MINUTE ITEM
This Calendar Item No. 04
was approved as Minute Item
No. 04 by the State Lands
Commission by a vote of 3
to 0 at its 5/23/91
meeting.

CALENDAR ITEM

04

05/23/91
PRC 706
Gordon

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ADDENDUM TO LEASE PRC 706

APPLICANT:
K & C Marine, formerly known as K & C Associates
P. O. 45
Tahoe City, California 95730

AREA, TYPE LAND AND LOCATION:
A 1.183-acre area of submerged land located in Lake Tahoe at Tahoe City, Placer County.

LAND USE:
To install, place and maintain 41 temporary buoys to provide access to Lake Tahoe at its drought-impacted lower level for the operation of a commercial marina.

TERMS OF ORIGINAL LEASE:
Initial period:
Forty (40) years beginning July 1, 1980.

Renewal option:
Negotiable, not less than nine (9) years.

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

Consideration:
A minimum annual rental of $3,000 applied against five percent (5%) of gross income derived annually from the lease premises; 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 right to fix a different rental on each fifth anniversary of the lease.

TERMS OF PROPOSED ADDENDUM TO LEASE:
Initial period:
Five years beginning May 24, 1991.

Surety bond:
$5,000.

Special:

1. The addendum authorizes the installation of temporary limited-term facilities to enable the marina to access the waters of Lake Tahoe during the time of its drought-impacted lower levels.

2. All such temporary facilities not affixed to the lake bed shall be removed annually at the season's end and may not be reinstalled without written permission of the Commission.

3. No existing facility may be relocated to another site without the expressed prior written permission of the State Lands Commission.

4. Each buoy and its chain shall be removed annually from the site covered by the lease addendum at the season's end.

5. Any breach of the terms of the addendum constitutes a breach of the existing lease.

6. All other terms and conditions of the lease remain unchanged and in full force and effect.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
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. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:
11/26/91

OTHER PERTINENT INFORMATION:

1. This is an application requesting the installation of temporary mooring buoys for the purpose of providing the access to Lake Tahoe which has been limited by the effects of the drought. Applicant operates a

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commercial marina and requires such lake access to serve the marina's clientele.

2. At its June 26, 1980 meeting, Minute Item No. 19, the State Lands Commission authorized the issuance of the subject lease to Roundhouse Limited Partnership, John V. Kearns and Barbara J. Kearns, general partners, for the operation of a commercial marina.

3. At its March 5, 1981 meeting, Minute Item No. 28, the State Lands Commission approved Redwood Bank as secured-party lender for the purpose of refinancing and construction of improvements on the subject lease premises.

4. At its September 23, 1982 meeting, Minute Item No. 24, the State Lands Commission approved Bank of America as secured-party lender for financing purposes and the assignment of the subject lease to K & C Associates.

5. At its February 6, 1989 meeting, Minute Item No. 27, the State Lands Commission approved the Bank of the West as secured-party lender for financing purposes.

6. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures, 2 Cal. Code Regs. 2905(c)(3) (temporary buoys)

   Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.

7. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. 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.

APPROVALS OBTAINED:
Lahonton Regional Water Quality Control Board, and United States Army Corps of Engineers.

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FURTHER APPROVALS REQUIRED:
California Department of Fish and Game, County of Placer, and Tahoe Regional Planning Agency (scheduled for June agenda).

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 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES, 2 CAL. CODE REGS. 2905(c)(3) (TEMPORARY BUOYS).

2. AUTHORIZE A LIMITED TERM FIVE-YEAR ADDENDUM TO LEASE PRC 706, EFFECTIVE MAY 24, 1991, TO INSTALL, PLACE, AND MAINTAIN 41 TEMPORARY MOORING BUOYS TO PROVIDE ACCESS TO LAKE TAHOE AT ITS DROUGHT-IMPACTED LOWER LEVEL FOR THE OPERATION OF A COMMERCIAL MARINA ON THE LAND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. ALL OTHER TERMS AND CONDITIONS SHALL REMAIN THE SAME.

