MINUTE ITEM
This Calendar Item No. 39
was approved as Minute Item
No. 39 by the State Lands
Commission by a vote of 3
to 0 at its
meeting.

CALENDAR ITEM

39

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07/10/89
WP 4173
Gordon

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Cedar Flat Improvement Association
P.O. Box 2168
Kings Beach, California 95719

AREA, TYPE LAND AND LOCATION:
A 0.064-acre parcel of submerged land located in Carnelian Bay, Lake Tahoe at Cedar Flat, Placer County.

LAND USE: Maintenance of an existing pier utilized for recreational boating.

TERMS OF PROPOSED PERMIT:

Initial period: Five years beginning September 29, 1988.

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

Special:

1. The permit is conditioned on permittee's conformance with the Tahoe Regional Planning Agency's shorezone ordinance.

2. The permit restricts any residential use of the facility.

3. The permit requires refuse containers for the disposal of vessel generated trash.

4. The permit conforms to the Lyon/Fogerty decision.

CONSIDERATION: $50 per annum; plus P.R.C. 6503.5; 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. Code Regs. 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. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Applicant is a homeowners association. The subject facility is utilized by residential owners, their tenants and guests. Because its membership currently includes 5.344 percent of non-natural persons as members, applicant does not fully meet the criteria of P.R.C. 6503.5 for rent-free status. Therefore, a portion of the rental related to boat mooring purposes required by the permit is the result of a proration according to this percentage. This is an application to replace applicant's permit which expired September 28, 1988.

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt

from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Code Regs 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 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 activity, is consistent with its use classification.

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 Placer.

FURTHER APPROVALS REQUIRED:
None.

EXHIBITS:
A. Land Description.
B. Location Map.
C. Local Government Comment.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).

2. AUTHORIZE ISSUANCE TO CEDAR FLAT IMPROVEMENT ASSOCIATION OF A FIVE-YEAR GENERAL PERMIT - RECREATIONAL USE, BEGINNING SEPTEMBER 29, 1988; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $50, PLUS P.R.C. 6503.5; 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 MAINTENANCE OF AN EXISTING PIER UTILIZED FOR RECREATIONAL BOATING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION **WP 4173**

A parcel of submerged land in the bed of Lake Tahoe, Placer 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 Lot 2, Block 8, Cedar Flat Subdivision, recorded in Book "H" of Maps, Page 82, in the office of the Placer County Recorder.

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

END OF DESCRIPTION

PREPARED AUGUST 15, 1988 BY BIU 1.

