

WAC
No. 5
Commissioner
to 7/21/83
meeting.

CALENDAR ITEM

21008

7/21/83
W 1124.40
Gordon
PRC 6454

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Fred N. Sahadi and Helen Sahadi
1901 South Bascom Avenue, Suite 900
Campbell, California 95008

AREA, TYPE LAND AND LOCATION:
An 0.593-acre parcel of submerged land
located in Lake Tahoe near Tahoe Pines,
Placer County.

LAND USE: Reconstruction and maintenance of existing
boating facilities utilized for multiple-use
noncommercial recreational purposes.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years from July 27,
1983.

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

Consideration: \$2,324 per annum with
the State reserving the
right to fix a different
rental on each fifth
anniversary of the permit.

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Other consideration: \$2,964 back rent
from December 27, 1979
through July 26, 1983.

- Special:
1. The permit is conditioned on permittee's conformance with the Shorezone Ordinances of California Tahoe Regional Planning Agency and Tahoe Regional Planning Agency.
 2. The permit conforms to the Lyon/Fogerty decision.

BASIS FOR CONSIDERATION:

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

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 and 2; Div. 13.

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

AB 884: 4/1/84.

OTHER PERTINENT INFORMATION:

1. The upland is occupied by Fleur Du Lac, a condominium development. The subject facilities will be utilized by the condominium owners and their tenants and guests.
2. A Negative Declaration was prepared by the Commission staff pursuant to CEQA and the State CEQA Guidelines. Commission staff found that the project will not have a significant effect on the environment. Mitigation measures specified in the Negative Declaration will be performed as a condition of the permit.

CALENDAR ITEM NO. U 0 3 (CONTD)

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 "B" which authorizes limited use. The project as proposed will not have a significant effect upon the identified environmental values.
4. 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 subject application is for reconstruction of existing facilities. This project is not subject to the Commission's suspension of leasing activities for new construction.

APPROVALS OBTAINED:

County of Placer.

FURTHER APPROVALS REQUIRED:

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

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A NEGATIVE DECLARATION HAS BEEN PREPARED FOR THIS PROJECT BY THE COMMISSION AFTER CONSULTATION WITH RESPONSIBLE AND TRUSTEE AGENCIES.
2. CERTIFY THAT A NEGATIVE DECLARATION (ND 343) HAS BEEN COMPLETED IN ACCORDANCE WITH CEQA, THE STATE CEQA GUIDELINES, AND THE COMMISSION'S ADMINISTRATIVE REGULATIONS; AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN TOGETHER WITH COMMENTS RECEIVED DURING THE REVIEW PROCESS. MITIGATION MEASURES SPECIFIED IN THE NEGATIVE DECLARATION WILL BE PERFORMED AS A CONDITION OF THE PERMIT.

3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
5. AUTHORIZE ISSUANCE TO FRED N. SAHADI AND HELEN SAHADI OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE, FROM JULY 27, 1983; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$2,324; AND OTHER CONSIDERATION FOR BACK RENT IN THE AMOUNT OF \$2,964, FROM DECEMBER 27, 1979, THROUGH JULY 26, 1983; 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 COVERAGE IN THE AMOUNT OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE; FOR 16 FLOATING BOAT SLIPS, TWO STEEL SHEET PILING BREAKWATERS, ONE COMMON AREA RECREATION BUILDING, THREE TIMBER BREAKWATERS AND TWO WOOD PILE JETTIES UTILIZED FOR MULTIPLE-USE NONCOMMERCIAL RECREATIONAL PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 1121.40

All that certain real property situate in Lake Tahoe, Placer County, California, more particularly described as follows:

