

**CALENDAR ITEM  
C16**

A 1  
S 1

12/17/14  
PRC 8560.1  
B. Terry

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Tahoya Shores Condominium Association  
7610 North Lake Boulevard  
Tahoe Vista, CA 96148

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

Sovereign land in Lake Tahoe, adjacent to 7610 North Lake Boulevard, Tahoe Vista, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of five existing mooring buoys.

**LEASE TERM:**

10 years, beginning October 6, 2014.

**CONSIDERATION:**

\$1,885 per year, with an annual Consumer Price Index adjustment.

**SPECIFIC LEASE PROVISIONS:**

Insurance:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

Other:

1. 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 after 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 Commission on any suggested modifications to the

CALENDAR ITEM NO. C16 (CONT'D)

process used by the Commission pending resolution of the TRPA FEIS and amended ordinance issues.

2. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining authorizations from TRPA or any other regulatory agency for the improvements authorized by the Commission.
3. Buoy Allotment Program: The use of the buoys will be made available to all members of the Tahoya Shores Condominium 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 to Tahoya Shores Condominium Association. That lease expired on October 5, 2014. The Applicant is now applying for a General Lease – Recreational Use.
3. There is an existing joint-use pier located adjacent to the Applicant's littoral parcel that is authorized under Lease No. PRC 7954.1 to Tahoya Shores Condominium Association and Red Wolf Lakeside Lodge.
4. 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.

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.

CALENDAR ITEM NO. **C16** (CONT'D)

**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.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to Tahoya Shores Condominium Association, beginning October 6, 2014, for a term of 10 years, for the continued use and maintenance of five existing mooring 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 \$1,885 with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 8560.1**

**LAND DESCRIPTION**

Five (5) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 5 of fractional Section 36, Township 15 North, Range 16 East, MDM., as shown on Official Government Township Plat approved April 11, 1884, County of Placer, State of California, and more particularly described as follows:

PARCELS 1, 2, 3, 4 & 5 – BUOYS (5)

All those lands underlying those existing five (5) buoys lying adjacent to those parcels as described in that Easement Deed recorded August 2, 1971 as Book 1365 Page 284 of Official Records of said County.