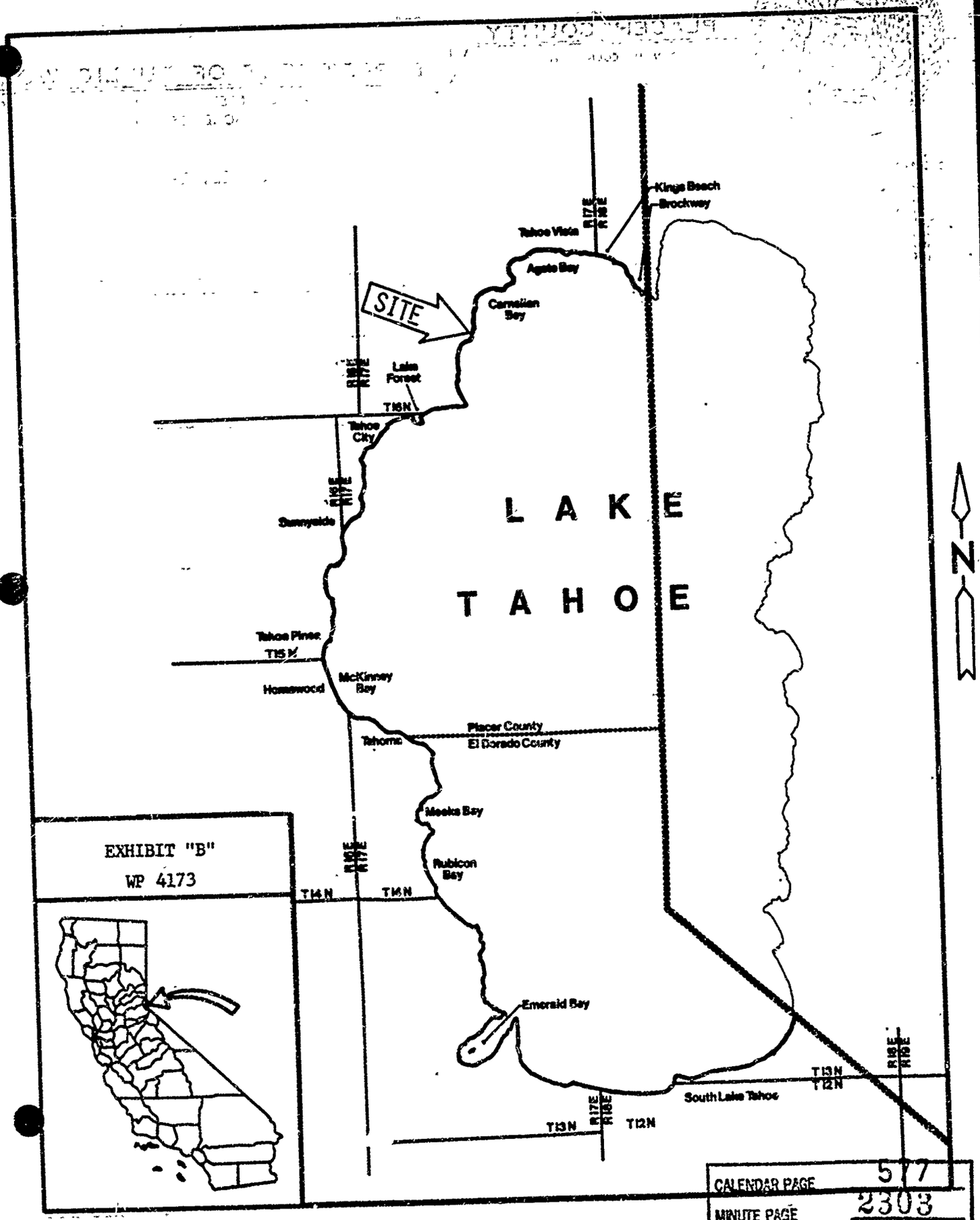

EXHIBIT "B"
WP 4173

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EXHIBIT C

PLACER COUNTY
JOHN MACCOUN, Director
DEPARTMENT OF PUBLIC WORKS
COUNTY ADMINISTRATIVE CENTER AUBURN, CALIFORNIA 95603
TELEPHONE 885-7711

OPERATING DIVISIONS:
Administration
Engineering
Utilities
Building Inspection
Buildings & Grounds
Road Maintenance
Automotive Maintenance

July 22, 1968

APPLICANT CEDAR FLATS IMPROVEMENT ASSOC.

MURRAY & MC CORMICK

A.P. 92-180-09

TYPE OF CONSTRUCTION

PIER

Gentlemen:

The Placer County Department of Public Works grants approval for the proposed waterfront construction in accordance with the construction and fill ordinance and shoreline construction rules as adopted by the Placer County Board of Supervisors.

A Building Permit may be issued subject to the following requirements:

☐ No other approval necessary.

☒ Submit approval from agencies indicated below.

☐

Very truly yours,

DEPARTMENT OF PUBLIC WORKS
JOHN MACCOUN, DIRECTOR

D. B. Langford
Assistant Civil Engineer

DBL:vk

cc: ☒ Corps of Engineers
☒ State Lands Commission
☒ Resources Agency
Norman Livermore
☐ Planning Department
☐ Health Department
☐ Building Department
Tahoe City

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