

**CALENDAR ITEM  
C35**

A 1  
S 1

02/21/14  
PRC 4195.1  
B. Terry

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Brockway Shores

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

Sovereign land in Lake Tahoe, adjacent to 144 Chipmunk Street, near Brockway, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier, 20 mooring buoys, and two marker buoys.

**LEASE TERM:**

10 years, beginning September 28, 2013.

**CONSIDERATION:**

\$8,863 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 an amount no less than \$2,000,000 per occurrence.

Other:

Buoy Allotment Program: The use of the buoy field will be made available to all members of the Brockway Shores Homeowners Association (Association) in a fair and equitable manner. A buoy allotment program must be maintained during the lease term that will identify how the buoys will be managed, maintained, and distributed for use by the Association.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On October 6, 2004, the Commission authorized a 10-year General Lease – Recreational Use with Brockway Shores. That lease expired on

CALENDAR ITEM NO. **C35** (CONT'D)

September 27, 2013. Applicant is now applying for a General Lease – Recreational Use.

3. The 20 mooring buoys were permitted by the Tahoe Regional Planning Agency on June 13, 1995.
4. The staff recommends that the Commission find 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.

5. 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 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.

CALENDAR ITEM NO. **C35** (CONT'D)

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to Brockway Shores, beginning September 28, 2013, for a term of 10 years, for the continued use and maintenance of an existing pier, 20 mooring buoys, and two marker buoys as 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 \$ \$8,863 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 an amount no less than \$2,000,000 per occurrence.

**EXHIBIT A**

**PRC 4195.1**

**LAND DESCRIPTION**

Two (2) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 7 fractional Section 19, Township 16 North, Range 18 East, MDM., as shown on Official Government Township Plat approved January 24, 1875, County of Placer, State of California, and more particularly described as follows:

**PARCEL 1 – PIER**

All those lands underlying an existing pier lying adjacent to those Parcels as described in that Quitclaim Deed recorded January 11, 1973 in Volume 1465, Page 406 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

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

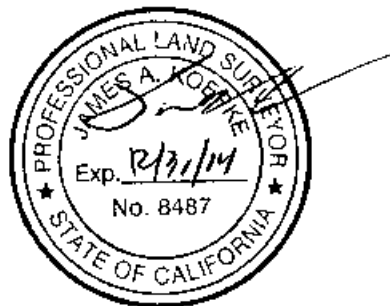
**PARCEL 2 – BUOY FIELD- (CONTAINING 20 MOORING BUOYS AND 2 MARKER BUOYS)**

