

MINUTE ITEM
This Calendar Item No. C23 was approved as
Minute Item No. 23 by the California State Lands
Commission by a vote of 2 to 0 at its
10-30-07 meeting.

CALENDAR ITEM
C23

A 4
S 1

10/30/07
PRC 5685 WP 5685.1
N. Lee

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Lake Forest Unit No. #3, Property Owners Association, Incorporated
3660 State Hwy. 28
Carnelian Bay, CA 96140

AREA, LAND TYPE, AND LOCATION:

0.94 acres, more or less, of sovereign lands in Lake Tahoe, Carnelian Bay,
Placer County.

AUTHORIZED USE:

Continued use and maintenance of a joint-use pier and 20 mooring buoys as
shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning September 23, 2007.

CONSIDERATION:

\$161 per year, 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: Combined single limit coverage of \$1,000,000.

Other:

The lease contains a provision which requires the Applicants to obtain
authorization from the Tahoe Regional Planning Agency (TRPA) for the
mooring buoys within two years after the adoption of the Lake Tahoe
Shorezone Amendments-Final Environmental Impact Statement (FEIS)
and approval of the ordinances based on the FEIS.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

CALENDAR ITEM NO. C23 (CONT'D)

2. On February 27, 1998, the Commission authorized a rent-free Recreational Pier Lease with Lake Forest Unit No. #3, Property Owners Association, Incorporated. This lease expired September 22, 2007. The Applicant is now applying for a new General Lease – Recreational Use.
3. The Applicant is a property owners association consisting of 45 member/lots. Of these member/lots, one is not owned by a natural person and does not qualify for rent-free status pursuant to section 6503.5 of the Public Resources Code. The rent for the pier and mooring buoys has been prorated according to the number of member/lots qualifying for rent-free status.
4. The Applicant has a buoy allocation program where the buoys are available on a “first come first served” basis and are for the use by members of the association and guests only.
5. 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.

6. 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.

APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

- A. Site and Location Map

CALENDAR ITEM NO. C23 (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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

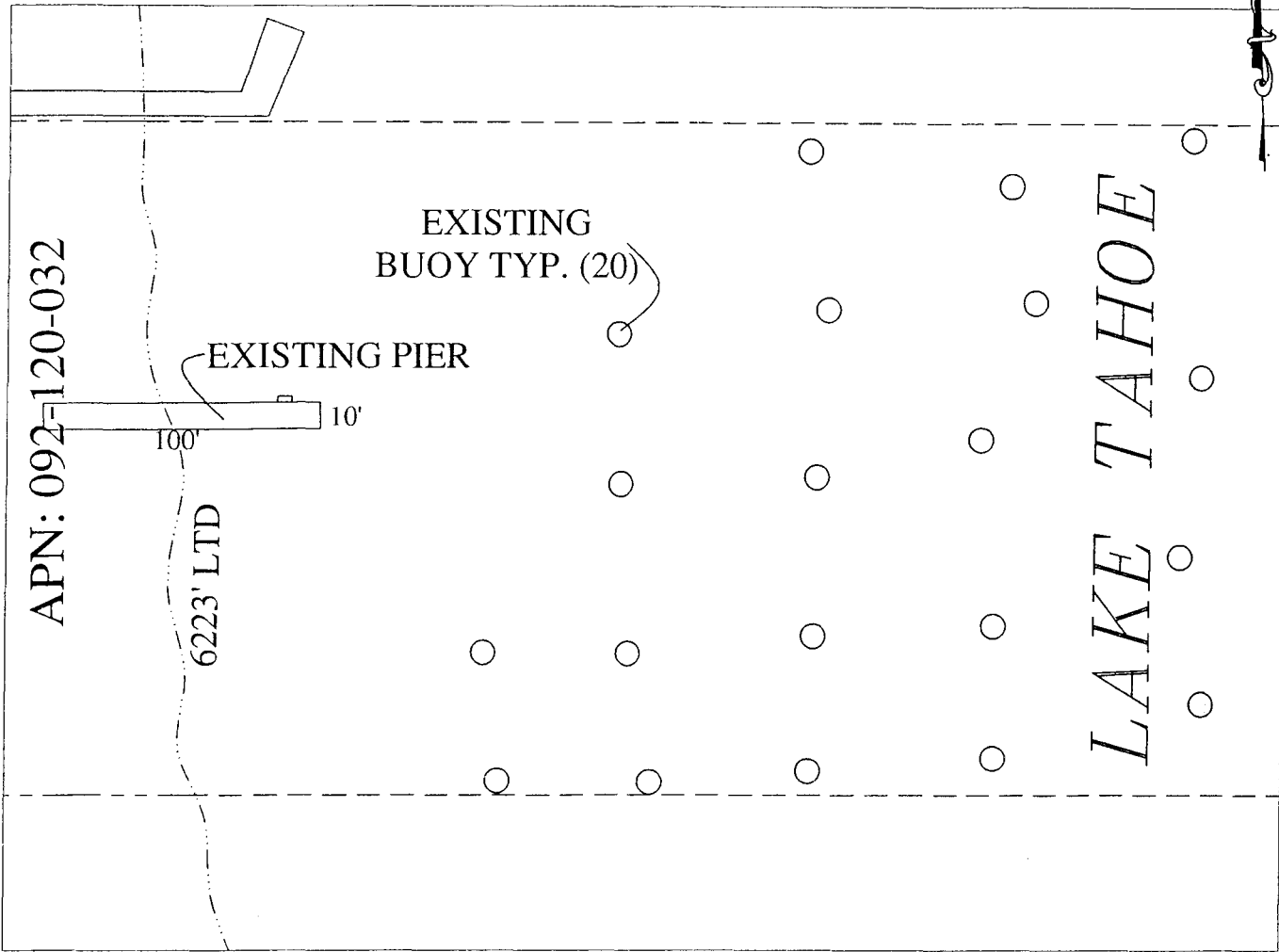
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO LAKE FOREST UNIT NO. #3, PROPERTY OWNERS ASSOCIATION, INCORPORATED, OF A GENERAL LEASE – RECREATIONAL USE, BEGINNING SEPTEMBER 23, 2007, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF A JOINT-USE PIER AND 20 MOORING BUOYS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$161, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000.