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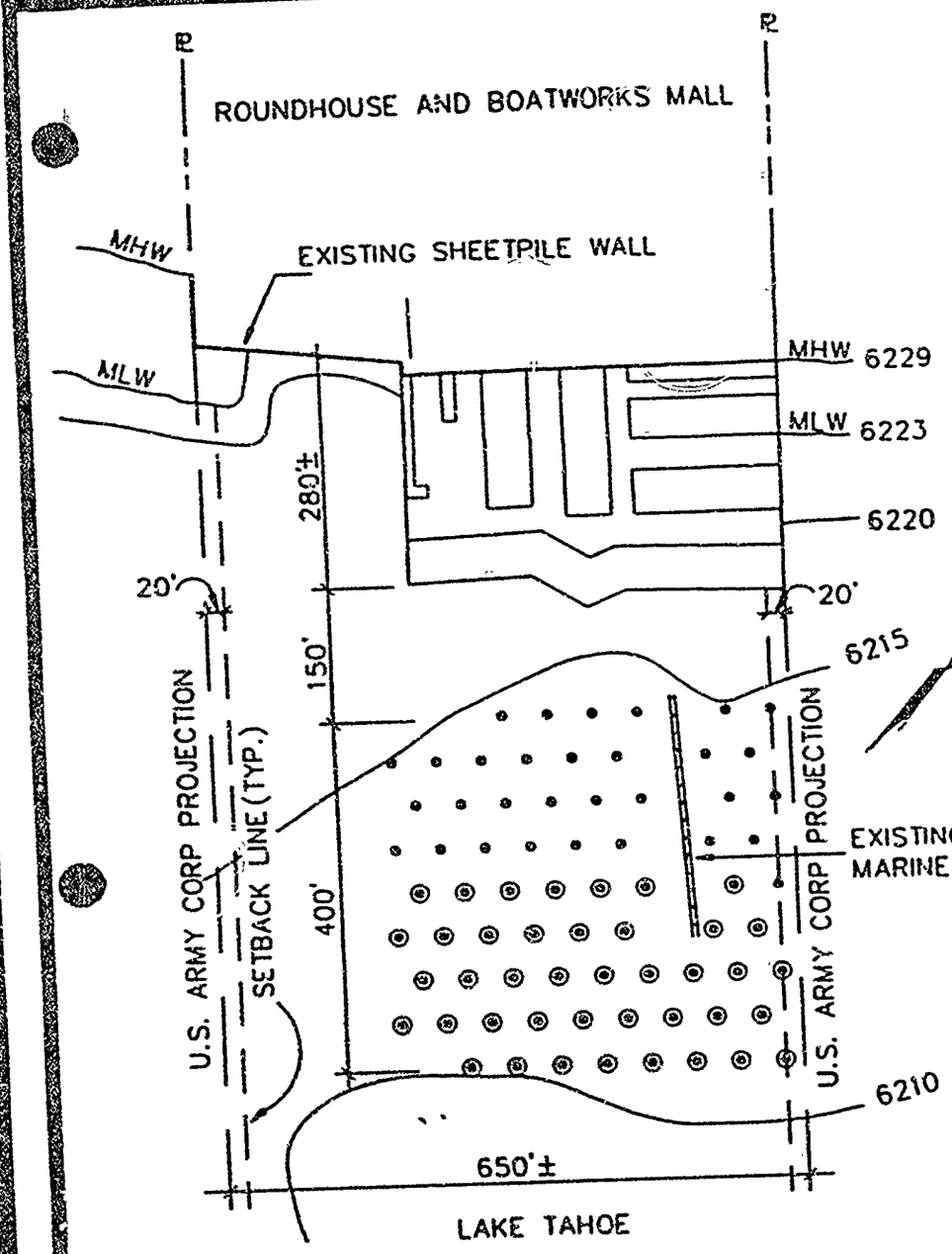
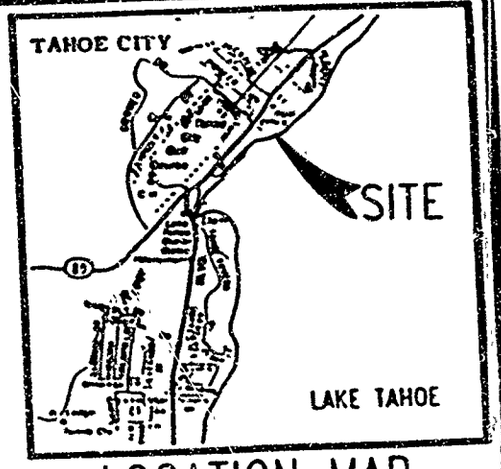
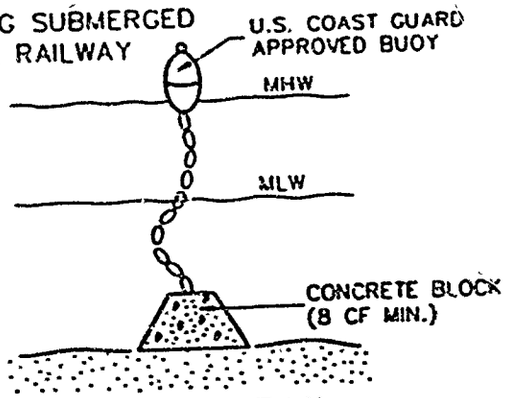




LOCATION MAP

LEGEND

- PERMITTED BUOY (SLC LEASE NO. 706.1)
- TEMPORARY BUOY



BUOY DETAIL
N.T.S.

NOTES

1) PERMANENT AND TEMPORARY BUOYS TO BE PLACED IN A 50' MIN. GRID PATTERN PER U.S. ARMY CORPS OF ENGINEERS PLACEMENT STANDARDS.

