

MINUTE ITEM

This Calendar Item No. 216
was approved as Minute Item
No. 216 by the State Lands
Commission by a vote of 3
to 0 at its 1/24/80
meeting.

CALENDAR ITEM

26.

4/80
WP 4240
Gordon
PRC 4240

GENERAL PERMIT
PUBLIC AGENCY

APPLICANT: United States Department
of Agriculture,
Forest Service
P.O. Box 8465
South Lake Tahoe, California 95731

AREA, TYPE LAND AND LOCATION:
A 0.099 acre parcel of submerged lands
at Kaspian Recreation Area near Idlewild,
Lake Tahoe, El Dorado County.

LAND USE: Maintenance of an existing multiple-use
public recreational pier.

TERMS OF PROPOSED PERMIT:
Initial period: 49 years from January 1,
1980.

Public liability insurance: Combined single
limit coverage of \$300,000
for bodily injury and
property damage.

- Special:
1. Staff counsel has approved the deletion of those standard covenants unrelated to functions of a public agency.
 2. Staff counsel has approved the revision of wording of certain standard covenants relative to the jurisdiction and laws of the United States.
 3. The permit is conditioned on permittee's conformance with the shorezone ordinances of the California Tahoe Regional Planning Agency

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and the Tahoe Regional
Planning Agency.

4. Permittee agrees to post notice that the State Lands Commission has contributed a portion of the land utilized by the facility.

CONSIDERATION: The public use and benefit, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

BASIS FOR CONSIDERATION:
2 Cal. Adm. Code 2005.

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

Processing costs will be received prior to issuance of the permit.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2.
B. Cal. Adm. Code: Title 2, Div. 3.

- OTHER PERTINENT INFORMATION:**
1. The annual rental value of the site is estimated to be \$695.00.
 2. This facility and the adjacent upland are assets of the federal government to which a statewide public benefit accrues. Staff has been advised that the existing pier provides no income to applicant and is utilized solely for public use and benefit.
 3. The Commission at its meeting on November 27, 1978, suspended all leasing for new construction at Lake Tahoe, except for mooring buoys in designated areas. This action was taken pending completion of an EIR which addresses the cumulative impact of continued construction of piers in Lake Tahoe. The application

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herein is for the continued use of an existing pier in the Lake, and therefore is not subject to the Commission's suspension of leasing activities for new construction.

4. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), 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 P.R.C. 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.

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 P.R.C.
3. AUTHORIZE ISSUANCE TO THE UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE, OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM JANUARY 1, 1980, IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; PROVISION OF PUBLIC LIABILITY

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INSURANCE WITH COMBINED SINGLE LIMIT COVERAGE IN THE AMOUNT OF \$300,000 FOR BODILY INJURY AND PROPERTY DAMAGE; FOR MAINTENANCE AND OPERATION OF AN EXISTING MULTIPLE-USE PUBLIC RECREATION PIER ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY REFERENCE MADE A PART HEREOF. THE INSURANCE IS TO BE EVIDENCED BY A CERTIFICATE OF SELF INSURANCE.

EXHIBIT "A"

WP 4240

A strip of land 26 feet wide lying in the State owned bed of Lake Tahoe, Placer County, California, and adjacent to fractional Section 25, T15N, R16E, M.D.M. The centerline of said strip being described as follows:

COMMENCING at Station 97 as shown on sheet 6 of those maps entitled "Survey of the Low Water Mark on the Shore of Lake Tahoe" recorded in Book 2 of Surveys, at Page 71, Official Records of Placer County; thence S 10° 00' 53" W 170.0 feet to the TRUE POINT OF BEGINNING; thence N 71° 56' 32" E 170.0 feet to the point of termination.

