

MINUTE ITEM

This Calendar Item No. C31
was approved as Minute Item
No. 31 by the State Lands
Commission by a vote of 3
to 0 at its 7-19-93
meeting.

CALENDAR ITEM

C31

A 4
S 1

07/19/93
PRC 4923
B. Young

REPLACEMENT OF GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Copyright Services, Ltd.
8159 Hollywood Boulevard
Los Angeles, California 90069

AREA, TYPE LAND AND LOCATION:

A parcel of submerged land located in Lake Tahoe at Tahoma,
Placer County.

LAND USE:

Continued use and maintenance of an existing multi-use pier
and three (3) existing mooring buoys.

TERMS OF PROPOSED LEASE:

Initial period:

Five (5) years beginning October 31, 1992.

Public Liability Insurance:

Combined single limit coverage of \$500,000 per
occurrence for bodily injury and property damage.

CONSIDERATION:

\$864.79 per annum, effective October 31, 1992.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing deposits have been received.

STATUTORY AND OTHER REFERENCES:

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

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

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CALENDAR ITEM NO. C31 (CONT'D)

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. 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 1, Existing Facilities, 2 Cal. Code Regs. 2905(a)(2).

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

2. 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 process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. The lease includes specific provisions by which the Lessee agrees to protect and replace or restore, if required, the habitat of *Rorippa subumbellata*, commonly called the Tahoe Yellow Cress, a State-listed endangered plant species.
4. This property has been physically inspected by staff for purposes of evaluating the impact of the proposed activity on the public trust.
5. This lease is conditioned on Lessee's conformance with the Tahoe Regional Planning Agency's Shorezone Ordinance. If any structure authorized by the Permit is found to be in nonconformance with the Tahoe Regional Planning Agency's Shorezone ordinance, and if any alterations, repairs, or removal required pursuant to said ordinance are not accomplished within the designated time period, then this permit is automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof.

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If the location, size, or number of any structure hereby authorized is to be altered, pursuant to order of the Tahoe Regional Planning Agency, Permittee shall request the consent of the State to make such alteration.

6. This Lease is conditioned on the public's right of access along the shorezone below the high water line (Elevation 6,228.75 feet, Lake Tahoe Datum), pursuant to the holding in State v. Superior Court (Forgerty), 2 Cal. 3d 240 (1981), and provides that the Lessee must provide a reasonable means for public passage along the shorezone, including, but not limited to, the area occupied by the authorized improvements.

APPROVALS OBTAINED:

United States Army Corps of Engineers; Tahoe Regional Planning Agency; and Placer County.

FURTHER APPROVALS REQUIRED:

State Lands Commission

EXHIBITS:

- A. Land Description
- A1. Site Map
- B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES. 2 CAL. CODE REGS. 2905(a)(2).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO COPYRIGHT SERVICES, LTD. OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING OCTOBER 31, 1993, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING MULTI-USE PIER, AND THREE (3) EXISTING MOORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

PRC 4923.1

Four parcels of submerged land in the bed of Lake Tahoe, Placer County, California, described as follows:

PARCEL 1

Said parcel lies beneath and extends ten feet on all sides of an existing pier, said pier being adjacent to and contiguous with the following described land:

That parcel conveyed from Mervyn L. Brenner to COPYRIGHT SERVICES, LTD. by Grant Deed dated September 29, 1953, and recorded as Document No. 8105, on October 30, 1953, in Vol. 639, page 156, of the Official Records of Placer County, State of California.

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

PARCELS 2, 3, AND 4, are circular having a radius of 20 feet surrounding three existing buoys, the center points of which are located (1) northeasterly 60 feet; (2) northeasterly 120 feet; and (3) northerly 100 feet from the waterward terminus of said pier described in Parcel 1.

END OF DESCRIPTION

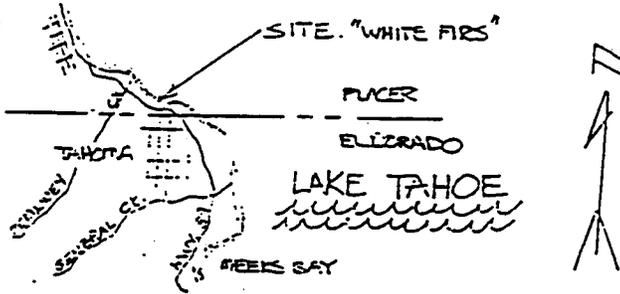
REVISED APRIL 21, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

1/93

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LOCATION MAP

1/2" = 1 mi



STATE HIGHWAY 89

APN.
98-300-01
TRI PACIFIC INC.
C/O Delsor Robert
1333-2nd. St.
Berkeley, CA 94710

