

MINUTE ITEM

This Calendar Item No. C6
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 3 CALENDAR ITEM
to 0 at its 4-28-76
meeting. C6

4/76
WP 5539
RJY

USE PERMIT

APPLICANT: Harold J. and Ardella F. Shanks
811 Camino Amigo
Danville, California 94526

AREA, TYPE LAND AND LOCATION:
One 2,400 square foot parcel and one circular
parcel 20 feet in diameter consisting of 314
square feet of submerged land in Lake Tahoe
near Rubicon Point, El Dorado County.

LAND USE: One buoy and existing recreational pier.

TERMS OF PROPOSED LEASE:
Initial period: 5 years from January 3, 1976.

CONSIDERATION: \$75 per annum.

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

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

Filing fee and first year's rent for buoy 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 pier is determined to be rent free
pursuant to Public Resources Code 6503.
2. The Applicant did not submit the expense
fee and the staff believes it is in the
best interest of the State to waive the
fee.
3. Only the buoy is subject to monetary
rental requirements.

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CALENDAR ITEM NO. C6 (CONT'D)

4. An Environmental Impact Report is not required. This transaction is within 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.
5. 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 NEED NOT BE 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.
3. AUTHORIZE ISSUANCE TO HAROLD J. AND ARDELLA F. SHANKS OF A 5-YEAR USE PERMIT FROM JANUARY 3, 1976; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$75 FOR 1 BUOY AND 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 3539

A parcel of land in the State owned bed in Lake Tahoe, lying immediately beneath and ten feet on all sides of an existing pier, lying easterly of a portion of Lot 6, Block A as shown on the Official Map of Rubicon Properties, filed in the office of the County Recorder of the County of El Dorado, State of California, said portion of Lot 6 is described in that deed from Casper to Shanks, dated March 9, 1973 recorded in Book 1187 at Page 641, Official Records of El Dorado County, more particularly described as follows:

BEGINNING at the S. W. Corner of the existing pier; thence southerly ten feet at a right angle to the southerly edge of the pier, thence easterly 206 feet, parallel with the southerly edge of the pier; thence northerly 32 feet, parallel to the easterly end of the pier; thence westerly 48 feet, parallel to the northerly edge of pier, thence southerly 8 feet, at a right angle to the northerly edge of pier; thence westerly 162 feet, parallel to the northerly edge of pier; thence southerly 14 feet, at a right angle to the Northerly edge of pier to the point of beginning;

Together with a circular 20 foot diameter parcel of submerged land, the center of said parcel being 296 feet easterly of the above mentioned point of beginning, measured along the southerly edge of the pier and the easterly prolongation thereof.

Excepting therefrom, that portion thereof lying above the high water line.

END OF DESCRIPTION

Prepared Donald R. B. [Signature] Checked [Signature]
Reviewed Donald R. B. [Signature] Dated 4/17/75

