

MINUTE ITEM

This Calendar Item No. C32 was approved as Minute Item No. 32 by the California State Lands Commission by a vote of 2 to 0 at its 12-08-05 meeting.

CALENDAR ITEM
C32

A 4
S 1

12/08/05
PRC 5956 WP 5956.1
M. Hays

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Tahoe Tavern Property Owners Association
P. O. Box 6836
Tahoe City, CA 96145

AREA, LAND TYPE, AND LOCATION:

0.695 acres containing a pier and a 2.712 acre parcel containing 90 mooring buoys and four marker buoys, totaling 3.407 acres, more or less, of sovereign lands in Lake Tahoe, Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing multiple use pier, 90 mooring buoys, and four marker buoys, previously authorized by the Commission, as shown on Exhibit A.

LEASE TERM:

Ten years, beginning October 1, 2004.

CONSIDERATION:

\$1,392 per annum; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$1,000,000.

Other:

This lease is conditioned on the Applicants obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

CALENDAR ITEM NO. C32 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On May 3, 1995, the Commission authorized a General Lease-Recreational Use with the Applicant. That lease expired on September 30, 2004, and the Applicant is now applying for a new lease.
3. The Applicant is a condominium property owners association that consists of 156 condominium units and related recreation facilities, which include a previously authorized multiple use pier and 90 mooring buoys for use by the members and guests. Because the membership currently includes nine percent of non-natural persons, it does not fully meet the qualifications of Public Resource Code Section 6503.5 for a rent free lease. Therefore, the rent is prorated accordingly for the multiple use pier and 90 mooring buoys. The marker buoys do not qualify for rent-free status.
4. 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 as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. 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.

APPROVAL REQUIRED:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

- A. Site and Location

CALENDAR ITEM NO. C32 (CONT'D)

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 AS A CATEGORICALLY EXEMPT PROJECT, CLASS EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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.

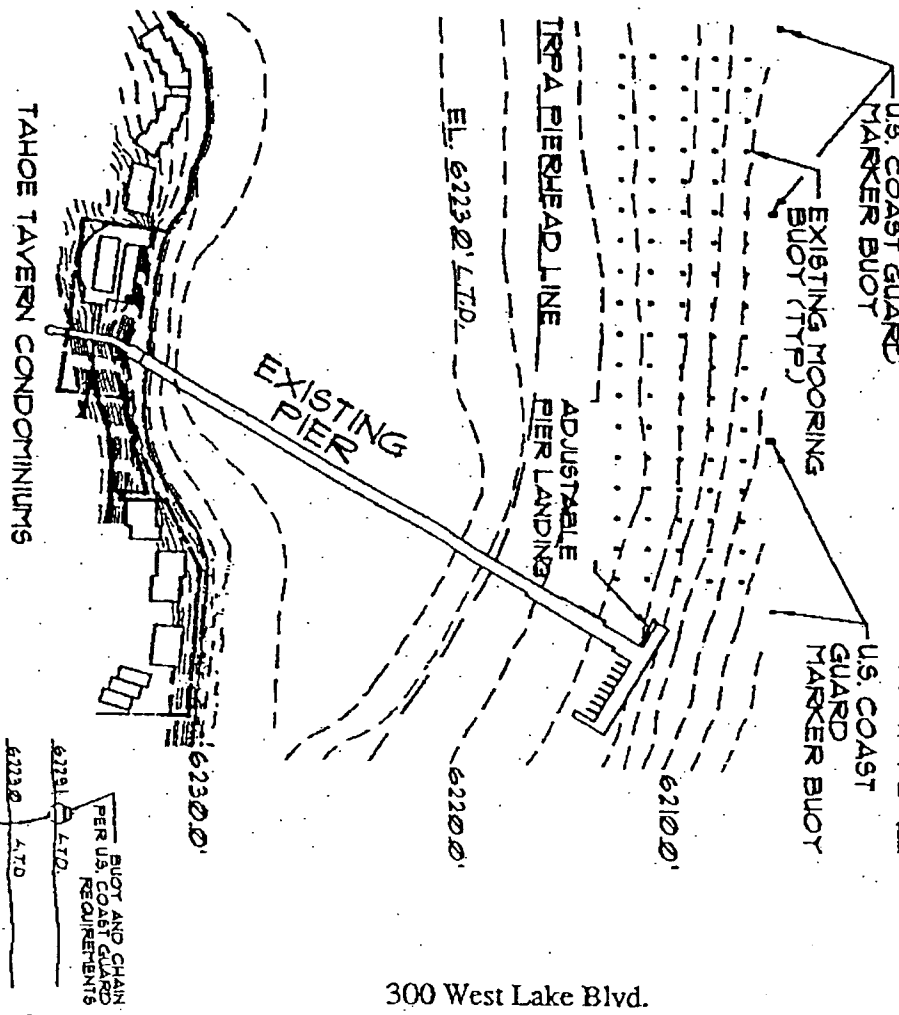
AUTHORIZATION:

AUTHORIZE ISSUANCE TO TAHOE TAVERN PROPERTY OWNERS ASSOCIATION OF A GENERAL LEASE-RECREATIONAL USE, BEGINNING OCTOBER 1, 2004, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING MULTIPLE USE PIER, 90 MOORING BUOYS AND FOUR MARKER BUOYS PREVIOUSLY AUTHORIZED BY THE COMMISSION ON THE LAND AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$1,392, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; AND LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.

SCALE 1" = 300'

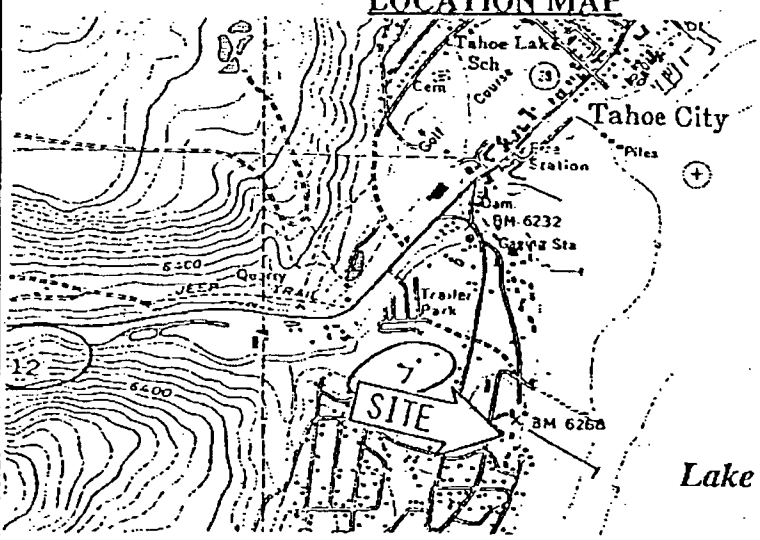


LAKE TAHOE



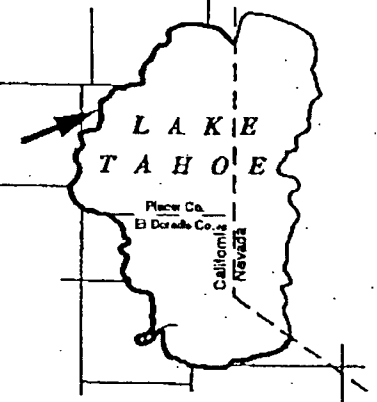
300 West Lake Blvd.

LOCATION MAP



Lake Tahoe
NO SCALE

EXHIBIT "A"
 PRC 5956
 APN 94 - 200 - 34
 Lake Tahoe
 PLACER COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, 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.

CG 2/95