

MINUTE ITEM

This Calendar Item No. 27
was approved as Minute Item
No. 27 by the State Lands
Commission by a vote of 3
to 0 at its 5/27/82
meeting.

CALENDAR ITEM

27

5/27/82
WP 5873
Gordon
PRC 5873

RENEWAL OF
GENERAL LEASE - COMMERCIAL USE
SUBLEASE

APPLICANT: Placid Fuschlin,
dba Lakeside Marina
P. O. Box 4097
South Lake Tahoe, California 95729

AREA, TYPE LAND AND LOCATION:
A 0.980-acre parcel and ten circular parcels,
each 40 feet in diameter, containing 0.029
acres, totalling 0.288 acres, with all
parcels composing an aggregate of 1.268
acres of submerged lands in Lake Tahoe
at South Lake Tahoe, El Dorado County.

LAND USE: Maintenance, management and operation of
existing yacht harbor facilities and ten
mooring buoys, all utilized for commercial
recreational boating.

TERMS OF ORIGINAL SUBLEASE:

Initial period: Three years from May 30,
1979.

Renewal options: Two successive periods
of three years each.

Public liability insurance: \$800,000 per
occurrence for bodily
injury and \$200,000 for
property damage, or combined
single limit coverage
of \$1,000,000.

Special: 1. The sublease is conditioned
on conformance with the
California Tahoe Regional
Planning Agency and Tahoe
Regional Planning Agency
Shorezone Ordinances.

2. The sublease was entered
into by all parties without

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prejudice to their respective claims of boundary.

CONSIDERATION: \$880 per annum or five percent of gross income exceeding \$2,912 per annum, whichever is greater, plus one cent per gallon of fuel sold to a maximum of 100,000 gallons, and one and one-half cents per gallon sold in excess of 100,000 gallons, with the State reserving the right to fix a different rental on each third anniversary of the sublease.

TERMS OF SUBLEASE DURING THE PROPOSED RENEWAL:

Initial period: Three years from May 30, 1982.

Renewal option: One successive period of three years.

Public liability insurance: \$800,000 per occurrence for bodily injury and \$200,000 for property damage, or combined single limit coverage of \$1,000,000.

- Special:
1. The renewal is subject to the public trust needs between the ordinary low and high water lines of Lake Tahoe.
 2. All other terms and conditions of the original sublease remain in full force and effect.

CONSIDERATION: \$1,163 per annum or five percent of gross income exceeding \$3,848 per annum, whichever is greater, plus one cent per gallon of fuel sold to a maximum of 100,000 gallons, and one and one-half cents per gallon sold in excess of 100,000 gallons, with the State reserving the right to fix a different rental on each third anniversary of the sublease.

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BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is lessee of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. This activity is exempt from CEQA because it is not a project pursuant to P.R.C. 21065, 14 Cal. Adm. Code 15037 and 15060.

2. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category "B" which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.

APPROVALS REQUIRED AND OBTAINED:

This facility is subject to the jurisdiction of the California Tahoe Regional Planning Agency, 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 sublease is conditioned on the approval of all agencies having jurisdiction.

EXHIBIT:

A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21065, 14 CAL.

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ADM. CODE 15037 AND 15060; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.

2. AUTHORIZE, EFFECTIVE MAY 30, 1982, THE THREE-YEAR RENEWAL OF GENERAL LEASE - COMMERCIAL USE SUBLEASE PRC 5873.1, WITH LESSEE'S OPTION TO RENEW FOR ONE SUCCESSIVE PERIOD OF THREE YEARS; IN CONSIDERATION OF A BASE ANNUAL RENT IN THE AMOUNT OF \$1,163, OR FIVE PERCENT OF GROSS INCOME EXCEEDING \$3,848 PER ANNUM, WHICHEVER IS GREATER, PLUS ONE CENT PER GALLON OF FUEL SOLD TO A MAXIMUM OF 100,000 GALLONS AND ONE AND ONE-HALF CENTS PER GALLON SOLD IN EXCESS OF 100,000 GALLONS; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH THIRD ANNIVERSARY OF THE SUBLEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$800,000 PER OCCURRENCE FOR BODILY INJURY AND \$200,000 FOR PROPERTY DAMAGE, OR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR MANAGEMENT AND OPERATION OF EXISTING YACHT HARBOR FACILITIES AND TEN MOORING BUOYS ALL UTILIZED FOR RECREATIONAL BOATING ON THE LAND DELINEATED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

