

MINUTE ITEM

This Calendar Item No. C9
was approved as Minute Item
No. 9 by the State Lands
Commission by a vote of 3
to 0 at its 8-22-77
meeting.

CALENDAR ITEM
C9.

8/79
WP 5513
Gordon
PRC 5513

AMENDMENT OF GENERAL LEASE
COMMERCIAL USE, PRC 5513.1

APPLICANT: Michael R. Phillips
dba Ski Run Marina
P. O. Box 14272
South Lake Tahoe, California 95702

AREA, TYPE LAND AND LOCATION:
A 0.072 acre parcel, a 0.153 acre parcel
and a 0.046 acre parcel, together aggregating
0.271 acres, of submerged lands in Lake
Tahoe at South Lake Tahoe, El Dorado County.

LAND USE: Construction, reconstruction and maintenance
of 1 pier and walkway together with 2 temporary
easements for dredging related to reconstruc-
tion, respectively, all utilized in the
operation of an inland marina.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from July 1,
1977.

Land Use: Maintenance of 1 pier,
1 walkway float, 1 gas
pump facility and 70
mooring buoys.

Surety bond: \$5,000.

Public liability insurance: \$450,000 per
occurrence for bodily
injury and \$50,000 for
property damage.

Consideration: \$563 per annum for 1
pier, 1 walkway float
and 1 gas pump facility;
and \$2,100 per annum
for 70 mooring buoys.

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

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

TERMS OF PROPOSED AMENDMENT OF LEASE:

Initial period: 15 years from July 1, 1977.

Surety bond: \$5,000.

Public liability insurance: \$450,000 per occurrence for bodily injury and \$50,000 for property damage.

Special:

1. The amendment to the General Lease decreases the number of facilities, the area of use, the annual rental and adds a royalty of \$0.25 per cubic yard for dredged material removed from the leased lands. Approximately 500 cubic yards of dredged material will be redistributed to the beach area on the upland.

2. Construction, reconstruction and dredging limitation dates shall be:

Beginning: July 1, 1979
Completion: June 30, 1980.

3. All other terms and conditions of the lease remain in full force and effect.

CONSIDERATION: \$271 per annum for 1 pier and walkway effective on the completion date of the project; and \$2,100 per annum for 70 mooring buoys,

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pursuant to the terms of the original lease. Royalty to be \$0.25 per cubic yard, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

2 Cal. Adm. Code 2005.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee, and processing costs have 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:

i. Applicant operates a commercial marina from an inland harbor. Two steel and timber jetties (referenced as 1 pier, 1 walkway float and 1 gas pump facility in the original lease) have extended for a number of years into Lake Tahoe, one on each side of an entrance channel to said harbor. The jetties by their existence may have altered the lake's natural littoral drift with the passing of time. By Court order applicant is obligated to permanently remove the jetties and to relocate fuel dispensers, walkways and accumulated sand. The proposed dredging will prevent the accumulated sand from filling the subject entrance channel when the existing jetties are removed. The dredged material is proposed to be redistributed to the beach area on the upland. A royalty payment is required in this amendment for dredged materials removed from sovereign lands. Upon completion of

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this project, the facilities that will remain situated on sovereign land are the pier-walkway structure. The mooring buoys were authorized in the original lease and are included in EXHIBIT "A" for the purpose of continuity.

2. A negative declaration was prepared by the City of South Lake Tahoe pursuant to CEQA and implementing regulations. A notice of determination has been received and filed with the office of the Secretary for Resources.
3. 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 has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

APPROVALS REQUIRED AND OBTAINED:

This project 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 lease is conditioned on the approval of all agencies having jurisdiction. All of the above agencies have authorized this project.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Notice of Determination and Negative Declaration.

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IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE CITY OF SOUTH LAKE TAHOE, ON APRIL 23, 1979.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT GRANTING OF THE AMENDMENT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF P.R.C.
5. AUTHORIZE THE AMENDMENT OF GENERAL LEASE - COMMERCIAL USE PRC 5513.1, EFFECTIVE JULY 1, 1979, TO DECREASE THE NUMBER OF FACILITIES, THE AREA OF USE, THE ANNUAL RENTAL AND TO DREDGE, IN CONSIDERATION OF \$271 PER ANNUM, EFFECTIVE ON THE COMPLETION DATE OF THIS PROJECT, AND A ROYALTY OF 0.25¢ PER CUBIC YARD, FOR CONSTRUCTION, RECONSTRUCTION AND MAINTENANCE OF 1 PIER AND WALKWAY TOGETHER WITH 2 TEMPORARY EASEMENTS FOR DREDGING RELATED TO RECONSTRUCTION, RESPECTIVELY, ALL UTILIZED IN THE OPERATION OF A COMMERCIAL MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

