

MINUTE ITEM
This Calendar Item No. 33
was approved as Minute Item
No. 33 by the State Lands
Commission by a vote of 2
to 0 at its 12/13/88
meeting.

CALENDAR ITEM

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33

12/13/88
WP 5513 PRC 5513
Gordon

GENERAL LEASE - COMMERCIAL USE

APPLICANT: El Dorado Improvement Corporation
c/o Richard E. Hodge, Inc.
Attn: Donald J. Palazzo, Esq.
1801 Century Park East, Suite 1700
Los Angeles, California 90067

AREA, TYPE LAND AND LOCATION:
A 0.117-acre parcel and a 2.019-acre area of
submerged land, located in Lake Tahoe at South
Lake Tahoe, El Dorado County.

LAND USE: Maintenance of a pier and 70 mooring buoys,
respectively, utilized in the operation of
recreational cruise services and a marina, all
for commercial purposes.

TERMS OF PROPOSED LEASE:

Initial period: Five years beginning
April 1, 1986.

Surety bond: \$25,000.

Public liability insurance: Combined single
limit coverage of \$5,000,000.

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

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(ADDED 12/12/88 - pgs. 149-149.21)

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2. The lease restricts any residential use of the facilities.
3. The lease consents to lessee's subletting the lease premises for berthing or mooring purposes for terms of one year or less.
4. The lease conforms to the Lyon/Fogerty decision.

CONSIDERATION: One percent (1%) of gross income generated annually pursuant to the terms of the agreement executed December 30, 1986, by and between Applicant and Lake Tahoe Cruises, Inc. for the operation of cruise boat tours, as to Parcel 1; and twelve percent (12%) of gross income generated annually, as to Parcel 2; LESS the following minimum annual rentals paid in advance, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

MINIMUM ANNUAL RENTALS:

As to Parcel 1: \$2,500

As to Parcel 2:

April 1, 1986 thru March 31, 1987 \$3,710

April 1, 1987 thru March 31, 1988 \$4,150

April 1, 1988 thru March 31, 1989, and thereafter \$4,620.

OTHER CONSIDERATION:

Pier, \$383.13; Buoys, \$1,911.86; each for the period of September 24, 1985 through March 31, 1986.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

CALENDAR ITEM NO. 33 (CONT'D)

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

05/14/89.

OTHER PERTINENT INFORMATION:

1. The five-year term of the proposed lease is consistent with the term of an agreement by and between Applicant and Lake Tahoe Cruises, Inc. for the operation of cruise boat tours, as to Parcel 1. The Tahoe Queen, a glass bottom paddlewheeler, is currently providing year-round cruise service at the site. The mooring buoys on Parcel 2 provide the marina with mooring sites for its boat-rental operation and private craft mooring needs. Usage of the buoys varies seasonally.

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Code Regs. 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.

3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the activity is consistent with its use classification.

CALENDAR ITEM NO. 33 (CONT'D)

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, United States Army Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, County of El Dorado, and City of South Lake Tahoe.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Local Government Comment.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).
2. AUTHORIZE ISSUANCE TO EL DORADO IMPROVEMENT CORPORATION OF A FIVE-YEAR GENERAL LEASE - COMMERCIAL USE BEGINNING APRIL 1, 1986; IN CONSIDERATION OF RENTAL FOR THE PERIOD, SEPTEMBER 24, 1985 THROUGH MARCH 31, 1986, IN THE AMOUNT OF \$383.13, AS TO PARCEL 1; AND \$1,911.86, AS TO PARCEL 2; AND ONE PERCENT (1%) OF GROSS INCOME GENERATED ANNUALLY PURSUANT TO THE TERMS OF THE AGREEMENT EXECUTED DECEMBER 30, 1986, BY AND BETWEEN EL DORADO IMPROVEMENT CORPORATION AND LAKE TAHOE CRUISES, INC. FOR THE OPERATION OF CRUISE BOAT TOURS, AS TO PARCEL 1; AND TWELVE PERCENT (12%) OF GROSS INCOME GENERATED ANNUALLY, AS TO PARCEL 2; LESS THE FOLLOWING MINIMUM ANNUAL RENTALS: \$2,500, AS TO PARCEL 1; \$3,710 FOR THE PERIOD APRIL 1, 1986 THROUGH MARCH 31, 1987, \$4,150 FOR THE PERIOD APRIL 1, 1987 THROUGH MARCH 31, 1988, \$4,620 FOR THE PERIOD APRIL 1, 1988 THROUGH MARCH 31, 1989, AND THEREAFTER, AS TO PARCEL 2; ALL PAID IN ADVANCE WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; WITH PROVISION OF A \$25,000 SURETY BOND; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$5,000,000; FOR MAINTENANCE OF A PIER AND 70 MOORING BUOYS UTILIZED IN THE OPERATION OF RECREATIONAL CRUISE SERVICES AND COMMERCIAL MARINA ACTIVITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 5513

