MINUTE ITEM
This Calendar Item No. C12 was approved as Minute Item No. 12 by the California State Lands Commission by a vote of 2 to 0 at its 06/07/04 meeting.

CALENDAR ITEM
C12

A 4

S 1

PRC 5680

06/07/04
WP 5680.1
M. Hays

GENERAL LEASE - COMMERCIAL USE

APPLICANT:

Sierra Boat Company, Inc.
P. O. Box 69
Carnelian Bay, CA 96140

AREA, LAND TYPE, AND LOCATION:

0.566 acres, more or less, of sovereign lands in Lake Tahoe, Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use, operation and maintenance of a commercial dock/breakwater, a fueling facility and 15 mooring buoys, as shown on Exhibit A.

LEASE TERM:

Ten years, beginning July 11, 2002.

CONSIDERATION:

Annual rent of $0.015 per gallon for the first 100,000 gallons of fuel sales and $.02 per gallon, thereafter; plus five percent of the gross annual income derived from the 15 mooring buoys; with a minimum annual rent of $3,960; and 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 $2,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.

2. The Commission issued a ten-year lease effective on July 11, 1992, and the Applicant is now applying for a new ten-year lease.

3. The previously authorized improvements are used in conjunction with the Applicant's upland boat storage, sales and repair operation. The dock/breakwater includes two fuel dispensers at the end and is also used as protection for the harbor area, which is located adjacent to the lease premises and not within the jurisdiction of the Commission. The 15 mooring buoys are rented on a seasonal basis. No other concessions on State lands are authorized under the lease.

4. The annual Underground Storage Tank Permit compliance inspection, which includes all fueling facilities including the fuel dispensers at the end of the dock was performed in April 2003. Placer County Environmental Health reported that the Applicant is within compliance and no violations reported.

5. 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.

6. 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. Site and Location Map

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:

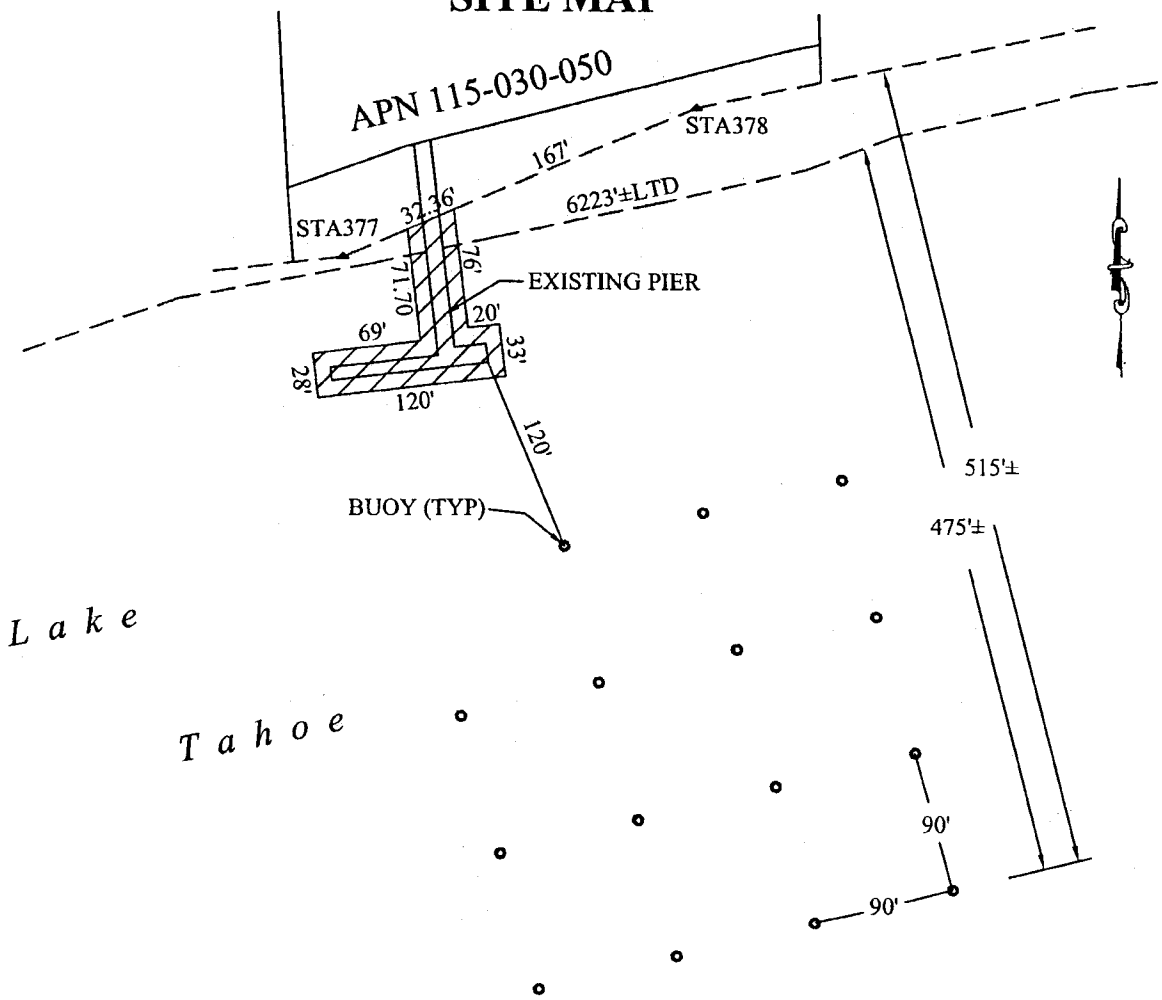
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO SIERRA BOAT COMPANY, INC. OF A GENERAL LEASE-COMMERCIAL USE, BEGINNING JULY 11, 2002, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE, OPERATION AND MAINTENANCE OF A DOCK/BREAKWATER, FUELING FACILITIES AND 15 MOORING BUOYS, PREVIOUSLY AUTHORIZED BY THE COMMISSION ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT OF $0.015 PER GALLON FOR THE FIRST 100,000 GALLONS OF FUEL SALES AND $.02 PER GALLON, THEREAFTER; PLUS FIVE PERCENT OF THE GROSS ANNUAL INCOME DERIVED FROM THE 15 MOORING BUOYS; WITH A MINIMUM ANNUAL RENT OF $3,960; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN $2,000,000.

