

MINUTE ITEM

This Calendar Item No. C10
was adopted as Minute Item
No. 10 at the State Lands
Commission by a vote of 3
0 at its 5-31-78
meeting.

CALENDAR ITEM

C10.

5/78
W 8734
Gordon
P.R.C. 5490

GENERAL PERMIT
RECREATIONAL USE

APPLICANT: Lakeland Village Homeowners Association
P. O. Drawer A
South Lake Tahoe, California 95705

AREA, TYPE LAND AND LOCATION:
A 0.278 acre parcel and three 0.029 acre
circular parcels, each 40 feet in diameter,
of submerged lands in Lake Tahoe at South
Lake Tahoe, El Dorado County.

LAND USE: Maintenance of 1 existing pier and 3 existing
mooring buoys, respectively, for multiple-use
recreational boating.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years from May 19,
1971.

Public Liability insurance:
\$600,000 per occurrence
for bodily injury and
\$100,000 for property
damage or combined single
limit coverage of \$700,000.

Special:

1. The permit is conditioned on permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.
2. The permit is entered into by all parties without prejudice to their respective claims of boundary.

CONSIDERATION: Pier - \$220 per annum from May 19, 1971;
Buoys - \$90 per annum from May 19, 1972;
with the State reserving the right to fix
a different rental on each fifth anniversary
of the permit.

BASIS FOR CONSIDERATION:

2 Cal. Adm. Code 2006.

A 7
S 13

CALENDAR ITEM NO. C10. (CONTD)

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. The consideration set forth herein is based on the current general permit fee schedule as approved by the Commission and made effective March 1, 1977. In the interest of settling the amount of rents due prior to March 1, 1977, and bringing long term existing facilities under permit, staff has negotiated, and recommends approval of settlement of rents from May 19, 1971 to present using the current fee schedule.
2. These facilities are utilized to accommodate the owners, tenants and guests of the condominium complexes located on the adjacent upland.
3. An EIR 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.
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 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

CALENDAR ITEM NO. C10.(CONTD)

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, United States Army Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and the County of El Dorado. The proposed permit is conditioned on the approval of all agencies having jurisdiction.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 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 LAKELAND VILLAGE HOMEOWNERS ASSOCIATION OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE FROM MAY 19, 1971, IN CONSIDERATION OF A NEGOTIATED BACK RENT IN THE AMOUNT OF \$220 PER ANNUM FROM MAY 10, 1971 FOR 1 PIER AND \$90 PER ANNUM FROM MAY 19, 1972 FOR 3 MOORING BUOYS; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$600,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE, OR COMBINED SINGLE LIMIT COVERAGE \$700,000; FOR MAINTENANCE OF 1 EXISTING PIER AND 3 EXISTING MOORING BUOYS UTILIZED FOR MULTIPLE-USE RECREATIONAL BOATING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 8734

Four parcels of submerged land in the State owned bed of Lake Tahoe, El Dorado County, California, Situated adjacent to fractional section 33, T 13 N, R 18 E, M.D.M., more particularly described as follows:

PARCEL 1 - PIER

That land lying immediately beneath and extending 10 feet from all sides of an existing pier which extends waterward from that parcel described in deed recorded in book 926 at pages 266 and 267, El Dorado County records.

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

PARCELS 2, 3 & 4 - BOUYS

Three circular parcels of land, each having a diameter of 40 feet and each lying waterward of that parcel described in deed recorded in Book 926 at pages 266 and 267, El Dorado County Records.

END OF DESCRIPTION

Prepared

R. L. Blake

Checked

M. J. Shaf

Reviewed

W. K. Runmecke
WJB

Date

6/15/76

L A K E

Seward Beach
Forest Camp

T A H O E

MAXIMUM ELEVATION 6220

Stateline

Bijou Park

SOUTH LAKE TAHOE

Bijou

SITE

El Dorado
Beach

Al Tahoe

BM 6246
Truckee

El Dorado Co
Campground

Al Tahoe Sch
South Tahoe
El Dorado Sch

Hobby Homestead
Complex



EXHIBIT 'B'
W 8734