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

PARCEL 1 - Pier and Use Area

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 61°06'50" W 198.31 feet to the TRUE POINT OF BEGINNING of this description; thence the following five courses:

1. N 55°00'00" W 35.00 feet;
2. N 11°13'00" W 144.00 feet;
3. N 78°47'00" E 53.00 feet;
4. S 11°13'00" E 143.55 feet;
5. S 37°00'00" W 38.60 feet to the point of beginning.

PARCELS 2-71 - 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.

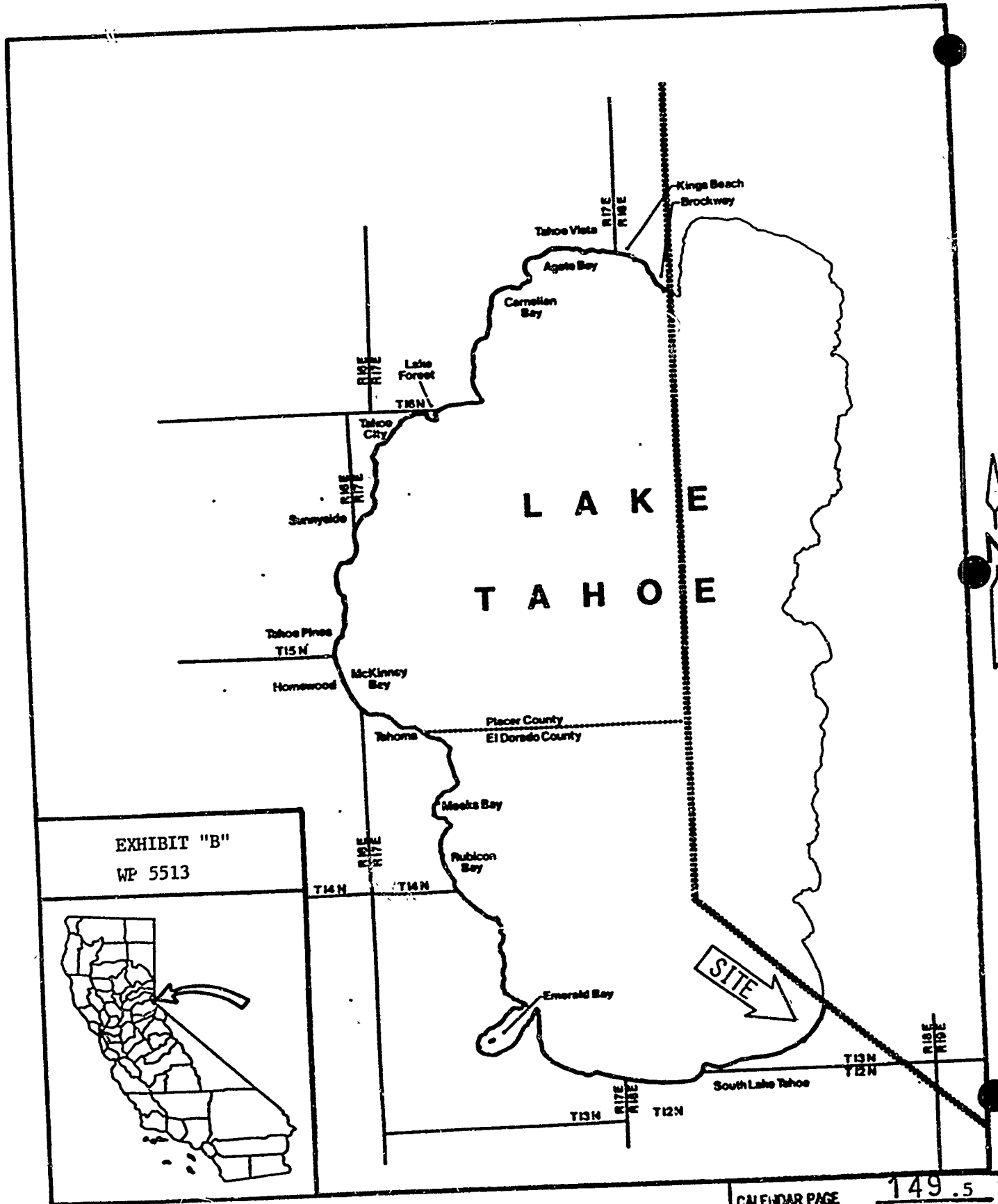
EXCEPTING any portions of the above seventy-one parcels lying landward of the ordinary low water mark of Lake Tahoe.

