

MINUTE ITEM

This Calendar Item No. C9
was approved as Minute Item
No. 9 by the State Lands
Commission by a vote of 3
0 at its 8-26-80
meeting.

CALENDAR ITEM

C9.

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Gordon
PRC 5883

GENERAL PERMIT
PROTECTIVE STRUCTURE AND RECREATIONAL USE

APPLICANT: Lakeside Park Association
P.O. Box 4573
South Lake Tahoe, California 95705

AREA, TYPE LAND AND LOCATION:
An aggregate of 1.639 acres of submerged
lands in Lake Tahoe at South Lake Tahoe
near Stateline, El Dorado County.

LAND USE: Maintenance of 1 existing breakwater, 2 existing
swim floats, 2 existing swim lines with
marker buoys attached, and existing fill
utilized as a protective structure and
for non-commercial multiple-use recreational
purposes, respectively.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years from May 1,
1980.

Public liability insurance: combined single
limit coverage of \$1,000,000
per occurrence for bodily
injury and property damage.

- Special:
1. The permit is conditioned on permittee's conformance with the shorezone ordinances of the California Tahoe Regional Planning Agency and the Tahoe Regional Planning Agency.
 2. The permit is entered into by all parties without prejudice to their respective claims of boundary.
 3. Permittee agrees to initiate and complete a monitoring program acceptable to

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the State which will determine permittee's performance to effectively mitigate erosive conditions impacting the beach area located adjacent to the improvements stated herein. The State reserves the right to take any action necessary to prevent such erosion, if said improvements are found to cause substantial beach erosion without permittee's mitigation.

CONSIDERATION: \$90 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

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

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

Filing fee and processing costs have been received.

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. Applicant is a non-profit corporation formed to provide for the welfare and enjoyment of its member property owners, and their tenants and guests in Lakeside Park subdivision.
2. An erosive beach condition, possibly attributable to the subject breakwater, appears to impact applicant's upland. However, this project is exempt from CEQA because it is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts existing structures where

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sufficient mitigation measures are being taken, such as a beach monitoring program, to determine that structures are in an acceptable state of repair and that they do not create injury to adjacent property, shoreline erosion, or other types of environmental degradation.

3. 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 has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination, subject to the inclusion of a provision in the proposed permit for a beach monitoring program.

4. The referenced beach monitoring program requires permittee to provide staff with copies of regulated reports of findings of the program until such time that mitigation of conditions significantly causing or contributing to erosion of said beach is acceptable to staff.
5. 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 herein is for the continued use of existing facilities, and therefore is not subject to the Commission's suspension of leasing activities for new construction.

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APPROVALS REQUIRED AND OBTAINED:

This facility is subject to the jurisdiction of the California Tahoe Regional Planning Agency, Tahoe Regional Planning Agency, United States Army Corps of Engineers, California Department of Fish and Game, Lehontan 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. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907, SUBJECT TO THE CONDITION THAT REPORTS BE MADE TO STAFF IN COMPLIANCE OF A BEACH MONITORING PROGRAM, AND THAT IN THE EVENT THE PROJECT IS FOUND TO CAUSE SUBSTANTIAL BEACH EROSION, THE COMMISSION RETAINS JURISDICTION AND HEREBY DELEGATES TO THE EXECUTIVE OFFICER THE AUTHORITY TO MODIFY THE TERMS OF THE PERMIT AS HE MAY FIND NECESSARY IN ORDER TO PREVENT SUCH EROSION.
2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
3. AUTHORIZE ISSUANCE TO LAKESIDE PARK ASSOCIATION OF A 15-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE AND RECREATIONAL USE FROM MAY 1, 1980; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$90; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; WITH PROVISION OF PUBLIC LIABILITY INSURANCE HAVING COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE; AND WITH PROVISION OF A BEACH MONITORING PROGRAM FOR MAINTENANCE OF 1 EXISTING BREAKWATER, 2 EXISTING SWIM FLOATS, 2 EXISTING SWIM LINES WITH MARKER BUOYS ATTACHED AND EXISTING FILL UTILIZED AS A PROTECTIVE STRUCTURE AND FOR NON-COMMERCIAL MULTIPLE-USE RECREATIONAL PURPOSES, RESPECTIVELY, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

