EXHIBIT B
W 8667

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

JAN 9 1970

January 7, 1970

Murray & McCormick
P. O. Box 1189
Tahoe City, California 95730

Attention: Gary O. Wheeler

Gentlemen:

Pier permit applications have been received for existing structures from the following applicants:

B. R. Brandchaft	A. P. No. 89-251-17
D. F. Henninger	A. P. No. 89-143-04
E. Murfee	A. P. No. 89-244-09
B. E. Richmond	A. P. No. 89-251-07

All of these structures cross lands claimed by Placer County. It will be necessary for the applicants to effect an Agreement with the Board of Supervisors for County approval.

Copies of this Agreement are enclosed (5 for each applicant) for signature by the applicants. Return signed Agreements to me for further processing.

Very truly yours,

DEPARTMENT OF PUBLIC WORKS
JOHN MACCOUN, DIRECTOR

D. B. Langford
Assistant Civil Engineer

DBL:vk

cc: State Lands
Corps of Engineers
Resources Agency

ROBINSON, ROBINSON, SHATTUCK & SMITH
ATTORNEYS AT LAW
ONE CALIFORNIA STREET
P. O. BOX 511
AUBURN, CALIFORNIA 95603

K. D. ROBINSON (1913-1968)
D. R. ROBINSON
LYLE H. SHATTUCK
RICHARD V. SMITH
RICHARD S. PRATHER

TELEPHONE
885-4505

July 16, 1970

Mr. Burnell E. Richmond
P. O. Box 1425
San Jose, California 95109

Re: Pier Permit

Enclosed please find a copy of the letter from Mr. Dan Langford, Placer County Department of Public Works, approving and consenting to the existence of your pier at Lake Tahoe. In order to acquire this approval, I had to meet with the County Counsel and the Department of Public Works twice to review the factual situation (subdivision map, county claim, etc.). It is getting tighter all the time, with the county making more and more claims to the ownership of certain beach-front properties. Having discussed this matter with the County Counsel, Department of Public Works and the Planning Department, I get the feeling that they believe their claim in your area is only a very slight possibility. [redacted]

Redacted attorney-client privilege

[redacted] You should make sure that you obtain the rent-free recreational lease (Public Resources Code Section 6503), and not the commercial lease, which the state sometimes sends out to property owners. The state will want to inspect your property at all reasonable times, but I would request that you be given some reasonable notice. [redacted]

I am returning all of your papers, along with our statement for legal services rendered on your behalf. This charge is a minimum amount and the same as charged to Mr. Altick.

My uncle, Eldon Brooks, is going to be in the Saratoga area during the next few months. It certainly was coincidental to be able to assist you on this legal matter, after having spent seven summers (1957-1964) at "Richmond-Chase" in Stockton.

Please contact me any time that I can ever be of any help to you.

Very truly yours,

Richard B. Prather

RICHARD B. PRATHER

RBP:js
Enclosures

P. S. - I am also sending a copy of the approval to Murray & McCormick Engineers in Tahoe City.

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

RECEIVED
JUL 15 1970

DATE July 10, 1970

APPLICANT Richmond

PARCEL NO. 89-251-07

TYPE OF CONSTRUCTION Existing Pier

The Placer County Department of Public Works approves this application, subject to the following conditions:

☐ Provide proof of compliance with requirements of agencies indicated below.

☐ No further requirements

☑ Attached letter acceptable in lieu of usual agreement with Board of Supervisors for structures crossing public lands

DBL:vk

cc: ✓STATE LANDS
✓CORPS OF ENGINEERS
✓RESOURCES AGENCY
BI STATE AGENCY
PLANNING DEPT.
HEALTH DEPT.
✓BUILDING DEPT.
(Tahoe City)

Very truly yours,

DEPARTMENT OF PUBLIC WORKS
JOHN MACCOUN, DIRECTOR

BY: D. B. Langford

ROBINSON, ROBINSON, SHATTUCK & SMITH
ATTORNEYS AT LAW
ONE CALIFORNIA STREET
P. O. BOX 511
AUBURN, CALIFORNIA 95603

K. D. ROBINSON (1913-1965)
D. R. ROBINSON
LYLE H. SHATTUCK
RICHARD V. SMITH
RICHARD B. PRATHER

TELEPH
885-4

July 10, 1970

TO: Placer County Department of Public Works

Re: Status beachfront and pier adjacent
Assessor's Parcel No. 89-251-07

Please be advised that I am the attorney representing Mr. Burnell Richmond, owner of an existing pier adjacent Placer County Assessor's Parcel No. 89-251-07 in Carnelian Bay Subdivision, Lake Tahoe, and that on behalf of Mr. Burnell Richmond, we hereby acknowledge that the issuance of a consent to establish and maintain such pier by the County of Placer Department of Public Works, shall not in any way be construed or interpreted as a waiver by the County of Placer of any claim of the County of Placer, to any right, title or interest in and to any real property adjacent the above mentioned Assessor's Parcel.