END OF DESCRIPTION

REVISED JUNE 3, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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EXHIBIT "C"

SKI RUN MARINA
1981/85 PROJECTION

PREPARED FOR SUBMITTAL TO:

PLANNING COMMISSION
CITY OF SOUTH LAKE TAHOE

Submitted By:
MICHAEL PHILLIPS, Owner
Ski Run Marina
P.O. Box 14272
South Lake Tahoe, CA 95702

No. SU-82-19
APPROVED
Wm. 38 Conditt
Zoning Administrator
City of South Lake Tahoe
Date May 26, 1982
for the Planning Commission

Revised Nov 3, 1982
Revised June 13, 1983
Revised June 22, 1983

May 1, 1982

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SKI RUN MARINA
1981/85 PROTECTION

I. INTRODUCTION

Application is hereby made for a conditional use permit as required by the City, covering a basic Master Plan for Ski Run Marina for a five year period. This will establish an operational plan to provide waterborne and beachfront recreational amenities for resident and visitor alike.

II. MARINA PURPOSE

Ski Run Marina located at the foot of Ski Run Blvd. has served South Lake Tahoe since the 1930's, and was developed to a commercial marina some 40 years ago. The current marina facilities operate on approximately 2.9 acres of beachfront property in addition to an inland harbor with access channel and docking pier. (See location map, Exhibit A) Through the many years boat rentals, excursions, boat repairs, fishing, beach and water use have all been a major part of this property.

Supplemental applications for Use Permits were made to meet the changing demands of public interest such as seaplane tours, outdoor fruit stand, rental bicycles, and mopeds; none of which are a part of current marina's operations. In addition, one-day permits were granted for various special events benefiting community non-profit groups and citizens.

The entire community of South Lake Tahoe is dependent upon tourism. It is vital to our area's economy that there is complete enjoyment of this

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area by the visitor. Providing an opportunity for the use and enjoyment of Lake Tahoe has been a major goal of the present ownership and during the next five-year period, we hope to polish and improve upon our present activities.

III. PROJECTED ACTIVITIES

To properly identify the activities incorporated into the five-year master plan, including existing operations and general development goals of the marina, summer and winter operations are listed below and keyed by number to the Marina Site Map. **EXHIBIT B.**

Summer

(1) Beach

Free public access and use of beach facilities including volleyball games, swimming and related activities.

