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12/19/85

CALENDAR ITEM

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12/19/85
WP 5856 PRC 5856
J. Ludlow

GENERAL PERMIT - COMMERCIAL USE

APPLICANT: North Tahoe Lands, a California Partnership
P. O. Box 7740
Tahoe City, California 95730

AREA, TYPE LAND AND LOCATION: A 1.585-acre parcel of submerged land, located in Lake Tahoe, Placer County.

LAND USE: Operation of a commercial marina.

TERMS OF PROPOSED PERMIT:
Initial period: 20 years beginning June 5, 1985.

Public liability insurance: Combined single limit coverage of \$500,000.

CONSIDERATION: Minimum annual rental of \$750, against five percent of gross income derived from the rental of boat docks and mooring; one cent per gallon of fuel sold during the reporting period to a maximum of 100,000 gallons and one and one-half cents per gallon thereafter, 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.

APPLICANT STATUS:
Applicant is owner of upland.

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| C. REVISED PAGE | 51 |
| MINUTE PAGE | 3511 |

CALENDAR ITEM NO. C 1 2 (CONT'D)

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and first year's minimum annual rental has 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: 01/25/86.

OTHER PERTINENT INFORMATION:

1. The subject property was leased to La Reserve, Inc. dba Alpine Marina, for a 20-year term beginning May 6, 1983, under Lease PRC 5856. La Reserve, Inc. declared bankruptcy and the upland property has subsequently been sold to the new applicant, North Tahoe Lands, a California Partnership.
2. It is staff's recommendation that all rental due the State by La Reserve, Inc. be waived for the period of January 1, through June 4, 1985. Under recent amendments to the bankruptcy code, nonresidential real property leases are deemed rejected if not assumed within 60 days of the filing date, coupled with the curing of all defaults and adequate assurance of satisfactory future performance. La Reserve, Inc. had not affirmed the lease or cured its defaults within 60 days from its filing date, and staff therefore has taken the position that the lease has been deemed rejected and is no longer considered to be in effect.
3. The previous owners were under lease with the Commission for the authorization of 40 buoys, gasoline sales and 30 boat slips. The new lease will authorize 38 buoys, gasoline sales and 30 boat slips.

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| CALENDAR PAGE | 62 |
| MINUTE PAGE | 3512 |

CALENDAR ITEM NO. 012 (CONT'D)

4. A Negative Declaration prepared and certified in 1982, by the California Tahoe Regional Planning Agency, addressed all new construction at the marina, which included 21 additional buoys on State-owned land, for a total of 40 authorized buoys at the site. The Tahoe Regional Planning Agency approved 19 of the 21 additional buoys which is reflected in the new lease for a total of 38 authorized buoys. The State Lands Commission's staff has reviewed the Negative Declaration and believes that it complies with the requirements of the CEQA.
5. As to the existing facilities, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.
6. Lessor hereby consents to Lessee's subletting of all or any portion of the lease premises for berthing or mooring purposes in conjunction with normal commercial marina subleasing practices for terms of one year or less.
7. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Negative Declaration.

CALENDAR ITEM NO. C 12 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE PROPOSED ADDITION OF 19 NEW BUOYS, FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY CALIFORNIA TAHOE REGIONAL PLANNING AGENCY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AS TO THE EXISTING FACILITIES, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).
4. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
5. TERMINATE LEASE PRC 5856 ISSUED TO LA RESERVE, INC. DBA ALPINE MARINA, EFFECTIVE JUNE 4, 1985 AND WAIVE ALL BACK RENTAL DUE THE STATE BY LA RESERVE, INC. FOR THE PERIOD COVERING JANUARY 1 THROUGH JUNE 4, 1985.
6. AUTHORIZE ISSUANCE TO NORTH TAHOE LANDS, A CALIFORNIA PARTNERSHIP, OF A 20-YEAR GENERAL LEASE - COMMERCIAL USE BEGINNING JUNE 5, 1985; IN CONSIDERATION OF MINIMUM ANNUAL RENTAL OF \$750, AGAINST FIVE PERCENT OF GROSS INCOME DERIVED FROM THE RENTAL OF BOAT DOCKS AND MOORING; ONE CENT PER GALLON OF FUEL SOLD DURING THE REPORTING PERIOD TO A MAXIMUM OF 100,000 GALLONS AND ONE AND ONE-HALF CENTS PER GALLON THEREAFTER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR THE OPERATION AND MAINTENANCE OF A COMMERCIAL MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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| DATE | 64 |
| FILE NO. | 3514 |

EXHIBIT "A"

LAND DESCRIPTION

WP 5856

PARCEL 1 - Marina

A parcel 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 county, described as follows:

BEGINNING 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 to a point which bears S 79° 43' 44" W, 37.02 feet from said station 463; thence S 27° 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° W, 110 feet to the southerly prolongation of the easterly line of said Lot 30; thence along last prolongation and said easterly line N 21° 18' 20" W, 380 feet, more or less, to the northeast corner of said Lot 30, being on the southerly line of AGATAHOE BOULEVARD as shown on said map entitled "Tahoe Vista Subdivision No. 1"; thence along said southerly line S 68° 41' 40" W, 150.00 feet to said westerly line of Lot 28; thence along last said line and its southerly prolongation S 9° 03' 50" E, 276 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark of Lake Tahoe.

