

MINUTE ITEM

2/28/74
PLQ

8. 10-YEAR USE PERMIT, SUBMERGED LAND IN THE BED OF LAKE TAHOE, PLACER COUNTY; L. W. BERRY AND MAX DAY - N 268, PRC 4866.1.

After consideration of Calendar Item 7 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY BECAUSE IT IS CATEGORICALLY EXEMPT UNDER THE PROVISIONS OF PUBLIC RESOURCES CODE SECTION 21084; 14 CAL. ADM. CODE SECTIONS 15100, ET SEQ.; AND 2 CAL. ADM. CODE SECTION 2910(a).
2. FINDS THAT IT IS IN THE BEST INTEREST OF THE STATE TO EXTEND THE TERM OF THIS USE PERMIT FROM A TERM OF FIVE YEARS TO A TERM OF TEN YEARS, TO COVER THE ACTUAL PERIOD OF OCCUPANCY AND COLLECT APPROPRIATE RENTAL.
3. AUTHORIZES THE ISSUANCE TO L. W. BERRY AND MAX DAY OF A 10-YEAR USE PERMIT FROM OCTOBER 24, 1968; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$75; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; FOR AN EXISTING PIER AND ATTACHED BOATHOUSE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 7 (3 pages)

CALENDAR ITEM

2/74
PLQ
N 268

7.

USE PERMIT

APPLICANT: L. W. Berry and Max Day.

AREA, TYPE LAND AND LOCATION:

A 0.04-acre parcel of submerged land in the bed of Lake Tahoe, Placer County.

LAND USE: One pier and attached boathouse.

TERMS OF PROPOSED LEASE:

Initial period: 10 years, from October 24, 1968.

Surety bond: \$1,000.

CONSIDERATION: \$75 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

\$75 fixed rental for this type of permit.

PREREQUISITE TERMS:

U. S. Army Corps of Engineers permit issued.

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 and 10.

OTHER PERTINENT INFORMATION:

1. In accordance with Title 2, Section 2004 of the California Administrative Code, it is in the best interest of the State to extend the term of this use permit from a term of five years to a term of ten years. This is done in order that back rental owed by the permittee may be collected by the State.
2. An environmental impact report is not required as the activity is categorically exempt under the provisions of Public Resources Code Section 21084; 14 Cal. Adm. Code Sections 15100, et seq.; and 2 Cal. Adm. Code Section 2910(a).

EXHIBITS:

- A. Land Description. B. Location Map.

CALENDAR ITEM NO. 7. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY BECAUSE IT IS CATEGORICALLY EXEMPT UNDER THE PROVISIONS OF PUBLIC RESOURCES CODE SECTION 21084; 14 CAL. ADM. CODE SECTIONS 15100, ET SEQ.; AND 2 CAL. ADM. CODE SECTION 2910(a).
2. FIND THAT IT IS IN THE BEST INTEREST OF THE STATE TO EXTEND THE TERM OF THIS USE PERMIT FROM A TERM OF FIVE YEARS TO A TERM OF TEN YEARS, TO COVER THE ACTUAL PERIOD OF OCCUPANCY AND COLLECT APPROPRIATE RENTAL.
3. AUTHORIZE THE ISSUANCE TO L. W. BERRY AND MAX DAY OF A 10-YEAR USE PERMIT FROM OCTOBER 24, 1968; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$75, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; FOR AN EXISTING PIER AND ATTACHED BOATHOUSE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

N 268

A parcel of submerged land in the bed of Lake Tahoe, Placer County, California, adjacent to fractional Section 1, T 14 N, R 16 E, MDM; said parcel is immediately beneath and extends ten feet on all sides of an existing pier and boat-house and is adjacent to the following described land.

That parcel conveyed to Max W. Day and Alvena V. Day by Joint Tenancy Grant Deed dated June 22, 1971, and recorded as Document No. 12869, on June 29, 1971, in Vol. 1359, page 23 of the Official Records of Placer County, California.

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

END OF DESCRIPTION