

MINUTE ITEM

This Calendar Item No. C05
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 3
to 0 at its 2/23/84
meeting.

CALENDAR ITEM

C 0 5

2/23/84
WP 1691
Gordon

SECOND AMENDMENT OF
NON-COMMERCIAL LEASE PRC 1691.1

APPLICANT: The Brockway Club
c/o Leonard Frierman
8383 Wilshire Boulevard, Suite 610
Beverly Hills, California 90211

AREA, TYPE LAND AND LOCATION:
A 0.182-acre parcel, a 0.036-acre parcel,
a 0.347-acre parcel, and 15 circular parcels,
each 40 feet in diameter that together
total 0.433 acre, which compose an aggregate
of 0.998 acre of submerged lands in Agate
Bay, Lake Tahoe at Brockway, Placer County.

LAND USE: Construction, reconstruction, placement,
maintenance and operation of one pier with
three floating docks, a hot spring deck
and breakwater, a swim area with a swim
line and swim float, and 15 mooring buoys,
respectively, for non-commercial multiple-use
recreational purposes.

TERMS OF ORIGINAL LEASE:
Initial period: 15 years from April 20,
1956.
Renewal options: Two successive periods
of ten years each.
Surety bond: \$1,000.00.
Consideration: \$30.00 per annum for
a pier and breakwater.

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TERMS OF FIRST AMENDED LEASE DURING FIRST RENEWAL PERIOD:
Initial period: Ten years from April 20,
1971.

Renewal options: One successive period
of ten years.

Surety bond: \$3,000.00.

Public liability insurance: \$800,000.00
per occurrence for bodily
injury and \$200,000.00
for property damage,
or combined single limit
coverage of \$1,000,000.00.

Special:

1. The amendment increased
the rental, insurance
coverage, area of use,
and brought the provisions
for monetary consideration
and standard covenants
into conformance with
current regulations and
policies.

2. The amendment was
entered into by both
parties without prejudice
to their respective claims
of boundary.

3. All other terms and
conditions of the lease
remained in full force
and effect.

CONSIDERATION: One pier - \$70.00 per annum; other structures
and buoys - no fee pursuant to the provisions
of PRC Section 6503.5, with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

TERMS OF LEASE DURING SECOND RENEWAL PERIOD:

Initial period: Ten years from April 20,
1981.

Surety bond: \$3,000.00.

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Public liability insurance: \$800,000.00
per occurrence for bodily
injury and \$200,000.00
for property damage,
or combined single limit
coverage of \$1,000,000.00.

CONSIDERATION: One pier - \$70.00 per annum; other structures
and buoys - no monetary fee pursuant to
the provisions of PFC Section 6503.5, with
the State reserving the right to fix a
different rental on each fifth anniversary
of the lease.

TERMS OF PROPOSED SECOND AMENDMENT:

Initial period: Ten years from April 20,
1981.

Surety bond: \$3,000.00.

Public liability insurance: \$800,000.00
per occurrence for bodily
injury and \$200,000.00
for property damage,
or combined single limit
coverage of \$1,000,000.00.

Special: 1. The amendment adds
a hot spring deck and
breakwater, a swim area,
a swim line, a swim float
and four mooring buoys.
It also increases the
rental and brings the
standard covenants into
conformance with current
regulations and policies.

2. All other terms and
conditions of the lease
and first amendment remain
in full force and effect.

Consideration: \$141.75 per annum as
to a hot spring deck
and a breakwater, and
\$600.00 per annum as
to a swim area and related
swim facilities; no monetary

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fee is required for a pier, three floating docks, and 15 mooring buoys pursuant to the provisions of PRC Section 6503.5, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

11/4/84.

OTHER PERTINENT INFORMATION:

1. These facilities are utilized to accommodate the owners, tenants, and guests of the condominium complexes located on the adjacent upland.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2905, Class 1(2) which exempts existing facilities and Class 3(1),(3) and (4) which exempts new construction of small structures such as a hot spring deck, a swim float and buoys.
3. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "B" which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.

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APPROVALS OBTAINED:

Tahoe Regional Planning Agency, United States Army Corps of Engineers, California Department of Fish and Game, and Lahontan Regional Water Quality Control Board.

FURTHER APPROVALS REQUIRED:

