

MINUTE ITEM

This Minute Item, C7  
was approved by the Board  
to C7 by the State Lands  
Commission by a vote of 3  
0 at its 10/29/76  
meeting.

CALENDAR ITEM

C 7

USE PERMIT

10/76  
W 21167  
GDG  
PRC 5.198

APPLICANT: Kirk G. Ward, Betty L. Ward  
Carlos Anderson  
P. O. Box 4388  
Walnut Creek, California 94596

AREA, TYPE LAND AND LOCATION: An 0.011 acre parcel of submerged land in  
Carnelian Bay, Lake Tahoe near Cedar Flat,  
Placer County.

LAND USE: Maintenance of an existing concrete platform  
utilized for sunbathing.

TERMS OF PROPOSED PERMIT: Initial period: 5 years, from March 4, 1976.

Surety bond: \$500.

Special: 1. If any structure hereby authorized  
is found to be in nonconformance 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. 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;

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

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

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Filing fee has been received.

CALENDAR ITEM NO. C 7 (CONTD)

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 6370.1, and is classified in 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 PERMIT 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 KIRK G. WARD, BETTY L. WARD AND CARLOS ANDERSON OF A 5-YEAR USE PERMIT FROM MARCH 4, 1976; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$75; WITH PROVISION OF A \$500 SURETY BOND; FOR MAINTENANCE OF AN EXISTING CONCRETE PLATFORM UTILIZED FOR SUNBATHING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21167

A parcel of submerged land in the State owned bed at Lake Tahoe, Placer County, California, said parcel being immediately below an existing concrete slab, said parcel being further described as being adjacent to the following described lands:

A portion of Lot 2 of Section 28, T16N, R27E, 19D<sup>W</sup> as described in Volume 1709, Page 640, of Official Records in the office of the Placer County Recorder.

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

END OF DESCRIPTION

Prepared Shirley Hester Checked Frank C. Yarnall  
Reviewed Frank C. Yarnall Date 7/10/76