

**CALENDAR ITEM
C30**

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02/22/13
PRC 4878.1
W. Hall

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Norman W. Schlinger, Trustee of the Norman Warren Schlinger Living Trust,
dated April 17, 1995

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe adjacent to 5298 North Lake Boulevard, Tahoe
City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, open-sided boathouse with
boat lift, and two mooring buoys.

LEASE TERM:

10 years, beginning February 1, 2013.

CONSIDERATION:

\$2,324 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:

The proposed lease contains a provision requiring the Applicant to obtain
authorization from the Tahoe Regional Planning Agency (TRPA) for the
mooring buoys within two years of the adoption of a Final Environmental
Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance
Amendments and approval of the amended ordinances. This is a
continuation of the process the Commission used from approximately
1995 to October 2008 when TRPA adopted an FEIS and Ordinance
Amendments supported by the FEIS. In September 2010, the U.S. District
Court invalidated the FEIS and nullified the Amendments. When
additional information is available, Commission staff will advise the

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Commission on any suggested modifications to the process used by the Commission pending resolution of the TRPA FEIS and ordinance issues.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland parcel adjoining the lease premises.
2. On February 21, 2003, the Commission authorized a Recreational Pier Lease with Norman W. Schlinger, Trustee of the Norman Warren Schlinger Living Trust, dated April 17, 1995, for an existing pier, open-sided boathouse, boat lift, and two mooring buoys. That lease expires on January 31, 2013. Applicant is now applying for a new General Lease - Recreational Use.
3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a

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categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Norman W. Schlinger, Trustee of the Norman Warren Schlinger Living Trust, dated April 17, 1995, beginning February 1, 2013, for a term of 10 years, for the continued use and maintenance of a pier, open-sided boathouse with boat lift, and two mooring buoys described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$2,324, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in the amount of no less than \$1,000,000.

EXHIBIT A

PRC 4878.1

LAND DESCRIPTION

Three parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 2 of fractional Section 22, Township 16 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California, more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, open-sided boathouse and boat lift lying adjacent to those parcels described in Grant Deed recorded March 8, 2001 as Document Number 2001-0019534 in Official Records of said County.

TOGETHER WITH a ten foot impact area.

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

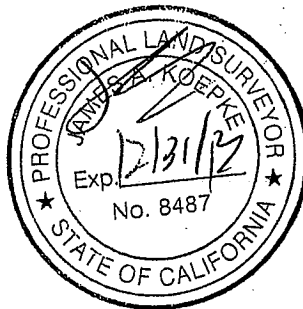
PARCEL 2 & 3 – BUOYS

Two circular parcels of land, being 50 feet in diameter, underlying two existing buoys lying adjacent to those parcels described in Grant Deed recorded March 8, 2001 as Document Number 2001-0019534 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 10/31/2012 by the California State Lands Commission Boundary Unit.