(2) Inland Harbor and Access Channel

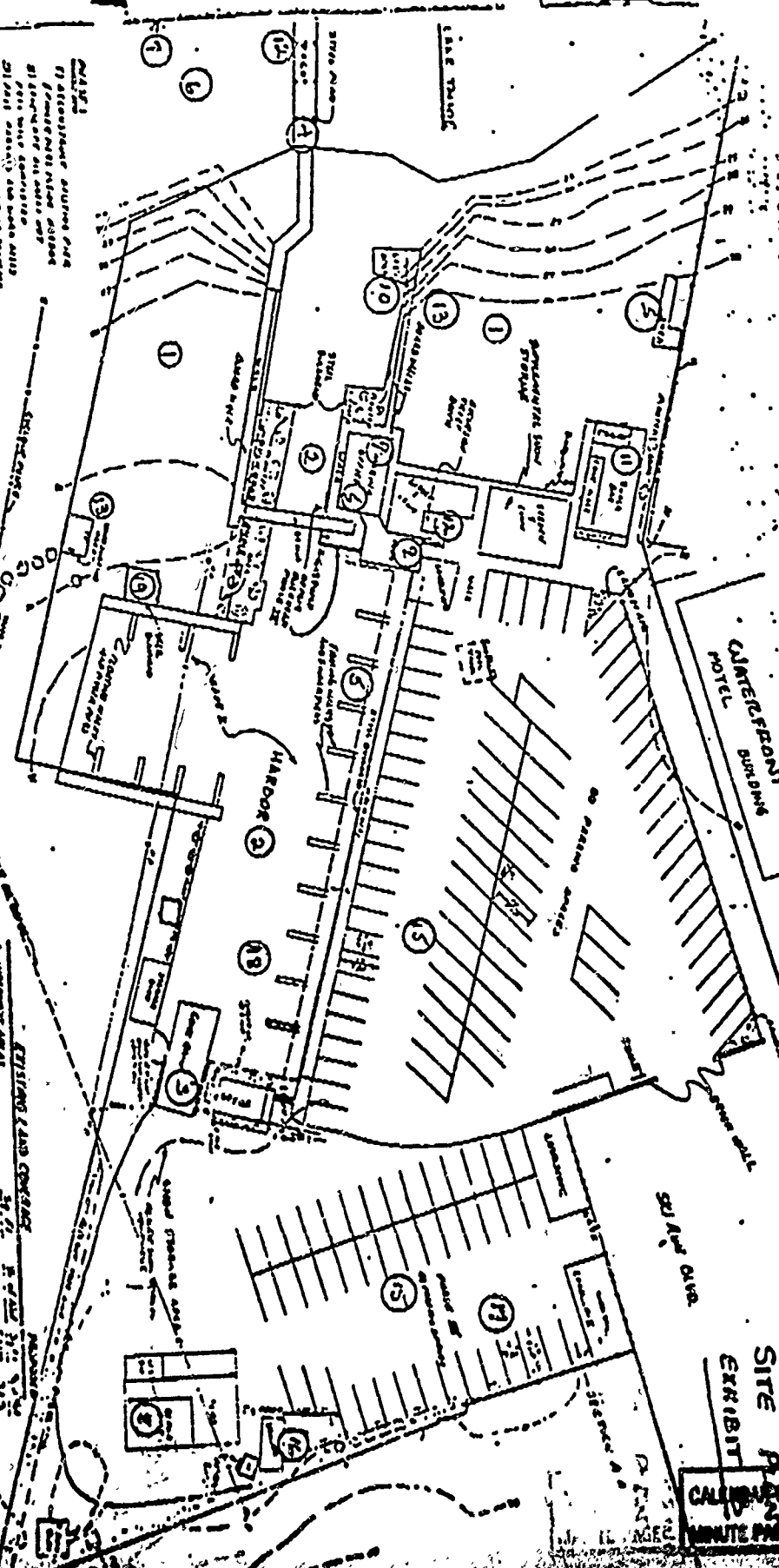
Use of the harbor to provide 35 boat slips for seasonal, monthly, weekly and daily rentals with access via the existing channel.

(15 slips are used for marina rental boats.)

(3) Boat Launch

The launch is not encouraged for use as a public launching facility, but intended for the 35 boat slips and craft which use the mooring buoys. This ramp also provides water access to our service shop.

This drawing is a reproduction of the original drawing on file in the files of the U.S. Army Corps of Engineers, Vicksburg District, Vicksburg, Mississippi.



1. All buildings shown are to be constructed of concrete and masonry.

2. All buildings shown are to be constructed of concrete and masonry.

3. All buildings shown are to be constructed of concrete and masonry.

4. All buildings shown are to be constructed of concrete and masonry.

5. All buildings shown are to be constructed of concrete and masonry.

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11. All buildings shown are to be constructed of concrete and masonry.

