

MINUTE ITEM

1/26/68

7. PERMIT TO PLACE RACING MARKER BUOYS ON STATE LAND IN MONTEREY BAY OFFSHORE SANTA CRUZ, SANTA CRUZ COUNTY; SANTA CRUZ YACHT CLUB, INC. - W.O. 6611, P.R.C. 3897.1.

During consideration of Calendar Item 32 attached, Mr. Robt. A. Kinzie, Jr., of the Santa Cruz Yacht Club, Inc., appeared and pointed out that the Yacht Club is a nonprofit organization, and that the racing marker buoys it proposes to place in Monterey Bay will be available for use by anyone who wishes to use them; he asked that a State fee for placing these buoys be waived.

A brief discussion followed, during which it was noted by the Executive Officer that the fees required have been established under the Rules and Regulations of the Commission, and that other similar organizations were paying these fees.

Mr. Kinzie was informed that, in equity to other yacht clubs who are paying fees, under present Commission policy the required fee could not be waived in this instance.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE COMMISSION REJECTS THE APPLICATION OF SANTA CRUZ YACHT CLUB, INC., FOR A FREE PERMIT TO INSTALL FIVE MARKER BUOYS ON STATE SOVEREIGN LAND IN MONTEREY BAY OFFSHORE FROM SANTA CRUZ. FURTHER, THE COMMISSION AUTHORIZES ISSUANCE OF A FIVE-YEAR PERMIT IN CONSIDERATION OF TOTAL FEES IN THE AMOUNT OF \$500 FOR INSTALLATION AND MAINTENANCE OF A MARKER BUOY AT EACH OF THE FOLLOWING-DESCRIBED LOCATIONS IN MONTEREY BAY, SANTA CRUZ COUNTY:

	<u>LATITUDE</u>	<u>LONGITUDE</u>
1.	36-57.33 N	122-00.08 W
2.	36-57.18 N	122-00.96 W
3.	36-56.10 N	122-02.04 W
4.	36-55.44 N	121-59.53 W
5.	36-56.74 N	121-58.60 W

Attachment
Calendar Item 32 (1 page)

*Minute Item
2/15/68
Amended by
1/25/68
B. Kinzie*

32.

APPLICATION FOR AUTHORITY TO PLACE RACING MARKER BUOYS, WITHOUT PAYMENT OF FEES, ON STATE LAND IN MONTEREY BAY OFFSHORE SANTA CRUZ, SANTA CRUZ COUNTY; SANTA CRUZ YACHT CLUB, INC. - W.O. 6611.

Santa Cruz Yacht Club, Inc., has applied for a permit without charge to install five permanent racing marker buoys in Monterey Bay offshore from Santa Cruz at the locations shown on Exhibit "A". The application and subsequent correspondence indicate that the buoys are to be used by both the Santa Cruz and Cabrillo Yacht Clubs and that others are invited to use the buoys with no fee.

Staff notified the applicant that a fee of \$100 would be charged for each buoy for a term of five years, i.e., \$20 per annum for each. This charge is based upon the schedule of rates and terms applying to commercial minor structures which was adopted by the Commission on November 18, 1959. In applying this rate, the nonprofit status of applicant corporation was considered as well as the fact that members must pay dues for services and facilities offered by the Club. Thus, although the Club is not profit-making, there is an indirect commercial aspect to its activities. Current policy provides for a lower fee of \$25 for a "recreational minor-structure permit" for five years. Staff will recommend that new rules and regulations now being formulated shall require a minimum annual fee of \$30 for the use of a buoy site.

The applicant has protested staff's statement of fees and requests a hearing to present more completely their case for a waiver of fees. Accordingly, the Club has been notified that the matter will appear on the Commission's January agenda, at which time its representatives may appear and be heard.

Staff has interposed an objection to the U. S. Army Corps of Engineers' issuance to the Club of its permit covering navigation, and we are advised that such permit will not be issued until our objection is withdrawn.

IT IS RECOMMENDED THAT THE COMMISSION REJECT THE APPLICATION OF SANTA CRUZ YACHT CLUB, INC., FOR A FREE PERMIT TO INSTALL FIVE MARKER BUOYS ON STATE SOVEREIGN LAND IN MONTEREY BAY OFFSHORE FROM SANTA CRUZ. IT IS FURTHER RECOMMENDED THAT, IF APPLICANT QUALIFIES IN ACCORDANCE WITH CURRENT RULES AND REGULATIONS, THE COMMISSION AUTHORIZE ISSUANCE OF A FIVE-YEAR PERMIT IN CONSIDERATION OF TOTAL FEES IN THE AMOUNT OF \$500 FOR INSTALLATION AND MAINTENANCE OF A MARKER BUOY AT EACH OF THE FOLLOWING-DESCRIBED LOCATIONS IN MONTEREY BAY, SANTA CRUZ COUNTY:

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