MINUTE ITEM

This Calendar Item No. C6 was approved as Minute Item No. 6 by the State Lands Commission by a vote of 3 to 0 at its 4/24/86 meeting.

CALENDAR ITEM

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C06

04/24/86
WP 5675
Gordon

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TERMINATION OF THREE GENERAL PERMITS - RECREATIONAL USE
PRC 5675; ISSUANCE OF GENERAL PERMIT - RECREATIONAL USE

APPLICANTS: Albert R. Musalo and
Joan E. Musalo
2020 Pear Point Road
Friday Harbor, Washington 98250

AREA, TYPE LAND AND LOCATION:
Two circular parcels of submerged land, 40 feet in diameter, totaling 0.058 acre, in Lake Tahoe, near Tahoe Vista, Placer County.

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

TERMS OF PROPOSED PERMIT:

Initial period: 15 years beginning April 1, 1986.

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

Special:

1. The permit is conditioned on permittee's conformance with the Shorezone Ordinance of Tahoe Regional Planning Agency.

2. The permit restricts the use of the facilities for residential purposes.

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

CONSIDERATION: $106 per annum; 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 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. Historically, three separate, sequential permits were authorized and issued for the subject facilities to three separate sequential ownerships in the littoral upland without the permits being either assigned to the subsequent owner or terminated. The permittee of the third and last permit has refused to assign said permit to applicant.

   The termination of these permits will be an administrative action which clarifies the Commission's records and does not change or enlarge the estate or use from that granted in the subject permits.

2. The upland is improved with a six-unit motel known as The Holiday House. The subject facilities are utilized as an accommodation for the owner and guests of the motel.

3. 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.

4. 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:
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 TERMINATION OF GENERAL PERMIT - RECREATIONAL USE PRC 5675, DATED NOVEMBER 19, 1979, EFFECTIVE JULY 24, 1980.

CALENDAR ITEM NO. C06 (CONT'D)

4. AUTHORIZE TERMINATION OF GENERAL PERMIT - RECREATIONAL USE PRC 5675, DATED OCTOBER 7, 1980, EFFECTIVE OCTOBER 28, 1982.

5. AUTHORIZE TERMINATION OF GENERAL PERMIT - RECREATIONAL USE PRC 5675, DATED MARCH 30, 1984, EFFECTIVE APRIL 1, 1986.

6. AUTHORIZE ISSUANCE TO ALBERT R. MUSALO AND JOAN E. MUSALO OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING APRIL 1, 1986; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $106, 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 EXISTING MOORING BUOYS UTILIZED FOR RECREATIONAL BOATING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

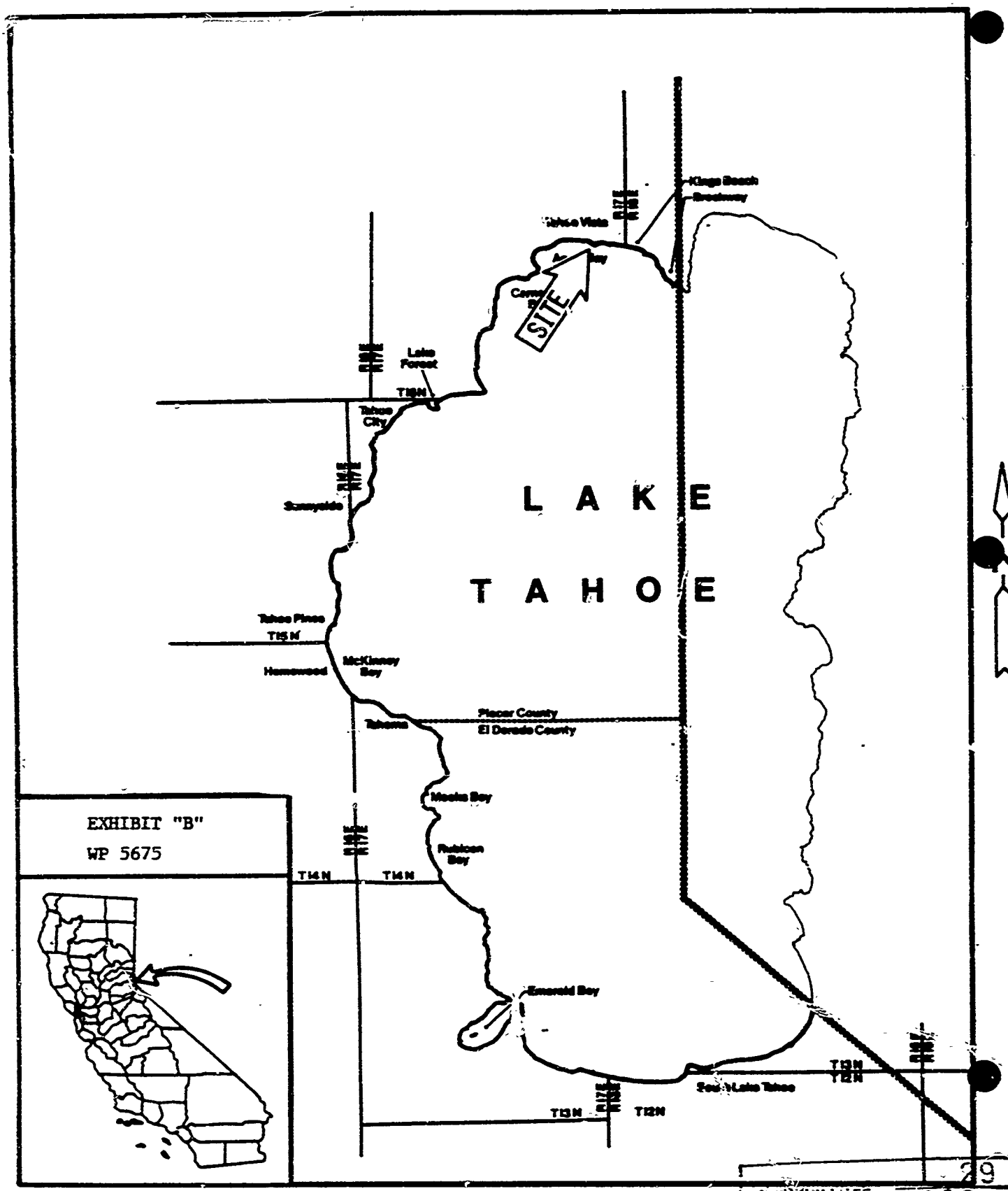
EXHIBIT "A"

LAND DESCRIPTION WP 5675

Two circular parcels of land 40 feet in diameter in Lake Tahoe, Placer County, California, said parcels being adjacent to Lots 20, 21, 22, and 23 in Block "B" as shown on that map entitled "Tahoe Vista Subdivision No. 1", filed February 7, 1911, in Book B of Maps at Page 10, Placer County Records.

END OF DESCRIPTION

REVIEWED JANUARY 17, 1986, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.


LAKE
TAHOE
SITE
Kings Beach
Brockway
Tahoe Vista
Lake Forest
T16N
Tahoe City
Sunnyside
Tahoe Pines
T15N
Homewood
McKinney Bay
Tahoma
Placer County
El Dorado County
Meeks Bay
Rubicon Bay
T14N
T14N
Emerald Bay
South Lake Tahoe
T13N
T12N
T13N
T12N
EXHIBIT "B"
WP 5675