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Seventy-three parcels of land in the bed of Lake Tahoe, El Dorado County, State of California, described as follows:

PARCEL 1 - Pier and Walkway

COMMENCING at a 2-inch capped iron pipe, being the northwest corner of the southeast quarter of the northeast quarter of Section 33, T13N, R18E, MDM, as said point is described in Grant Deed recorded May 9, 1963, in Book 636, page 236, Official Records of El Dorado County; thence N 0° 41' 30" W 139.40 feet; thence S 82° 37' 33" W 190.58 feet to the TRUE POINT OF BEGINNING of this description; thence the following five courses:

1. N 11° 13' 00" W 78.00 feet;
2. N 78° 47' 00" E 30.00 feet to a point designated "A"; thence
3. S 11° 13' 00" E 100.00 feet;
4. S 89° 45' 00" E 65.00 feet;
5. S 00° 15' 00" W 20.69 feet to the high water mark of Lake Tahoe as it is proposed to be after construction of the planned permanent facilities; thence along said high water mark the following six courses:

6. S 58° 00' 00" W 11.82 feet;
7. N 00° 15' 00" E 17.00 feet;
8. N 89° 45' 00" W 39.00 feet;
9. S 37° 00' 00" W 57.00 feet;
10. N 55° 00' 00" W 21.00 feet; thence leaving said high water mark North, 26.00 feet; thence N 28° 55' 31" E 12.83 feet and N 11° 13' 00" W 22.50 feet to the point of beginning.

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PARCEL 2 - Temporary Reconstruction Dredging Easement

BEGINNING at a point designated "A" above, thence the following ten courses:

1. N 78° 47' 00" E 20.00 feet;
2. S 11° 13' 00" E 45.00 feet;
3. N 78° 47' 00" E 18.00 feet;
4. S 52° 00' 00" E 78.00 feet;
5. S 31° 00' 00" E 22.00 feet;
6. S 77° 48' 16" W 14.44 feet;
7. S 58° 00' 00" W 24.00 feet;
8. N 00° 15' 00" E 20.69 feet;
9. N 89° 45' 00" W 65.00 feet;
10. N 11° 13' 00" W 100.00 feet to the point of beginning.

PARCEL 3 - Temporary Reconstruction Dredging Easement

BEGINNING at the point of beginning of Parcel 2 above, thence the following eight courses:

1. N 11° 13' 00" W 36.00 feet;
2. S 32° 12' 00" W 55.00 feet;
3. South 39.06 feet;
4. N 57° 00' 00" E 14.00 feet;
5. S 55° 00' 00" E 29.00 feet;
6. North 26.00 feet;
7. N 28° 59' 13" E 12.83 feet;
8. N 11° 13' 00" W 22.50 feet to the point of beginning.

PARCELS 4-73 - Buoys

Seventy circular parcels of land 40 feet in diameter situated adjacent to and northwesterly of that land described in the Grant Deed recorded May 9, 1963, in Book 636, page 236, Official Records of El Dorado County.

EXCEPTING any portions of the above seventy-three parcels lying landward of the ordinary high water mark of Lake Tahoe.

END OF DESCRIPTION

Prepared Garry A. Weldon Checked W. H. Kunnecke
Reviewed R. Schuman Date August 8, 1979

