

MINUTE ITEM

This Calendar Item No. C23  
was approved as Minute Item  
No. 23 by the State Lands  
Commission by a vote of 2  
to 0 at its 3/23/82  
meeting.

CALENDAR ITEM

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3/23/82  
WP 4222  
Gordon  
PRC 4222

TERMINATION OF LEASE NO. 4222.1 AND  
ISSUANCE OF GENERAL PERMIT - RIGHT-OF-WAY USE

APPLICANT: Tahoe City Public Utility District  
P. O. Box 33  
Tahoe City, California 95730

AREA, TYPE LAND AND LOCATION:  
A 0.062-acre parcel of submerged lands  
in Lake Tahoe near Chambers Lodge, Placer  
County.

LAND USE: Maintenance of existing water service facilities.

TERMS OF ORIGINAL LEASE:  
Initial period: Five years from March 13,  
1967.

Renewal options: Three successive periods  
of ten years each.

Surety bond: \$1,000.

Consideration: \$216 per annum.

TERMS OF LEASE DURING ASSIGNMENT, AMENDMENT AND FIRST RENEWAL:  
Initial period: Ten years from March 13,  
1972.

Renewal options: Two successive periods  
of ten years each.

Consideration: The public benefit with  
the State reserving the  
right to set a monetary  
rental if found by the  
Commission to be in the  
State's best interest.

TERMS OF PROPOSED PERMIT:  
Initial period: 20 years from March 13,  
1982.

Special: 1. The permit is conditioned  
on permittee's conformance

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with the Shorezone Ordinances of California Tahoe Regional Planning Agency and Tahoe Regional Planning Agency.

2. The permit is not deemed to establish the boundary between private and State-owned lands.
3. All parties agree that Lease No. 4222.1 P.R.C. Series, dated June 26, 1969 and the amendment thereto dated May 19, 1972, shall terminate March 13, 1982.

CONSIDERATION: The public use and benefit with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

BASIS FOR CONSIDERATION:  
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicant is permittee of upland.

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:  
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.  
B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:  
1. The annual rental value of the site is estimated to be \$220.

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2. The subject facilities provide water service to adjacent residences located in McKinney Shores Subdivision.
3. To facilitate the issuance of a permit agreement consistent with the Commission's current rules and regulations, termination of the original lease is recommended.
4. This project is exempt from CEQA in that it is an existing facility in an acceptable state of repair, 2 Cal. Adm. Code 2905, Class 1(2).
5. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.

APPROVALS REQUIRED AND OBTAINED:

This facility is subject to the jurisdiction of the California Tahoe Regional Planning Agency, Tahoe Regional Planning Agency, United States Army Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and the County of Placer. The proposed permit is conditioned on the approval of all agencies having jurisdiction.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. AUTHORIZE TERMINATION OF LEASE "NO. 4222.1, P.R.C. SERIES," DATED JUNE 26, 1969, AND THE AMENDMENT THERETO DATED MAY 19, 1972, EFFECTIVE MARCH 13, 1982; AND THE

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ISSUANCE TO TAHOE CITY PUBLIC UTILITY DISTRICT OF A 20-YEAR GENERAL PERMIT - RIGHT-OF-WAY USE FROM MARCH 13, 1982; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR MAINTENANCE OF EXISTING WATER SERVICE FACILITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 4222

A parcel of submerged land in the bed of Lake Tahoe in Section 7, T14N, R17E, MDM, Placer County, California, described as follows:

COMMENCING at the northeast corner of Lot A as said Lot A is shown upon that certain map entitled "McKinney Shores at Lake Tahoe" filed in Book G of Maps at page 25, Placer County Records Office; thence S 39° 38' 37" E 13.18 feet; S 44° 58' 36" E 135 feet and S 45° 01' 24" W 60 feet to the POINT OF BEGINNING; thence the following four courses:

