

MINUTE ITEM
This Calendar Item No. C11 was approved as
Minute Item No. 11 by the California State Lands
Commission by a vote of 3 to 0 at its
10/06/04 meeting.

**CALENDAR ITEM
C11**

A 4
S 1

10/06/04
PRC 4195 WP 4195.1
M. Hays

GENERAL LEASE-RECREATIONAL USE

APPLICANT:

Brockway Shores
P. O. Box 7345
Tahoe City, CA 96145

AREA, LAND TYPE, AND LOCATION:

0.67 acres, more or less, of sovereign lands in Lake Tahoe, near Brockway,
Placer County.

AUTHORIZED USE:

Continued use and maintenance of a previously authorized existing pier, 20
mooring buoys and two marker buoys as shown on Exhibit A.

LEASE TERM:

Ten years, beginning September 28, 2003.

CONSIDERATION:

\$295 per year; with the State reserving the right to fix a different rent periodically
during the lease term.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of not less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. On December 16, 1998, the Commission authorized a General Lease-Recreational Use to Brockway Shores. The lease expired on September 27, 2003. Brockway Shores is now applying for a new General Lease - Recreational Use.
2. The Applicant is a California non-profit corporation doing business as a homeowners' association and the littoral owner of the upland parcel. Nine

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percent of the 33 homeowners' association members do not qualify for a rent-free lease. Therefore, the rent is prorated accordingly for the pier and 20 mooring buoys only. The two marker buoys do not qualify for rent-free status.

2. 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. 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.

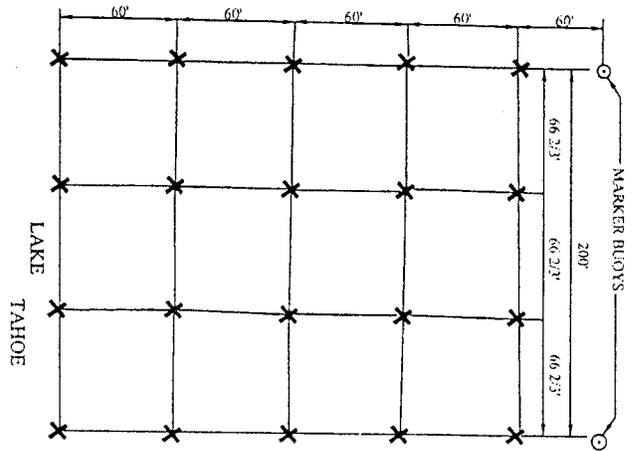
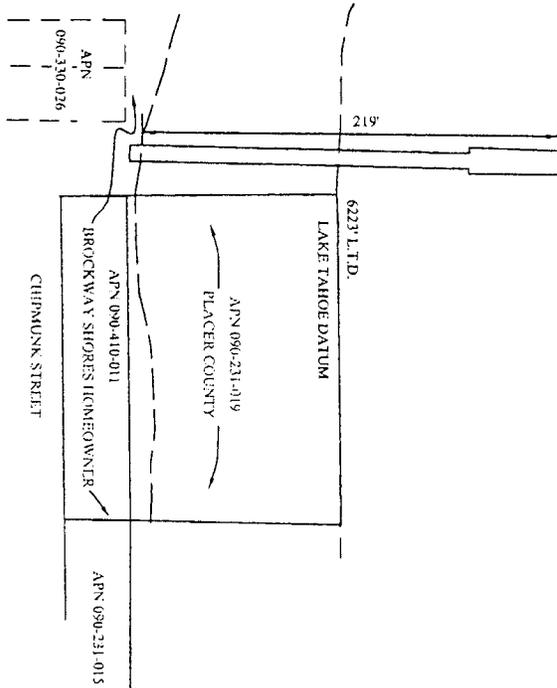
CALENDAR ITEM NO. C11 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO BROCKWAY SHORES OF A GENERAL LEASE-RECREATIONAL USE, BEGINNING SEPTEMBER 28, 2003, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING MULTI-USE PIER, 20 MOORING BUOYS AND TWO MARKER BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$295, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE TERM OF THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.

NO SCALE

SITE MAP



X - EXISTING BUOY

144 Chipmunk Street, Kings Beach

LOCATION MAP

NO SCALE

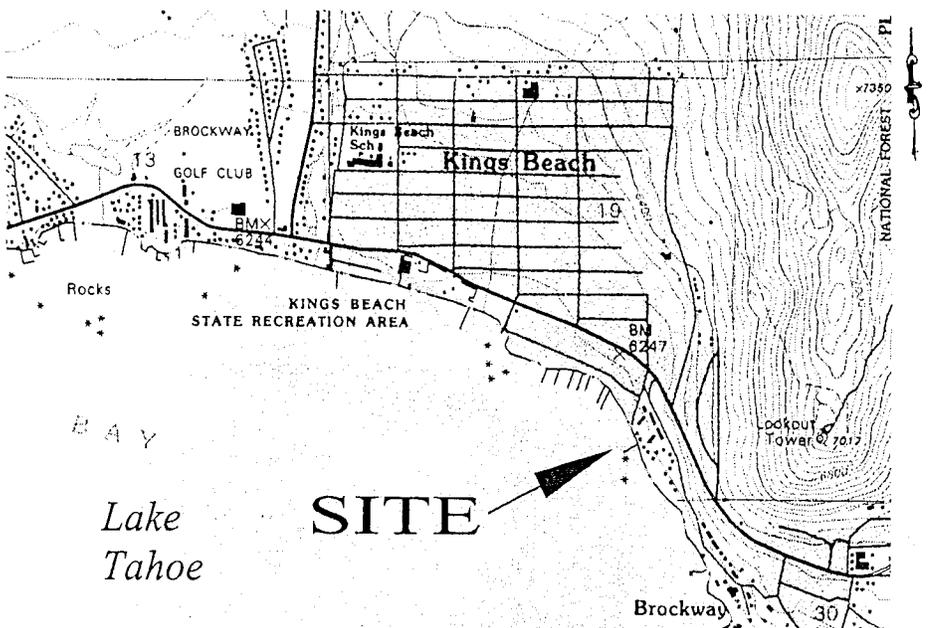
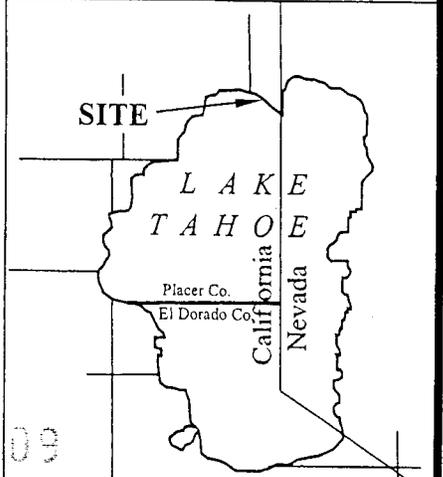


EXHIBIT A
 WP 4195.1
 BROCKWAY SHORES
 APN 090-330-026
 LAKE TAHOE
 PLACER COUNTY



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.

MAP SOURCE USGS QUAD

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