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

END OF DESCRIPTION

Prepared R. L. Blake Checked Blair K. Spring
Reviewed J. H. Gummcke Date 2/10/76

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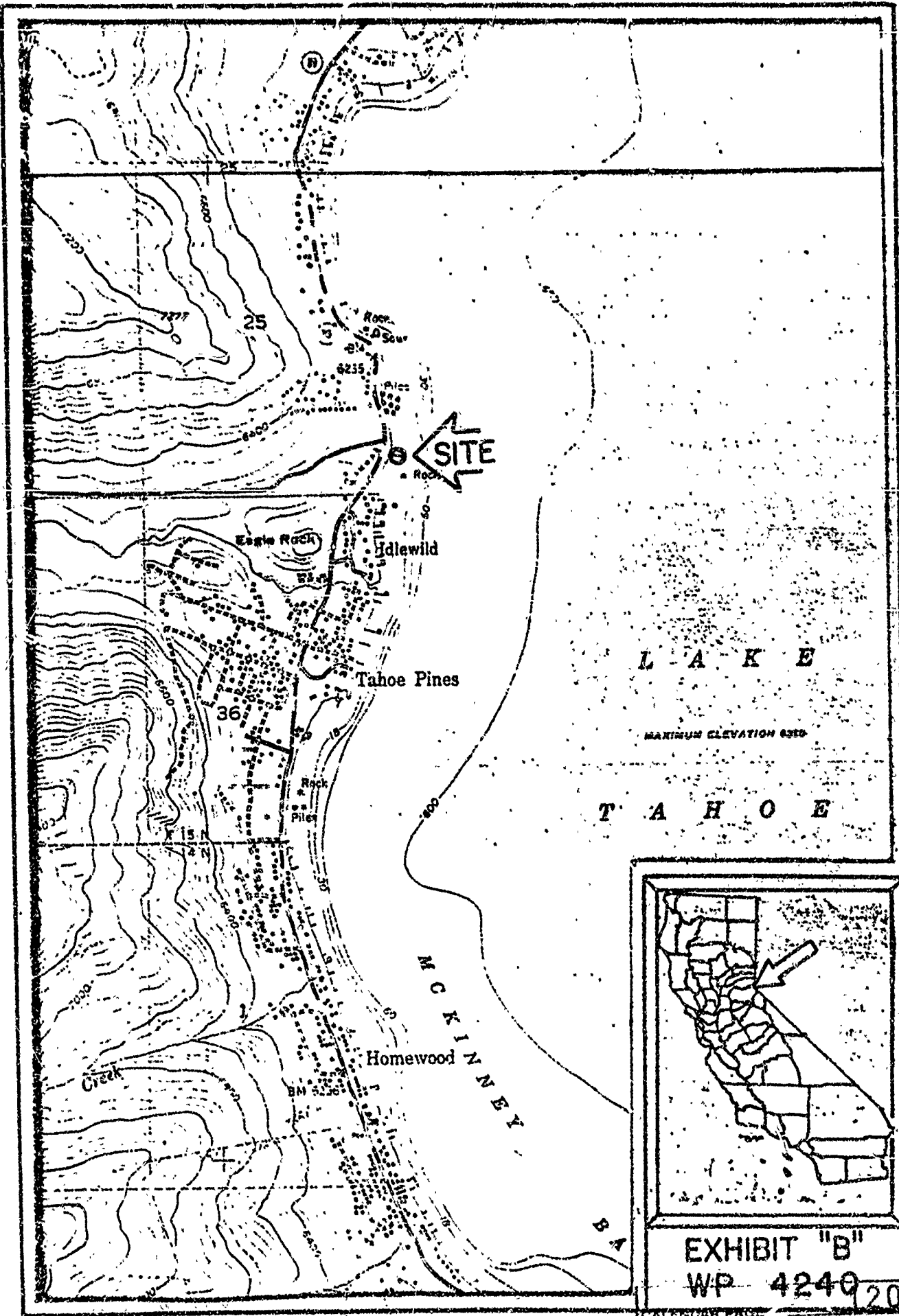


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