Richard B. Prather

RICHARD B. PRATHER
Attorney for Mr. Burnell Richmond

RBP:js

C

DEPARTMENT OF THE ARMY
SACRAMENTO DISTRICT, CORPS OF ENGINEERS
650 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814-4794

REPLY TO
ATTENTION OF

December 1, 1986

Regulatory Section (N03-167)

Mr. Gary R. Taylor
Post Office Box 91
Crystal Bay, Nevada 89402

Dear Mr. Taylor:

An individual Department of the Army permit is not required for Mr. Richmond's proposed pier repair in Lake Tahoe at Placer County Assessor's Parcel Number 115-060-08, near Carnelian Bay, California.

The Department of the Army has issued a nationwide permit for the repair, rehabilitation or replacement of any previously authorized, currently serviceable structure, provided the work does not deviate from the plans of the original structure. The proposed pier repair may be performed under the authority of this nationwide permit provided the work meets the conditions on the attached information sheet.

If you have any questions, please contact our Regulatory Section at the above address, or telephone (916) 551-2265.

Sincerely,

Bob Junell

Robert W. Junell
Chief, Unit 2
Regulatory Section

Attachment

Copies Furnished:

Tahoe Regional Planning Agency, Post Office Box 1038, Zephyr Cove, Nevada 89448 with copies of application and drawings
Mr. Edmond N. Richmond, 4812 North Lake Boulevard, Carnelian Bay, California 95711

INFORMATION SHEET
NATIONWIDE GENERAL PERMIT FOR THE REPAIR, REHABILITATION, OR REPLACEMENT OF CURRENTLY SERVICEABLE STRUCTURES

A nationwide permit is a Department of the Army permit that is issued on a nationwide basis for specific category of activites that are substantially similar and cause minimal environmental impacts. Nationwide permits are designed to allow the work to occur with little delay or paperwork. They are issued to satisfy the requirements of both Section 10 of the River and Harbor Act of 1899 and Section 404 of the Clean Water Act, unless otherwise stated. No permit application is required for an activity covered by a nationwide permit.

The Corps of Engineers has issued a nationwide general permit for the repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure or fill or of any currently serviceable structure or fill constructed prior to the requirement for authorization; provided such repair, rehabilitation, or replacement does not result in a deviation from the plans of the original structure or fill, and further provided that the structure or fill to be maintained has not been put to uses differing from uses specified for it in any permit authorizing its original construction. Maintenance dredging is not authorized by this nationwide permit.

The following special conditions must be followed in order for this nationwide permit to be valid:

1. That any discharge of dredged or fill material will not occur in the proximity of a public water supply intake;

2. That any discharge of dredged or fill material will not occur in areas of concentrated shellfish production unless the discharge is directly related to a shellfish harvesting authorized by Paragraph (a)(4) of this section.

3. That the activity will not jeopardize a threatened or endangered species as identified under the Endangered Species Act, or destroy or adversely modify the critical habitat of such species. In the case of Federal agencies, it is the agency's responsibility to review its activities to determine if the action "may affect" any listed species or critical habitat. If so, the Federal Agency must consult with the Fish and Wildlife Service and/or National Marine Fisheries Service;

4. That the activity will not significantly disrupt the movement of those species of aquatic life indigenous to the waterbody (unless the primary purpose of the fill is to impound water);

5. That any discharge of dredged or fill material will consist of suitable material free from toxic pollutants in toxic amounts;

6. That any structure or fill authorized will be properly maintained;

TAHOE REGIONAL PLANNING AGENCY

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

195 U.S. Highway 50
Round Hill, Zephyr Cove, NV

(702) 588-4547

GENERAL APPLICATION FORM

DESCRIPTION OF PROJECT Repair of existing pier and boathouse.

OWNER(S) OF RECORD:

Name: Edmund N. Richmond Phone: 408-265-4575

Mailing Address: 1530 Meridian Ave., Suite 201 City: San Jose, State: CA Zip 95125

PERSON AUTHORIZED TO REPRESENT THE PROJECT AND TO WHOM ALL CORRESPONDENCE IS TO BE SENT:

Name: Gary R. Taylor Phone: 702-831-5766

Mailing Address: PO Box 91 City: Crystal Bay State: NV Zip 89402

LOCATION OF PROPERTY:

County: Placer Assessor's Parcel # 115-060-08

Street Address: 4812 North Lake Blvd. Lot # 08

I hereby certify under penalty of perjury and the laws of the State of California and Nevada that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that TRPA may rescind my approval based thereon, or take other appropriate action.