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

PARCEL 2 - Buoys

Thirty-eight circular parcels of land, each being 40 feet in diameter and lying adjacent to the land described in the above-described Parcel 1.

END OF DESCRIPTION

REVISED OCTOBER 16, 1985 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

65

3515

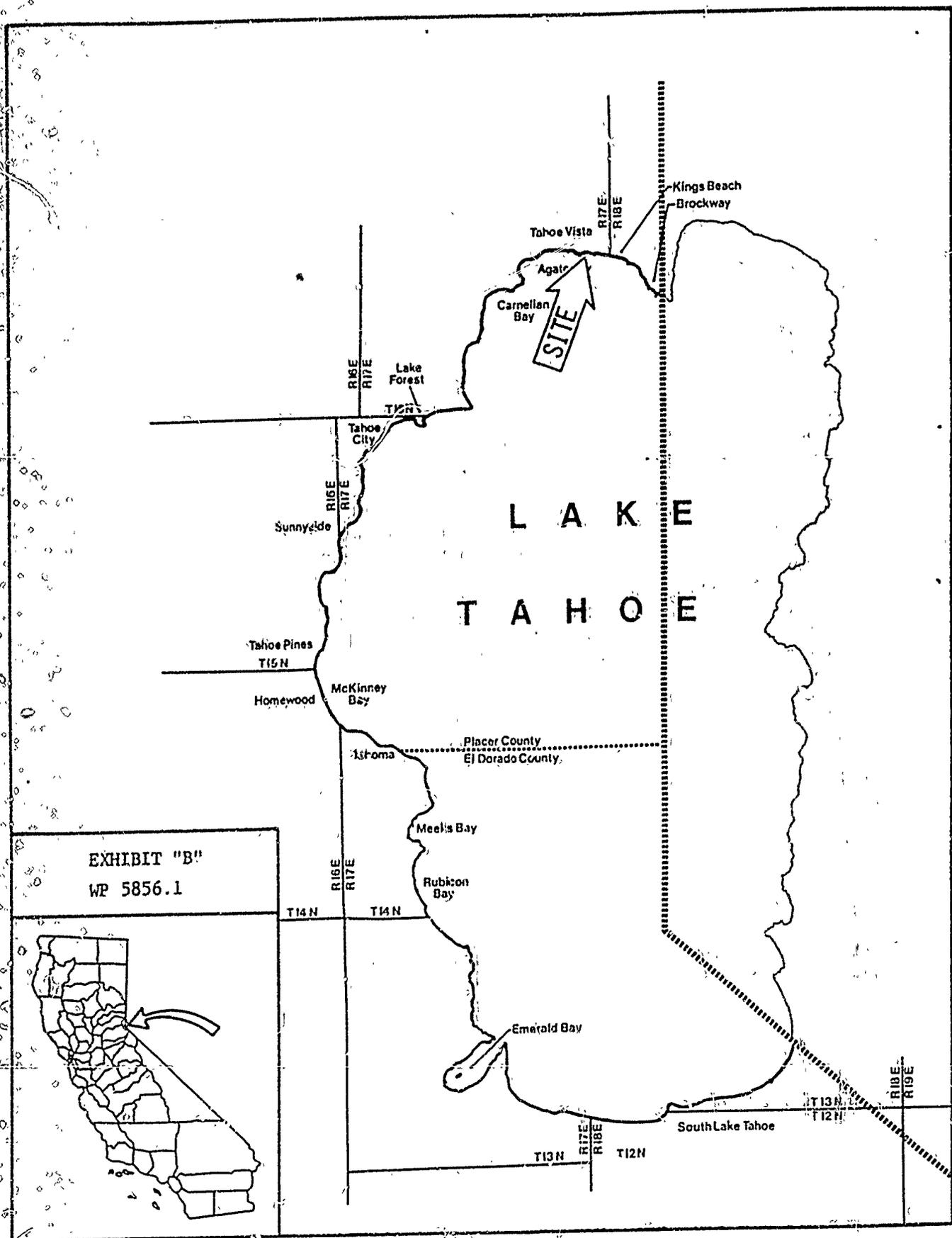
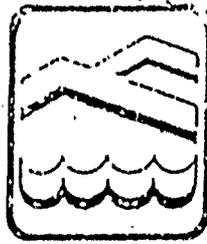