NO SCALE

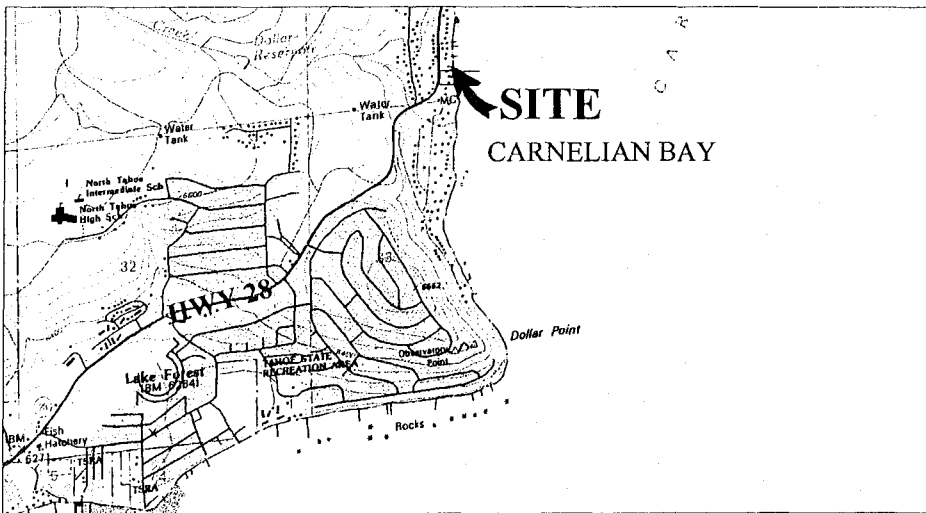
SITE



3670 North Lake Blvd.

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

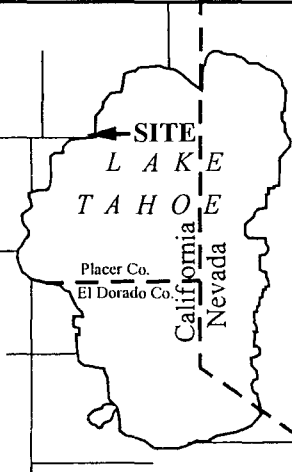
This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

CALENDAR PAGE

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Exhibit A

PRC 5685.1
 LAKE FOREST UNIT #3
 PROPERTY OWNERS ASSN., INC.
 APN: 092-120-032
 GENERAL LEASE
 RECREATIONAL USE
 PLACER COUNTY



MJF 9/27/07