

MINUTE ITEM

PRC 5676

19
to 0 at its 6-3-79 meeting

CALENDAR ITEM

C19.

5/79
W 1124.243
Gordon

GENERAL PERMIT
RECREATIONAL USE

APPLICANT: Rubicon Tahoe Owners, Inc.,
c/o William Isham
Wells Fargo Bank
500 Capitol Mall
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:
A 0.793 acre parcel and a 0.110 acre parcel,
comprising an aggregate area of 0.903
acre, all on submerged lands in Rubicon
Bay, Lake Tahoe, El Dorado County.

LAND USE: Maintenance of 2 existing piers with 2
contiguous swim areas utilized for multiple-use
recreational boating and swimming, respectively.

TERMS OF PROPOSED PERMIT:

Initial period: 15 years from April 23,
1969.

Public liability insurance: Combined single
limit coverage of \$500,000
per occurrence for bodily
injury and property damage.

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

2. Permittee covenants
to utilize swim lines
on the permit premises
for only 2 months during
any year of the term
of the permit, beginning
July 1st and ending
August 31st each year.
Said lines shall be removed
from said premises during
the remaining 10 months
of the year.

CALENDAR ITEM NO. C19. (CONTD)

CONSIDERATION: Swim Area/Facilities: \$145 per annum from April 23, 1969 through April 22, 1975; \$170 from April 23, 1975 through April 22, 1976; \$181.50 from April 23, 1976 through April 23, 1977; \$63.50 per annum from April 23, 1977 through April 22, 1979 and \$127 per annum thereafter. Piers: The public use and benefit, pursuant to P.R.C. 6503.5, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

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

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

Filing fee has 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 subject facilities are utilized by members of Rubicon Tahoe Owners Inc., a non-profit corporation formed to promote cooperation among and the general interest of its members.
2. The consideration set forth herein is based on the Commission's regulations in effect during the term of use of the subject lands. In the interest of settling the amount of historic rents due and bring long term existing facilities under permit, staff has negotiated and recommends approval of a 50% settlement of rents payable from April 23, 1969 through April 22, 1979.
3. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts

CALENDAR PAGE	73
MINUTE PAGE	867

CALENDAR ITEM NO. 619 (CONTD)

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.

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 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 RUBICON TAHOE OWNERS, INC. OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE FROM APRIL 23, 1969; IN CONSIDERATION OF \$145 PER ANNUM FROM APRIL 23, 1969 THROUGH APRIL 22, 1975; \$170 FROM APRIL 23, 1975 THROUGH APRIL 22, 1976; \$181.50 FROM APRIL 23, 1976 THROUGH APRIL 22, 1977; \$63.50 PER ANNUM FROM APRIL 23, 1977 THROUGH APRIL 22, 1979 AND \$127 PER ANNUM THEREAFTER FOR SWIM AREAS AND SWIM FACILITIES; AND PURSUANT TO

CALENDAR PAGE
MINUTE PAGE

74
868

CALENDAR ITEM NO. C19. (CONTD)

P.R.C. 6503.5, THE PUBLIC USE AND BENEFIT FOR 2 PIERS, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE, COMBINED SINGLE LIMIT COVERAGE OF \$500,000 PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE; FOR THE MAINTENANCE OF 2 EXISTING PIERS WITH 2 CONTIGUOUS AREAS UTILIZED FOR MULTIPLE-USE RECREATIONAL BOATING AND SWIMMING, RESPECTIVELY, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

CALENDAR PAGE	75
MINUTE PAGE	869

EXHIBIT "A"

W 1124.243 .

Two parcels of land in the bed of Lake Tahoe, El Dorado County, California, situated in fractional Sections 32 and 33, T14N, R17E, MDM, said parcels more particularly described as follows:

Parcel 1

All that land immediately beneath an existing pier lying adjacent to Lot 11, Block G as shown on the Map of Rubicon Properties, filed in Book A of Maps, page 52, El Dorado County Records, TOGETHER WITH a necessary use area extending no more than 10 feet from said pier, ALSO TOGETHER WITH all that land lying 2.5 feet on each side of a swimline 90 feet in length situated northerly of said pier, ALSO TOGETHER WITH all that land bounded on the northwest by the southeasterly edge of the above mentioned pier, bounded on the northeast by a swimline 153 feet in length extending from said pier to the pier of Hoyt S. Pardee, said pier lying northeasterly of Lot 13, Block G, Rubicon Properties; bounded on the southeast by the northwesterly edge of said pier of Hoyt S. Pardee; bounded on the southwest by the ordinary high water mark of Lake Tahoe, including that land lying 2.5 feet northeasterly and parallel with said 153 feet swimline.

Parcel 2

All that land lying immediately beneath existing pier and existing swim float TOGETHER WITH a necessary use area extending no more than 10 feet from said pier and swim float ALSO TOGETHER WITH all that land lying 2.5 feet on each side of a swimline 50 feet in length, situated easterly of Lot 12, Block A as shown on the above described map of Rubicon Properties.

