

MINUTE ITEM
This Calendar Item No. C38 was approved as
Minute Item No. 38 by the California State Lands
Commission by a vote of 2 to 0 at its
10/30/07 meeting.

CALENDAR ITEM
C38

A 4
S 1

10/30/07
PRC 3682 WP 3682.1
B. Terry

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Tahoe III LLC
P.O. Box 456
Zephyr Cover, NV 89448

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning April 16, 2007.

CONSIDERATION:

\$675 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 in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On May 12, 1997, the Commission authorized a ten-year Recreational Pier Lease with Kenneth W. Hansen, Trustee of the Kenneth W. Hansen Revocable Living Trust. That lease expired on February 28, 2007. On April 16, 2007, the upland property was deeded to Tahoe III LLC, a Nevada Limited Liability Company. Applicant is now applying for a new General Lease – Recreational Use.

CALENDAR ITEM NO. C38 (CONT'D)

3. Applicant does not qualify for a rent-free Recreational Pier Lease pursuant to Public Resource Code section 6503.5 because the Applicant does not own the littoral property as a natural person.
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.

EXHIBIT:

- A. Site and Location Map

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.

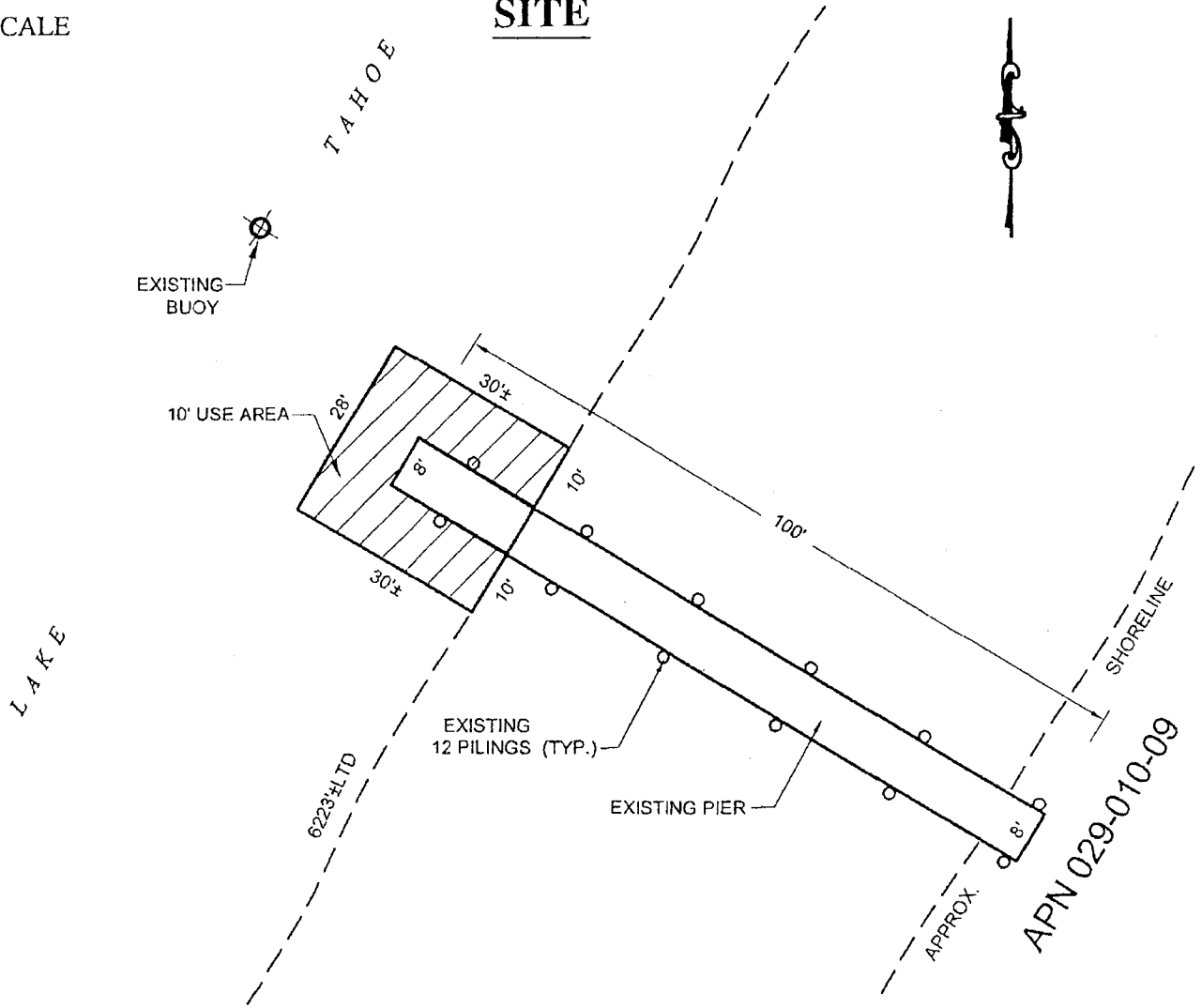
CALENDAR ITEM NO. C38 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO TAHOE III LLC, OF A GENERAL LEASE – RECREATIONAL USE, BEGINNING APRIL 16, 2007, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$675, 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.

NO SCALE

SITE



803 STATELINE AVENUE, SOUTH LAKE TAHOE

NO SCALE

LOCATION

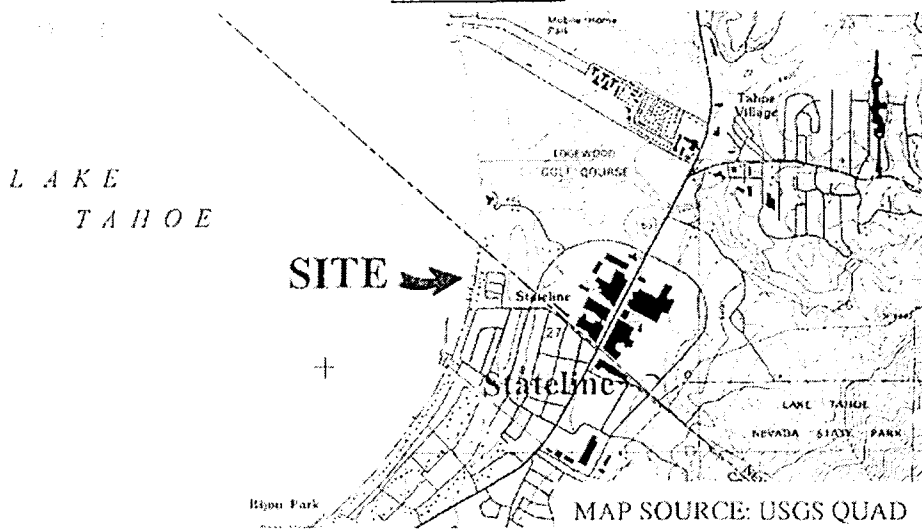
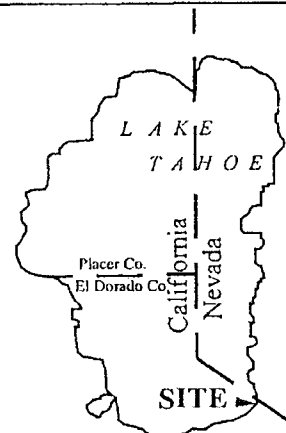


Exhibit A

PRC 3682.1
 TAHOE III LLC
 APN 029-010-09
 GENERAL LEASE
 RECREATIONAL USE
 EL DORADO CO.



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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