

MINUTE ITEM

The Calendar Item No. 24 was approved as a Calendar Item No. 24 by the State Lands Commission by a vote of 3 to 0 at its 3/31/77 meeting.

CALENDAR ITEM

24.

3/77
W 8798
GDG
PRC 5268

GENERAL PERMIT
(RECREATIONAL USE)

APPLICANT: William R. Hewlett
1501 Page Mill Road
Palo Alto, California 94304

c/o Stephen W. Player, Esq.
P. O. Box 759
Palo Alto, California 94302

AREA, TYPE LAND AND LOCATION: An 0.09-acre parcel of submerged land in Lake Tahoe near Sunnyside, Placer County.

LAND USE: Maintenance and reconstruction of an existing pier for recreational boating.

TERMS OF PROPOSED PERMIT: Initial period: 10 years from November 5, 1975.

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 permit 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 on completion pending litigation over the State's boundaries, 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: \$630.40 per annum from November 5, 1975 through November 4, 1976; \$248.10 from November 5, 1976 through November 4, 1977; and \$70 per annum thereafter with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

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CALENDAR ITEM NO. 24. (CONTD)

BASIS FOR CONSIDERATION:

8% of appraised value of the land through February 28, 1977; and \$70 fixed rental for this type of permit, thereafter.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is the 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), Class 2, which exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

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 a significant use category, Class B: Limited Use.

Staff has discussed the project with agencies having nominated the parcel and finds that the project will be compatible with identified environmental values. No substantive 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 21084, 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.

CALENDAR ITEM NO. 24. (CONTD)

3. AUTHORIZE ISSUANCE TO WILLIAM R. HEWLETT OF A 10-YEAR GENERAL PERMIT (RECREATIONAL USE) FROM NOVEMBER 5, 1975; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$630.40 PER ANNUM THROUGH FEBRUARY 28, 1977, AND \$70 PER ANNUM THEREAFTER; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; COVERING MAINTENANCE AND RECONSTRUCTION OF AN EXISTING PIER FOR RECREATIONAL BOATING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 8795

A parcel of submerged land in the State owned bed of Lake Tahoe, Placer County, California, lying adjacent to fractional Section 19, T15N, R17E, M.D.M., more particularly described as follows:

That land lying waterward of the ordinary high water mark of Lake Tahoe and being immediately beneath and extending 10 feet from all sides of an existing pier which extends waterward from that certain real property described in deed recorded in Volume 1685 of Official Records Page 526, Placer County Records.

END OF DESCRIPTION

Prepared *[Signature]* Checked *[Signature]*
Reviewed *[Signature]* Date 9/13/70