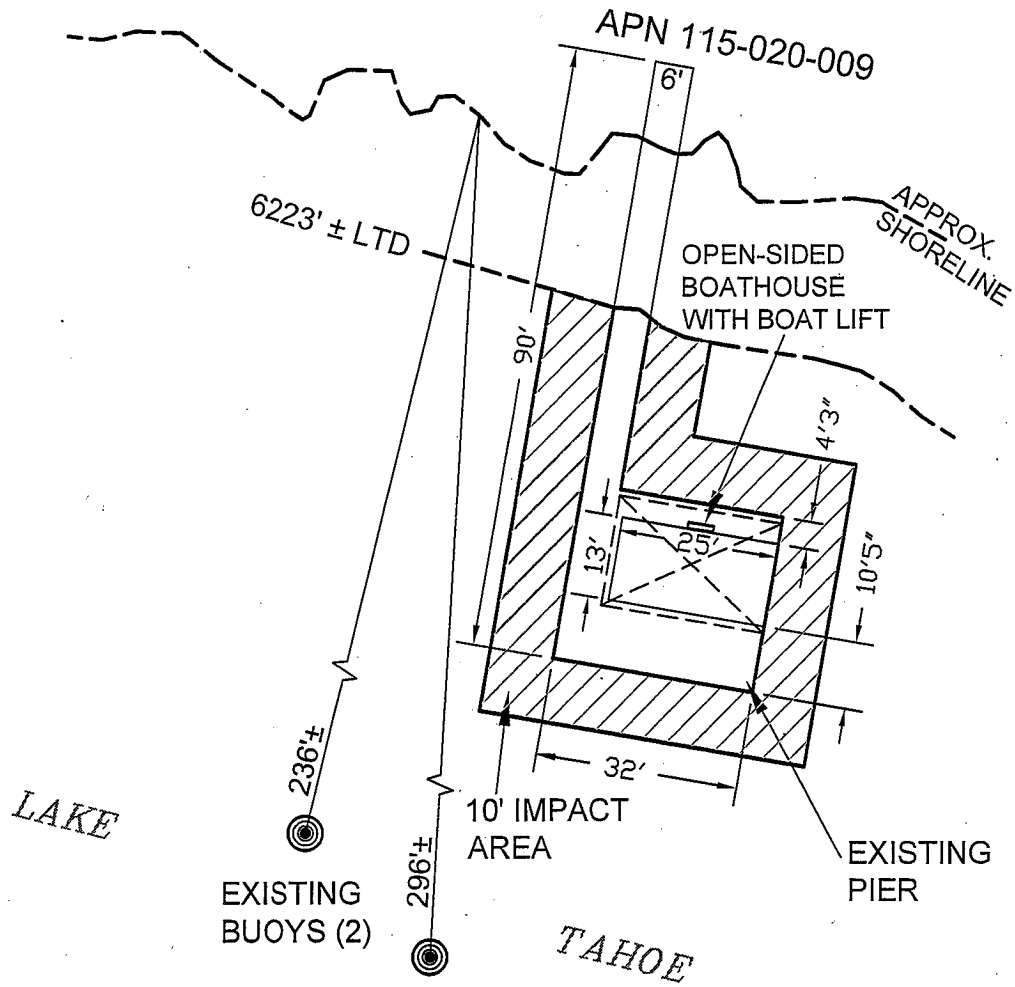


EXHIBIT A

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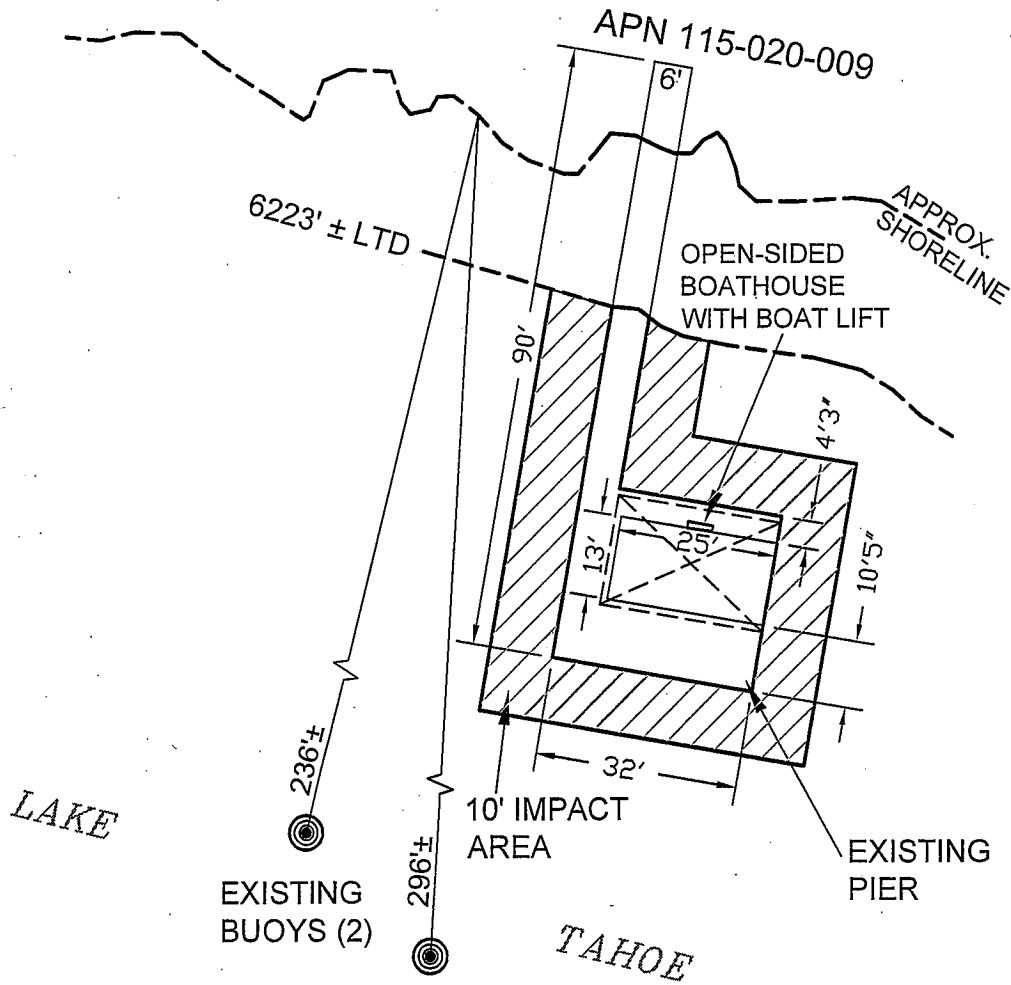
LAND DESCRIPTION PLAT
PRC 4878.1, SCHLINGER
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

