

**CALENDAR ITEM  
C44**

A 4  
S 1

08/14/12  
PRC 5856.1  
B. Terry

**REVISION OF RENT**

**LESSEE:**

Walsh Family LLC  
dba North Tahoe Marina, Inc.  
P.O. Box 189  
Tahoe Vista, CA 96148-0189

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Lake Tahoe, adjacent to 7360 North Lake Boulevard, Tahoe Vista, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of a commercial marina facility with fueling facility, pump out station, boat ramp, 30 boat slips, 48 mooring buoys, and two marker buoys.

**LEASE TERM:**

25 years, beginning June 5, 2005.

**CONSIDERATION:**

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the minimum annual rent be revised from \$11,900 per year to \$15,000 per year, against five percent of gross income derived from boat slips, boat rentals, mooring buoys, pump out, and launching; one and one-half cents per gallon of fuel sold annually on or over the Lease Premises to a maximum of 100,000 gallons, and two cents per gallon thereafter; and 10 percent of all other income, effective June 5, 2012

**OTHER PERTINENT INFORMATION:**

1. On December 14, 2006, the Commission authorized a General Lease – Commercial Use with the Walsh Family LLC, dba North Tahoe Marina, Inc., for the continued use, operation, and maintenance of a commercial

CALENDAR ITEM NO. **C44** (CONT'D)

marina facility known as North Tahoe Marina. That lease will expire on June 4, 2030.

2. The staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

**EXHIBITS:**

- A. Land Description
- B.-1 & B-2 Site and Location Maps

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the subject revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060 subdivision (c)(3), because the activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

**AUTHORIZATION:**

Approve the revision of the minimum annual rent for Lease No. PRC 5856.1 from \$11,900 per year to \$15,000 per year, effective June 5, 2012.

EXHIBIT A

PRC 5856.1

LAND DESCRIPTION

Fifty two (52) parcels of submerged land lying in the bed of Lake Tahoe, Placer County, State of California, said parcel being adjacent to Lots 28, 29, and 30, in Block "B" as shown on the map entitled "Tahoe Vista-Subdivision No. 1" filed in Book B of maps at page 10, records of said country, described as follows:

**PARCEL 1 – Marina**

Commencing at the intersection of the low water mark of Lake Tahoe between stations 462 and 463, as said low water mark is shown on map entitled "Survey of the Low Water Mark on the Shore of Lake Tahoe Vicinity of Tahoe Vista" filed for record in Book 2 of Survey at page 71, Placer County Records, with the southerly prolongation of the westerly line of said Lot 28; thence along said low water mark N 79°43'46" E, 10 feet more or less to the point of beginning, said point bears S 79°43'44" W, 37.02 feet from said station 463; thence S 27°00'00" E, 69.71 feet; thence N 83°18'10" E, 23.00 feet; thence S 14°02'10" E, 115.00 feet; thence N 75°57'50" E, 170.00 feet; thence N 13°00'24" W, 100.00 feet to said low water mark; thence westerly along said low water mark 264 feet more or less to the point of beginning.

**PARCEL 2 – Dredging Area**

Commencing at the intersection of the low water mark of Lake Tahoe between stations 462 and 463, as said low water mark is shown on map entitled "Survey of the Low Water Mark on the Shore of Lake Tahoe Vicinity of Tahoe Vista" filed for record in Book 2 of Survey at page 71, Placer County Records, with the southerly prolongation of the westerly line of said Lot 28; thence along said low water mark N 79°43'46" E, 10 feet more or less to the point of beginning, said point bears S 79°43'44" W, 37.02 feet from said station 463; thence S 27°00'00" E, 69.71 feet; thence N 83°18'10" E, 23.00 feet; thence S 14°02'10" E, 115.00 feet; thence N 75°57'50" E, 170.00 feet; thence S 29°42'07" E, 70.00 feet; thence N 64°39'36" E, 54.00 feet; thence N 26°15'51" W, 102.00 feet; thence N 45°25'34" W, 34.00 feet; thence N 70°37'14" W, 37.00 feet; thence N 13°00'00" W, 7.72 feet to said low water mark; thence westerly along said low water mark 264 feet more or less to the point of beginning.