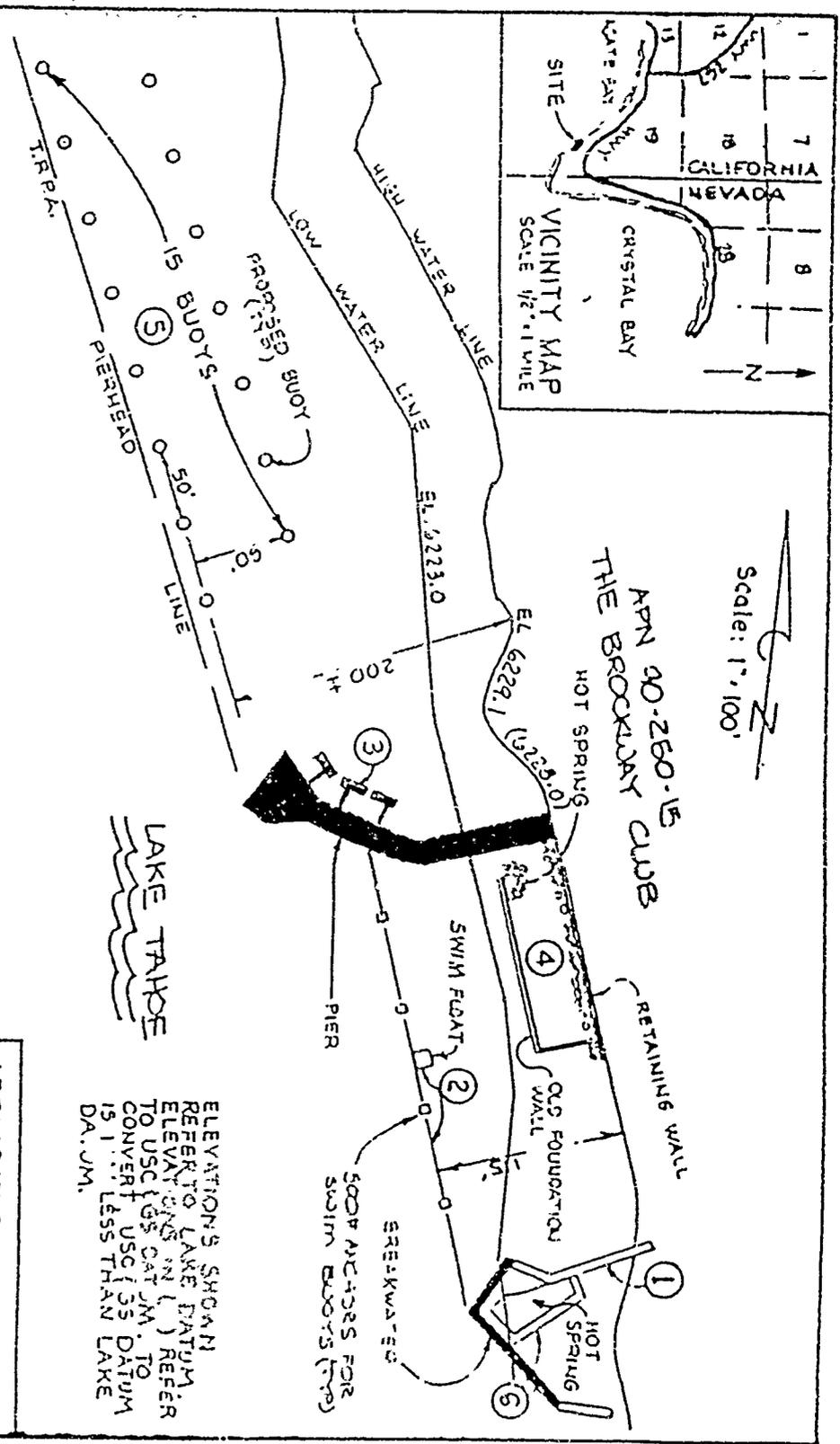
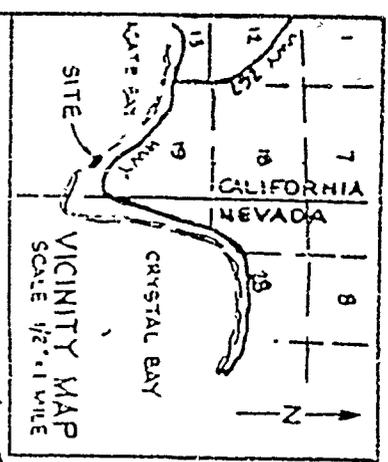
California Tahoe Regional Planning Agency and County of Placer.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO P.R.C. 21084, 14 CAL. ADM. CODE 15300, ET SEQ., AND/OR 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH THE LAND'S USE CLASSIFICATION.
2. AUTHORIZE THE SECOND AMENDMENT OF NON-COMMERCIAL LEASE PRC 1691.1, EFFECTIVE APRIL 20, 1984, TO ADD A HOT SPRING DECK, A BREAKWATER, A SWIM AREA, A SWIM LINE, A SWIM FLOAT AND FOUR MOORING BUOYS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$141.75 AS TO THE HOT SPRING DECK AND BREAKWATER AND \$600.00 AS TO THE SWIM AREA AND RELATED SWIM FACILITIES, AND THE EXEMPTION OF RENT PURSUANT TO THE PROVISIONS OF PRC SECTION 6503.5 FOR THE ADDITIONAL QUALIFYING FACILITIES; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; WITH PROVISION OF A \$3,000.00 SURETY BOND; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$800,000.00 PER OCCURRENCE FOR BODILY INJURY AND \$200,000.00 FOR PROPERTY DAMAGE, OR FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000.00; FOR CONSTRUCTION, RECONSTRUCTION, PLACEMENT, MAINTENANCE AND OPERATION OF ONE PIER WITH THREE FLOATING DOCKS, A HOT SPRING DECK AND BREAKWATER, A SWIM AREA WITH A SWIM LINE AND SWIM FLOAT, AND 15 MOORING BUOYS ON THE LAND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.



