

MINUTE ITEM

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3 vote of 5
to 2/23/78
REC-13

CALENDAR ITEM

06.

GENERAL PERMIT
RECREATIONAL USE

2/78
W 8536
Gordon
PRC 5449

APPLICANT: Tahoe Swiss Village Homeowners
Association, Incorporated
P. O. Box 583
Homewood, California 95718

AREA, TYPE LAND AND LOCATION:
An aggregate area of 0.386 acre, consisting
of 0.115 acre, 0.045 acre, 0.182 acre,
0.902 acre and 0.042 acre parcels of submerged
lands in McKinney Bay, Lake Tahoe near
Tahoe Pines, Placer County.

LAND USE: Maintenance of 2 piers, 1 demarcated swim
area, 1 swim float and existing fill, respec-
tively, all utilized for multiple use recrea-
tional boating and swimming.

TERMS OF PROPOSED PERMIT:
Initial period: 15 years from October 14,
1975.

Public liability insurance: \$600,000 per
occurrence for bodily
injury and \$100,000 for
property damage, or combined
single limit coverage
of \$700,000.

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

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

CONSIDERATION: \$1,050 back rent from October 14, 1966
through October 13, 1975; \$547.91 from
October 14, 1975 through October 13, 1977,

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CALENDAR ITEM NO. 06. (CONTD)

and \$70 per annum thereafter for 1 pier;
and \$30 per annum from October 14, 1977
for 1 swim float, with the State reserving
the right to fix a different rental on
each fifth anniversary of the permit. Rents
are calculated on the basis of encroachments
below low water.

BASIS FOR CONSIDERATION:

2 Cal. Adm. Code 2005 through June 29,
1975 and 2006 thereafter.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. The subject facilities are utilized
to accommodate applicant's membership
and their tenants and guests.
2. An EIR is not required. This transaction
is within the purview of 2 Cal. Adm.
Code 2907, Class 1B, 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.
3. This project is situated on State land
identified as possessing significant
environmental values pursuant to Public
Resources Code 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 identi-
fied environmental values. This is
an existing facility for which no adverse
comments have been received.

CALENDAR ITEM NO. C6. (CONTD)

APPROVALS REQUIRED AND OBTAINED:

This facility is subject to the jurisdiction of the 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. 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 ETR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 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 PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO TAHOE SWISS VILLAGE HOMEOWNERS ASSOCIATION, INCORPORATED OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE FROM OCTOBER 14, 1975; IN CONSIDERATION OF \$1,050 BACK RENT FROM OCTOBER 14, 1966 THROUGH OCTOBER 13, 1975; CURRENT RENT OF \$547.91 FROM OCTOBER 14, 1975 THROUGH OCTOBER 13, 1977, AND \$100 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 IN AMOUNTS OF \$600,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE, OR COMBINED SINGLE LIMIT COVERAGE OF \$700,000; FOR MAINTENANCE OF 2 TIERS, 1 DEMARCATED SWIM AREA, 1 SWIM FLOAT AND EXISTING FILL UTILIZED FOR MULTIPLE USE RECREATIONAL BOATING AND SWIMMING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 8536

Five parcels of submerged land in the bed of Lake Tahoe, Placer County, California, situate adjacent to fractional Section 36, T15N, R16E, NDM, more particularly described as follows:

Parcel 1 North Pier

That land lying immediately beneath an existing pier which is located approximately 160 feet south of the north line of that land described in the quitclaim deed recorded in Volume 1131, page 103, Official Records of Placer County, TOGETHER WITH a necessary use area extending no more than 10 feet from said pier.

Parcel 2 South Pier (Sun Deck)

That land lying immediately beneath an existing pier which is located approximately 285 feet south of the north line of that land described in the quitclaim deed recorded in Volume 1131, page 103, Official Records of Placer County, TOGETHER WITH a necessary use area extending no more than 10 feet from said pier.

EXCEPTING THEREFROM any portion of said Parcels 1 and 2 lying landward of the ordinary high water mark of Lake Tahoe.

Parcel 3 Swim Area

A parcel of land bounded on the north by the southerly line of the above mentioned north pier, bounded on the south by the northerly line of the abovementioned south pier, bounded on the east by a swim line located from the easterly end of the south pier to a point approximately 90 feet west of the easterly end of the north pier, and bounded on the west by the ordinary high water mark of Lake Tahoe.

Parcel 4 Swim Float

That land immediately beneath one swim float, said float located easterly of that land described in the quitclaim deed recorded in Volume 1131, page 103, Official Records of Placer County.

Parcel 5 Fill

Any artificial or man-made fill extending waterward of the ordinary high water mark of Lake Tahoe, not covered by the above described five parcels.

END OF DESCRIPTION

Prepared M. L. Shuf Checked R. M. Hoff
Reviewed W. H. Kannecke Date 3/17/77