MINUTE ITEM
This Calendar Item No. C3
was approved as Minute Item
No. 3 by the State Lands
Commission by a vote of 3
to 0 at its 4/24/80
meeting.

CALENDAR ITEM

C3.

4/80
WP 4258
Gordon
PRC 4258

GENERAL PERMIT
PUBLIC AGENCY USE

APPLICANT: California Department of Parks and Recreation
1416 Ninth Street
Sacramento, California 95814
Attn: Thomas D. Loewen

AREA, TYPE LAND AND LOCATION:
14 circular parcels with a diameter of 5 feet composing an aggregate of 0.006 acre of submerged lands in Lake Tahoe at D. L. Bliss State Park near Rubicon Point, El Dorado County.

LAND USE: Maintenance of 14 existing 55-gallon drum buoys utilized in the navigational control of boats for the health and safety of the adjacent public beach.

TERMS OF PROPOSED PERMIT:
Initial period: 49 years from June 25, 1979.

Special:
1. The permit is conditioned on permittee's conformance with the shorezone ordinances of the California Tahoe Regional Planning Agency and the Tahoe Regional Planning Agency.

2. The permit is entered into by all parties without prejudice to their respective claims of boundary.

CONSIDERATION: The public health and safety, 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.

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BASIS FOR CONSIDERATION:
2 Cal. Adm. Code 2005.

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

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is estimated to be $420.

2. Applicant's 14 buoys are, annually, placed 200 feet waterward of the shoreline at approximately 100-foot intervals on or about May 15, and removed on or about October 15. The purpose of this action is to restrict all boating activity for the protection of the public utilizing the adjacent State beach. No fees or charges are made of the public for these facilities. D. L. Bliss State Park is a facility providing national and statewide public benefits.

3. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), 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 P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes 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.

5. The Commission at its meeting on November 27, 1978, suspended all leasing for new construction at Lake Tahoe, except for mooring buoys in designated areas. This action was taken pending completion of an EIR which addresses the cumulative impact of continued construction of piers in Lake Tahoe. The application herein is for the continued use of navigational buoys in the Lake, and therefore is not subject to the Commission's suspension of leasing activities for new construction.

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 El Dorado. 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 EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

3. AUTHORIZE ISSUANCE TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM JUNE 25, 1979; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY, 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 14 EXISTING 55-GALLON DRUM BUOYS UTILIZED IN THE NAVIGATIONAL CONTROL OF BOATS FOR THE HEALTH AND SAFETY OF THE ADJACENT PUBLIC BEACH AT D. L. BLISS STATE PARK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A" WP 4258

Fourteen circular parcels of submerged lard 5 feet in diameter (around fourteen 55 gallon drum buoys) in Lake Tahoe, El Dorado County, California, located at 100 foot intervals along a line parallel to and 200 feet from shore extending northwesterly 1300 feet from a point bearing N 27° E 225 feet, more or less, from the point of intersection of the common line between Sections 3 and 4, T13N, R17E, MDM, and the shore of Lake Tahoe.

END OF DESCRIPTION

PREPARED 1/19/80 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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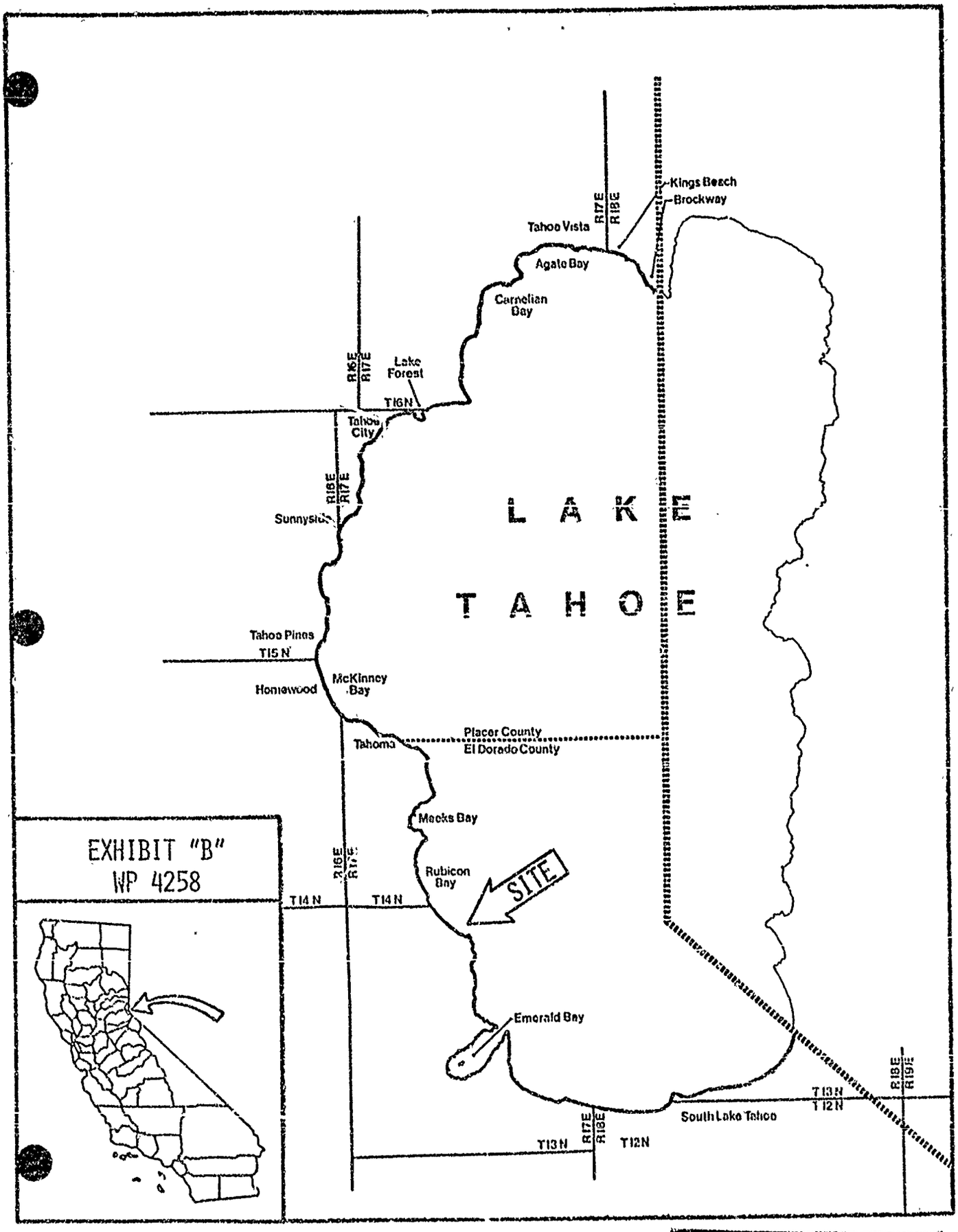


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