EXHIBIT "B"
WP 5856.1





NEGATIVE DECLARATION

CTRPA Project No. 82-5-7

Project Name: Alpine Marina Master Plan

Application Type: Commercial Development

Owner/Applicant: Stan Rundel and Byron West
P.O. Box 7091
Incline Village, Nevada 89450

Agent: K. B. Foster Civil Engineering, Inc.
P.O. Box 146
Carnelian Bay, California 95711

Assessor's Parcel Number: 89-143-20
89-163-13
89-161-05, 06 and 10

Location: 7360 and 7381 North Lake Boulevard

Review Per Section: 4.11 Shorezone Ordinance
4.12(F)(16) Marinas

Project Description:

This application seeks approval of a Master Plan for the existing Marina which includes the following proposed work:

1. Install 21 additional buoys.
2. Repairs and improvements to the existing wave dissipator fence and catwalk.
3. Improvements to the forklift loading dock (extend by 17 feet, reduce width from 18 feet to 12 feet).
4. Reinforce and improve the existing broken concrete boat ramp.
5. Pave on-site boat storage and parking lot.
6. Install 10,000 gallon fuel tank and connect to existing gravity flow system.

Traffic Analysis (continued):

Proposed:

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| Gross Floor Space: | Non-accessory commercial use: 3,980 square feet |
| Employees: | 27 peak season (increase of 2 employees to handle the anticipated increase of activities from the added buoys). |
| Slips: | 30 |
| Buoys: | 40 |
| Parkings Spaces: | 48 (30 on-site, 18 off-site) |

Estimated New Trips:

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| Peak season average daily trips: | 184 |
| Peak day trips: | 212 |
| Off-season average daily trips: | 61 |
| Average annual daily trips: | 102 |

Indirect Source Review:

The proposed project is estimated to generate 17,283 grams of carbon monoxide per day. Under the Indirect Source Review Ordinance, the project is required to provide a mitigation for 150% of the emissions or 25,924 grams per day.

Proposed Mitigation:

The applicant proposes to construct a transit shelter adjacent to the project site to enhance public transit service and encourage ridership. Staff feels the proposed mitigation measure is appropriate and adequate for off-setting the air quality impact.

Parking:

Staff feels the proposed parking plan is adequate for the proposed project.

Staff Comments:

The existing Marina site has no organized parking, exhibits severe erosion and drainage problems and is in need of overall repair.

The proposed projects within the Master Plan will provide for organized parking, control of drainage and erosion problems and increased recreational use by the general public.

Mitigation Measures Proposed:

Erosion and Drainage Control: The applicant has proposed to stabilize and revegetate both the Marina and Pino Grande parking lot sites. Drainage and infiltration facilities will be installed to control runoff from the existing and proposed areas of pavement.

68
3518

Mitigation Measures Proposed (continued):

Traffic: The applicant is proposing to construct a transit shelter adjacent to the project site to enhance public transit service and encourage ridership.

Finding:

In accordance with Section 15083 of the Guidelines for the implementation of the California Environmental Quality Act of 1970, I have reviewed the applicant's documents and have concluded that the applicant's request WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT and the preparation of an Environmental Impact Report is not required.

Additional details on the proposal and copies of this Negative Declaration are available at the CTRPA office.



Rick Angelocci
Associate Planner, CTRPA/TRPA

RA/dm

Project Description (continued):

7. Construct an 18 space off-site parking lot.

8. Repair to existing rock cribbing.

The estimated cost of the project is

Staff Analysis:

| | <u>Alpine Marina</u> | <u>Pino Grande</u> |
|------------------|-------------------------|----------------------------|
| Lot Size: | 60,350 square feet | 21,132 square feet |
| Zoning: | General Commercial (GC) | Tourist Commercial (TC) |
| Land Capability: | JhC (5) | UmD (5) |
| Land Coverage: | | |
| Existing: | | |
| Buildings: | 9,145 square feet | 0 square feet |
| Paving: | 18,420 square feet | 0 square feet |
| Compacted Area: | 18,700 square feet | 4,000 square feet (approx) |
| TOTAL: | 46,265 square feet | 4,000 square feet |
| Proposed: | | |
| Buildings: | 9,145 square feet | 0 square feet |
| Paving: | 32,220 square feet | 5,283 square feet |
| TOTAL: | 41,365 square feet | 5,283 square feet |
| Allowed: | 15,087.5 square feet | 5,283 square feet |
| Net Reduction: | 4,900 square feet | |

Traffic Analysis:

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| Existing: | |
| Gross Floor Space: | Non-accessory commercial use: 3,980 square feet (2,700 square feet are currently being used) |
| Employees: | 25 peak-season |
| Slips: | 30 |
| Buoys: | 19 |
| Parking Spaces: | 21 |

70

MINUTE PAGE 3520