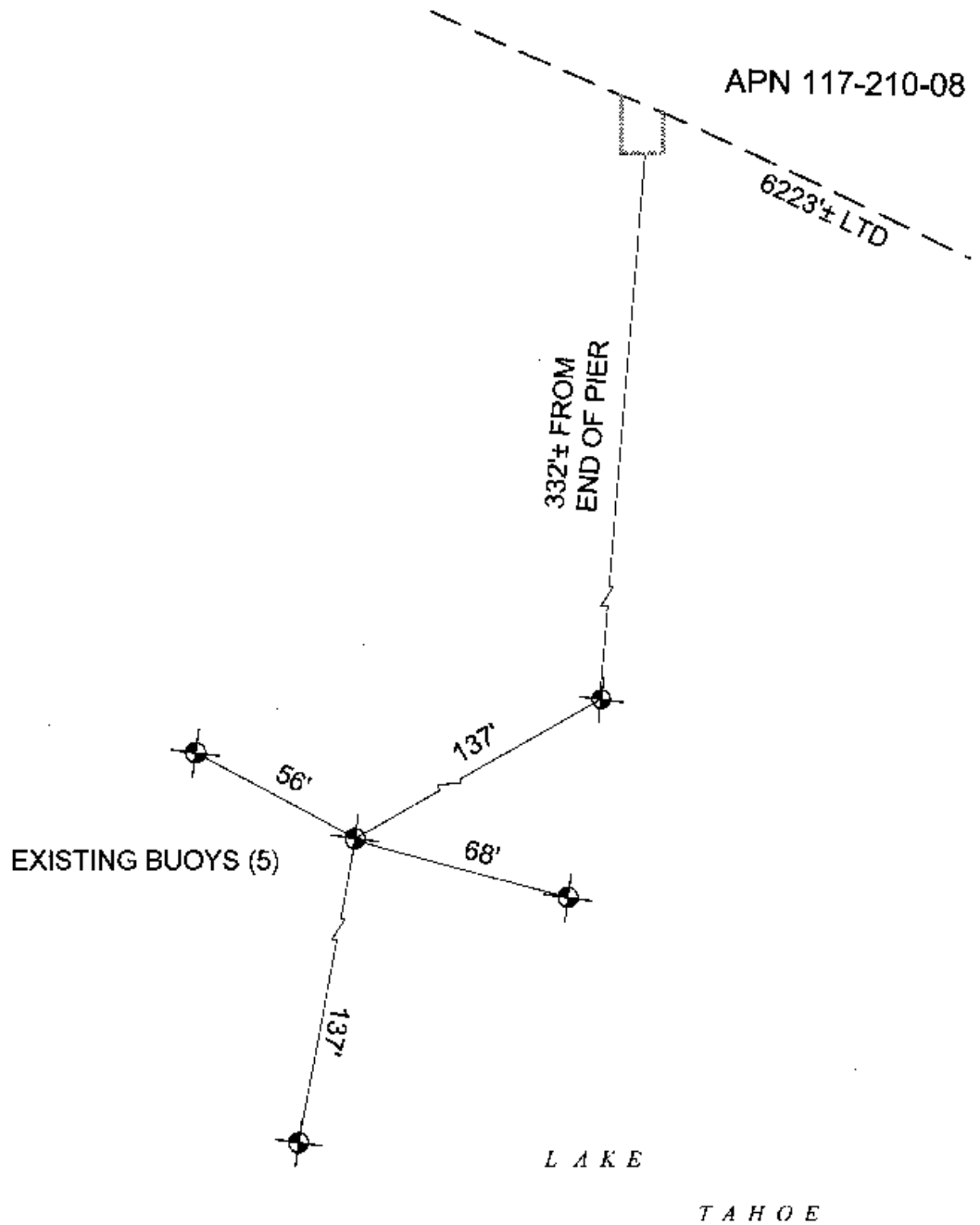
EXCEPTING THEREFROM any portion(s) lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

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





# EXHIBIT A

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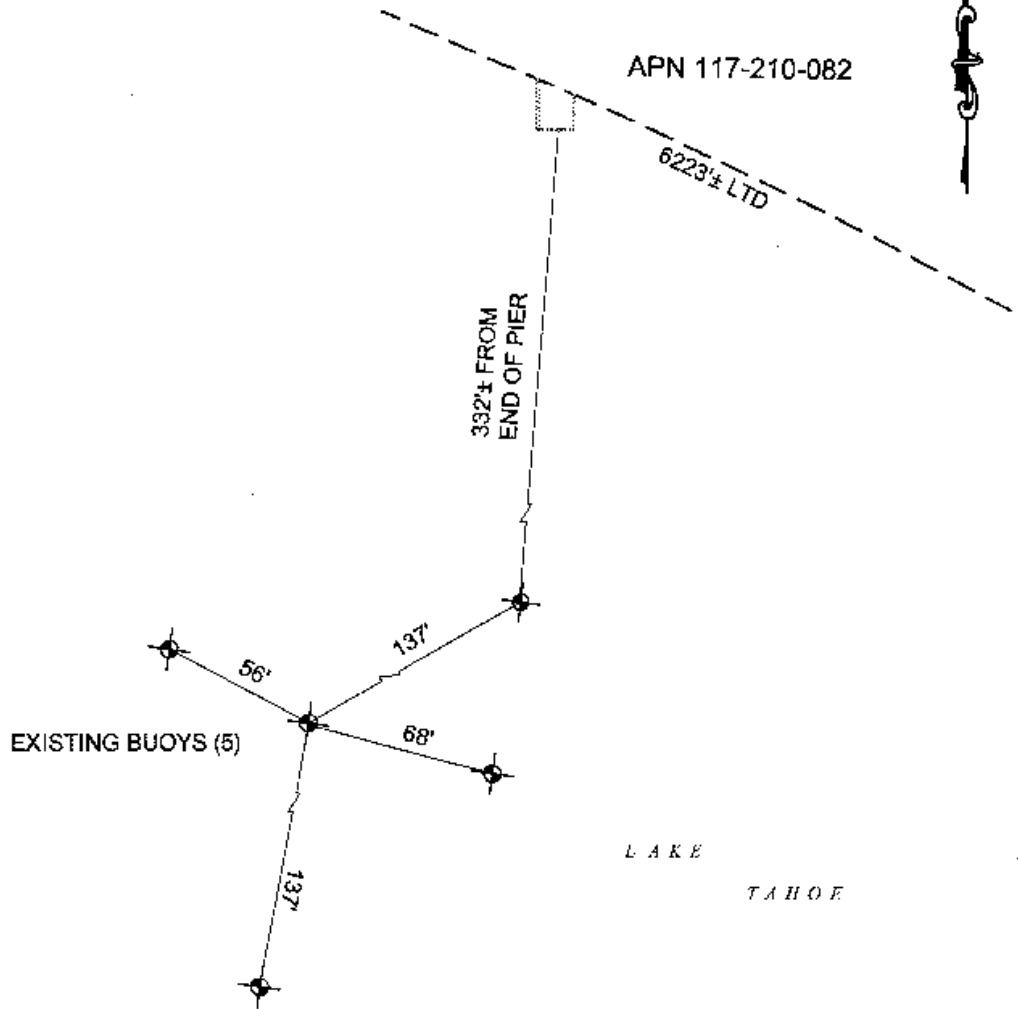
LAND DESCRIPTION PLAT  
PRC 8560.1, TAHOYA SHORES  
CONDOMINIUM ASSOC.  
PLACER COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

