

24. (RESUME OF THE NEGOTIATIONS FOR A PRIVATE-RECREATIONAL PIER PERMIT IN LAKE TAHOE WITH MR. NORMAN A. STRAUSS - R.P. NO. 161.) The following report was presented to the Commission:

"Resume of the negotiations for a private-recreational pier permit in Lake Tahoe with Mr. Norman A. Strauss is as follows:

"On December 1, 1955 Mr. Strauss was informed his pier was occupying State land. During the next two and one-half years fourteen letters were exchanged with him. Each reply from Mr. Strauss gave a different excuse for not complying.

"The present approved permit form was first submitted to him in December of 1955. It was returned with interlining which in effect questioned the validity of the State claim to the bed of Lake Tahoe. This the staff refused to accept.

"A new application form was sent for Mr. Strauss to fill out in the proper manner; this he twice returned, the final time on September 20, 1956 with the notation 'rejected' across the face, accompanied by a letter in which he asks two questions: '(a) Does the State Lands Commission itself refuse to accept my application for a pier permit at Lake Tahoe?' and '(b) Was the "present policy" concerning applications formulated by the Commission itself? (In context this referred to non-alteration of the form of the application.) If there is any statutory authority for non-alteration of the form, as distinguished from the power of the Commission to prescribe the form, I would be most interested.'

"Mr. Strauss apparently expects the Commission to act on each and every problem with which the staff is confronted. The 'present policy' he is concerned about is covered in Division 6 of the Public Resources Code and the Rules and Regulations of the Commission.

"IT IS RECOMMENDED THAT THE COMMISSION FORMALLY APPROVE THE PRIVATE-RECREATIONAL PIER PERMIT FORM AND THE ACTION OF THE EXECUTIVE OFFICER AND STAFF OF THE STATE LANDS DIVISION IN PROCESSING THE ISSUANCE OF THE PRIVATE-RECREATIONAL PIER PERMITS IN CONFORMANCE WITH DIVISION 6 OF THE PUBLIC RESOURCES CODE AND CHAPTER 1305, STATS. 1955."

Mr. J. D. Strauss appeared on behalf of Mr. Norman A. Strauss, and explained the position of Mr. Norman A. Strauss in the matter.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, ACTION WAS DEFERRED ON THE APPLICATION OF MR. NORMAN A. STRAUSS FOR A PRIVATE-RECREATIONAL PIER PERMIT IN LAKE TAHOE, PENDING THE COMPLETION OF A SOUNDING SURVEY TO DETERMINE THE DEPTH OF THE WATER AT EXISTING PIER LOCATIONS.