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Six parcels of land in the State owned bed of Lake Tahoe, El Dorado County, California, situated adjacent to fractional Section 27, T13N, R18E, M.D.M., more particularly described as follows:

PARCEL 1 - BREAKWATER

A strip of land, 5 feet wide, the centerline being described as follows:

COMMENCING at the most westerly corner of Lot 54, as shown on the map of Katherine Smith Hill Resubdivision, filed in map book "A" at page 24, El Dorado County records; thence N 46° 30' W, 379 feet to the southerly end of an existing steel sheet pile breakwater and the TRUE POINT OF BEGINNING of the herein described centerline; thence along the centerline of said steel sheet pile breakwater the following four courses:

- (1) N 32° 15' W, 8 feet, more or less, to an angle point in said breakwater;
- (2) N 01° 45' E, 361 feet, more or less, to an angle point in said breakwater;
- (3) N 17° 00' E, 83 feet, more or less, to an angle point in said breakwater;
- (4) N 57° 00' E, 10 feet, more or less, to the northerly end of said break water, and the termination point of the herein described centerline.

PARCEL 2 - SOUTH SWIMMING FLOAT

A rectangular parcel of land, 26 feet by 33 feet, the center point of which bears N 30° 15' W, 446 feet from the aforementioned most westerly corner of Lot 54.

PARCEL 3 - NORTH SWIMMING FLOAT

A rectangular parcel of land, 26 feet by 33 feet, the center point of which bears N 10° 15' W, 706 feet from the aforementioned most westerly corner of Lot 54.

PARCEL 4 - SOUTH BUOY LINE

A strip of land, 5 feet wide, the centerline being described as follows:

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BEGINNING at a point from which, the aforementioned most westerly corner of Lot 54 bears S 11° 15' E, 530 feet; thence N 71° 30' W, 60 feet to the point of termination.

PARCEL 5 - NORTH BUOY LINE

A strip of land, 5 feet wide, the centerline being described as follows:

BEGINNING at a point from which the aforementioned most westerly corner of Lot 54 bears S 2° W, 684 feet; thence N 79° W, 123 feet to the point of termination.

The bearings used in the above descriptions are based on the westerly line of the aforementioned Lot 54 being N 19° 45' E.

PARCEL 6

COMMENCING at the most southerly corner of Lot 3, as shown on the map of Lakeside Lodge Subdivision, filed in Map Book "A", page 31, El Dorado County records; thence N 25° 46' 40" E, 261 feet along the southeasterly line of Lots 3, 2 and 1 of said Lakeside Lodge Subdivision and the northeasterly prolongation thereof; thence N 64° 13' 20" W to the westerly line of Lakeshore Blvd. as shown on that map filed in Book "A" of Maps, page "A", El Dorado County Records, being the POINT OF BEGINNING of the herein described parcel; thence N 64° 13' 20" W, 115 feet; thence N 22° 45' 21" E, 175 feet; thence N 19° 42' 37" E, 47 feet; thence N 04° 45' E, 120 feet; thence N 39° 20' E, 105 feet; thence N 19° 42' 37" E, 76 feet; thence N 13° 17' 22" E, 330 feet; thence N 09° 44' 37" E, 27 feet more or less to the westerly projection of the northerly line of State Line Avenue 50 feet wide as shown on that map filed in Book "A" of Maps at Page "A", El Dorado County Records; thence easterly along said westerly projection to the westerly line of Lakeshore Blvd.; thence southerly along the westerly line of Lakeshore Blvd. to the point of beginning.

EXCEPTING FROM ALL OF THE ABOVE any portion thereof that is landward of the ordinary high water line of Lake Tahoe.