**PARCELS 3 thru 52 - Buoys**

Fifty parcels of land, each being 40 feet in diameter and lying adjacent to the land described in the above-described PARCEL 1.

EXCEPTING THEREFROM any portion lying landward of elevation 6223' Lake Tahoe Datum.

Bearings used herein are based on the California Coordinate System Zone 2.

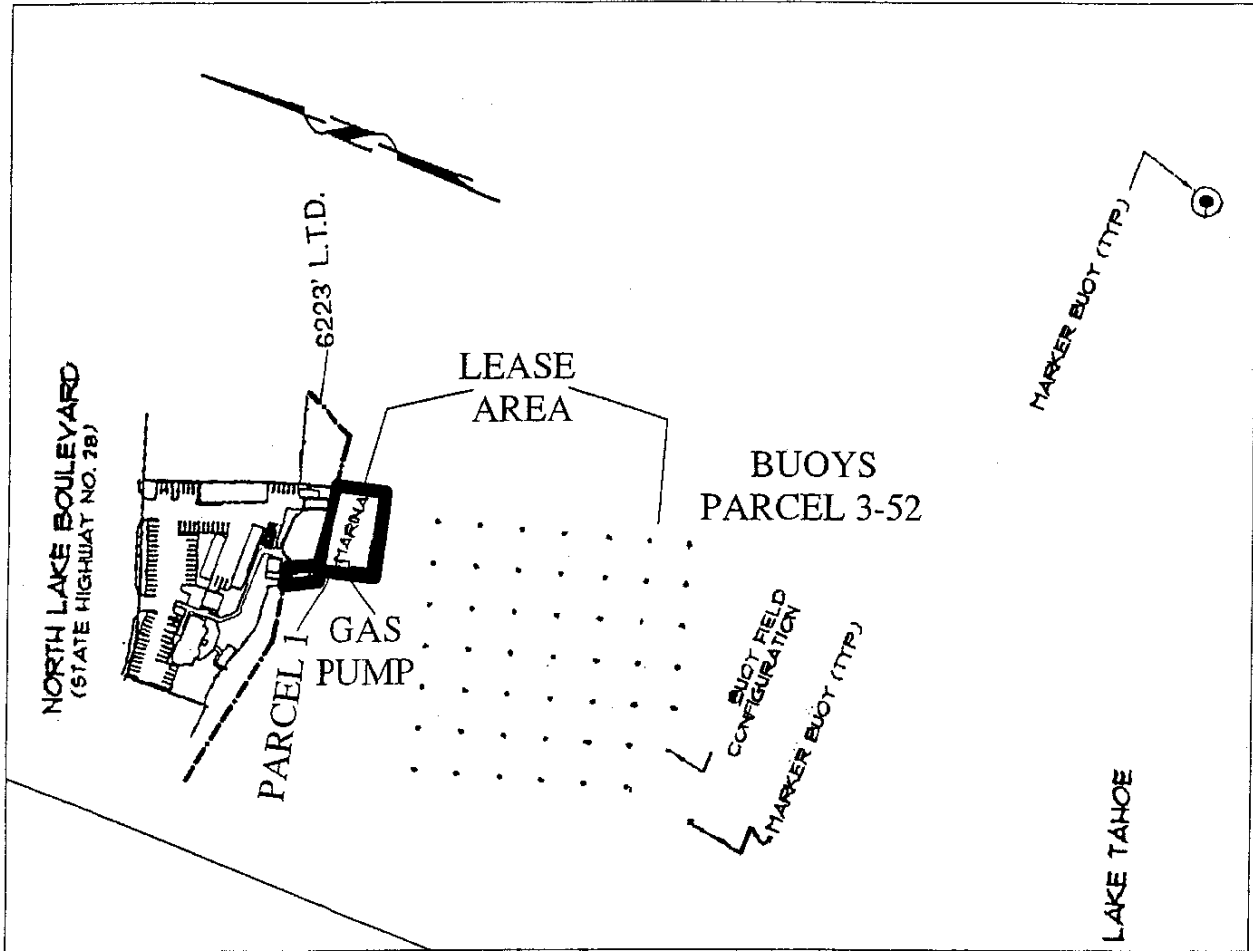
