

MINUTE ITEM

This Calendar Item No. C05  
was approved as Minute Item  
No. 5 by the State Lands  
Commission by a vote of 3  
to 0 at its 2/23/84  
meeting.

CALENDAR ITEM

C 0 5

2/23/84  
WP 1691  
Gordon

SECOND AMENDMENT OF  
NON-COMMERCIAL LEASE PRC 1691.1

APPLICANT: The Brockway Club  
c/o Leonard Frierman  
8383 Wilshire Boulevard, Suite 610  
Beverly Hills, California 90211

AREA, TYPE LAND AND LOCATION: A 0.182-acre parcel, a 0.036-acre parcel,  
a 0.347-acre parcel, and 15 circular parcels,  
each 40 feet in diameter that together  
total 0.433 acre, which compose an aggregate  
of 0.998 acre of submerged lands in Agate  
Bay, Lake Tahoe at Brockway, Placer County.

LAND USE: Construction, reconstruction, placement,  
maintenance and operation of one pier with  
three floating docks, a hot spring deck  
and breakwater, a swim area with a swim  
line and swim float, and 15 mooring buoys,  
respectively, for non-commercial multiple-use  
recreational purposes.

TERMS OF ORIGINAL LEASE:  
Initial period: 15 years from April 20,  
1956.  
Renewal options: Two successive periods  
of ten years each.  
Surety bond: \$1,000.00.  
Consideration: \$30.00 per annum for  
a pier and breakwater.

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TERMS OF FIRST AMENDED LEASE DURING FIRST RENEWAL PERIOD:  
Initial period: Ten years from April 20,  
1971.

Renewal options: One successive period  
of ten years.

Surety bond: \$3,000.00.

Public liability insurance: \$800,000.00  
per occurrence for bodily  
injury and \$200,000.00  
for property damage,  
or combined single limit  
coverage of \$1,000,000.00.

Special:

1. The amendment increased  
the rental, insurance  
coverage, area of use,  
and brought the provisions  
for monetary consideration  
and standard covenants  
into conformance with  
current regulations and  
policies.

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

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

CONSIDERATION: One pier - \$70.00 per annum; other structures  
and buoys - no fee pursuant to the provisions  
of PRC Section 6503.5, with the State reserving  
the right to fix a different rental on  
each fifth anniversary of the lease.

TERMS OF LEASE DURING SECOND RENEWAL PERIOD:

Initial period: Ten years from April 20,  
1981.

Surety bond: \$3,000.00.

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Public liability insurance: \$800,000.00  
per occurrence for bodily  
injury and \$200,000.00  
for property damage,  
or combined single limit  
coverage of \$1,000,000.00.

CONSIDERATION: One pier - \$70.00 per annum; other structures  
and buoys - no monetary fee pursuant to  
the provisions of PFC Section 6503.5, with  
the State reserving the right to fix a  
different rental on each fifth anniversary  
of the lease.

TERMS OF PROPOSED SECOND AMENDMENT:

Initial period: Ten years from April 20,  
1981.

Surety bond: \$3,000.00.

Public liability insurance: \$800,000.00  
per occurrence for bodily  
injury and \$200,000.00  
for property damage,  
or combined single limit  
coverage of \$1,000,000.00.

Special: 1. The amendment adds  
a hot spring deck and  
breakwater, a swim area,  
a swim line, a swim float  
and four mooring buoys.  
It also increases the  
rental and brings the  
standard covenants into  
conformance with current  
regulations and policies.

2. All other terms and  
conditions of the lease  
and first amendment remain  
in full force and effect.

Consideration: \$141.75 per annum as  
to a hot spring deck  
and a breakwater, and  
\$600.00 per annum as  
to a swim area and related  
swim facilities; no monetary

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fee is required for a pier, three floating docks, and 15 mooring buoys pursuant to the provisions of PRC Section 6503.5, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

**BASIS FOR CONSIDERATION:**

Pursuant to 2 Cal. Adm. Code 2003.

**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 and 2; Div. 13.

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

AB 884: 11/4/84.

**OTHER PERTINENT INFORMATION:**

1. These facilities are utilized to accommodate the owners, tenants, and guests of the condominium complexes located on the adjacent upland.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2905, Class 1(2) which exempts existing facilities and Class 3(1), (3) and (4) which exempts new construction of small structures such as a hot spring deck, a swim float and buoys.
3. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "B" which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.