12. All buildings shown are to be constructed of concrete and masonry.

13. All buildings shown are to be constructed of concrete and masonry.

14. All buildings shown are to be constructed of concrete and masonry.

EXISTING LAND CONCENTRATIONS

NO.	DESCRIPTION	ACRES	PERCENT	DATE
1	EXISTING LAND CONCENTRATION	37.71	100.00	1/1/50
2	EXISTING LAND CONCENTRATION	4.66	12.36	1/1/50
3	EXISTING LAND CONCENTRATION	10.50	27.84	1/1/50
4	EXISTING LAND CONCENTRATION	20.57	54.80	1/1/50
5	EXISTING LAND CONCENTRATION	23.23	61.53	1/1/50

NO.	DESCRIPTION	ACRES	PERCENT	DATE
1	EXISTING LAND CONCENTRATION	37.71	100.00	1/1/50
2	EXISTING LAND CONCENTRATION	4.66	12.36	1/1/50
3	EXISTING LAND CONCENTRATION	10.50	27.84	1/1/50
4	EXISTING LAND CONCENTRATION	20.57	54.80	1/1/50
5	EXISTING LAND CONCENTRATION	23.23	61.53	1/1/50

Su Rui Park
 SITE PLAN
 EXHIBIT
 149 in
 3304

(4) Pier

The existing pier provides service for certain docking privileges for excursion boat operations and public enjoyment.

(5) Rentals

Rentals are essential in maintaining marina operations. Rental of 40 pleasure boats, 10 sail boats and 5 jet skis is considered the major activity of this marina. Most of our rentals end up at beautiful Emerald Bay. We have found that because the tour boats don't stop in the Bay many of their passengers return and rent a boat from us. Waterskiing, fishing and sightseeing are all a part of our rental operation. On a yearly average we rent to over five thousand families and friends. (Approximately 20,000 customers per year)

(6) Parasailing

This project is designed to provide a thrilling ride and a dynamic view of Lake Tahoe. Like water skiing, the customer is towed behind a boat, but at 150 feet above the water. The ride is totally safe as the customer takes off from a beach or floating platform and lands in the water. The only equipment needed is the boat and the chute. The boat operator holds a current Coast Guard Certification. The operation requires two employees. The ride is five minutes long, with a preparation time of 10 minutes. We plan to serve four customers per hour. The operation will begin no sooner than 9:00 AM and end no later than 7:00 PM.

(7) Mooring Buoys

There are 70 off-shore mooring buoys. Of these, 40 are used for seasonal, monthly, weekly and daily rentals - 30 are reserved for the marina rentals.

(8) Service & Repair Shop

The service/repair shop and hoist shed serves customers as well as the rental fleet. New and used boat sales are a part of this operation.

(9) Main Office, Souvenir & Information Booth and Tourboat Ticket

Sales Office

This also includes a photo concession for the beach and tourboat customers.

(10) Gasoline Service

Provides marine fuel for the rental and Lake customers.

(11) Snackbar & Amusement Room

Snackbar and amusement room with 12 video games compliments the beach use. The adjacent beer garden serves as a rest area for our customers.

(12) Tour or Excursion Boats

(a) Presently the Marina has contracted with Lake Tahoe Cruises to operate 3 daily cruises (11AM, 1:30PM, and 3:30 PM) with the 150 passenger Tahoe Queen, May through September, generally to Emerald Bay and return. A fourth daily dinner cruise is slated to depart the Marina at 6:30 PM. On occasions during July and

August last summer, the 100 passenger Miss Tahoe joined the Tahoe Queen for the dinner cruise.

- (b) It is proposed to operate in a similar manner this year for dinner cruises only to take advantage of parking made available by the other marina facilities having closed down at approximately 6:00 PM.
- (c) During 1983 it is proposed to replace these boats with one maximum 250 passenger boat for all such cruises emanating from the Ski Run Marina.

