

MINUTE ITEM

This Calendar Item No. C4
was approved as Minute Item
No. 4 by the State Lands
Commission by a vote of 3
to 0 at its 12/16/82
meeting.

CALENDAR ITEM

C O A

12/16/82
W 1124.226
Gordon
PRC 6358

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Dorothy B. Taylor
2804 Calle Vista Way
Sacramento, California 95821

AREA, TYPE LAND AND LOCATION:
A 0.061-acre parcel of submerged lands
located in Lake Tahoe near Tahoe Pines,
Placer County.

LAND USE: Maintenance of an existing boathouse and
existing fill all utilized for noncommercial
recreational purposes.

TERMS OF PROPOSED PERMIT:

Initial Period: 15 years from January 6,
1982.

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

Special: 1. The permit is conditioned
on permittee's conformance.

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with the Shorezone Ordinances of California Tahoe Regional Planning Agency and Tahoe Regional Planning Agency.

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

CONSIDERATION: \$237.33 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

Lake Tahoe Fair Rental Benchmark appraisal pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee has 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.

OTHER PERTINENT INFORMATION:

1. This project is exempt from CEQA because these are existing facilities as defined by Cal. Adm. Code 2905(a) Class 1 (2).
2. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category "B" which authorizes Limited Use. The project does not have a significant effect upon the identified environmental values.
3. This structure predates the Commission's moratorium on construction of new boating facilities in Lake Tahoe and is therefore exempt from the moratorium.
4. Applicant acquired the upland from her husband as her sole and separate property by a grant deed recorded January 6, 1982. As consideration for applicant's

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cooperation and execution of the permit and in the interest of bringing these long-term existing facilities under permit, staff has negotiated and recommends waiving historic rents payable prior to January 6, 1982.

AB 884: 7/20/83.

APPROVALS OBTAINED:

California Tahoe Regional Planning Agency, Tahoe Regional Planning Agency, the United States Army Corps of Engineers, the California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and County of Placer.

FURTHER APPROVALS REQUIRED: None.

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. WAIVE RENT, PENALTY, AND INTEREST IF ANY PRIOR TO JANUARY 6, 1982.
3. AUTHORIZE ISSUANCE TO DOROTHY B. TAYLOR OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE FROM JANUARY 6, 1982; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$237.33, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; AND WITH PROVISION OF COMBINED SINGLE LIMIT PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$300,000 PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE COVERAGE FOR MAINTENANCE OF AN EXISTING BOATHOUSE AND EXISTING FILL ALL UTILIZED FOR NONCOMMERCIAL RECREATIONAL PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 1124.226

A parcel of submerged land in the bed of Lake Tahoe, Placer County, California, said parcel being immediately beneath an artificial fill and an existing boathouse TOGETHER WITH a necessary use area extending 5 feet from the extremities of said fill and boathouse, said parcel being adjacent to that land described in the Grant deed recorded November 19, 1968, in Volume 1223, page 338, Official Records of Placer County.

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

END OF DESCRIPTION

REVISED OCTOBER 13, 1982 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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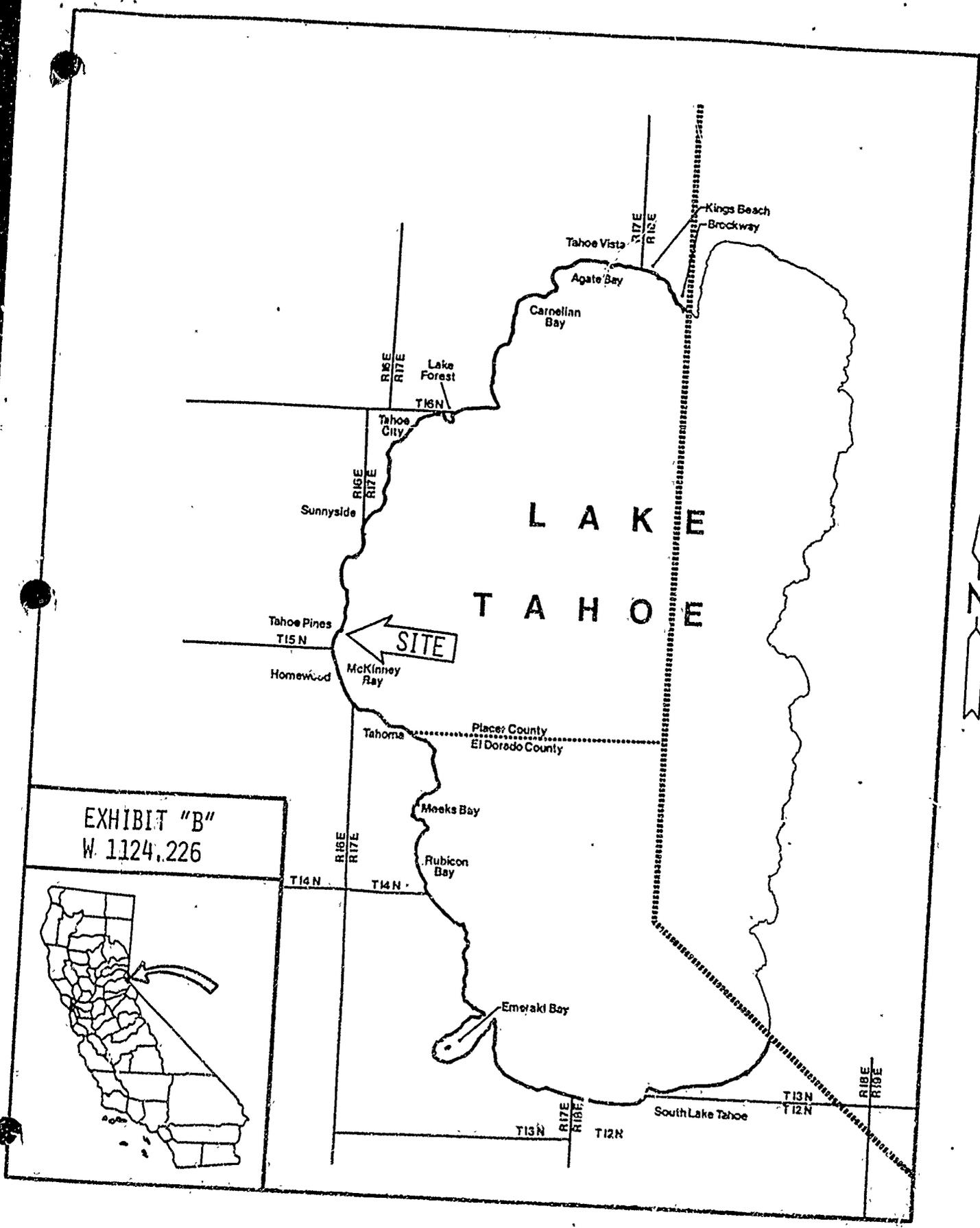


EXHIBIT "B"
W. 1124,226



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