

34. APPLICATION TO LEASE A PARCEL OF SUBMERGED LAND FOR THE MAINTENANCE OF PILES AND FLOATS IN CLEAR LAKE, LAKE COUNTY; CLEAR LAKE KEYS COMPANY - W.O. 5777.

After consideration of Calendar Item 17 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION REJECTS THE APPLICATION OF CLEAR LAKE KEYS COMPANY TO LEASE A PARCEL OF SOVEREIGN LAND IN CLEAR LAKE, AND THE EXECUTIVE OFFICER IS AUTHORIZED AND DIRECTED TO INSTITUTE ACTION FOR THE REMOVAL OF UNAUTHORIZED STRUCTURES THEREFROM.

Attachment
Calendar Item 17 (1 page)

APPLICATION TO LEASE A PARCEL OF SUBMERGED LAND FOR THE MAINTENANCE OF PILES AND FLOATS IN CLEAR LAKE, LAKE COUNTY; CLEAR LAKE KEYS COMPANY - W.O. 5777.

Clear Lake Keys Company has applied to lease a parcel of submerged land in Clear Lake for the maintenance of an existing system of piling and floating logs, to prevent debris and algae from the lake proper from accumulating in the dredged canals which provide lake access to the development.

The prevailing wind and wave action on the lake is such that dead fish and algae accumulate in the protected southern arms of the lakes, producing a noxious odor.

The Department of Fish and Game reports "...Each year in Clear Lake, numbers of fish die for reasons unknown at this time. Lack of dissolved oxygen in the water due to decomposing algae is one probable reason..."

In an attempt to control the algae accumulation in the canals, the applicant has built a debris screen in Clear Lake consisting of a continuous string of floating logs interspersed with pilings running southeast, which overlaps a similar string running northwest, leaving a 100-foot passage for boats. (See Exhibit "A".) The applicant claims the structure also would result in a sheltered swimming beach.

The structure was discovered to be a trespass in 1965, and the application resulted from staff contact with the applicant.

An investigation by staff has confirmed the following:

1. The Clear Lake Keys Company has no littoral rights in the vicinity.
2. The littoral owners, Clear Lake Oaks Community Beach Association and Stubbs Trust, have not consented to the installation, and their representatives have indicated their objections. They contend, and staff inspection confirms, that the screen has little effect on litter accumulation, is a hazard to small boats and swimmers, and detracts from the beauty of the Lake.
3. The Lake County Board of Supervisors has taken no official stand on the screen and has not agreed to assume responsibility for maintenance of the structure.
4. The State Department of Fish and Game has reported that the structure does not produce any noticeable effect on the fish and wildlife of Clear Lake.

IT IS RECOMMENDED THAT THE COMMISSION REJECT THE APPLICATION OF CLEAR LAKE KEYS COMPANY TO LEASE A PARCEL OF SOVEREIGN LAND IN CLEAR LAKE, AND THAT THE EXECUTIVE OFFICER BE AUTHORIZED AND DIRECTED TO INSTITUTE ACTION FOR THE REMOVAL OF UNAUTHORIZED STRUCTURES THEREFROM.