This proposed 250-passenger tour boat would be of similar design to the Tahoe Queen, that being a dual-hull, aluminum vessel with a low draft and quiet engine design. She would quite probably be a double deck vessel, meeting all the United States Coast Guard, Lahontan Water Quality Control Board, and other appropriate agency requirements. There are many advantages to a dual-hull designed vessel that I'm sure your agency will find attractive:

1. Shallow Draft. Due to the shallow draft nature of such a dual-hull designed vessel, the new proposed tour boat, as well as the vessel Tahoe Queen, will draw very little water. Therefore, a bottom disturbance and siltation will be minimal.
2. Quiet Exhaust. The new proposed 250-passenger tour boat will be very similar in her propulsion as the Tahoe Queen. We have been able to design a very quiet and efficient propulsion system for the Tahoe Queen and the Miss Tahoe. These beneficial design modifications

would also be used on the new boat. Both the Tahoe Queen and the Miss Tahoe are extremely quiet and can barely be heard from a few feet away. Also, the small engine design reduces fuel consumption and also reduces the water and air quality impact.

3. Overall Dimensions. Due to the efficiency and size of a dual-hull designed vessel, the passenger capacity can be much greater for the proportion of size to the entire vessel. A conventional V-bottomed or rounded-bottom vessel uses much more overall space and is very inefficient in passenger use area.
4. Quiet and Comfortable ride. Once again, the dual-hull design allows for a much more stable ride in rough seas. The overall noise and vibration is much less than a conventional V-bottomed vessel.

(13) Lessons & Services

A Waterskiing rides and lessons will be offered during the early morning hours. Also wind surfing lessons and rentals will be available. A fishing guide service will be offered during the daybreak hours. A scuba diving program is possible for the future.

(14) Special Events

In the past, several community charity events have been held at Ski Run Marina. These include the "Summer Fling Thing" and the "Octahoeftest." It is hoped that in the future the marina will continue to hold such events. The Marina occasionally sells it's used rental fleet at a public auction and plans to do this again in the future.

(15) Parking

Continued use of the parking facilities which currently exist at the marina is proposed with some minor improvements planned prior to the 1982 summer season. More extensive plans for the unimproved parking area will take place in 1985.

(16) Caretaker's Residence

A trailer is provided for the caretaker's living area, providing marina security on a year - round basis.

Winter

(17) Dry Storage

Use of the seasonal parking area of rental equipment, machinery and boats is intended.

(18) Winter use of the silos for boat storage

This may be implemented in the future as well as use of the heated buildings.

(19) Trailer office for Tour Boat Operator

IV. COMMENTS

One of the major activities of this marina is its boat rentals. There are 40 power boats that provide fishing, touring and waterskiing. In addition to these, we rent water-fun items such as bumper boats, jet skis, windsurfing, miscellaneous kayaks, and paddle boats.

We operate a full service repair shop to service our fleet and customer work.

On the water storage is provided for customers as well as launching. The ramp provides access to the shop. The gas facilities are mainly for the rental boats, but we do provide fuel to water customers. The boat sales consists mainly of used boats from the rental fleet.

The second major operation at this location is the tour boat concession. The purpose of this business is to provide cruises aboard a sightseeing vessel. Trips to Emerald Bay are provided three times a day with dinner/dance cruises in the evening. At this time, the 150-passenger Tahoe-Queen operates from this marina. She offers snacks, a full bar, fresh air and lots of Tahoe history and beauty. Bus group tours and charters are available throughout most of the year. In the evening the Tahoe Queen is joined by the Miss Tahoe for a beautiful dinner/dance cruise.

Parking facilities are carefully coordinated by the marina and tourboat operators to take advantage of the fast turnover and maximize use of all available parking, including possible valet parking during peak periods when a parking attendant is provided.

This marina offers a variety of ways in which to enjoy Lake Tahoe. The existing activities and programs are vital to this program of total customer service.

V. MAINTENANCE ITEMS

A) Paving

There currently exists 81 paved and 42 unimproved seasonal parking spaces.

on the site. Development plans include paving of the unimproved area. Also yearly stripping and sealing will be necessary.

B) Channel Dredging

The inland harbor was constructed in a natural waterway a number of years ago. They keep littoral drift from blocking the access channel, jetties were extended into the lake. This resulted in severe shoreline erosion problems. The jetties were removed to correct this problem; however, occasional blockage problems to the access channel still remain. Minor dredging operations in the entrance channel will be necessary to maintain harbor access. At the present time we are conducting tests with hopes of installing a permanent by-pass sand pump, to pump the sand towards Tahoe Meadows before it fills in the harbor entrance.

