

MINUTE ITEM
This Calendar Item No. C59 was approved as
Minute Item No. 59 by the California State Lands
Commission by a vote of 3 to 0 at its
05/10/07 meeting.

**CALENDAR ITEM
C59**

A 4
S 1

PRC 5886

05/10/07
WP 5886.1
B. Terry

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

The Franciscan Owners Association, a California Nonprofit Corporation
6944 North Lake Blvd.
Tahoe Vista, CA 96148

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Tahoe Vista, Placer County.

AUTHORIZED USE:

Continued use and maintenance of 16 existing mooring buoys and two marker
buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning January 1, 2007.

CONSIDERATION:

\$5,490 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 in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On February 12, 1997, the Commission authorized a ten-year General
Lease - Recreational Use with The Franciscan Owners Association. That
lease expired on December 31, 2006. Applicant is now applying for a new
General Lease - Recreational Use.

CALENDAR ITEM NO. C59 (CONT'D)

3. The Applicant is an owners association consisting of 64 member units and related recreational facilities. The Applicant does not qualify for rent-free status because the member units are not owned by individuals, but are leased by the Applicant to the individual members. Therefore, the Applicant does not meet the qualifications of Public Resources Code section 6503.
4. The Applicant has a buoy program where the buoys are available on a first come first served basis, and are for the use by members of the association and guests only.
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).

CALENDAR ITEM NO. C59 (CONT'D)

SIGNIFICANT LANDS INVENTORY FINDING:

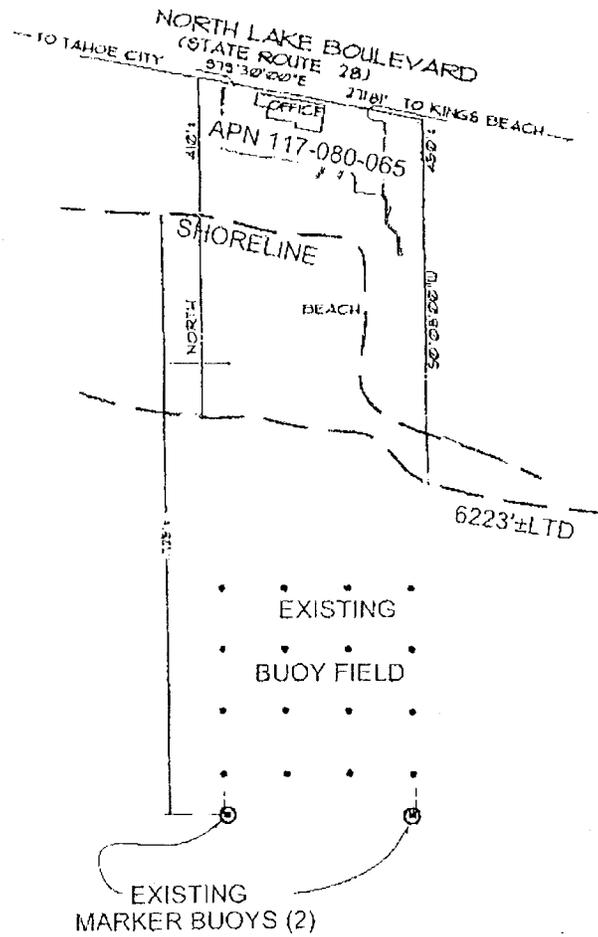
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE FRANCISCAN OWNERS ASSOCIATION, A CALIFORNIA NONPROFIT CORPORATION, OF A GENERAL LEASE – RECREATIONAL USE, BEGINNING JANUARY 1, 2007, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF 16 MOORING BUOYS AND TWO MARKER BUOYS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$5,490, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; AND LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000.

NO SCALE

SITE



6944 NORTH LAKE BLVD., TAHOE VISTA

NO SCALE

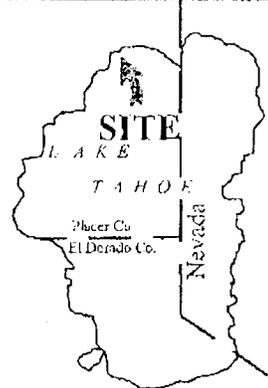
LOCATION



MAP SOURCE: USGS QUAD

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 5886.1
 FRANCISCAN
 APN 117-080-065
 GENERAL LEASE
 RECREATIONAL USE
 PLACER COUNTY



MJ 01/87

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