

MINUTE ITEM

This Calendar Item No. C14
Was approved as Minute Item
No. 14 by the State Lands
Commission by a vote of 3
to 0 at its 7/22/82
meeting.

CALENDAR ITEM

C 1 4

7/22/82
WP 4923 PRC 4923
Omand

TERMINATION OF NON-COMMERCIAL LEASE
AND ISSUANCE OF
GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Copyright Services, Ltd.
8159 Hollywood Boulevard
Los Angeles, California 90069

AREA, TYPE LAND AND LOCATION:
A 0.037-acre parcel of submerged land (pier)
and a 0.087-acre parcel of submerged land
(buoys) in Lake Tahoe at Tahoma, Placer
County.

LAND USE: Recreational boating facility consisting
of one pier and three buoys.

TERMS OF EXISTING LEASE:
Initial period: 25 years from October 31,
1958.
Surety bond: \$2,500
Consideration: \$150 per annum.

TERMS OF PROPOSED LEASE:
Initial period: Ten years from October 31,
1982.
Public liability insurance: Combined single
limit coverage of \$100,000.

A 3

S 1

-1-

CALENDAR PAGE	<u>1773</u>
MINUTE PAGE	<u>1745</u>

CALENDAR ITEM NO. C 1 4 (CONTD)

CONSIDERATION: \$327 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 2003.

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: 5/19/83.

OTHER PERTINENT INFORMATION:

1. Applicant desires to reconstruct an existing pier and include three existing buoys. Applicant is currently under lease for the pier, which lease will expire on October 30, 1983. Because the current lease will terminate in the near future, State Lands Commission staff recommends issuance of a General Permit - Recreational Use to replace the current Non-Commercial Lease in order to provide for the reconstruction of the pier and bring the three existing buoys under permit. The buoys have been in existence since prior to 1968, and are approved by Tahoe Regional Planning Agency.

Staff recommends that back rent, penalty and interest, if any, on the three buoys, be waived, in that knowledge of existence or ownership of said buoys was recently discovered. This application is for the continued use of an existing pier, involving reconstruction, and buoys in the lake, and therefore, is

CALENDAR ITEM NO. C 1 4 (CONTD)

not subject to the Commission's suspension of leasing activities for new construction.

2. This project is exempt from CEQA because it is a reconstruction of an existing pier with no modifications and three existing buoys that are not in a prime fish habitat area, under the provisions of 2 Cal. Adm. Code 2905.
3. The project is situated on lands 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. The project as proposed will not have a significant effect upon the identified environmental values.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency.

FURTHER APPROVALS REQUIRED:

The United States Army Corps of Engineers, the Water Quality Control Board and the California Tahoe Regional Planning Agency.

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 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. TERMINATE THE EXISTING PERMIT AS APPROVED IN MINUTE ITEM NO.10, DATED JUNE 27, 1974.
3. FIND IT TO BE IN THE BEST INTEREST OF THE STATE TO WAIVE BACK RENTAL AND PENALTY AND INTEREST, IF ANY, ON THE BUOYS.
4. AUTHORIZE ISSUANCE TO COPYRIGHT SERVICES, LTD. OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE FROM OCTOBER 31,

CALENDAR ITEM NO. C 1 4 (CONTD)

1982; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$327, 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 RECONSTRUCTION OF AN EXISTING PIER AND INCLUSION OF THREE EXISTING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 4923

Four parcels of submerged land in the bed of Lake Tahoe, Placer County, California, described as follows:

PARCEL 1

Said parcel lies beneath and extends ten feet on all sides of an existing pier, said pier being adjacent to and contiguous with the following described land:

That parcel conveyed from Mervyn L. Brenner to COPYRIGHT SERVICES, LTD. by Grant Deed dated September 29, 1953, and recorded as Document No. 8105, on October 30, 1953, in Vol. 639, page 156, of the Official Records of Placer County, State of California.

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

PARCELS 2, 3, AND 4, are circular having a radius of 20 feet surrounding three existing buoys, the center points of which are located (1) northeasterly 60 feet; (2) northeasterly 120 feet; and (3) northerly 100 feet from the waterward terminus of said pier described in Parcel 1.