END OF DESCRIPTION

Revised June 2, 2011 by Boundary Staff



NO SCALE

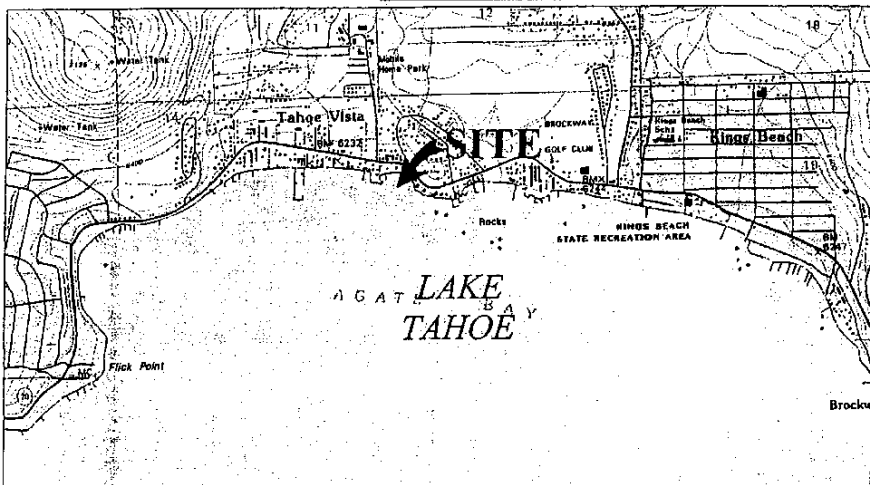
### SITE



7360 North Lake Boulevard, Tahoe Vista

NO SCALE

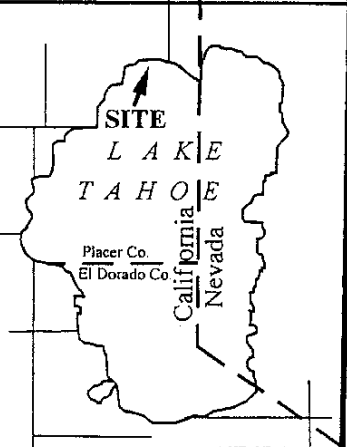
### LOCATION



MAP SOURCE: USGS QUAD

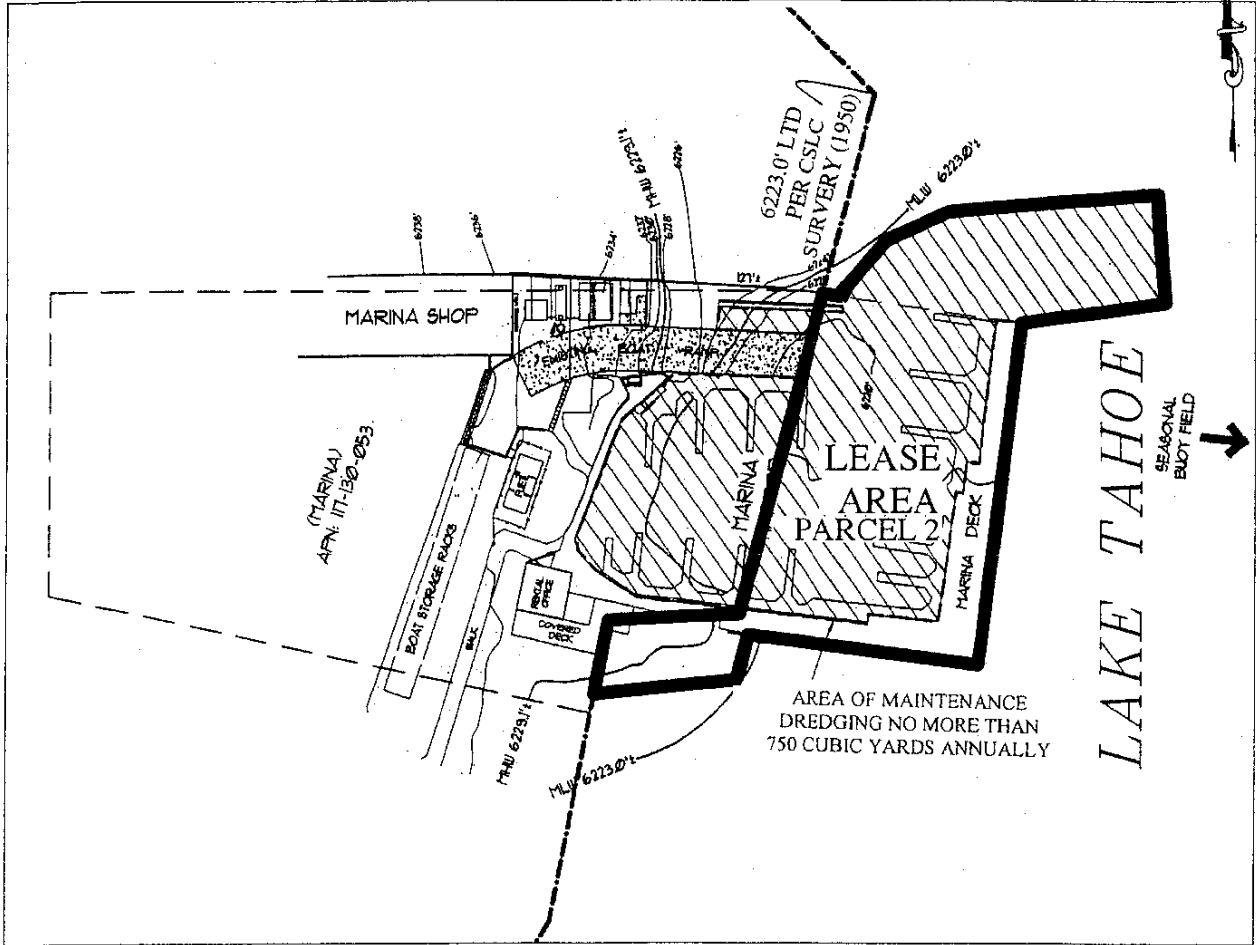
This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

