MINUTE ITEM
This Calendar Item No. C35 was approved as Minute Item No. 35 by the California State Lands Commission by a vote of 3 to Ø at its 9-17-01 meeting.

CALENDAR ITEM
C35

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PRC 4694

09/17/01
WP 4694
N. Lee

ISSUANCE OF GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Star Harbor Homeowner's Association, Inc.
P. O. Box 1740
Tahoe City, CA 96145

AREA, LAND TYPE, AND LOCATION:

0.613 acres, more or less, of sovereign lands in Lake Tahoe, Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing joint-use homeowner's pier and fifteen existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning February 1, 2001.

CONSIDERATION:

$401 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Combined single limit coverage of $1,000,000.

OTHER PERTINENT INFORMATION:

1. The Commission had previously authorized a Recreational Pier Permit with Star Harbor Homeowner's Association, Inc. That permit has now expired. The applicant is a homeowner's association owning a littoral parcel from which the pier and buoys extend onto State-owned land. The applicant does not qualify for a rent-free Recreational Pier Lease because four parcels within the association's subdivision are not owned by natural persons and, therefore, do not qualify for "rent-free" status pursuant to

Section 6503.5 of the Public Resources Code. Star Harbor Homeowner's Association, Inc., is now applying for a new General Lease - Recreational Use.

2. The annual rental for this lease was prorated according to the number of lots/members qualifying for "rent-free" status. Eighty-seven percent (87%) of the parcels are owned by natural persons and qualify for the rent-free status while the remaining thirteen percent (13%) do not qualify for the rent-free status under Section 6503.5.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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; Title 2, California Code of Regulations, section 2905 (a)(2).

   Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

EXHIBIT:

A. Location and site map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT

PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

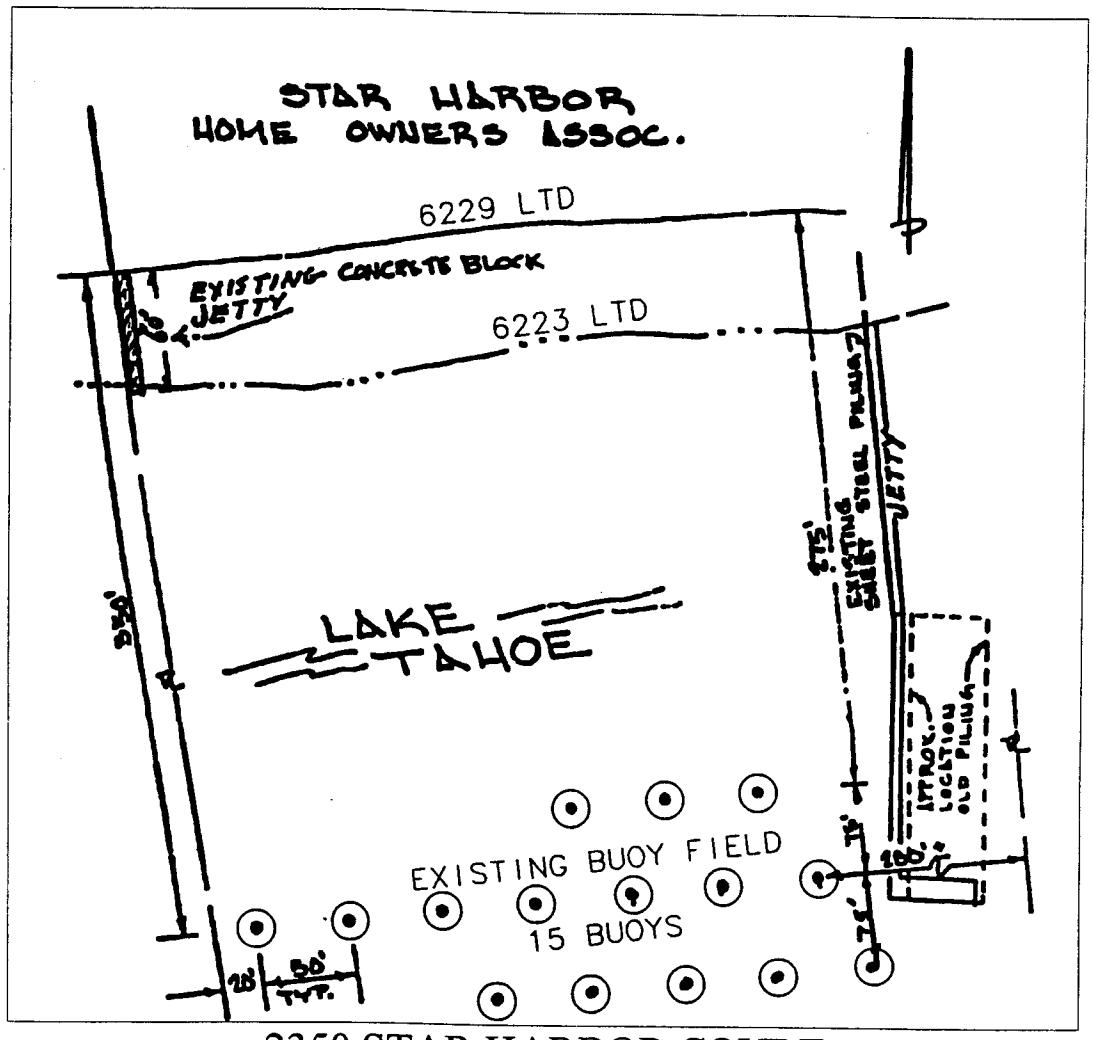
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO STAR HARBOR HOMEOWNER'S ASSOCIATION, INC. OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING FEBRUARY 1, 2001, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING JOINT-USE HOMEOWNER'S PIER AND FIFTEEN EXISTING MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $401, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $1,000,000.

