MINUTE ITEM
This Calendar Item No. C40 was approved as Minute Item No. 40 by the California State Lands Commission by a vote of 3 to 0 at its 2-21-03 meeting.

CALENDAR ITEM
C40

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PRC 4268

02/21/03
WP 4268.1
B. Young

GENERAL LEASE-RECREATIONAL USE

APPLICANT:
Tahoe Meadows Homeowners Association

AREA, LAND TYPE, AND LOCATION:
0.75 acres, more or less, of sovereign lands in Lake Tahoe, South Lake Tahoe, El Dorado County.

AUTHORIZED USE:
An existing swim area previously authorized by the Commission, and retention of twenty-two mooring buoys, two buoy anchor blocks and a swim float as shown on the attached Exhibit A.

LEASE TERM:
Ten years, beginning April 11, 2002.

CONSIDERATION:
$411 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:
Liability insurance with coverage of no less than $1,000,000.
Other:
This lease is conditioned on Lessees obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two (2) years after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

OTHER PERTINENT INFORMATION:

1. On January 25, 1979, the Commission authorized a General Permit - Recreational Use to Tahoe Meadows, a California Corporation, for two piers and a swim area. The lease expired on April 10, 1993. All hold over rent has been paid. Applicant submitted an application for two piers, twenty-seven existing mooring buoys, two buoy anchor blocks, and a swim area with a swim float. However, only twenty-two of those existing mooring buoys, two buoy anchor blocks and a portion of the swim area and the swim float extend below elevation 6223 feet, Lake Tahoe Datum, which is under the Commission's leasing jurisdiction. Applicant is a homeowners association and the littoral owner of the upland parcel. Two percent of the members do not quality for a rent-free lease. Therefore, the rent is prorated accordingly for the twenty-two mooring buoys only. The swim area and swim float do not qualify for rent-free status. Tahoe Meadows Homeowners Association is now applying for a new General Lease - Recreational Use.

2. **SWIM AREA WITH SWIM FLOAT:** 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.

3. **BUOYS AND BUOY ANCHOR BLOCKS:** 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 under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

   Authority: Title 14, California Code of Regulations, section 15061 (b)(3).

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:

SWIM AREA WITH SWIM FLOAT: 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 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905(a)(2).

BUOYS AND BUOY ANCHOR BLOCKS: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THERE IS NO POSSIBILITY THAT THIS ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b)(3).

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.

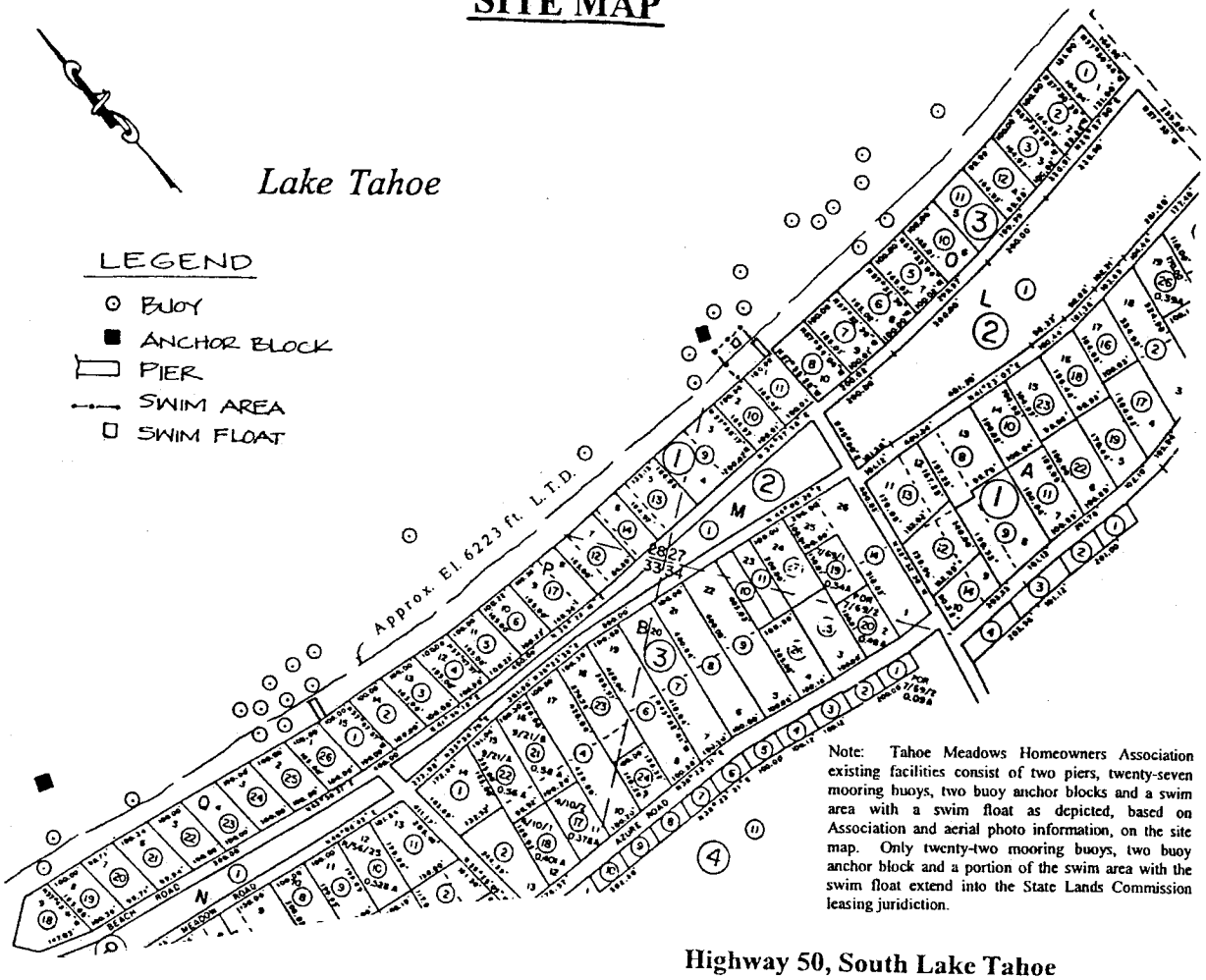
AUTHORIZATION:

AUTHORIZE ISSUANCE TO TAHOE MEADOWS HOMEOWNERS ASSOCIATION OF A GENERAL LEASE-RECREATIONAL USE, BEGINNING APRIL 11, 2002, FOR A TERM OF TEN YEARS, FOR THE

CONTINUED USE AND MAINTENANCE OF AN EXISTING SWIM AREA PREVIOUSLY AUTHORIZED BY THE COMMISSION, AND RETENTION OF TWENTY-TWO EXISTING MOORING BUOYS, TWO BUOY ANCHOR BLOCKS AND A SWIM FLOAT ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF $411, 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 NO LESS THAN $1,000,000.

NO SCALE

SITE MAP

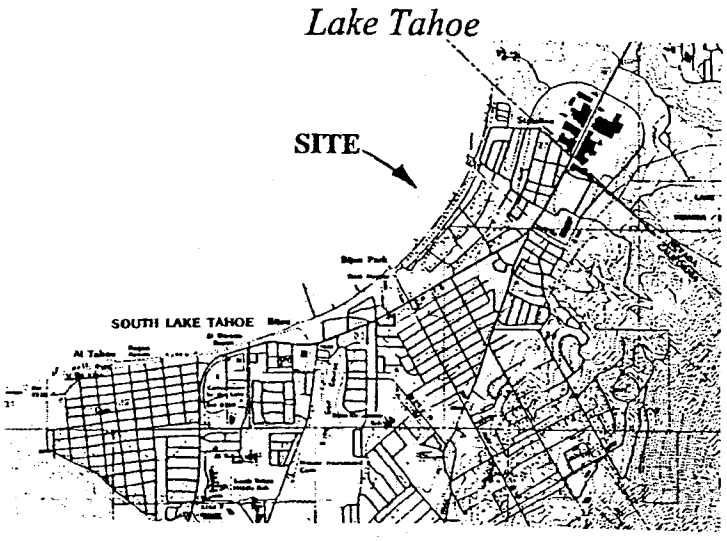


Note: Tahoe Meadows Homeowners Association existing facilities consist of two piers, twenty-seven mooring buoys, two buoy anchor blocks and a swim area with a swim float as depicted, based on Association and aerial photo information, on the site map. Only twenty-two mooring buoys, two buoy anchor block and a portion of the swim area with the swim float extend into the State Lands Commission leasing juridiction.

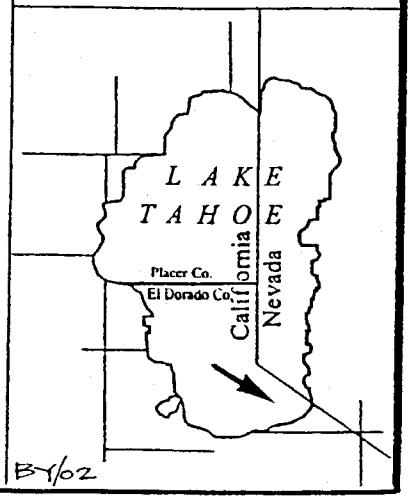
Highway 50, South Lake Tahoe

LOCATION MAP

NO SCALE



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

EXHIBIT A

PRC 4268.1
APN 029-090-011
Lake Tahoe
El Dorado County