Signed _____ At _____ Dated _____
Gary R. Taylor/agent (County)

Over

FOR OFFICE USE ONLY

Date Received: _____ By: _____

Filing Fee: _____ Receipt # _____

Water Quality Mitigation Fee _____ Receipt # _____

Air Quality Mitigation Fee _____ Receipt # _____

Security _____ Receipt # _____

Environmental Document Fee _____ Receipt # _____

Other Fee (Describe) _____

_____ Receipt # _____

TRPA File # _____

10/9/84

FORMS1: Form - App. Form

Side 1

AUTHORIZATION FOR REPRESENTATION

The following person(s) is owner of the subject property (APN 115-060-08) or an interest therein:

(Print Owner(s) name(s))

Edmund N. Richmond

As such he/she/they authorize Gary R. Taylor to act as his/her/their representative in connection with this application for the subject property and agree to bound by said representative. Any cancellation of this authorization shall not be affected until receipt of written notification of same by the TRPA.

Owner's Signature(s)	Date

Proof of authorization such as Power of Attorney may be attached to this application in lieu of this authorization.

GARY R. TAYLOR
Architectural Design and Building

(702) 831-5766 evenings (702) 831-1777 days

January 2, 1987

Ned Richmond
1530 Meridian Avenue, Suite 201
San Jose, CA 95125

Dear Ned:

Your pier permit should be issued about the second week of this month. At that time T.R.P.A. will assess their fee for the permit, approximately $1,000. George Cress at T.R.P.A. will contact me in Berkeley with the information, and I will let you know as soon as I hear.

For the fence you would like to construct, you will need to go through the Placer County Planning Commission because of the height and setback from the front property line. By County code, you are allowed to build a 6 foot high fence, if the setback is greater than 20 feet, without a permit. For a fence over 6 feet in height, you must file a variance permit application with the Auburn office of the Planning Department.

The variance permit I'm sending to Auburn states that we want to construct a fence with a front setback of 6 feet and a finished grade height of 8 feet. This process should take about 2 months, and I see no reason why the permit would not be granted. We just have to wait.

Also, I will need a retainer check in the amount of $500, to cover engineering expenses for the retaining walls (for the portion of the fence below grade) and for payment of the variance application fee, building permits, etc.

Hope you had a Merry Christimas and a Happy New Year! We still have almost no snow. Thank you for the Christmas card. Jim and I will be seeing you in the next month or so.

Sincerely,

Gary R. Taylor

Gary R. Taylor

Enc.

P.O. Box 91 Crystal Bay, NV 89402

APPROVED

TAHOE REGIONAL PLANNING AGENCY

PLANNER [signature] DATE 1-22-87

INVESTIGATOR _____ DATE _____

PROJECT REVIEW DIRECTOR [signature] DATE 1-22-87

LOT SIZE 42,400 SQ FT
LCC 6 [illegible] 2720 SQ FT)
APN 15-060-08
[illegible]
[illegible] = 2526
[illegible] = [illegible]
[illegible] = 198
[illegible] 391
[illegible] 7718 SQ FT
[illegible] ALLOWABLE = 2,720 SQ FT

RECEIVED
BY _____
DEC 23 1986
TAHOE REGIONAL
PLANNING AGENCY

TOPOGRAPHICAL SURVEY

SCALE 1"=20'0"	PIER REPAIR	DRAWING #
DATE 1 NOV 86	115-060-08, CARNELIAN BAY	86-501R

EDMOND N RICHMOND, TRUSTEE SINGLE FAMILY RESIDENCE

[illegible] NORTH LAKE BLVD CARNELIAN BAY, CA

REPRODUCED FOR

NED RICHMOND

QUALIFIED EXEMPT ACTIVITY DECLARATION

RECEIVED
BY
OCT 0 4 1999
TAHOE REGIONAL
PLANNING AGENCY

OWNER(S) OF RECORD:

Name(s): EVELYN RICHMOND, et. al. Phone: (408) 274-4239

Mailing Address: 7625 SAN FELIPE ROAD

City: SAN JOSE State: CA Zip Code: 95135

PERSON AUTHORIZED TO REPRESENT THE ACTIVITY:

Name(s): JAN BRISCO Phone: (530) 583-6882

Mailing Address: PO BOX 1888

City: TAHOE CITY State: CA Zip Code: 96145

LOCATION OF ACTIVITY:

Assessor's Parcel Number (APN): 115-060-12 115-060-13 County: PLACER

Street Address: 4812 NORTH LAKE BLVD. & 4826 NORTH LAKE BLVD.

