

MINUTE ITEM

This Calendar Item No. C12
was approved as Minute Item
No. 12 by the State Lands
Commission by a vote of 3
to 0 at its 10/23/86
meeting.

CALENDAR ITEM

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C12

10/23/86
WP 3955 PRC 7017
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GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Rocky Ridge Properties Owners
Association
P. O. Box 432
Tahoe City, California 95730

AREA, TYPE LAND AND LOCATION:
19 circular parcels, each 40-feet in diameter,
totaling a 0.548-acre parcel of submerged land,
located in Lake Tahoe near Tahoe City,
Placer County.

LAND USE: Maintenance of 19 mooring buoys, all existing
and utilized for multiple-use recreational
purposes.

TERMS OF PROPOSED PERMIT:

Initial period: Ten years beginning
January 25, 1984.

Public liability insurance: Combined single
limit coverage of \$1,000,000.

Special: 1. The Permit prohibits the
use of the facilities for
residential purposes.

2. The permit is conditioned
on permittee's concurrence
with the Tahoe Regional
Planning Agency's Shorezone
Ordinance.

3. The permit conforms to
the Lyon/Fogerty decision.

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CONSIDERATION: P.R.C. 6503.5 and \$121.51 per annum, beginning January 25, 1984 through January 24, 1985; \$123.81 per annum, from January 25, 1985 through January 24, 1986; and \$128.80 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: 11/04/86.

OTHER PERTINENT INFORMATION:

1. Applicant is a homeowners association. The subject facilities are utilized by condominium owners, their tenants and guests. Because its membership currently includes 12.79 percent of non-natural persons as members, applicant does not fully meet the criteria of P.R.C. 6503.5 for rent-free status. The rental required by the permit is the result of a proration according to this percentage.
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.

CALENDAR ITEM NO. C12 ¹ (CONT'D)

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 activity is consistent with its use classification.

APPROVALS OBTAINED:

None.

APPROVALS REQUIRED:

Tahoe Regional Planning Agency, United States Army Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and County of Placer.

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 ROCKY RIDGE PROPERTIES OWNERS ASSOCIATION OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING JANUARY 25, 1984; IN CONSIDERATION OF P.R.C. 6503.5 AND \$121.51 PER ANNUM, BEGINNING JANUARY 25, 1984 THROUGH JANUARY 24, 1985; \$123.81 PER ANNUM, FROM JANUARY 25, 1985 THROUGH JANUARY 24, 1986; AND \$128.80 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 \$1,000,000; FOR MAINTENANCE OF 19 MOORING BUOYS, ALL EXISTING AND UTILIZED FOR MULTIPLE-USE RECREATIONAL PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 3955

Those parcels of submerged land in the bed of Lake Tahoe, Placer County, California, described as follows:

All that land lying immediately beneath 19 circular parcels 40 feet in diameter adjacent to and southeasterly of that land described in the Corporation Grant Deed recorded February 13, 1980 in Volume 2225, Page 156, Official Records of Placer County.

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

END OF DESCRIPTION

REVISED FEBRUARY 28, 1986 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 28 1986	
FBI - PLACER	

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