NO SCALE

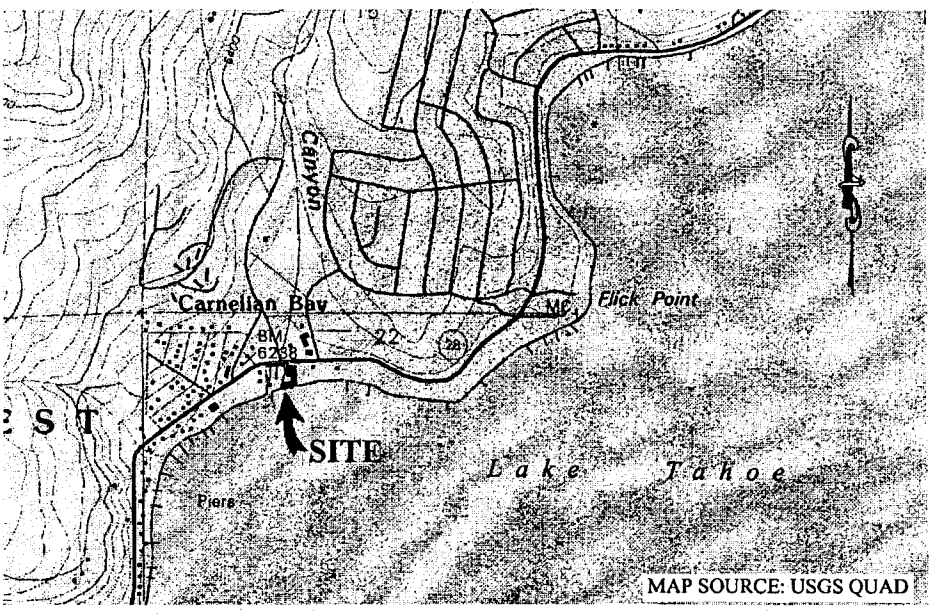
SITE MAP



5146 N. LAKE BLVD, CARNELIAN BAY

NO SCALE

LOCATION MAP



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.

EXHIBIT A

PRC 5680.1

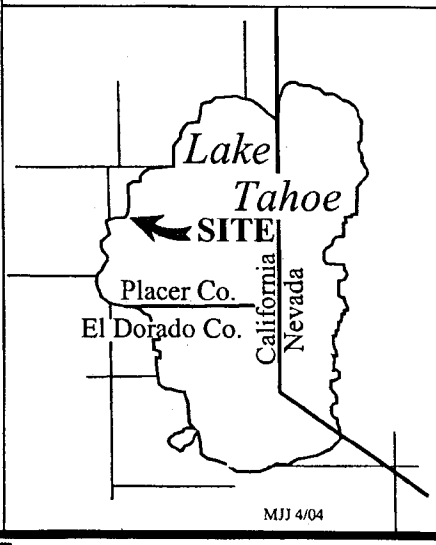
GENERAL LEASE COMMERCIAL

SIERRA BOAT COMPANY

APN 115-030-050

Lake Tahoe

PLACER COUNTY



MJJ 4/04