MINUTE ITEM

This Calendar Item No. C4 was approved as Minute Item No. 4 by the State Lands Commission by a vote of 2 to 0 at its 11/23/81 meeting.

CALENDAR ITEM

C04

11/23/81
WP 3554
Omai
PRC 3554

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: MIDCODD, A Nevada Corporation
P. O. Box 646
Carson City, Nevada 89701

AREA, TYPE LAND AND LOCATION:
A 0.03-acre parcel of submerged land in Lake Tahoe, Placer County.

LAND USE: Maintenance of an existing pier and boat shed.

TERMS OF PROPOSED PERMIT:
Initial period: Ten years from May 1, 1981.

Public liability insurance: Combined single limit coverage of $100,000.

CONSIDERATION: $40 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

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

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

Filing fee and first year's rental have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:
1. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts

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(Non-substantive revision 6/8/82)

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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 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.

3. Permits covering structures in Lake Tahoe will include a condition subsequent that if any structure 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 are not accomplished within the designated time period, then the permit will automatically terminated, effective upon notice by the State and the site shall be cleared pursuant to the terms thereof.

4. Section 2 of the permit conforms to the Lyon/Fogerty decision.

APPROVALS OBTAINED:
None required. Existing and under prior permit.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 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, OF THE P.R.C.

3. AUTHORIZE ISSUANCE TO MIDCODD OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE FROM MAY 1, 1981; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $40, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $100,000; FOR THE CONTINUED MAINTENANCE OF AN EXISTING PIER AND BOAT SHED ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION PRC 3554.1

A parcel of land in Lake Tahoe, Placer County, California, said parcel being more particularly described as follows:

All that land lying beneath a pier and walkway TOGETHER WITH a necessary use area extending 10 feet from the extremities of said pier and walkway, said pier and walkway being adjacent to that certain parcel of land described in deed recorded August 11, 1976, in Book 1754 at Page 20 of Official Records of said county.

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

END OF DESCRIPTION

PREPARED APRIL 20, 1981 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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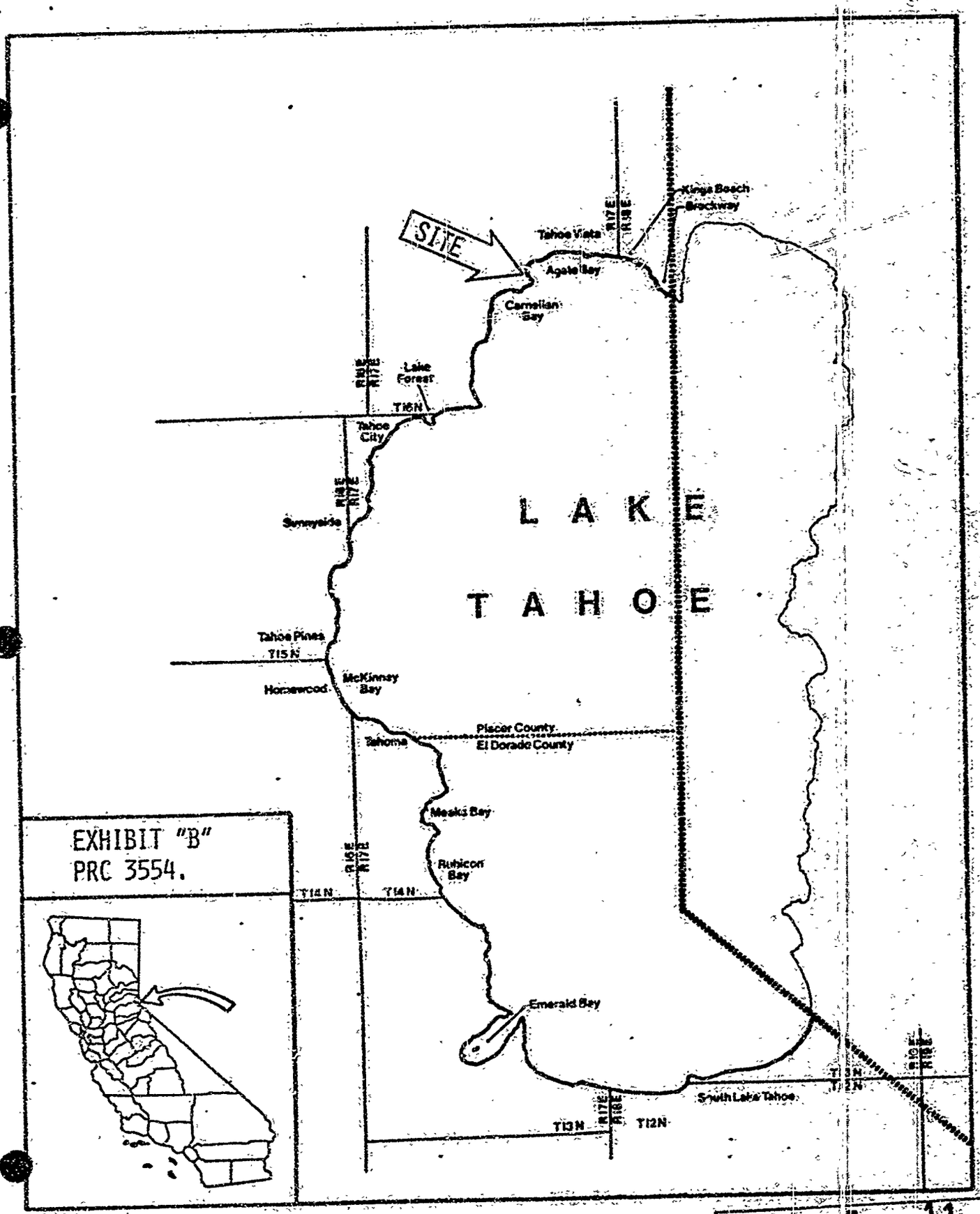

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