MINUTE ITEM

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PRC 6715.1

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Bank of California, Trustee
P. O. Box 45000
San Francisco, California 94145

AREA, TYPE LAND AND LOCATION:
A .046-acre parcel of submerged land in Lake Tahoe, Placer County.

LAND USE: An existing multiple use pier for private recreational use.

TERMS OF PROPOSED PERMIT:
Initial period: Ten (10) years from September 1, 1984.

Public liability insurance: Combined single limit coverage of $100,000.00.

CONSIDERATION: $178.56 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
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: October 25, 1984.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 2, replacement or reconstruction, 2 Cal. Adm. Code 2905.

   Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

3. 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 in Lake Tahoe. The subject application is for the continued use of an existing pier with reconstruction involved, and therefore is not subject to the Commission's suspension of leasing activities for new construction.

4. 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 accomplished within the designated time period, then the permit will be automatically terminated, effective upon notice by the State and the site shall be cleared pursuant to the terms thereof.

APPROVALS OBTAINED:
Army Corps of Engineers Nationwide Permit; Placer County Department of Public Works; Tahoe Regional Planning Agency Administrative Permit.

FURTHER APPROVALS REQUIRED:
None.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION, 2 CAL. ADM. CODE 2905.

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3. AUTHORIZE ISSUANCE TO BANK OF CALIFORNIA, AS TRUSTEE OF THE MEIN TRUST, OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE FROM SEPTEMBER 1, 1984, ANNUAL RENT IN THE AMOUNT OF $178.56, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISIONS OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $100,000.00; FOR RECONSTRUCTION AND MAINTENANCE OF AN EXISTING MULTIPLE USE PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION W 23405

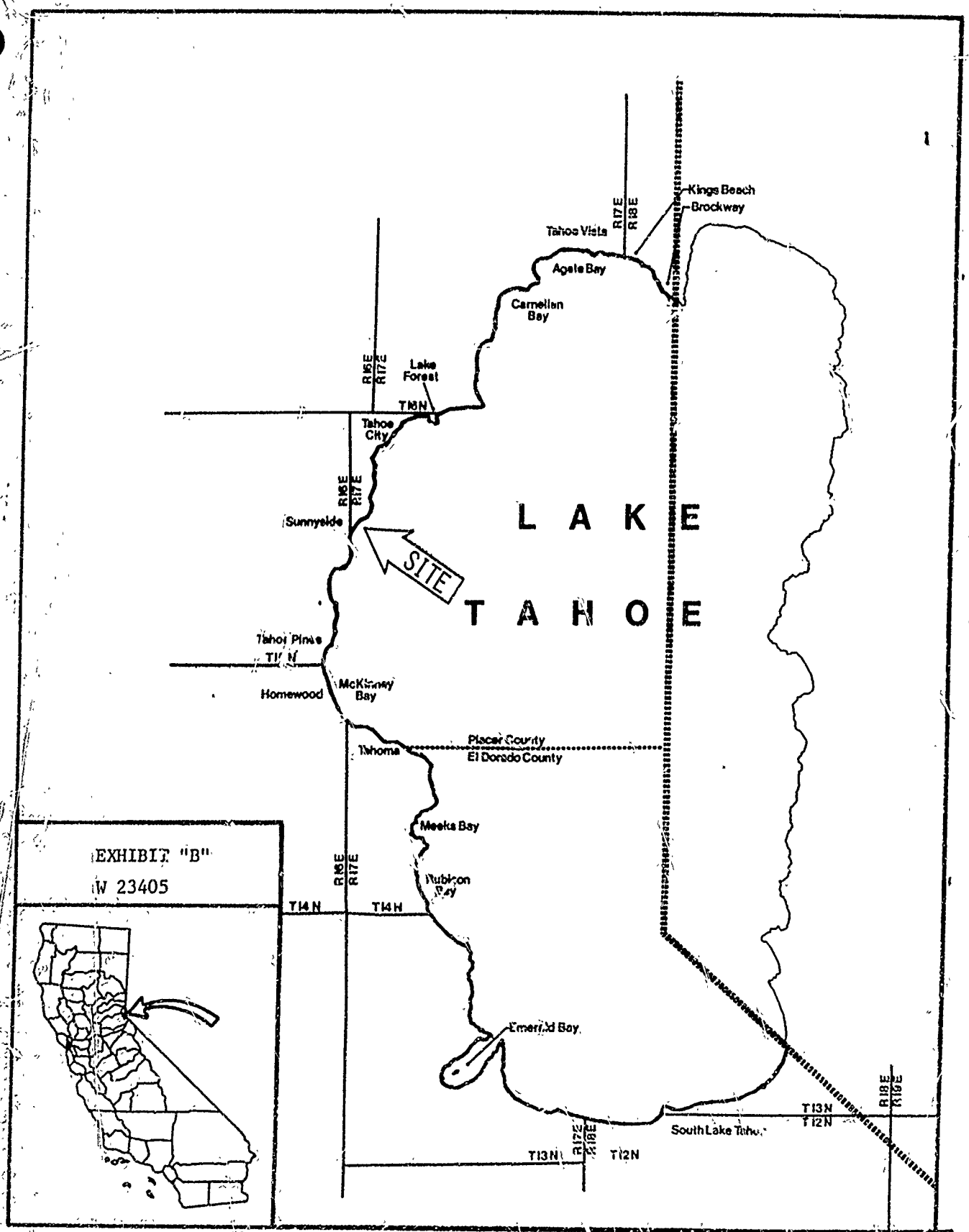
A parcel of submerged land in the bed of Lake Tahoe, Placer County, California, described as follows:

All that land lying immediately beneath a pier, said pier being adjacent to and southerly of Lot 3, as shown on the map of the Mein Trust Subdivision filed for record in Book N of Maps, Page 21, Placer County Records, TOGETHER WITH a necessary use area extending 70 feet from the extremities of said pier.

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

END OF DESCRIPTION

PREPARED JUNE 12, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.



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