

MINUTE ITEM

This Calendar Item No. C9
was approved as Minute Item
No. 9 by the State Lands
Commission by a vote of 2
to 0 at its 7/24/86
meeting.

CALENDAR ITEM

A 7
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C09

07/24/86
WP 3713 PRC 3713
Gordon

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: McNary Enterprises
200 Rancho Way
Woodland, California 95695

AREA, TYPE LAND AND LOCATION:
A 0.033-acre parcel of submerged land, located
in Lake Tahoe near Meeks Bay, El Dorado County.

LAND USE: Reconstruction and maintenance of a pier
utilized for recreational purposes.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years beginning January 8,
1986.

Public liability insurance: Combined single
limit coverage of \$500,000.

Special: 1. The permit restricts any
residential use of the
facilities.
2. The permit is conditioned
on permittee's conformance
with the Tahoe Regional
Planning Agency's Shorezone
Ordinance.
3. The permit conforms to
the Lyon/Fogerty decision.

CONSIDERATION: \$216 per annum; with the State reserving the
right to fix a different rental on each
fifth anniversary of the permit.

CALENDAR ITEM NO. C09 (CONT'D)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

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.

AB 884: 11/29/86.

OTHER PERTINENT INFORMATION:

1. This is a project to reconstruct a storm damaged pier. Applicant is a California limited partnership.
2. 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(b).

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

3. 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.

CALENDAR ITEM NO. C09 (CONT'D)

APPROVALS OBTAINED:

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

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(b).
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 MCNARY ENTERPRISES OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING JANUARY 8, 1986; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$216, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR CONSTRUCTION AND MAINTENANCE OF A PIER UTILIZED FOR RECREATIONAL PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 3713

A parcel of submerged land in the bed of Lake Tahoe, El Dorado County, California, lying immediately beneath a pier TOGETHER WITH a necessary use area extending 10 feet from the extremities of said pier, said pier being adjacent to and waterward of that land described in the Grant Deed recorded January 8, 1986 in Book 2523, Page 39 of the Official Records of El Dorado County.

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

END OF DESCRIPTION

PREPARED MAY 2, 1986 BY BOUNDARY SERVICES UNIT, M. L. SHAFER,
SUPERVISOR

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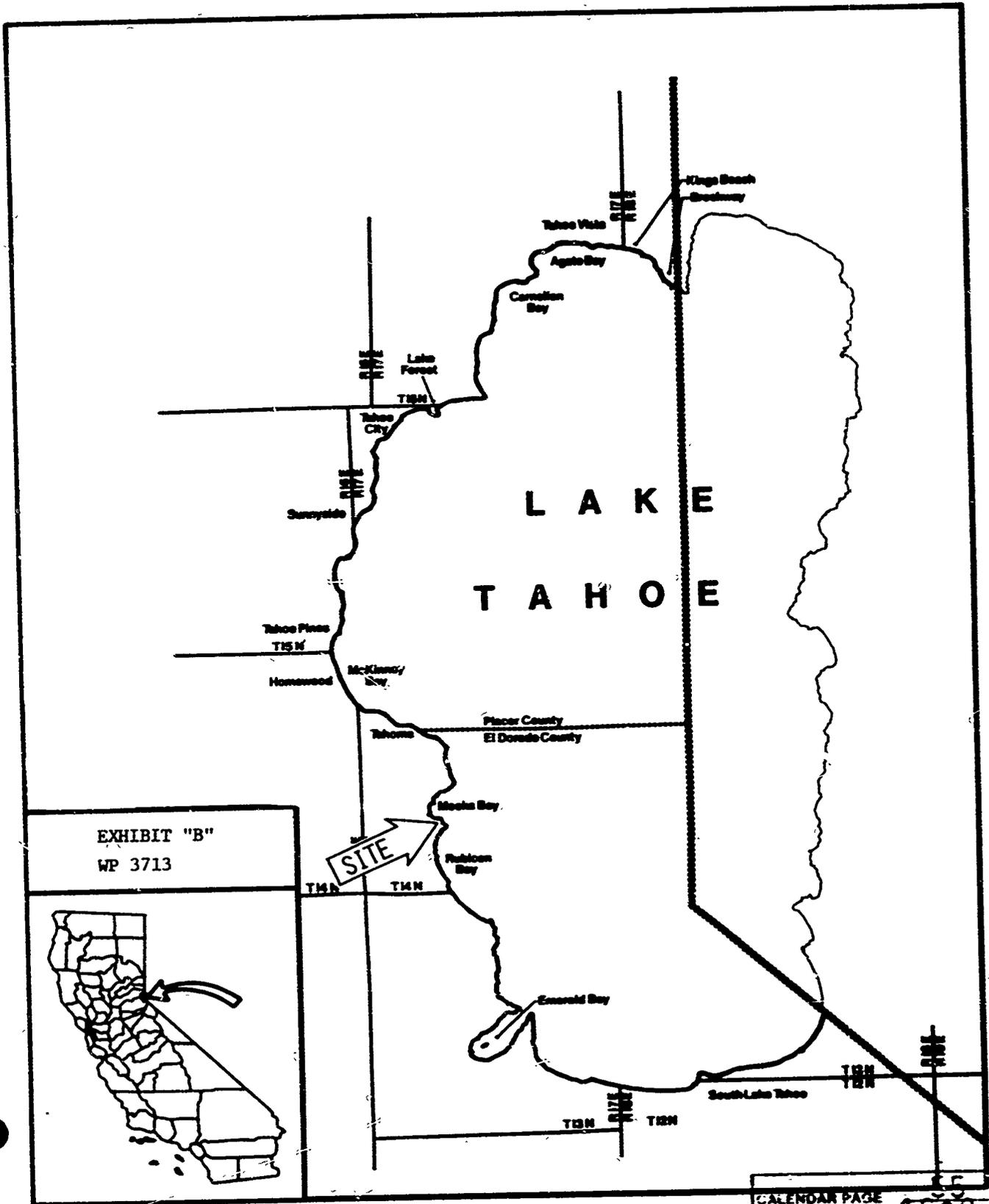


EXHIBIT "B"
WP 3713