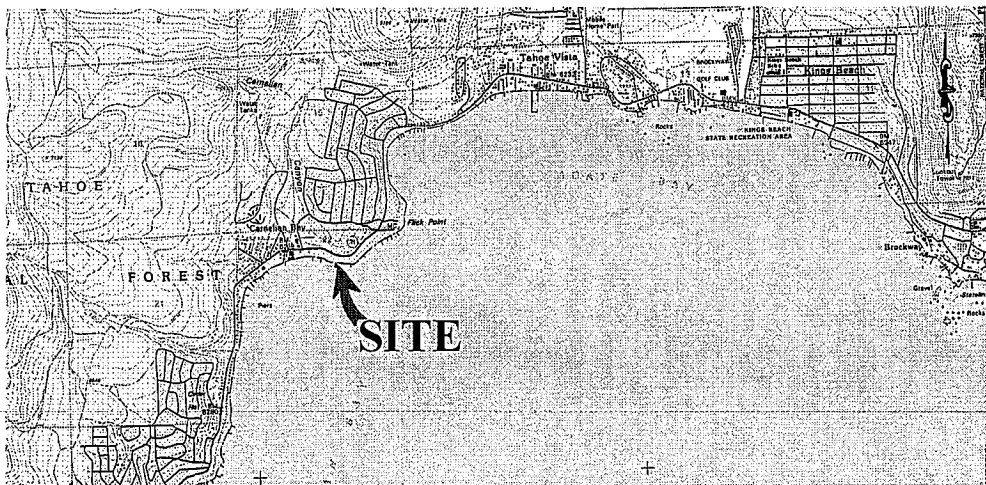
SITE



5298 NORTH LAKE BLVD., CARNELIAN BAY

NO SCALE

LOCATION

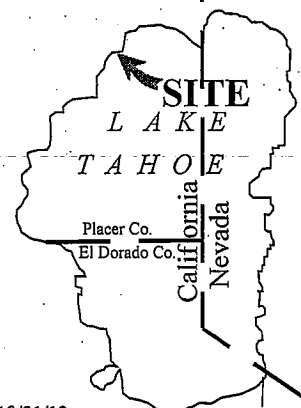


MAP SOURCE: USGS QUAD

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

PRC 4878.1
 SCHLINGER
 APN 115-020-009
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



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