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APPROVALS OBTAINED:

Tahoe Regional Planning Agency, United States Army Corps of Engineers, California Department of Fish and Game, and Lahontan Regional Water Quality Control Board.

FURTHER APPROVALS REQUIRED:

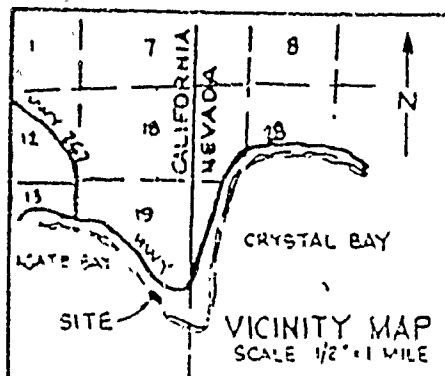
California Tahoe Regional Planning Agency and County of Placer.

EXHIBITS:

- A. Land Description.
- B. Location Map.

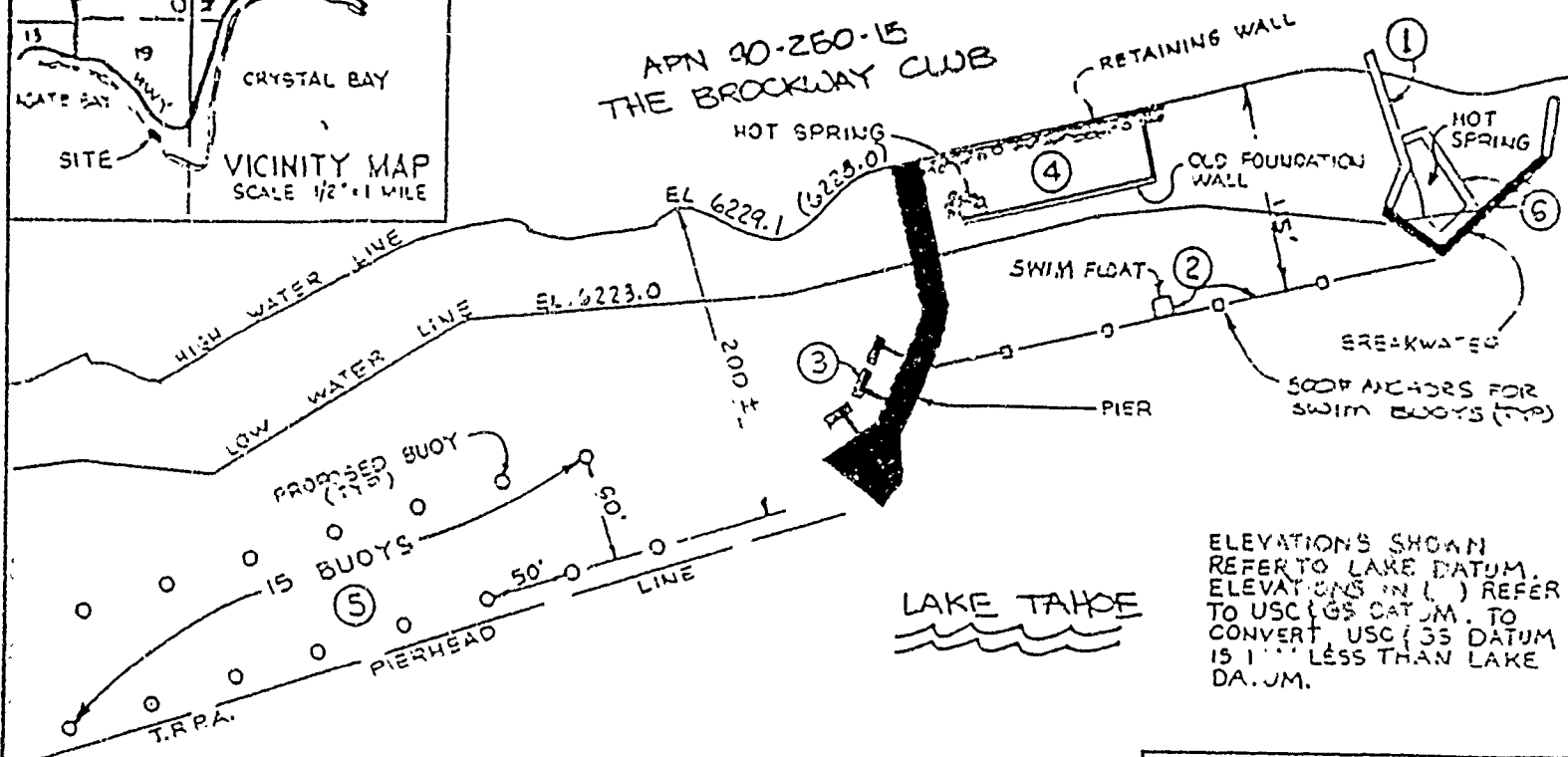
IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO P.R.C. 21084, 14 CAL. ADM. CODE 15300, ET SEQ., AND/OR 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH THE LAND'S USE CLASSIFICATION.
2. AUTHORIZE THE SECOND AMENDMENT OF NON-COMMERCIAL LEASE PRC 1691.1, EFFECTIVE APRIL 20, 1984, TO ADD A HOT SPRING DECK, A BREAKWATER, A SWIM AREA, A SWIM LINE, A SWIM FLOAT AND FOUR MOORING BUOYS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$141.75 AS TO THE HOT SPRING DECK AND BREAKWATER AND \$600.00 AS TO THE SWIM AREA AND RELATED SWIM FACILITIES, AND THE EXEMPTION OF RENT PURSUANT TO THE PROVISIONS OF PRC SECTION 6503.5 FOR THE ADDITIONAL QUALIFYING FACILITIES; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; WITH PROVISION OF A \$3,000.00 SURETY BOND; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$800,000.00 PER OCCURRENCE FOR BODILY INJURY AND \$200,000.00 FOR PROPERTY DAMAGE, OR FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000.00; FOR CONSTRUCTION, RECONSTRUCTION, PLACEMENT, MAINTENANCE AND OPERATION OF ONE PIER WITH THREE FLOATING DOCKS, A HOT SPRING DECK AND BREAKWATER, A SWIM AREA WITH A SWIM LINE AND SWIM FLOAT, AND 15 MOORING BUOYS ON THE LAND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.