DETAILED DESCRIPTION OF ACTIVITY (Be Clear, Detailed, and Specific):

REPLACE NON-CONFORMING BOAT LIFT WITH LOW-LEVEL, CONFORMING BOAT LIFT.

PRIOR APPROVALS (List any prior CTRPA/TRPA approvals/permits received for the subject property):

Permit: _____ Approval Date: _____ Expiration Date: _____

Permit: _____ Approval Date: _____ Expiration Date: _____

LOCAL JURISIDICTION REQUIREMENTS: Please be advised that your activity may require approval from local agencies (i.e., Building Department) – *make sure to obtain appropriate local approvals prior to beginning work.*

If your activity involves construction in the shorezone, the following agencies should be contacted:

In California: California State Lands Commission
California Fish and Game
U.S. Army Corps of Engineers

In Nevada: Nevada Division of State Lands
U.S. Army Corps of Engineers

QUALIFIED EXEMPT DECLARATION RECEIVED
DATE: 10-1-99 BY: [illegible]

Richard A. Sipos

From: Jim Frey [FREYJ@slc.ca.gov]
Sent: Monday, May 04, 2009 3:01 PM
To: Richard A. Sipos
Subject: RE: Richmond/Naess Pier Application

Richard

I believe all three were for new construction.

Jim

James Frey
Staff Counsel
State Lands Commission
100 Howe Ave., Ste. 100 S
Sacramento, CA 95825
(916) 574-1850
Fax (916) 574-1855
freyj@slc.ca.gov

>>> "Richard A. Sipos" <RSipos@wendel.com> 05/04/2009 2:27 PM >>>
Jim: With regard to the 3 instances on the Sacramento River, are these for new construction, or for existing pier and boathouses similar to the Richmond/Naess families' pier and boathouse that preexisted the current policy change?

-----Original Message-----
From: Jim Frey [mailto:FREYJ@slc.ca.gov]
Sent: Tuesday, April 21, 2009 3:08 PM
To: Richard A. Sipos
Subject: Richmond/Naess Pier Application

Richard

Thanks for speaking with me earlier today. I want clarifying one of my comments on the approval of sundecks and related improvements. I misstated the time frame that staff has been not recommending approval of sundecks and associated improvements. I think your client is the first instance at Lake Tahoe. However, here along the Sacramento River there are at least 3 instances where the Commission has refused to approve new previously unapproved sundecks over the last 4 or 5 years.

Jim

James Frey
Staff Counsel
State Lands Commission
100 Howe Ave., Ste. 100 S
Sacramento, CA 95825
(916) 574-1850
Fax (916) 574-1855
freyj@slc.ca.gov

This e-mail message is confidential, is intended only for the named recipient(s) above, and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this message in error, or are not a named recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this message in error, please immediately notify the sender by return e-mail and delete this e-mail message from your computer. Thank you.
****
****
IRS Circular 230 Disclosure: As required by U.S. Treasury Regulations governing tax

Richard A. Sipos

From: Jim Frey [FREYJ@slc.ca.gov]
Sent: Friday, April 24, 2009 11:56 AM
To: Richard A. Sipos
Subject: Richmond/Naess Pier Application

Attachments: AR-M455N_20090423_090513.pdf

AR-M455N_20090423_090513.pdf (...

Richard

I apologize for the delay in getting back to you.

The statutes and regulations governing the Commission's activities can be found in the Public Resources Code Sections 6000 et seq. and 2 CCR 1900 et seq. In particular please see Public Resources Code Section 6501.2 which directs the Commission to prepare lease forms containing "such terms and conditions as the commission deems to be for the best interests of the state." There is no specific statute or regulation on grandfathering and the Commission considers it to be within its discretion on whether to do so.

Attached is a June 2007 calendar (agenda) item with an attached white paper dealing with decks on piers and docks. The white paper gives some background on the staff's perspective on this matter.

If you would still like to speak with Barbara Dugal, she has asked that you call her secretary, Cindy Merical, next week to schedule a day and time that is convenient for you both so that you can discuss this with her. Ms. Merical's telephone number is (916) 574-1940.

James Frey
Staff Counsel
State Lands Commission
100 Howe Ave., Ste. 100 S
Sacramento, CA 95825
(916) 574-1850
Fax (916) 574-1855
freyj@slc.ca.gov