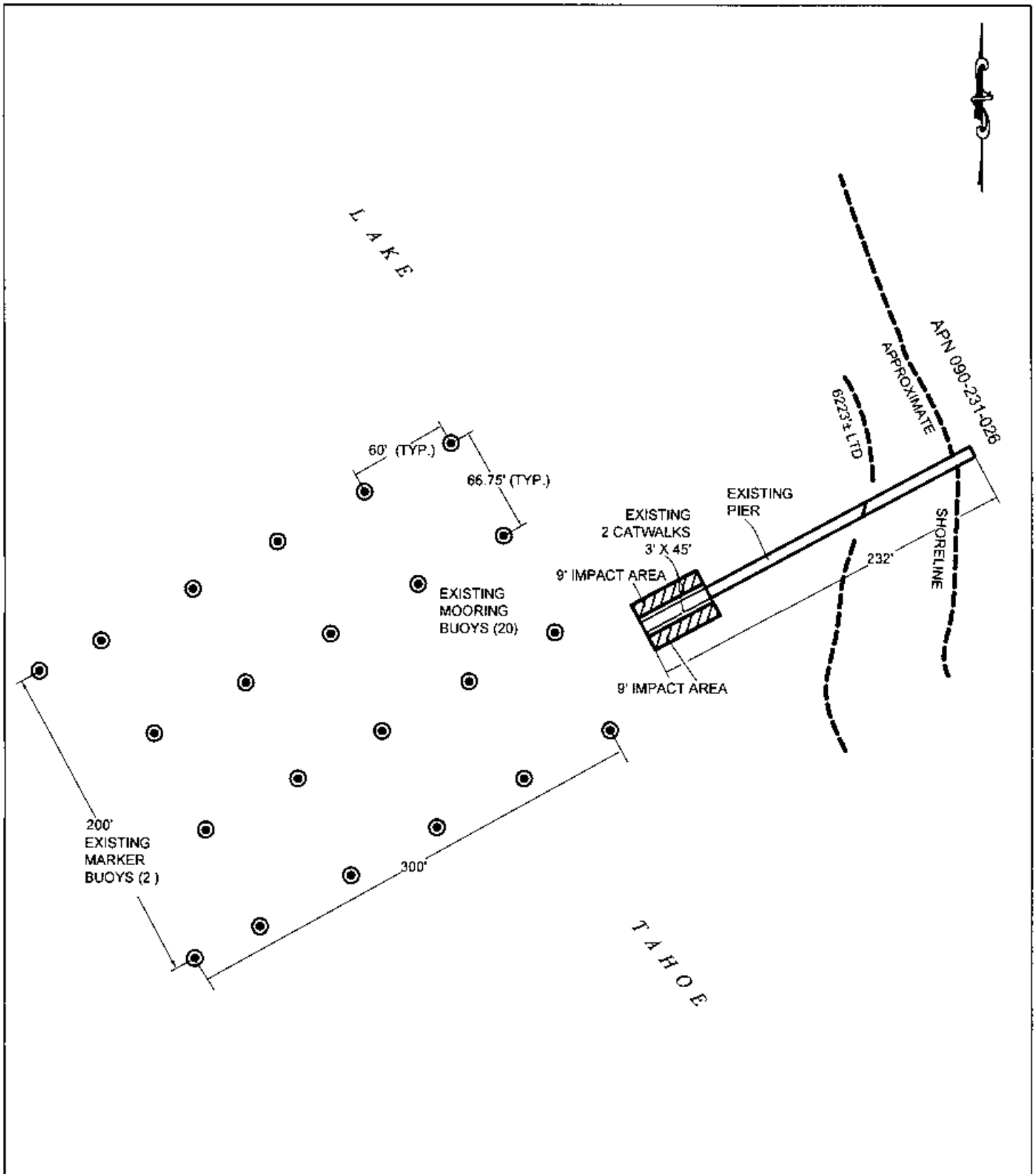
A buoy field measuring 200 feet by 300 feet in area, underlying twenty-two (22) existing buoys lying adjacent to said Parcels.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared January 29, 2014 by the California State Lands Commission Boundary Unit.