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

END OF DESCRIPTION

Prepared

F. T. Carey

Checked

M. J. Shap

Reviewed

A. W. Funnell

Date

4/26/77

CALENDAR PAGE

MINUTE PAGE

76
870

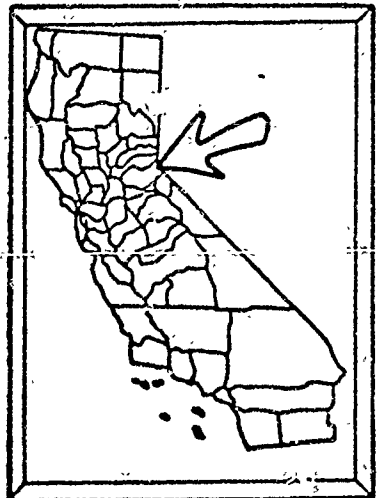
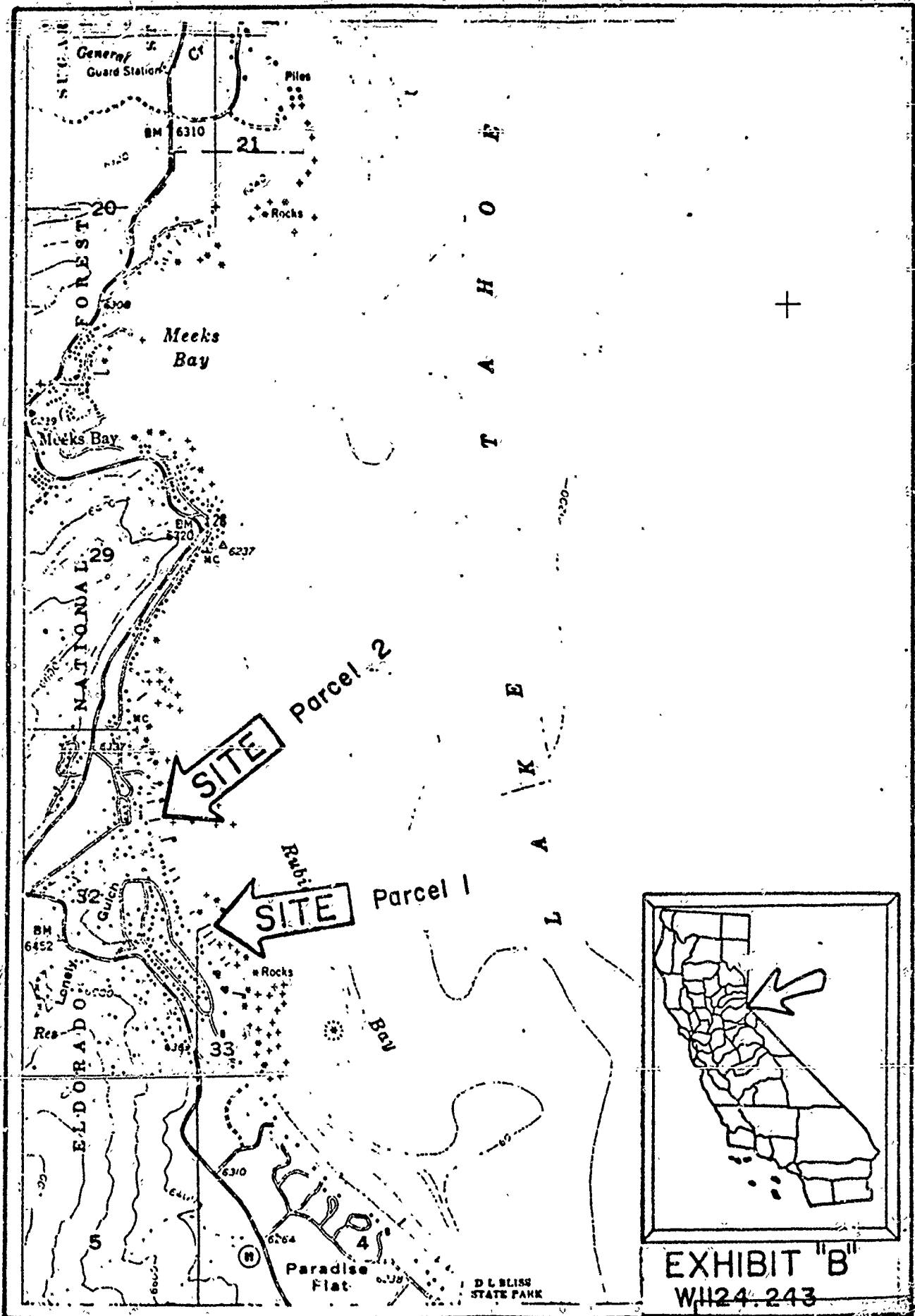


EXHIBIT "B"

WI24.243

CALENDAR PAGE

MINUTE PAGE

871

D L BLISS
STATE PARK