**Exhibit B-1**  
 PRC 5856.1  
 WALSH FAMILY LLC  
 APN 117-130-053  
 GENERAL LEASE-  
 COMMERCIAL USE  
 PLACER COUNTY



NO SCALE

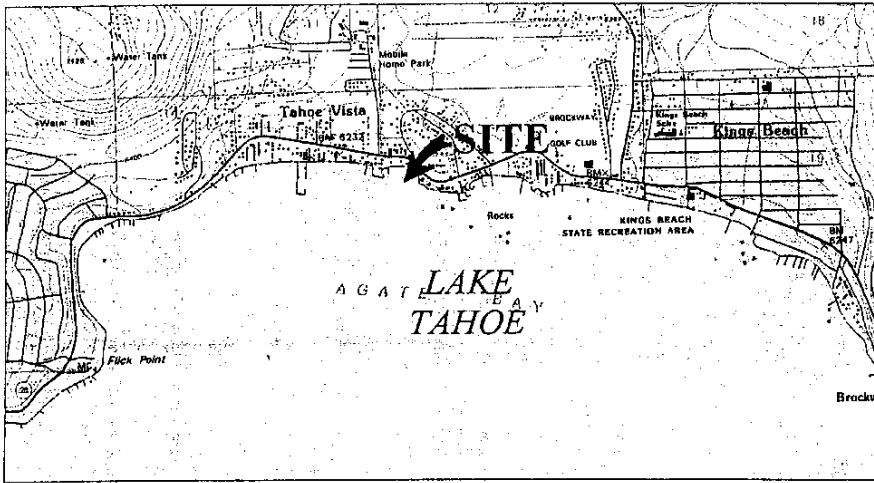
# SITE



7360 North Lake Boulevard, Tahoe Vista

NO SCALE

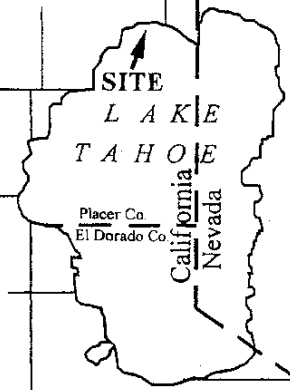
# LOCATION



MAP SOURCE: USGS QUAD

## Exhibit B-2

PRC 5856.1  
 WALSH FAMILY LLC.  
 APN 117-130-053  
 GENERAL LEASE -  
 COMMERCIAL USE  
 PLACER COUNTY



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