

This Calendar Item No. C44 was approved as Minute Item No. 44 by the California State Lands Commission by a vote of 3 to 0 at its 4-17-06 meeting.

CALENDAR ITEM
C44

A 4
S 1

04/17/06
PRC 4066 WP 4066.1
J. McComas

GENERAL LEASE- RECREATIONAL USE

APPLICANTS:

R. T. Nahas Company, Ronald C. Nahas, Successor Trustee under The Nahas Revocable Trust U/D/T December 30, 1985, Ronald C. Nahas, Robert W. Nahas, Randall E. Nahas, Rachelle (Shelly) N. Aldean, and Robin N. Stevenson

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing pier and boat lift previously authorized by the Commission and the retention of two mooring buoys not previously authorized by the Commission as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning December 12, 2005.

CONSIDERATION:

\$370 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 on the amount 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.

OTHER PERTINENT INFORMATION:

- 1. Applicants own the uplands adjoining the lease premises.

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2. On February 27, 1996, the Commission authorized a Recreational Pier Lease with Robert T. Nahas and Eva C. Nahas, Trustees under Revocable Trust Agreement dated December 30, 1985. That lease expired on December 11, 2005. Ownership of the uplands was transferred to R. T. Nahas Company; Ronald C. Nahas, Successor Trustee under The Nahas Revocable Trust U/D/T December 30, 1985; Ronald C. Nahas, Robert W. Nahas, Randall E. Nahas, Rachelle (Shelly) Aldean and Robin N. Stevenson. Applicants do not qualify for rent free status pursuant to Public Resources Code section 6503.5, because the Applicants do not own the upland property 100 percent as natural persons. Applicants are now applying for a new General Lease-Recreational Use.

3. **Existing Pier with Boat Lift:** 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.

4. **Two Mooring Buoys:** 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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(3).

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

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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 Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

EXISTING PIER WITH BOAT LIFT: 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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

TWO MOORING BUOYS: 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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(3).

SIGNIFICANT LANDS INVENTORY FINDING:

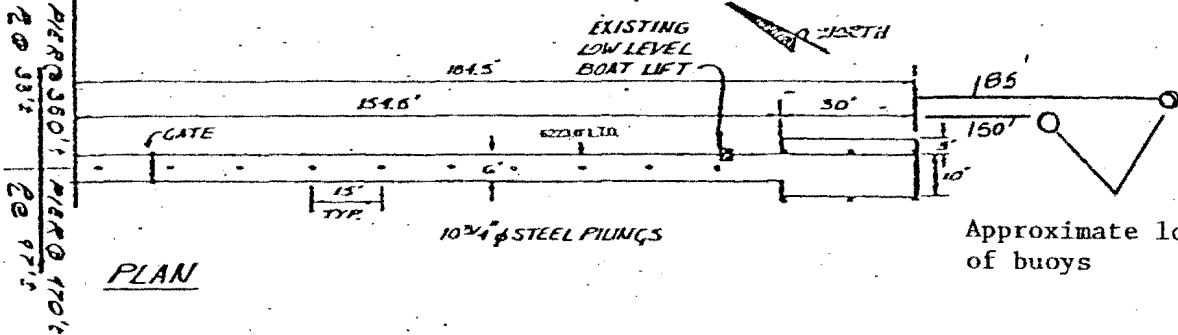
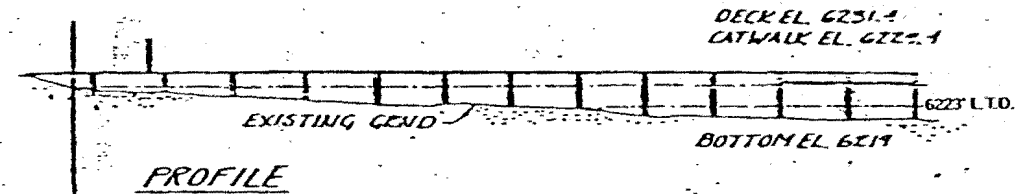
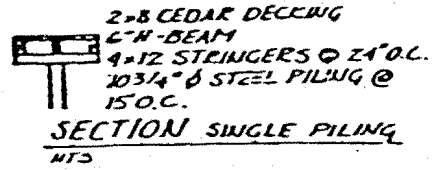
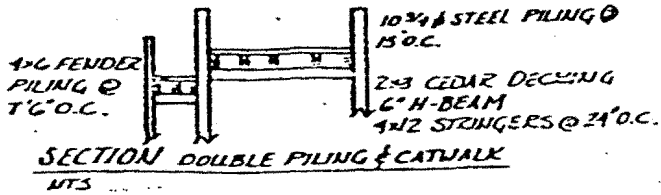
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO R. T. NAHAS COMPANY, RONALD C. NAHAS, SUCCESSOR TRUSTEE UNDER THE NAHAS REVOCABLE TRUST U/D/T DECEMBER 30, 1985, RONALD C. NAHAS, ROBERT W. NAHAS, RANDALL E. NAHAS, RACHELLE (SHELLY) N. ALDEAN, AND ROBIN N. STEVENSON OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING DECEMBER 12, 2005, FOR A TERM OF TEN YEARS,

CALENDAR ITEM NO. C44 (CONT'D)

FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND BOAT LIFT PREVIOUSLY AUTHORIZED BY THE COMMISSION AND THE RETENTION OF TWO MOORING BUOYS NOT PREVIOUSLY AUTHORIZED BY THE COMMISSION AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$370, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000.

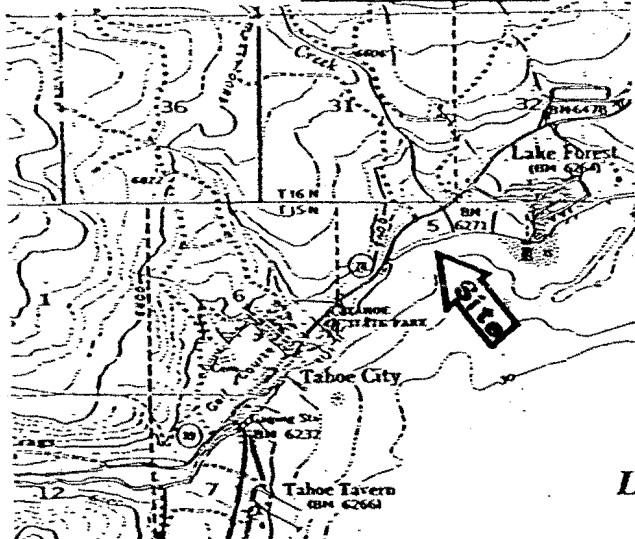


Approximate location of buoys

1870 & 1910 North Lake Blvd.

NO SCALE

LOCATION MAP



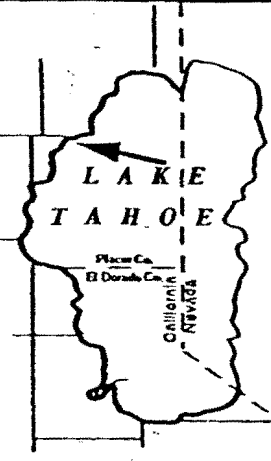
Lake Tahoe

NO SCALE

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.

EXHIBIT "A"

PRC 4066.1
APNs 094 - 160 - 016, 017
Lake Tahoe
PLACER COUNTY



JM 12/05