2) TEMPORARY BUOYS TO PROVIDE MOORING FOR UNUSABLE BERTHS WITHIN MARINA DUE TO LOW LAKE LEVELS. THESE TEMPORARY BUOYS WILL BE REMOVED WHEN THE LAKE LEVEL RISES TO NAVIGABLE LEVELS FOR BERTH ACCESS

ADJOINING PROPERTIES

NORTH	SOUTH
94-110-18	94-090-10

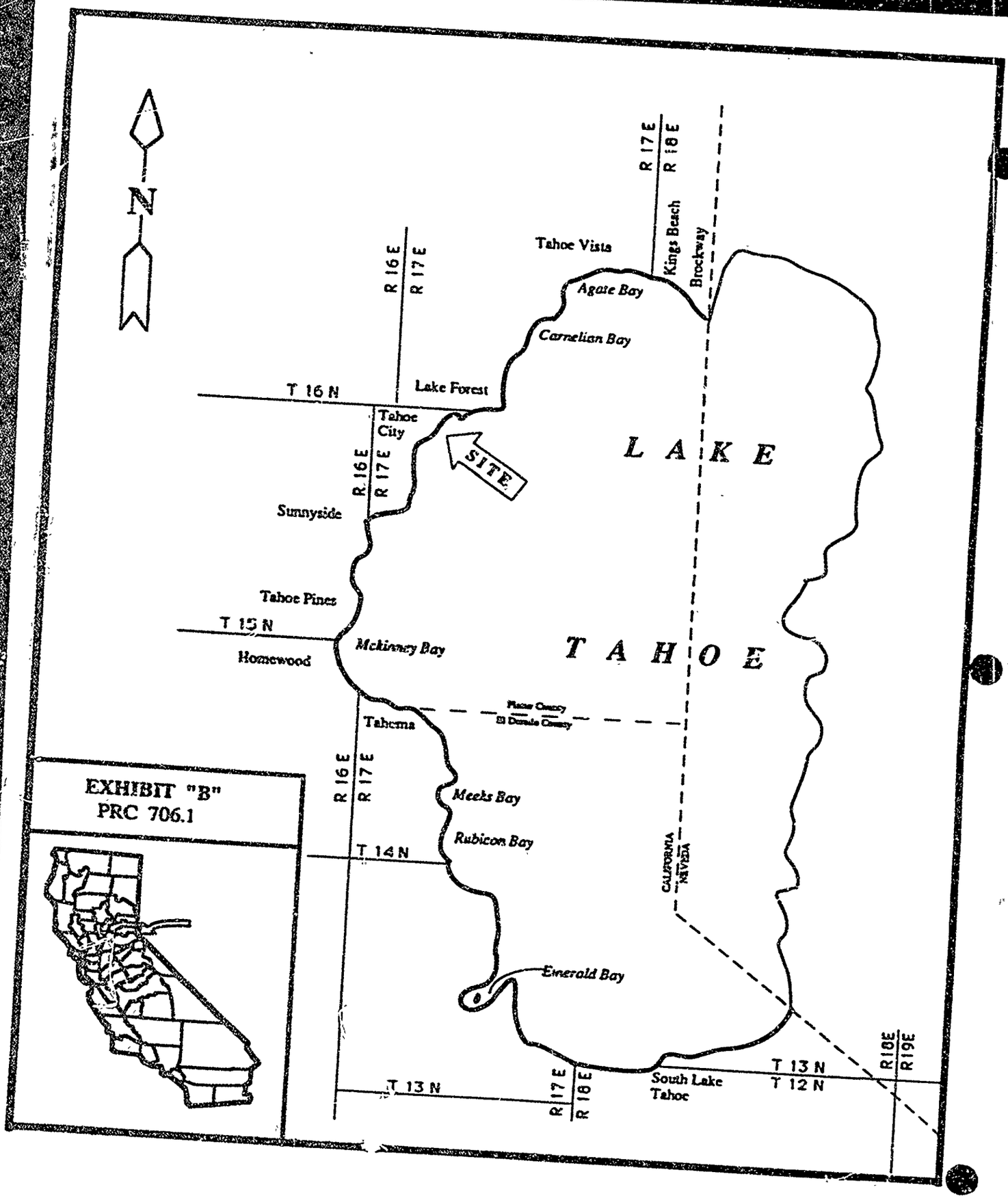
REVISED

TEMPORARY BUOY FIELD ADDITION–TAHOE BOAT CO

700 N. LAKE BLVD.
TAHOE CITY AREA
PLACER COUNTY, CA 04 . 4
APN: 94-090-32 CALENDAR PAGE 1653
APRIL 1991 MINUTE PAGE

VAIL ENGINEERING CORPORATION
TAHOE CITY, CALIFORNIA (916) 583-3417

W.O. 7041 16



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