

MINUTE ITEM

This Calendar Item No. C8
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 7
to 1 at its 3/15/86
meeting.

CALENDAR ITEM

C 08

02/27/86
WP 5843 PRC 5843
Gordon

A. 7

S 1

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Gerald L. Barry, Jr., Trustee
7243 Encelia Drive
La Jolla, California 92037

AREA, TYPE LAND AND LOCATION:
Two 0.029-acre circular parcels, each 40 feet
in diameter, of submerged land located in
Lake Tahoe, Placer County.

LAND USE: Maintenance of two mooring buoys utilized for
recreational boating.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years beginning October 28,
1983.

Public liability insurance: Combined single
limit coverage of \$500,000.

- Special:
1. The permit restricts the use of the facilities for residential purposes
 2. The permit is conditioned on Permittee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance.
 3. The permit conforms to the Lyon/Fogerty decision.

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CONSIDERATION: \$100 per annum from October 28, 1983 through October 27, 1985, and \$106 per annum, thereafter; with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

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

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has 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: 04/30/86.

OTHER PERTINENT INFORMATION:

1. Applicant is trustee of the Falcon Financial Trust, a group retirement plan.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project is consistent with its use classification.

CALENDAR ITEM NO. C 0 8 (CONT'D)

APPROVALS OBTAINED:

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.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO GERALD L. BARRY, JR., TRUSTEE, OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING OCTOBER 28, 1983; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100 FROM OCTOBER 28, 1983 THROUGH OCTOBER 27, 1985; AND \$106 PER ANNUM, THEREAFTER; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR MAINTENANCE OF TWO MOORING BUOYS UTILIZED FOR RECREATIONAL BOATING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

WP 5843

Two circular parcels of submerged land 40 feet in diameter in the bed of Lake Tahoe, Placer County, California, said parcels being adjacent to and easterly of the land described in the Grant Deed recorded October 28, 1983 in Book 2636, Page 191, Placer County Official Records.

END OF DESCRIPTION

PREPARED OCTOBER 30, 1985 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR

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