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APPLICANT SEEKS AUTHORIZATION FOR:

- ① RETAINING EXISTING WALKWAY
- ② SEASONAL PLACEMENT OF 10' x 10' SWIM FLOAT & SWIM LINES
- ③ SEASONAL PLACEMENT OF 3 FLOATING BOAT LANE UGS
- ④ REMOVAL OF OLD FOUNDATION WALL & PLACEMENT OF BANK PROTECTION
- ⑤ RELOCATION OF 11 EXISTING BUOYS AND ADDITION OF 4 BUOYS
- ⑥ CONSTRUCT DECKS AROUND EXISTING HOT SPRING ENCLOSURE FOR ENHANCED ACCESS.

APRIL 4, 1983
REVISED:
JUNE 3, 1983

7164 01

APPLICATION TO RETAIN
& MODIFY SHORELINE
RECREATIONAL FACILITIES
AT
LAKE TAHOE, CALIF.
BROCKWAY SPRINGS
OF TAHOE
FOR
THE BROCKWAY CLUB
2656 BRIDGEWAY BLVD
SAUSALITO, CALIF 94965

EXHIBIT "A"
LAND DESCRIPTION

SP 1691

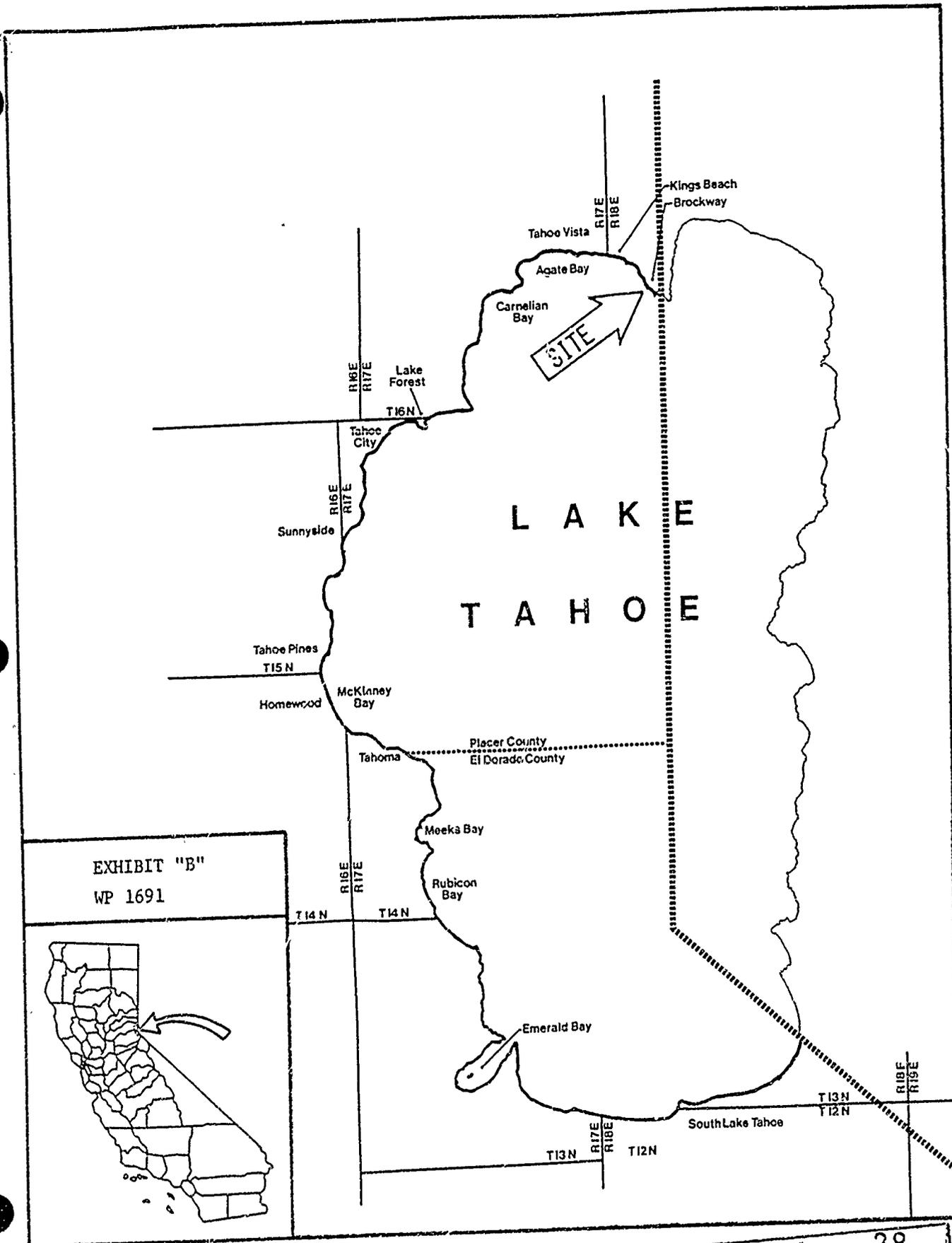


EXHIBIT "B"
WP 1691

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