

MINUTE ITEM

This Calendar Item No. 62  
was approved as Minute Item  
No. 2 by the State Lands  
Commission by a vote of 3  
to 0 at its 12/15/76  
meeting.

CALENDAR ITEM

12/76  
W 6495  
RJV  
PRC 5209

02:

USE PERMIT

APPLICANT: Richard D. Freeman.  
155 Montgomery Street  
Suite 606  
San Francisco, California, 94104

AREA, TYPE LAND AND LOCATION:  
A 2041.5 square foot parcel of submerged land  
in Lake Tahoe, Carnelian Bay, Placer County.

LAND USE: Existing pier and sundeck for recreational  
boating.

TERMS OF PROPOSED LEASE:  
Initial period: Five years, from September  
1, 1975.

Surety bond: \$1,000.

CONSIDERATION: \$100 per annum.

BASIS FOR CONSIDERATION:  
Fixed rental for this type of permit.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicant is permittee of upland.  
Filing fee and 2 years' rent has been received.

STATUTORY AND OTHER REFERENCES:  
A. Public Resources Code: Div. 6, Parts 1 & 2.  
B. Administrative Code: Title 2, Div. 3,  
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:  
1. The upland owner, Forest Homes of Cedar  
Flat, Inc. (Cedar Flat Improvement Associa-  
tion), have given their consent to the  
proposed permittee by letter dated October  
1, 1975.  
2. State's permit specifies that should any  
structure be found in non-conformance with  
the Tahoe Regional Planning Agency's Shore-  
zone Ordinance, including needed repairs,  
alterations or removal pursuant to said  
ordinance, the State's permit will be

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CALENDAR ITEM NO. C2. (CONTD)

automatically terminated and also specifies that if any structure is found to be up or adjacent to land claimed by the County of Placer without their consent and approval, State's permit terminates on notice by State.

3. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
4. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B: Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO RICHARD D. FREEMAN OF A 5-YEAR USE PERMIT; FROM SEPTEMBER 1, 1975; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100; PROVISION OF A \$1,000 SURETY BOND; FOR AN EXISTING RECREATIONAL PIER AND SUNDECK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 6495

A parcel of land in the State owned bed of Lake Tahoe lying directly beneath and extending five (5) feet on all sides of an existing pier adjacent to Lot 7, Block 8, as said lot is shown on the Official Map of Cedar Flat Subdivision, filed October 14, 1965, in Book II of Maps, Page 82 Placer County Records.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark.

END OF DESCRIPTION

Prepared M. G. Kaf Checked M. G. Kaf  
Reviewed [Signature] Date 9-22-71  
DJK