

MINUTE ITEM

This Calendar Item is C11  
was approved by the Board  
on 8/31/78  
at the meeting.

CALENDAR ITEM

C11.

GENERAL PERMIT  
RECREATIONAL USE

3/78  
WP 4176  
Gordon  
PRC 4176

APPLICANT: O. J. Hall, Jr. and Irene E. Hall  
and Farrar Buick - GMC, Inc.  
P. O. Box 751  
San Diego, California 92112

AREA, TYPE LAND AND LOCATION: A 0.35 acre parcel and a 0.046 acre parcel  
of submerged lands in Rubicon Bay, Lake  
Tahoe, north of Paradise Flat, El Dorado  
County.

LAND USE: Maintenance, of 1 existing rock breakwater  
marking a swim area and 1 existing pier  
with attached boathouse utilized, respectively,  
for recreational swimming and boating.

TERMS OF PROPOSED PERMIT:  
Initial period: 15 years from September 5,  
1973.

Public liability insurance: \$600,000 per  
occurrence for bodily  
injury and \$100,000 for  
property damage.

Combined single limit coverage: \$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.
  3. Permittee covenants to practice water conservation on the premises.

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CONSIDERATION: Breakwater and swim area: \$552 from September 5, 1973 through September 4, 1974; \$586 from September 5, 1974 through September 4, 1975; \$736 from September 5, 1975 through September 4, 1976; \$455 from September 5, 1976 through September 4, 1977; and \$190 per annum thereafter. Pier: The public benefit pursuant to P.R.C. 6503, excepting therefrom the south half of said pier located waterward of said breakwater after September 6, 1976; then, \$69 from September 7, 1976 through September 4, 1977; and \$40 per annum thereafter for said south half, 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 through June 29, 1975 and 2006 through July 1, 1978 and 2005 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. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. By a Grant Deed dated September 7, 1976, O. J. Hall, Jr. and Irene E. Hall, husband and wife, granted Farrar Buick - GMC, Inc., a California corporation, the right to use the south side of said pier. Mr. and Mrs. Hall are exempted from monetary consideration for the pier only under P.R.C. 6503. Being a corporate entity, Farrar Buick - GMC, Inc. fails to qualify for said exemption.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1B, which exempts

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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 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 PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO O. J. HALL, JR. AND IRENE E. HALL AND FARRAR BUICK - GMC, INC. OF A 15-YEAR GENERAL PERMIT - RECREATIONAL USE FROM SEPTEMBER 5, 1973, IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT AND RENT IN THE AMOUNT OF \$552 FROM SEPTEMBER 5, 1973 THROUGH SEPTEMBER 4, 1974; \$586 FROM SEPTEMBER 5, 1974 THROUGH

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SEPTEMBER 4, 1975; \$736 FROM SEPTEMBER 5, 1975 THROUGH  
SEPTEMBER 4, 1976; \$524 FROM SEPTEMBER 5, 1976 THROUGH  
SEPTEMBER 4, 1977; AND \$230 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 COMBINED SINGLE LIMIT COVERAGE  
OF \$700,000; FOR MAINTENANCE OF 1 EXISTING ROCK BREAKWATER  
MARKING A SWIM AREA AND 1 EXISTING PIER WITH ATTACHED  
BOATHOUSE UTILIZED FOR RECREATIONAL PURPOSES ON THE  
LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE  
MADE A PART HEREOF.

EXHIBIT "A"

WP 4176

Three (3) parcels of land in the state owned bed of Lake Tahoe, El Dorado County, California, said parcels being adjacent to fractional Section 32, T 14 N, R 17 E, M.D.M., and being more particularly described as follows:

PARCEL 1 Rock Breakwater and Swim Area

COMMENCING at a 1/4 inch capped pipe, said pipe being the northwesterly corner of Lot 8, Block A Rubicon Properties, as said Lot 8 is described in that certain Grant Deed to O. J. Hall Jr., recorded in Book 1013 page 89 of Official Records, El Dorado County; thence from said point of commencement along the northerly line of said Lot 8, N 83° 51' E 203.98 feet to a 3/4 inch pin and the TRUE POINT OF BEGINNING of this parcel; thence from said point of beginning the following eight (8) courses;

1. S 07° 24' E 100.85 feet;
2. S 13° 07" E 102.68 feet;
3. N 88° 59' 54" E 75.39 feet;
4. N 70° 55' 03" E 81.30 feet;
5. N 06° 39' 08" E 100.11 feet;
6. N 24° 01' 01" W 106.78 feet;
7. S 84° 53' 58" W 81.43 feet;
8. S 76° 51' 59" W 77.57 feet to the point of beginning.

EXCEPTING THEREFROM that portion lying landward of the ordinary high water mark.

PARCEL 2 Portion of Pier

A nine (9) foot wide strip of land, said strip lying 4.5 feet on each of the following described centerline:

COMMENCING at the aforesaid 3/4 inch pin described in Parcel 1; thence S 68° 42' 38" E 204.14 feet to the centerline of an existing pier and the TRUE POINT OF BEGINNING of the herein described centerline; thence along the centerline of said pier N 80° 50' E 70 feet to the end of the herein described centerline.

PARCEL 3 Portion of Pier

A forty (40) foot wide strip of land, said strip lying 17.5 feet northerly and 22.5 feet southerly of the following described line:

COMMENCING at the aforesaid  $\frac{3}{4}$  inch pin described in Parcel 1; thence S  $68^{\circ} 42' 38''$  E 204.14 feet to the centerline of an existing pier; thence along the centerline of said pier N  $80^{\circ} 50'$  E 70 feet to the TRUE POINT OF BEGINNING of this parcel; thence continuing N  $00^{\circ} 50'$  E 36 feet to the end of the herein described line.

END OF DESCRIPTION

Prepared John K. Geier Checked Harry A. Melton  
Reviewed Donald Britton Date 11/18/75