Scale: 1" = 100'

APN 30-260-15  
THE BROCKWAY CLUB



ELEVATIONS SHOWN  
REFER TO LAKE DATUM.  
ELEVATIONS IN ( ) REFER  
TO USC & GS DATUM. TO  
CONVERT USC & GS DATUM  
IS 1.17' LESS THAN LAKE  
DATUM.

APPLICANT SEEKS AUTHORIZATION FOR:

- ① RETAINING EXISTING WALKWAY
- ② SEASONAL PLACEMENT OF 10' x 10' SWIM FLOAT & SWIM LINES
- ③ SEASONAL PLACEMENT OF 3 FLOATING BOAT LANE UGS
- ④ REMOVAL OF OLD FOUNDATION WALL & PLACEMENT OF BANK PROTECTION
- ⑤ RELOCATION OF 11 EXISTING BUOYS AND ADDITION OF 4 BUOYS
- ⑥ CONSTRUCT DECKS AROUND EXISTING HOT SPRING ENCLOSURE FOR ENHANCED ACCESS.

APRIL 4, 1983  
REVISED:  
JUNE 3, 1983

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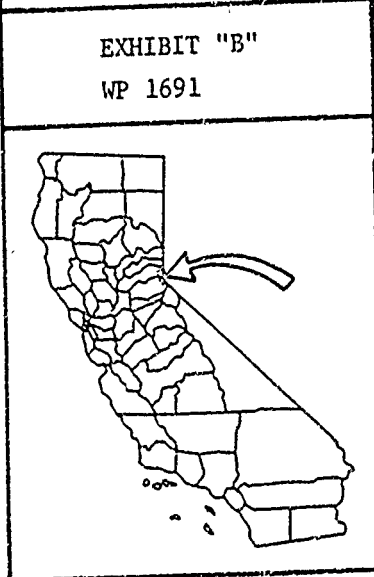
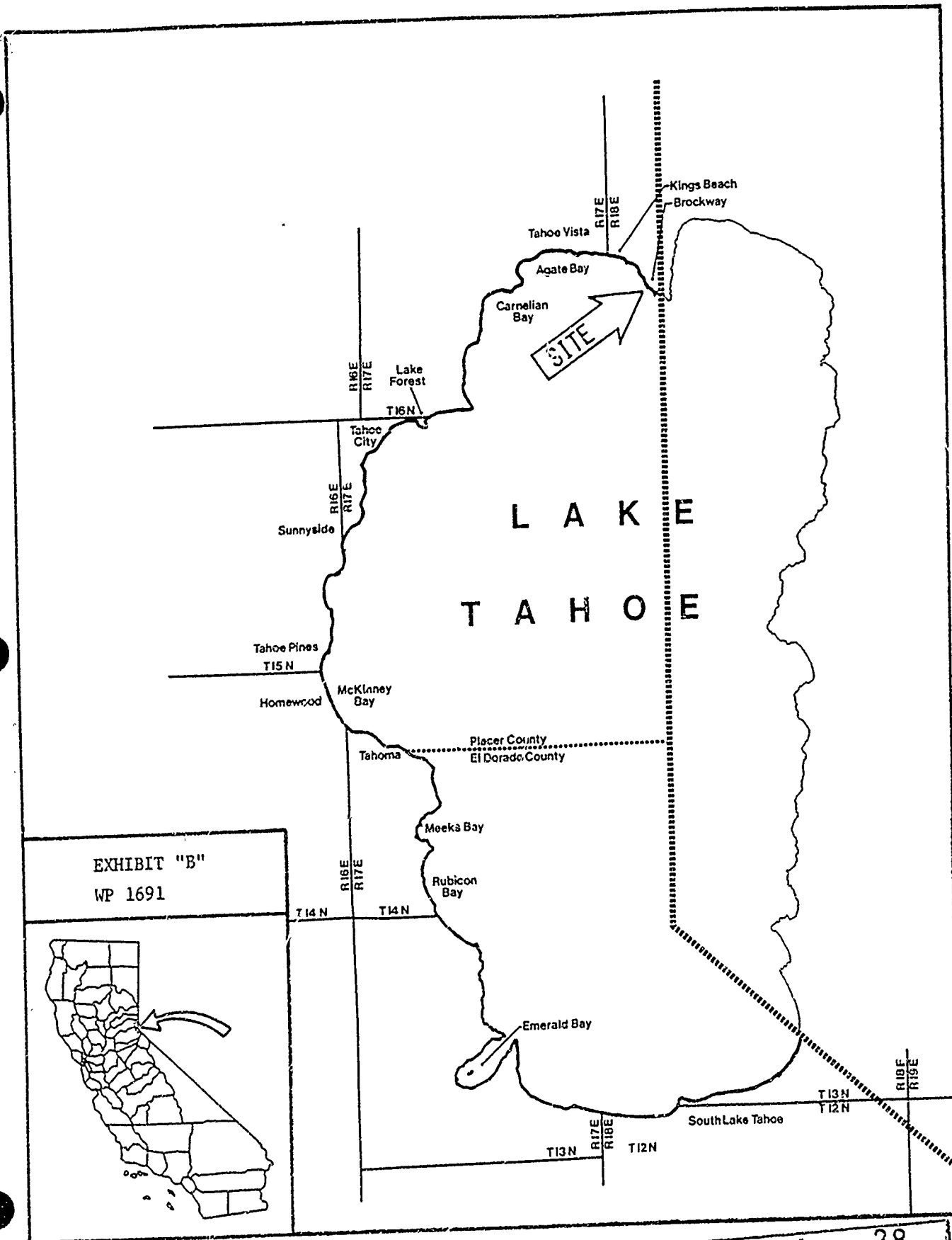
APPLICATION TO RETAIN  
& MODIFY SHORELINE  
RECREATIONAL FACILITIES  
AT  
LAKE TAHOE, CALIF.  
BROCKWAY SPRINGS  
OF TAHOE

FOR  
THE BROCKWAY CLUB  
2656 BRIDGEWAY BLVD  
SAUSALITO, CALIF 94965

WP 1691

EXHIBIT "A"  
LAND DESCRIPTION

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