END OF DESCRIPTION

REVISED APRIL 21, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

CALENDAR PAGE	<u>77</u>
MINUTE PAGE	<u>1749</u>

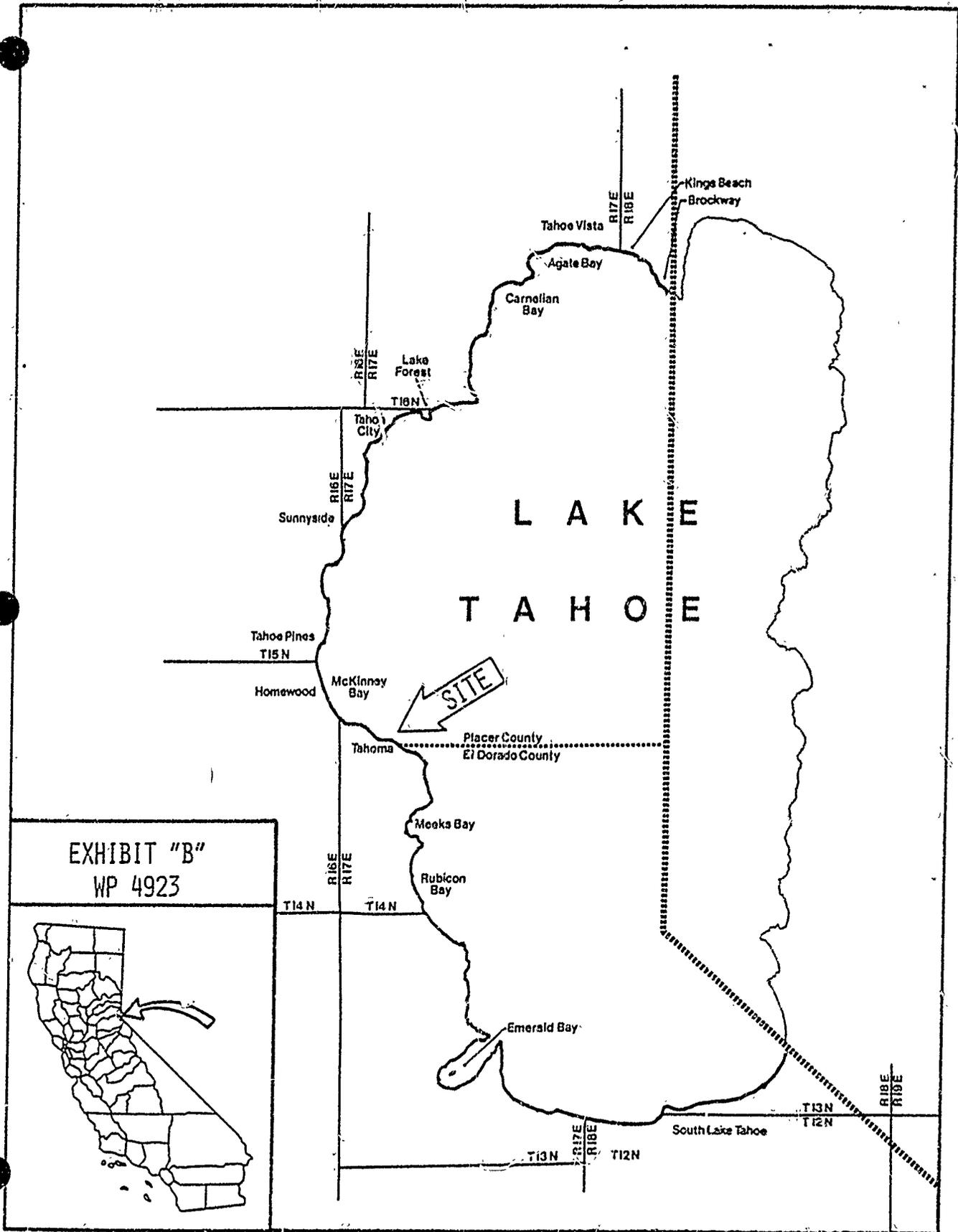


EXHIBIT "B"
WP 4923



CALENDAR PAGE 78
MINUTE PAGE 1750