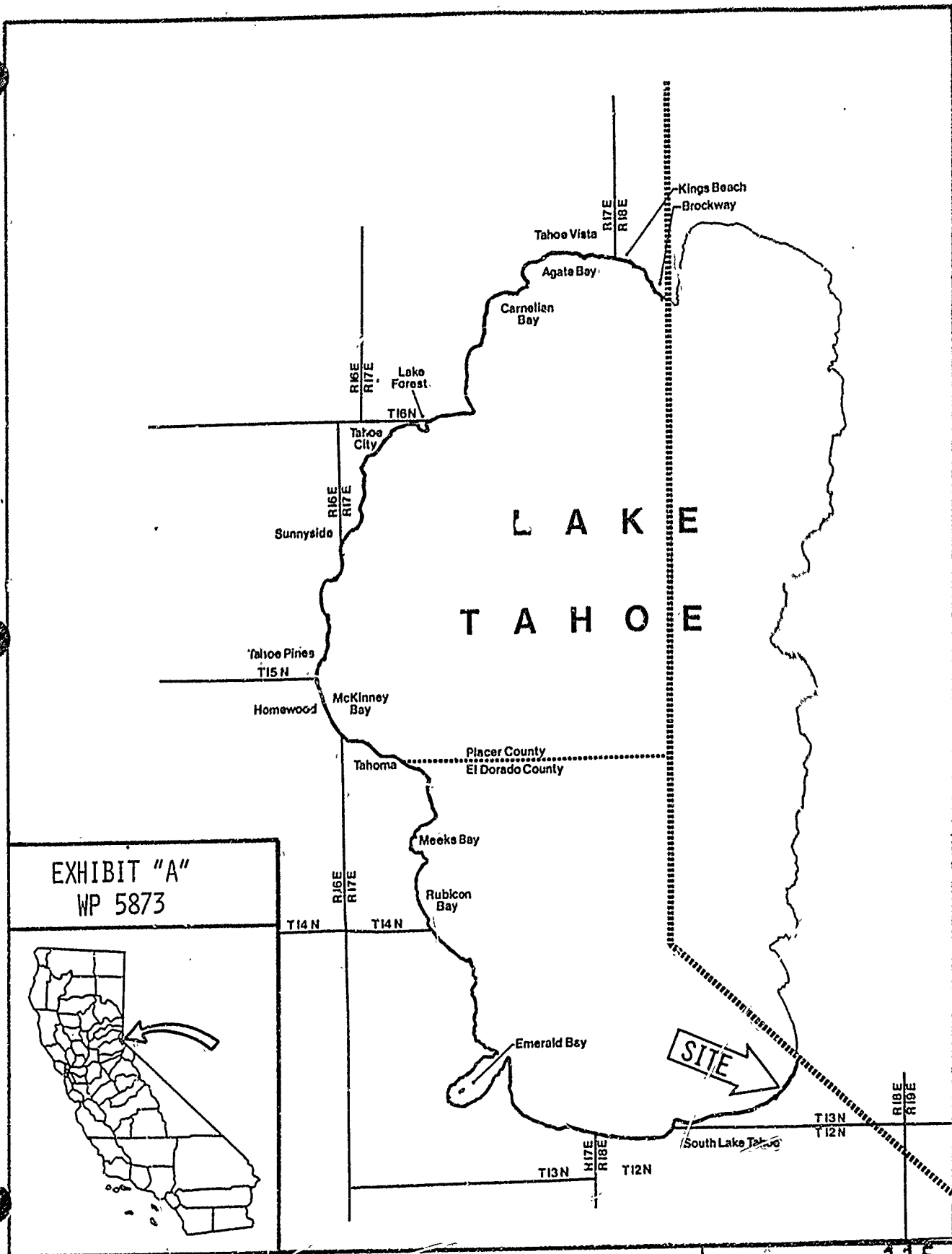


EXHIBIT "A"
WP 5873



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