

MINUTE ITEM

This Calendar Item No. C8
was approved as Minute Item
No. 8 by the State Lands
Commission by a vote of 3
to 0 at its 3-25-76
meeting.

CALENDAR ITEM

3/76
RJV
WP 4305

C8

USE PERMIT

APPLICANT: John F. and Genette H. Whisenhunt
1629 - 13th Avenue
Sacramento, California 95818

AREA, TYPE LAND AND LOCATION:
A 330 square foot parcel of submerged land in
Lake Tahoe near Tahoe City, Placer County.

LAND USE: Existing recreational pier.

TERMS OF PROPOSED LEASE:
Initial period: 5 years from December 27, 1973.

Surety Bond: \$1,000.

CONSIDERATION: \$75 per annum.

BASIS FOR CONSIDERATION:
\$75 fixed rental for this type of permit, at
the date the applicant executed the Division-
prepared document.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

Filing fee has been received.

The rent has been paid from December 27, 1973
to December 26, 1976.

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. Executed document received from applicant
February 3, 1976. Final processing was
delayed due to Division priorities.
2. It is an express condition subsequent of
this permit that if any structure hereby
authorized is found to be in non-conformance
with the Tahoe Regional Planning Agency's
Shorezone Ordinance and if any alterations,
repairs, or removal required pursuant to

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said Ordinance is not accomplished within the designated time period, then this permit is automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof.

3. 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.
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 there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.
5. 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.

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. AUTHORIZE ISSUANCE TO JOHN F. AND GENETTE H. WHISENHUNT OF A 5-YEAR USE PERMIT FROM DECEMBER 27, 1973, CONTAINING THE TERMS AND CONDITIONS OUTLINED ABOVE, WHICH PERMIT IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION; 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 4305

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

Lot 9, Block 8, as designated on the Official Map of Cedar Flat Subdivision filed October 14, 1965, in Book "H" of Maps, Page 82, Placer County Recorder's Office.

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

END OF DESCRIPTION

Prepared *A. K. Kummerbe* Checked *John K. Allison*
Reviewed *Donald Britton* Date *12/16/75*