# EXHIBIT A

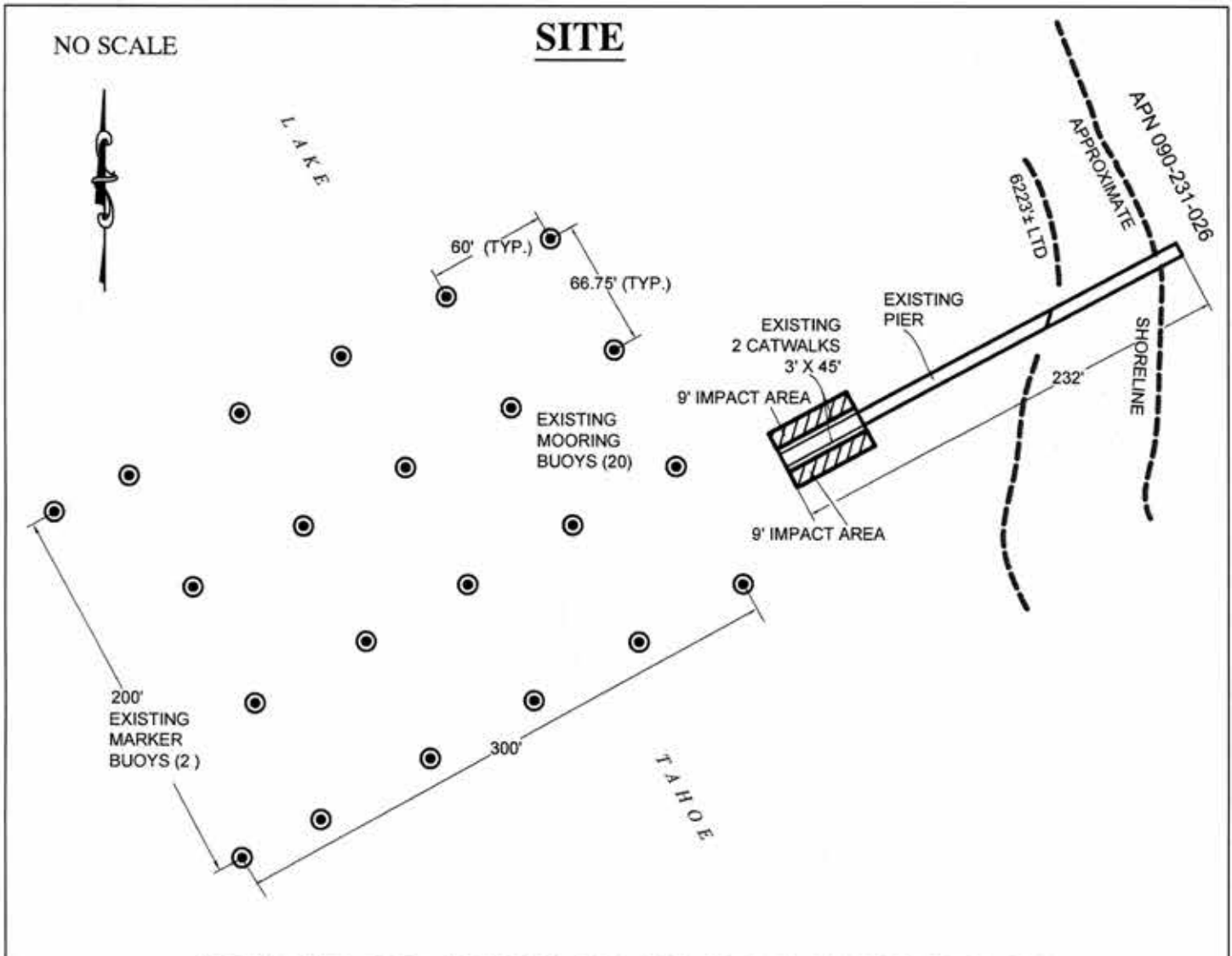
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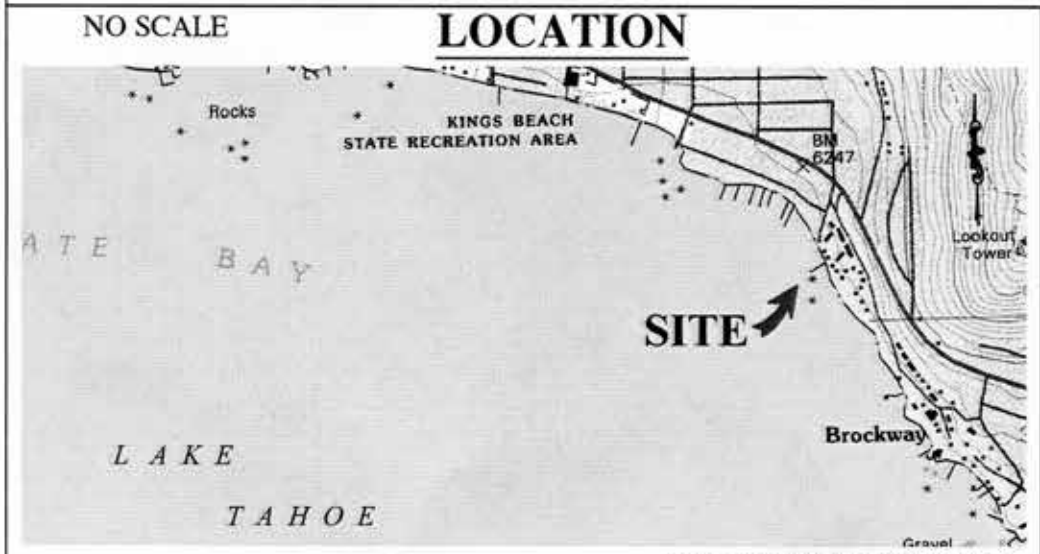
LAND DESCRIPTION PLAT  
 PRC 4195.1, BROCKWAY SHORES  
 PLACER COUNTY

CALIFORNIA STATE  
 LANDS COMMISSION





ADJACENT TO APN 090-231-026, NEAR KINGS BEACH



MAP SOURCE: USGS QUAD

**Exhibit B**  
 PRC 4195.1  
 BROCKWAY SHORES  
 APN 090-231-026  
 GENERAL LEASE -  
 RECREATIONAL USE  
 PLACER COUNTY



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.