

MINUTE ITEM

This Calendar Item No. C11 was approved as Minute Item No. 11 by the State Lands Commission by a vote of 3 to 0 at its 12/19/77 meeting.

CALENDAR ITEM

C11.

12/77
WP 4467
Gordon
PRC 4467

GENERAL PERMIT
RECREATIONAL USE

APPLICANT:

Lewis A. and Carole A. Gress
P. O. Box 333
Carnelian Bay, California 95711

AREA, TYPE LAND AND LOCATION:

A 0.100 acre parcel of submerged lands in Carnelian Bay, Lake Tahoe at Cedar Flat, Placer County.

LAND USE:

Maintenance of 1 existing pier utilized for recreational boating.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years from June 30, 1975.

Special:

1. The permit is conditioned on permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.

2. The permit is conditioned on the authorization and consent of Forest Homes of Cedar Flat, Inc., for any of the subject facilities found to be on or adjacent to their lands.

3. The permit is entered into by all parties without prejudice to their respective claims of boundary.

CONSIDERATION:

\$908.88 from June 30, 1975 through June 29, 1977; and \$70 per annum thereafter, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

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BASIS FOR CONSIDERATION:

2 Cal. Adm. Code 2006.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of 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, Class 1B, 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 a use category, Class B which authorizes 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.

APPROVALS REQUIRED AND OBTAINED:

This facility is subject to the jurisdiction of the Tahoe Regional Planning Agency, U. S. Army Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and the County of Placer. The proposed permit is conditioned on the approval of all agencies having jurisdiction.

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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, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO LEWIS A. AND CAROLE A. GRESS OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE FROM JUNE 30, 1975; IN CONSIDERATION OF \$908.88 FROM JUNE 30, 1975, THROUGH JUNE 29, 1977; AND \$70 PER ANNUM THEREAFTER WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; FOR MAINTENANCE OF 1 EXISTING PIER UTILIZED FOR RECREATIONAL BOATING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4467

A parcel of land lying in the State owned bed of Lake Tahoe adjacent to lots 1 and 2 of Block 8 as shown on the map of Cedar Flat Subdivision, filed in Book H of Maps, page 82, in the Office of the Recorder, Placer County, California, more particularly described as follows:

COMMENCING at the northeast corner of Lot 1, Block 8 of said Cedar Flat Subdivision; thence S 53° 30' E, 46 feet to the TRUE POINT OF BEGINNING; thence S 78° E, 81.1 feet; thence N 3° W, 11 feet; thence N 87° E, 3.5 feet; thence N 3° W, 25.3 feet; thence S 78° E, 31.2 feet; thence S 3° E, 50.7 feet; thence S 27° W, 50.7 feet; thence N 78° W, 31.2 feet; thence N 27° E, 37.3 feet; thence N 78° W, 84.7 feet; thence N 12° E, 26 feet to the TRUE POINT OF BEGINNING.

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

Basis of bearings for this description is the easterly line of Lot 1, Block 8 of said Cedar Flat Subdivision, being S 8° 05' 20" W.

END OF DESCRIPTION

Prepared *Anna C. Vasini* Checked *Robert L. Blake*
Reviewed *Donald Brittnacher* Date *10/10/75*