END OF DESCRIPTION

Prepared R. L. Blake Checked J. H. McKown

Reviewed W. W. Kunnecke Date 12/21/77

Revised 6/9/76
Revised 8/10/77
Revised 8/24/77
Revised 12/21/77

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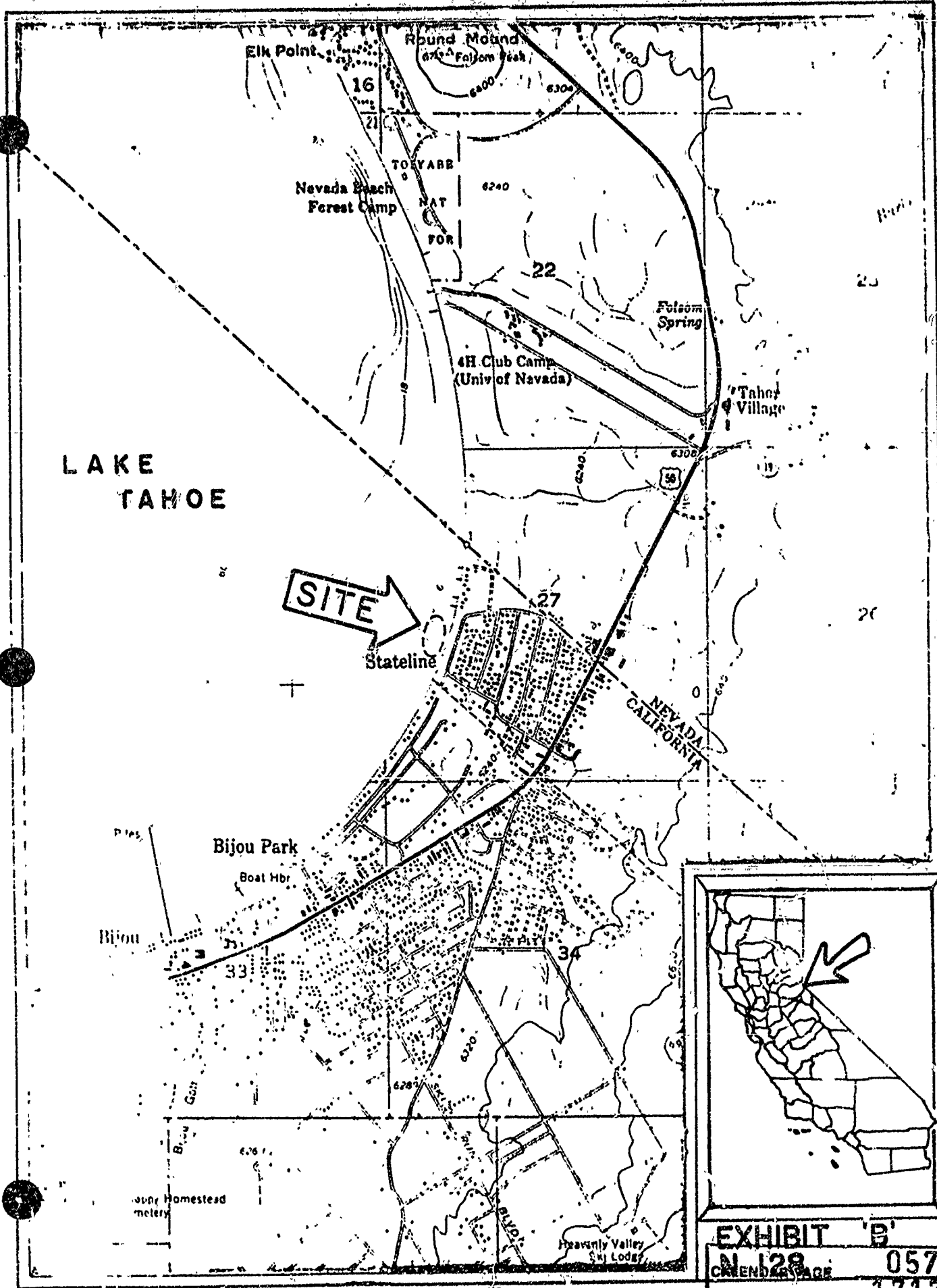


EXHIBIT 'B'
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