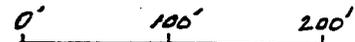
APN
98-170-03
TRI PACIFIC INC.
C/O Delsor Robert
1333-2nd. St.
Berkeley, CA 94710

APN 98-170-02
"WHITE FIRS"
COPYRIGHT SERVICES
677 HOLLYWOOD BLVD
8th. FLOOR
LA, CA. 90028

APN 98-170-01
BACK DEMPSEY
TAHOE, CA. 95723

APN 98-180-13
VICTOR BROCHARD
135 GARCIA
SF, CA. 94127

Scale



EXISTING WALKWAY

MHW

MLW

225' TO
PIER

50' TO
PIER

3 EXISTING BUOYS
PLACED PRE-1965
(TYPICAL)

EXHIBIT "A-1"
PRC 4923.1
APN 98-170-02
LAKE TAHOE
PLACER COUNTY

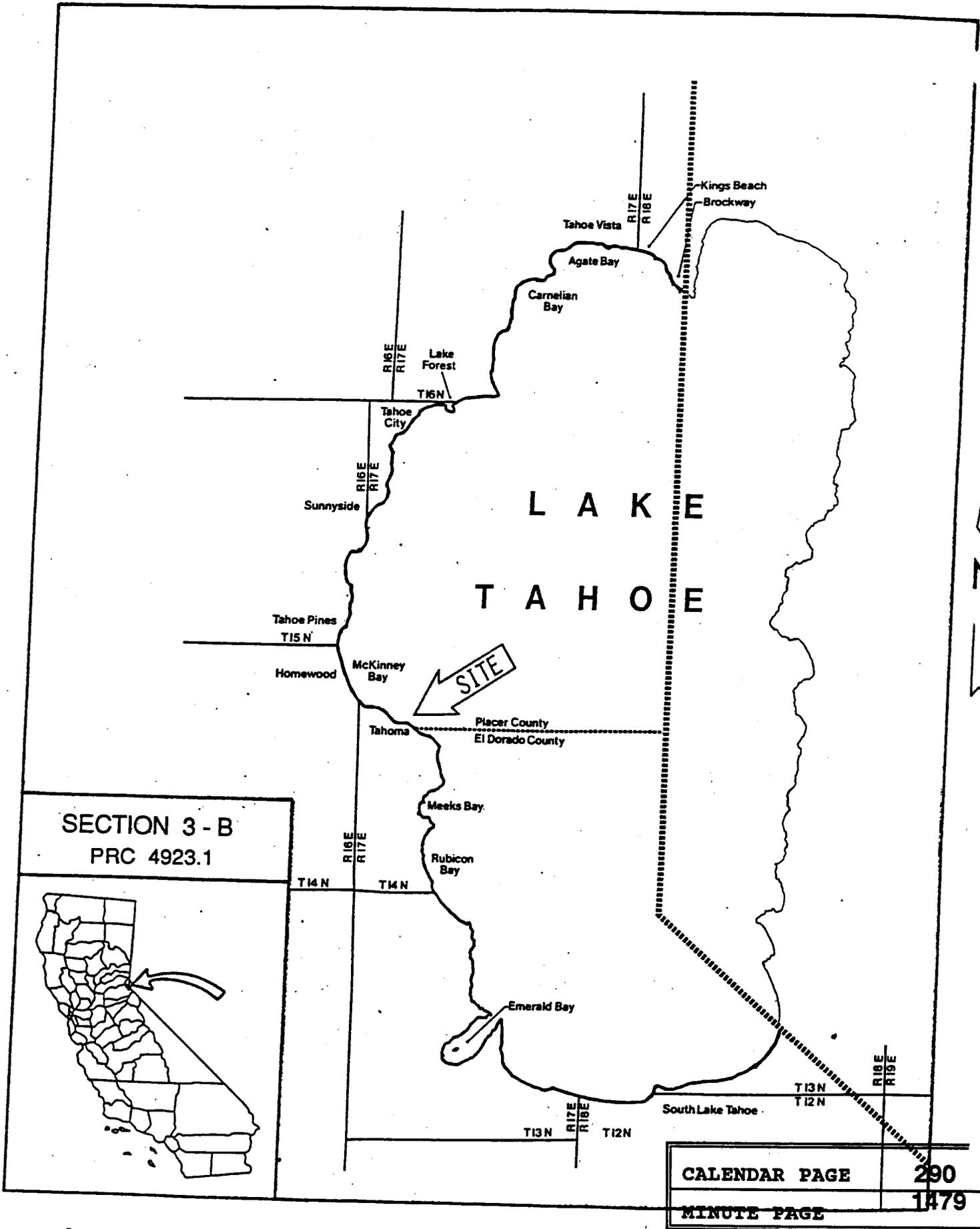


This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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SECTION 3 - B
PRC 4923.1

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