NO SCALE

SITE MAP



2350 STAR HARBOR COURT

NO SCALE

LOCATION MAP

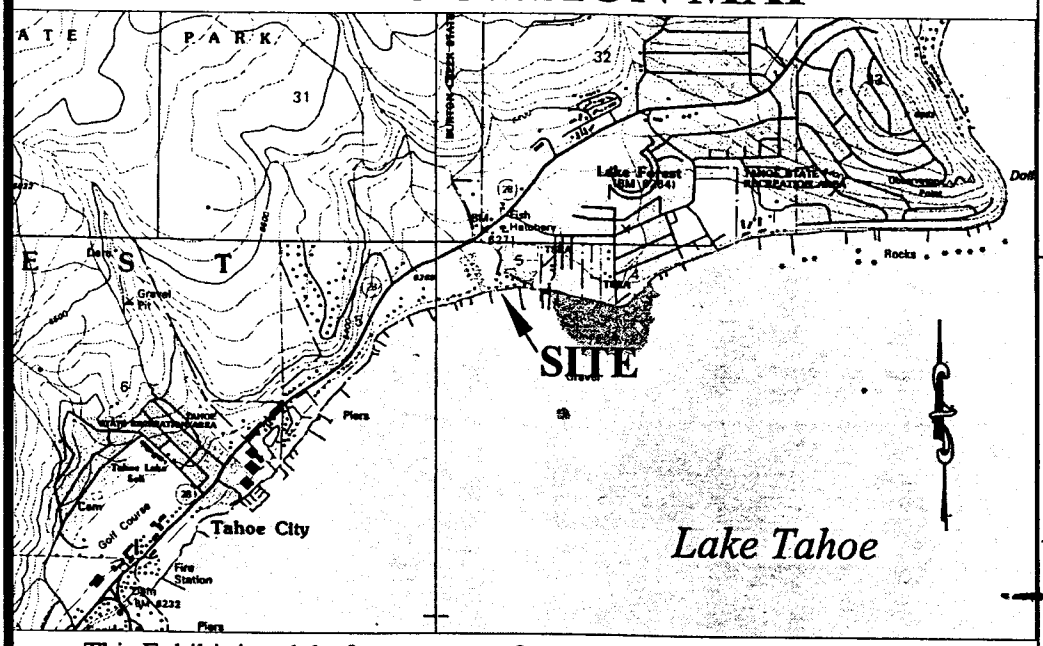
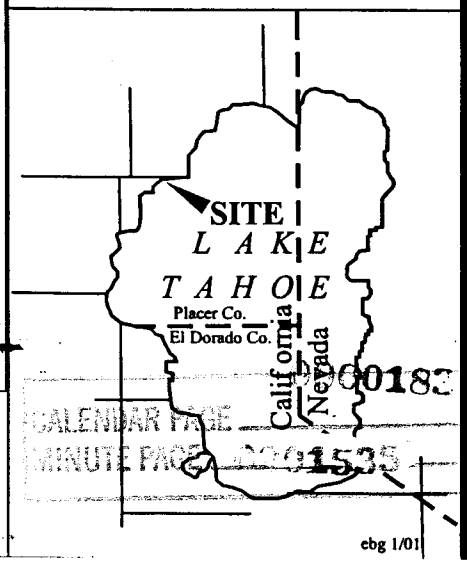


Exhibit A
PRC 4694.9
APN 094-340-040
Lake Tahoe
PLACER COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, *is based on unverified information provided by 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.

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