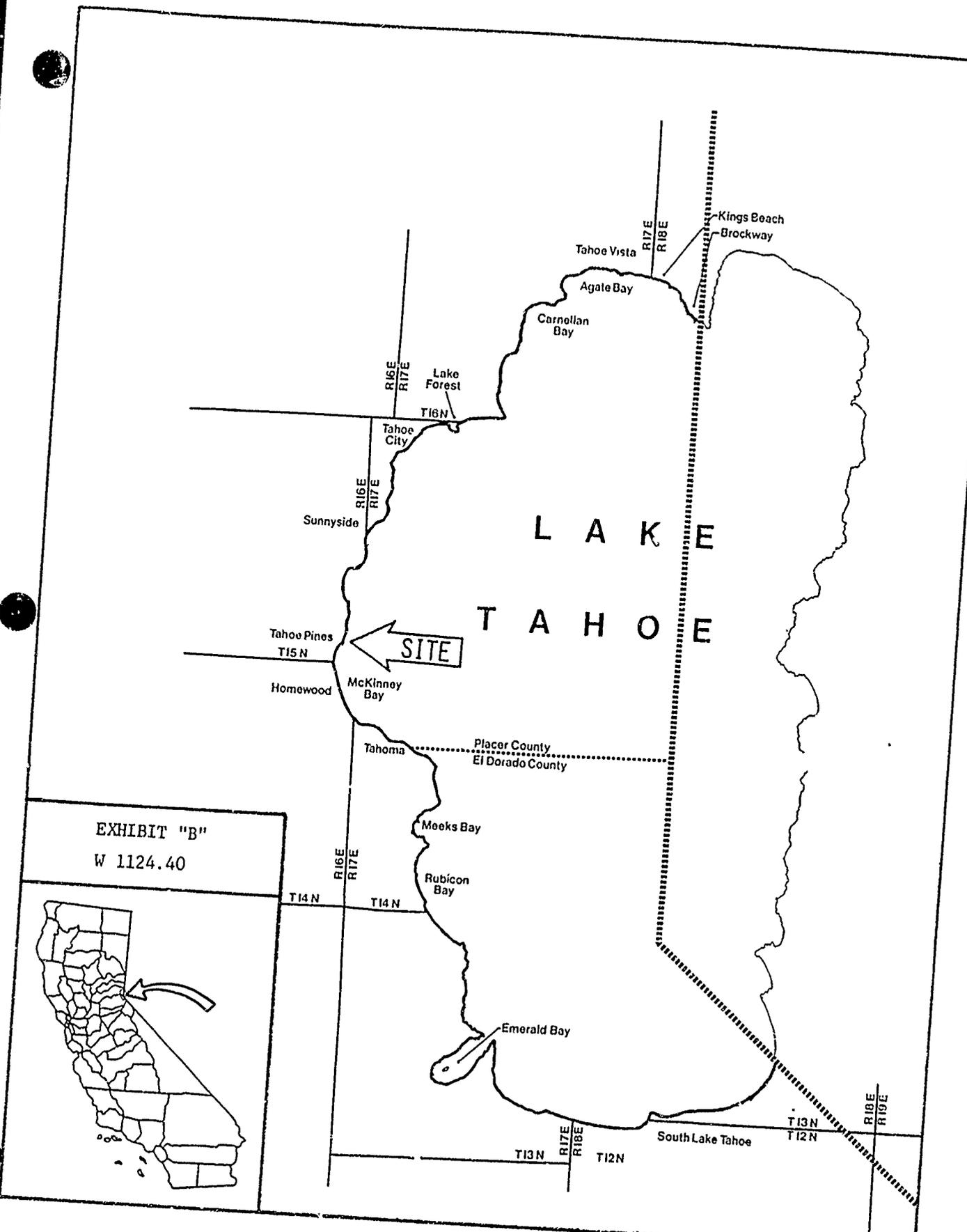
BEGINNING at a point on the southeasterly boundary of Fleur Du Lac Estates Condominium Subdivision, as said boundary is shown on the Condominium Plan of Fleur Du Lac Estates filed in Volume 2503 at Page 433 of Placer County Official Records, said point being also Point No. 76 of the State of California State Lands Commission survey of the low water mark of Lake Tahoe as shown on the map file in Book 2 of Surveys at Page 71, Placer County Recorder's Office; thence along said boundary and said survey line North 65° 45' 03" East, 88.57 Feet; thence North 41° 59' 32" East, 107.05 Feet; thence North 25° 47' 41" East, 129.46 Feet; thence leaving said boundary and survey line in a southerly direction the following courses and distances:

South 64° 12' 19" East, 21.76 Feet; South 03° 15' 00" West, 17.50 Feet;
 North 86° 45' 00" West, 14.50 Feet; South 03° 15' 00" West, 53.00 Feet;
 South 08° 52' 20" West, 81.00 Feet; South 14° 45' 00" West, 52.41 Feet;
 South 39° 10' 00" East, 5.64 Feet; North 50° 50' 00" East, 25.00 Feet;
 South 39° 10' 00" East, 24.00 Feet; South 50° 50' 00" West, 51.00 Feet;
 North 39° 10' 00" West, 27.00 Feet; South 59° 13' 30" West, 46.00 Feet;
 North 30° 46' 30" West, 21.00 Feet; North 58° 52' 50" West, 40.43 Feet;
 North 63° 26' 00" West, 20.00 Feet; South 65° 45' 03" West, 26.97 Feet;
 South 19° 31' 30" West, 127.31 Feet; North 66° 30' 00" West, 62.50 Feet;
 North 19° 31' 30" East, 79.00 Feet; North 66° 30' 00" West, 26.00 Feet; and
 North 23° 30' 00" East, 21.00 Feet to a point on the above mentioned boundary and survey lines; thence easterly and along said lines South 80° 10' 06" East, 62.00 Feet to the point of beginning.

END OF DESCRIPTION

REVISED APRIL 27, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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EXHIBIT C

STATE OF CALIFORNIA
STATE LANDS COMMISSION

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814

PRELIMINARY NEGATIVE DECLARATION

EIR NO 343

File Ref.: W 1124.40

SCH#: 83053007

Project Title: Fleur Du Lac Tahoe Renovation

Project Location: Section 36, T15N, R16E, MDM, Tahoe Pines,
Lake Tahoe, California, Placer County.

Project Description: Repair and renovate breakwaters, jetties and
seawalls, and replacement of deteriorated timber
pier. Installation of 22 boat slips.

This NEGATIVE DECLARATION is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, of the California Administrative Code), and the State Lands Commission regulations (Section 2901 et seq., Title 2, of the California Administrative Code).

Based upon the attached Initial Study, it has been found that:

- the project will not have a significant effect on the environment.
- the attached mitigation measures will avoid potentially significant effects.

Contact Person: Ted T. Fukushima
State Lands Commission
1807 - 13th Street
Sacramento, California 95814
(916) 322-7813

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Added 7/14/83

MITIGATION MEASURES

1. Crayfish can be trapped prior to dredging, held and then replanted when dredging is completed to avoid major impacts to this species.
2. Additional waterborne traffic as the result of the additional 22 slips is anticipated to be minimal with no significant environmental impacts.
3. To mitigate the breakwaters' impacts on harbor circulation, the following measures have been proposed:
 - a) establishment of a mechanism for induced circulation during low tide levels (i.e. a culvert and air lift pump);
 - b) promotion of high crayfish populations for algae removal;
 - c) restriction of fertilizers to slow-release varieties; minimum irrigation; and controlled surface runoff into the harbor; and
 - d) development of a harbor protection home and boat owners manual; establishment of a summer monitoring program.