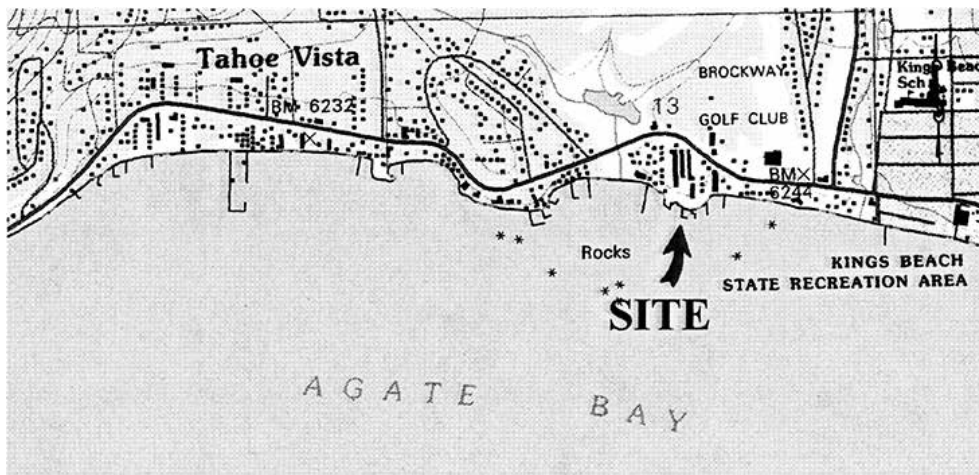
# SITE



7610 NORTH LAKE BLVD., NEAR TAHOE VISTA

NO SCALE

# LOCATION

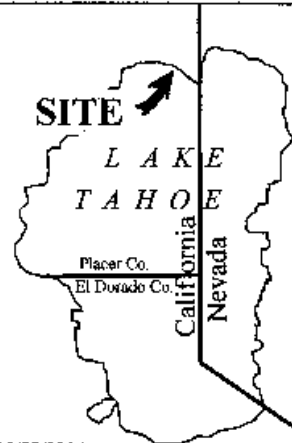


MAP SOURCE: USGS QUAD

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

PRC 8560.1  
 TAHOYA SHORES  
 CONDOMINIUM ASSOC.  
 APN 117-210-082  
 GENERAL LEASE -  
 RECREATIONAL USE  
 PLACER COUNTY



MJJ 10/22/2014