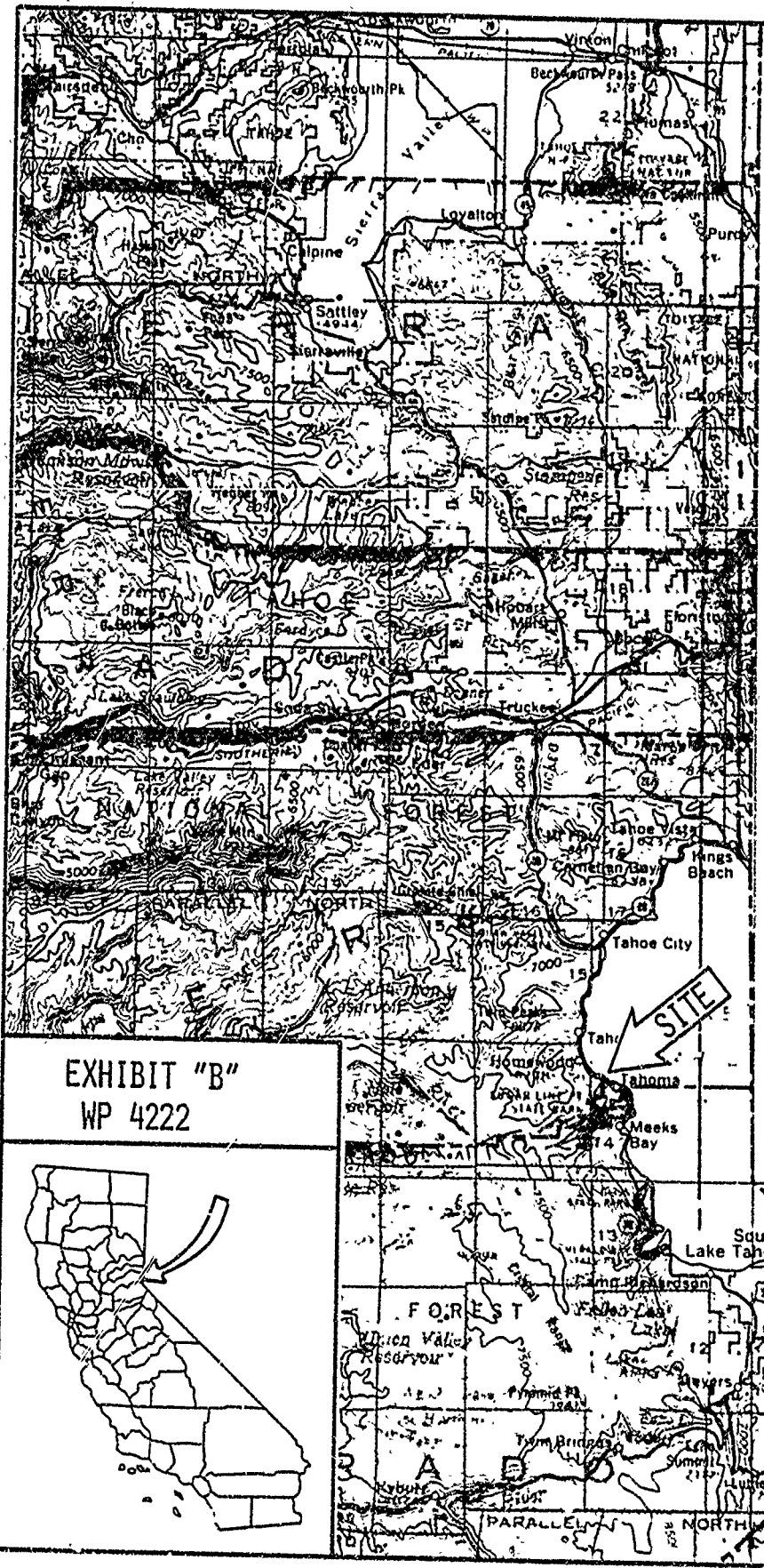
1. N 45° 01' 24" E 150 feet;
2. S 44° 58' 36" E 30 feet;
3. S 45° 01' 24" W 150 feet, and
4. N 44° 58' 36" W 30 feet to the point of beginning.

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

END OF DESCRIPTION

PREPARED NOVEMBER 16, 1981 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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**EXHIBIT "B"**  
 WP 4222

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