoe Regional Planning Agency's
Shorezone Ordinance, including needed

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repairs, alterations or removal pursuant to said Ordinance, the State's permit will be automatically terminated.

3. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts a pier, floating dock or boathouse, restricted to noncommercial or recreational use that will occupy no more than 3,000 square feet of tide and submerged lands, including the area of use.
4. 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. 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 PROVISION OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370 OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO DAVID C. SARGENT OF A 5-YEAR USE PERMIT FROM JANUARY 1, 1975; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$75; WITH PROVISION OF A \$2,000 SURETY BOND; FOR AN EXISTING RECREATIONAL PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4240

A strip of land 26 feet wide lying in the State owned bed of Lake Tahoe, Placer County, California, and adjacent to fractional Section 25, T15N, R16E, M.D.M. The centerline of said strip being described as follows:

COMMENCING at Station 97 as shown on sheet 6 of those maps entitled "Survey of the Low Water Mark on the Shore of Lake Tahoe" recorded in Book 2 of Surveys, at Page 71, Official Records of Placer County; thence S 10° 00' 53" W 170.0 feet to the TRUE POINT OF BEGINNING; thence N 71° 56' 32" E 170.0 feet to the point of termination.

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

END OF DESCRIPTION

Prepared R. L. Blake Checked John K. Siering
Reviewed John K. Siering Date 2/10/76
XKS