

MINUTE ITEM

This Calendar Item No. C09 was approved as Minute Item No. 01 by the California State Lands Commission by a vote of 3 to 0 at its 04-07-03 meeting.

**CALENDAR ITEM
C09**

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S 1

04/07/03
PRC 2754.9
N. Lee

AMENDMENT OF GENERAL LEASE - PUBLIC AGENCY USE

LESSEES/APPLICANTS:

Tahoe City Public Utility District and California Department of Fish and Game, acting through the Wildlife Conservation Board

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Tahoe City, Placer County.

AUTHORIZED USE:

Operation and maintenance of an existing pier, boat ramp, and existing fill.

PROPOSED AMENDMENT:

Amend the lease to authorize the addition of a temporary float section to the existing pier and installation of a temporary boat ramp extension.

LEASE TERM:

49 years, beginning January 16, 1979.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

SPECIFIC LEASE PROVISIONS:

Insurance:
Combined single limit coverage of \$1,000,000.

OTHER PERTINENT INFORMATION:

1. On June 27, 1979, the Commission authorized a General Permit - Public Agency Use with the Tahoe City Public Utility District and the California Department of Fish and Game, acting through the Wildlife Conservation

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Board. That permit will expire on January 15, 2028. On April 24, 1980, the Commission authorized an amendment to this permit for construction of an extension to the pier. A second amendment was authorized on April 24, 2001, for the expansion, relocation and reconstruction of the pier.

2. Due to the current low water level of Lake Tahoe, concerns regarding the safety of the boating public on the lease premises have arisen. During this period of low water, an 18-inch drop-off at the end of the existing boat ramp has developed creating a hazardous situation for boaters when they launch and enter boats from this area. In addition, the existing pier is almost inaccessible to boats at this time. As a result, Tahoe City Public Utility District and the California Department of Fish and Game, acting through the Wildlife Conservation Board, are now applying for a third amendment to authorize the addition and use of a temporary float section to the existing pier and installation of a temporary boat ramp extension. These facilities would be used when the lake level falls below elevation 6226.10 feet and, as the facilities are not necessary when the lake is at a normal level, the facilities will be removed when the lake level exceeds elevation 6226.10. The Lessees are also proposing the use of the temporary facilities as they wish to immediately remedy the public safety situation prior to the upcoming boating season.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

Authority: Title 14, California Code of Regulations, section 15061 (b) (3).

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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 project, as proposed, is consistent with its use classification.

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APPROVALS OBTAINED:

Tahoe Regional Planning Agency
U.S. Army Corps of Engineers
Lahontan Regional Water Quality Control Board
California Department of Fish and Game

EXHIBITS:

- A. Location and site map
- B. Land Description

PERMIT STREAMLINING ACT DEADLINE:

May 12, 2003

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b) (3).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

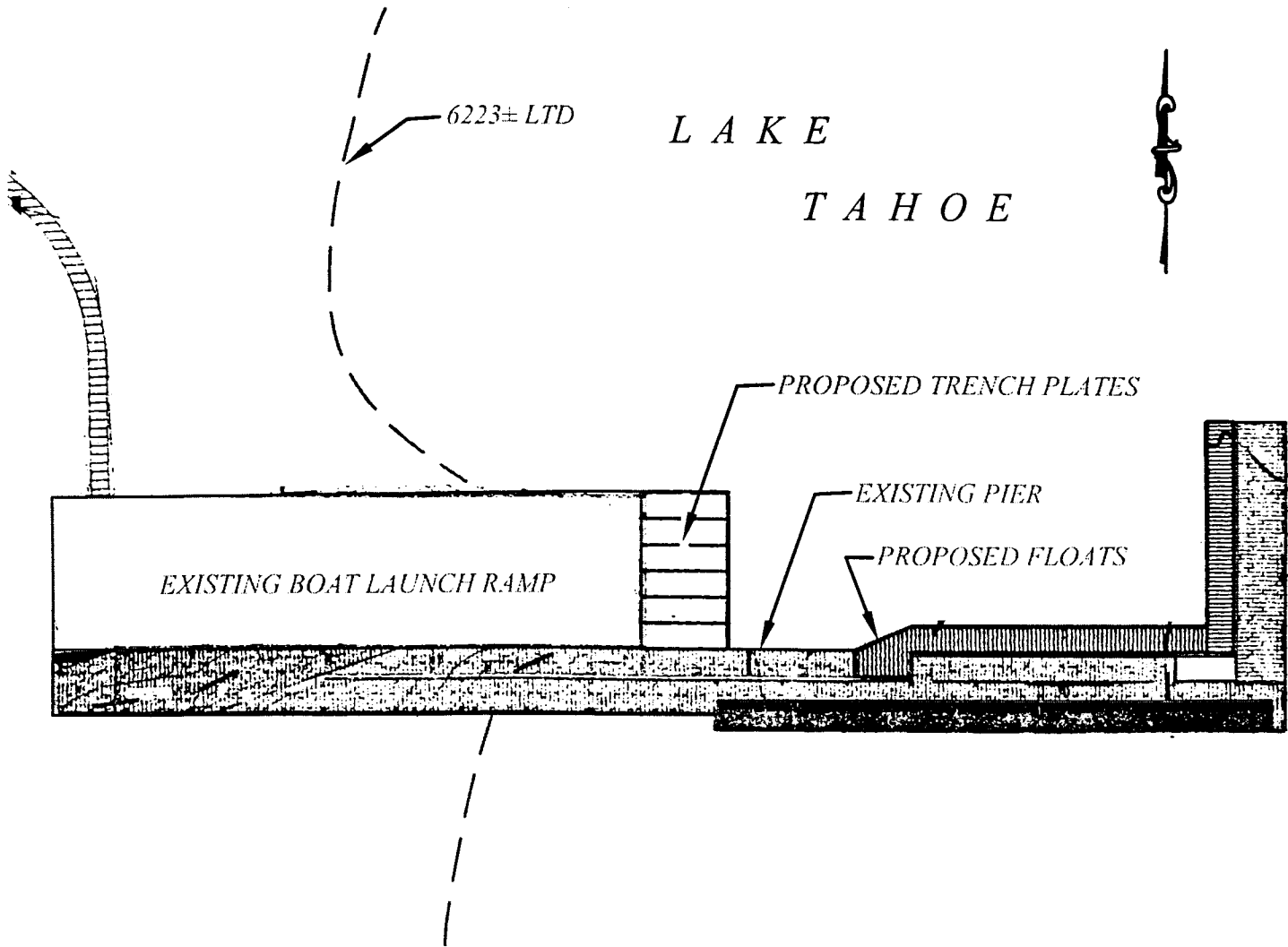
AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 2754.9, A GENERAL LEASE - PUBLIC AGENCY USE, FOR THE ADDITION OF A TEMPORARY FLOAT SECTION TO THE EXISTING PIER AND INSTALLATION OF A TEMPORARY BOAT RAMP EXTENSION; ON LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE APRIL 1, 2003, TO THE TAHOE CITY PUBLIC UTILITY DISTRICT AND THE CALIFORNIA DEPARTMENT OF FISH AND GAME, ACTING THROUGH THE WILDLIFE CONSERVATION BOARD; ALL OTHER TERMS AND