C) BULKHEAD REPAIR

Deterioration of the timber bulkheads at the entrance channel necessitate future repairs. To further assure structural stability of the bulkheads, additional minor repairs will be necessary. More extensive repairs will take place in 1986.

D) LANDSCAPING

A landscaping project will be completed during the 1982 summer season. The plan will concentrate on revegetation of boarding areas and will be in compliance with a 1980 CTRPA Board requirement. In addition to this, more landscaping will be done to provide more open space and beauty.

VI. PARKING

The master plan proposed no development which would significantly increase traffic generation as a result of its implementation. However, a person will be hired during peak periods to direct traffic and insure that marina patrons only are using the parking facilities.

Substitution of a larger cruise boat (250 passengers) for the 100 passenger "Miss Tahoe" and the 150 passenger "Tahoe Queen" may constitute a potential for a slight increase in the number of automobile trips. To offset any peak period parking problems the tour boat operator has proposed to do the following three things as necessary:

- 1) Co-ordinate with Barney's and Sahara's courtesy bus service. Having them add Ski Run Marina as a stop, plus encouraging customers to use their bus as a means of transportation.
- 2) Provide valet parking on the currently unimproved parking area, utilizing the side gates as an exit. This program will require two employees, a gate attendant and a parking director. In addition to the above other ideas are being discussed.
- 3) Provide a shuttle service encouraging people to leave their cars at their motel and call us.

The relevancy of traffic, transportation and parking considerations with regard

to long-range plans for the development of Ski Run Marina is recognized. As we develop this facility the needs of local residents and tourists will be recognized and dealt with. Some beginning studies have been done for the ice rink project with more extensive reports planned.

In addition to the above, off site use of motel parking at Waterfront Club during the day has been useful.

PROPOSED IMPROVEMENT PROGRAM

PHASE I

PHASE II

PHASE III

PHASE IV

PHASE V

During 1980 the first half of the pier was reconstructed. In 1982 the last half was repaired. All wooded pilings were replaced with metal ones and a new deck and railing installed. Also all 35 slips were being replaced with new ones. They are constructed from wood and styrofoam.

In order to provide more open space as well as to add more beauty it is proposed to devote more land toward that purpose. A fifteen foot setback will be provided with natural trees and shrubs planted. Some existing paving will be removed and replaced with vegetation. Completion of this project: July of 1983.

Because of the importance of parking, it is planned to pave the compacted dirt area that is presently being used for parking. By paving this area it will be stripped, thus providing more efficient parking in this area. Dust will be held down to a minimum as well as run off. A drainage plan will be implemented with this paving project to cut down and water pollution. Financially 1985 will be our target date for the completion of this important phase.

In this phase we will replace a portion of the old wooden harbor wall with a new sheet metal breakwater. As well as strengthening this wall it is planned to widen this section of the harbor entrance by 12 feet. This area has always been congested and increasing the width will allow two boats to pass each other at the same time. The bridge will be lengthened to accommodate the added width of the harbor.

A sanitary pump-out facility will be installed within the next five years by the tour-boat operator.

LONG TERM

- A. It is planned to replace the existing repair shop and hoist shed with a new building incorporating the caretaker's quarters.
- B. Also planned is to provide permanent office space for the Tour Boat operator, replacing the trailer-office.

VIII. CONCLUSION

During the next five years, there are no major changes or additions planned for the marina facility. Except for the landscaping, paving and harbor maintenance, the next five years will be devoted to improving customer and community services. There will also be a future development plan for the total restoration of the marina. This will include Agency coordination and financing programs. It is hoped to implement this plan by 1987.

Through various activities, Ski Run Marina provides thousands of people an opportunity to enjoy Lake Tahoe all year long.

Our immediate view is to offer these services as in the past: to polish our methods and procedures, thus serving our customers even better. After all, our business is helping people to have fun. We want to concentrate on that for awhile.

* Initial ests. submitted by Henry J. Thieman & Michael Phillips