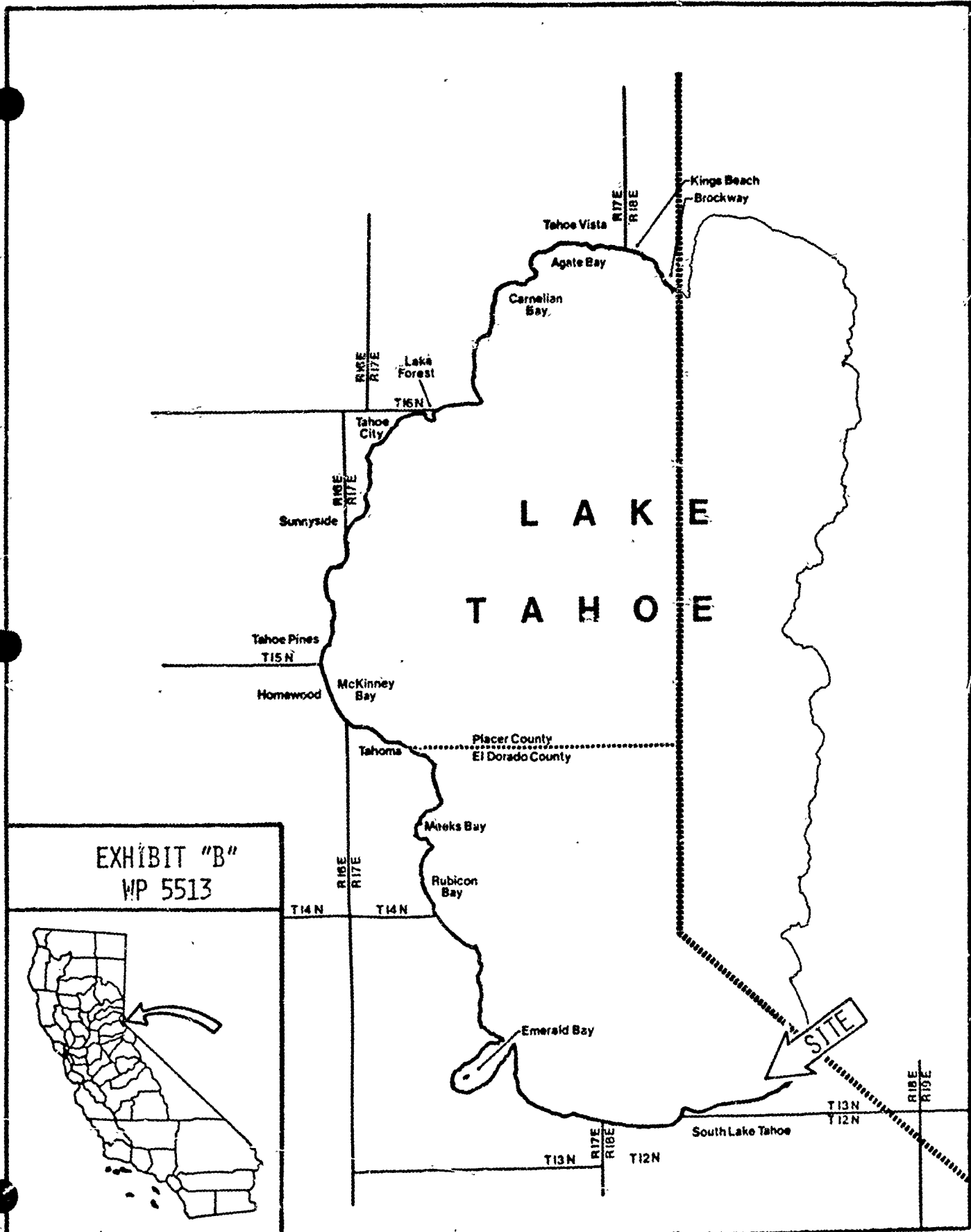


EXHIBIT "B"
WP 5513



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CITY OF SOUTH LAKE TAHOE

P. O. BOX 1210 • SOUTH LAKE TAHOE, CALIFORNIA 95705 • PHONE (916) 541-2900
3050 Lake Tahoe Boulevard

NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

I. DESCRIPTION AND LOCATION OF PROJECT

Removal of timber and steel entrance channel jetties and attendant relocation and replacement of fuel dispensers and walkways (in compliance with El Dorado County Superior Court Judgment, Case No. 20565) including removal of approximately 500 cu.yds. of sand which has built up around the jetties and redistribution to beach area at the existing SKI RUN MARINA development, El Dorado County Assessment Parcel No. 27-051-09, at 940 Ski Run Boulevard, South Lake Tahoe, California.

Sponsor: Michael Phillips dba
SKI RUN MARINA
Box 14272
South Lake Tahoe, Calif. 95702

II. STATEMENT OF REVIEW AND DETERMINATION

In accordance with Section 15083 of the GUIDELINES FOR IMPLEMENTATION OF CALIFORNIA ENVIRONMENTAL QUALITY ACT of 1970, I have reviewed the sponsor's initial environmental impact study data and plans for the above described project.

On the basis of this initial evaluation, it has been determined that this proposed project could not have a significant impact on the environment, if approved. The purpose of the project is to correct an environmental impact of some years standing involving erosion of the downdrift shoreline resulting from installation several years ago of the two jetties, one on each side of the inland harbor entrance. Tubidity barrier will be erected between the work area and the lake waters to protect water quality during completion of the project which complies with zoning ordinance and General Plan of the City of South Lake Tahoe.

Therefore, it is recommended that the Architectural Review Committee, at the earliest possible date, certify this Negative Declaration of Environmental Impact as being adequate and complete.

The initial data and plans on which this determination is based may be reviewed in the Planning Office, City Administrative Center, 3050 Lake Tahoe Blvd., (next door to the Lake Valley Branch Library).

Date: April 23, 1979

CITY OF SOUTH LAKE TAHOE (Lead Agency)
NEAL G. WALTON, Asst. City Manager

by

Edith A. Halson

Community Development Coordinator

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