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CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

NO SCALE

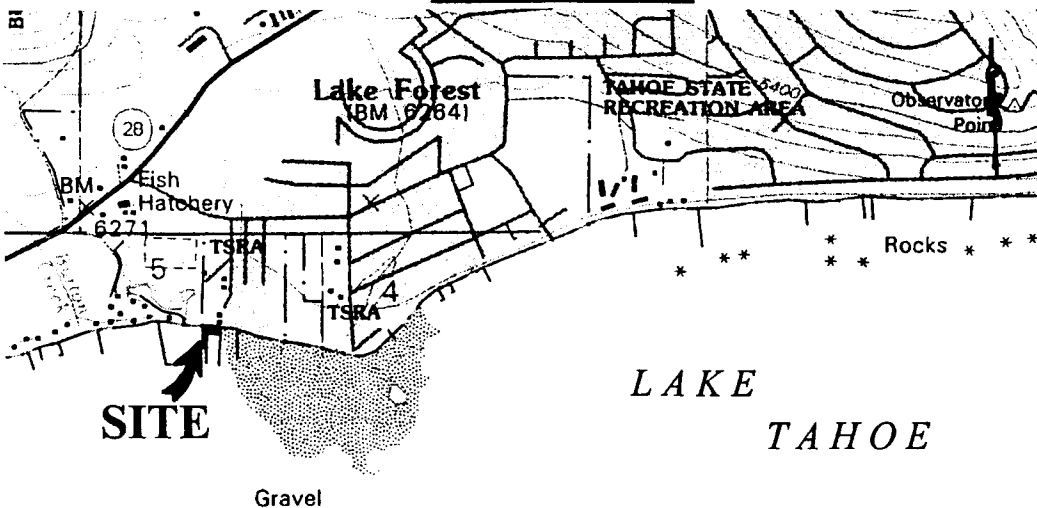
SITE



Tahoe City Public Utilities District, WCB & F&G, Lake Forest, Lake Tahoe

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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Exhibit A

PRC 2754

APN 094-140-014

North Lake Tahoe

PLACER COUNTY

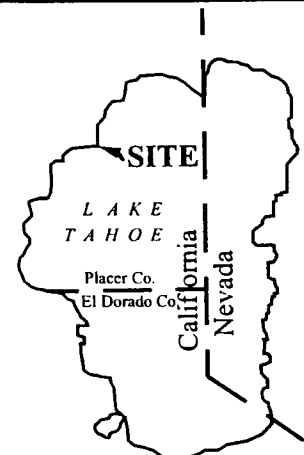


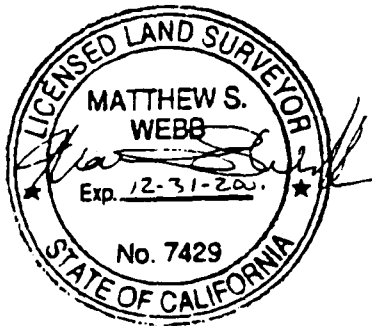
EXHIBIT B
Pier Lease Area Description

Being a parcel of land in the bed of Lake Tahoe, Placer County, California, and more particularly described as follows:

Commencing at the southwest corner of Section 32, Township 16 North, Range 17 East, Mount Diablo Base and Meridian; thence, North 88°45' East 1058.94 feet; thence, South 01° West 762 feet, to the point of beginning; thence, leaving said line, South 6°09'05" West 74.83 feet; thence, South 2°24'47" West 293.08 feet; thence, South 87°39'56" East 163.82 feet; thence, North 01°00'00" East 371.34 feet; thence, North 89°00'00" West 149.83 feet; to the point of beginning.

Excepting therefrom, any portion lying landward of the ordinary low water mark of Lake Tahoe.

The basis of bearings for the above described parcel is from that certain document recorded in Book 881, at Page 82, in the Office of the Recorder of Placer County, California.



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