CALENDAR ITEM

C75

A 4 06/28/10

WP 6851.1

S 1 B. Terry

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Lakeside Pier Association

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to Assessor's Parcel Number 016-091-47, near Homewood, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning June 26, 2010.

CONSIDERATION:

$391 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:

Liability insurance in the amount of no less than $1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant has authorization to use the upland adjoining the lease premises which is owned by the Meeks Bay Vista Homeowners Association (Association). The Applicant and Association have entered into a 99-year license agreement, effective January 1, 1985, which grants the Applicant the right to use the upland parcel to access and maintain its pier.

2. On December 7, 1995, the Commission authorized a ten-year Recreational Pier Lease with Lakeside Pier Association. That lease expired on June 25, 2005 and the Applicant is now applying for a General Lease – Recreational Use.

3. The Applicant does not qualify for a rent-free Recreational Pier Lease because the Applicant is not the owner of the littoral parcel adjacent to the lease premises.

4. Staff is recommending that the Commission accept rent in the amount of $1,525 for the period starting June 26, 2005, through June 25, 2010.

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 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 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.

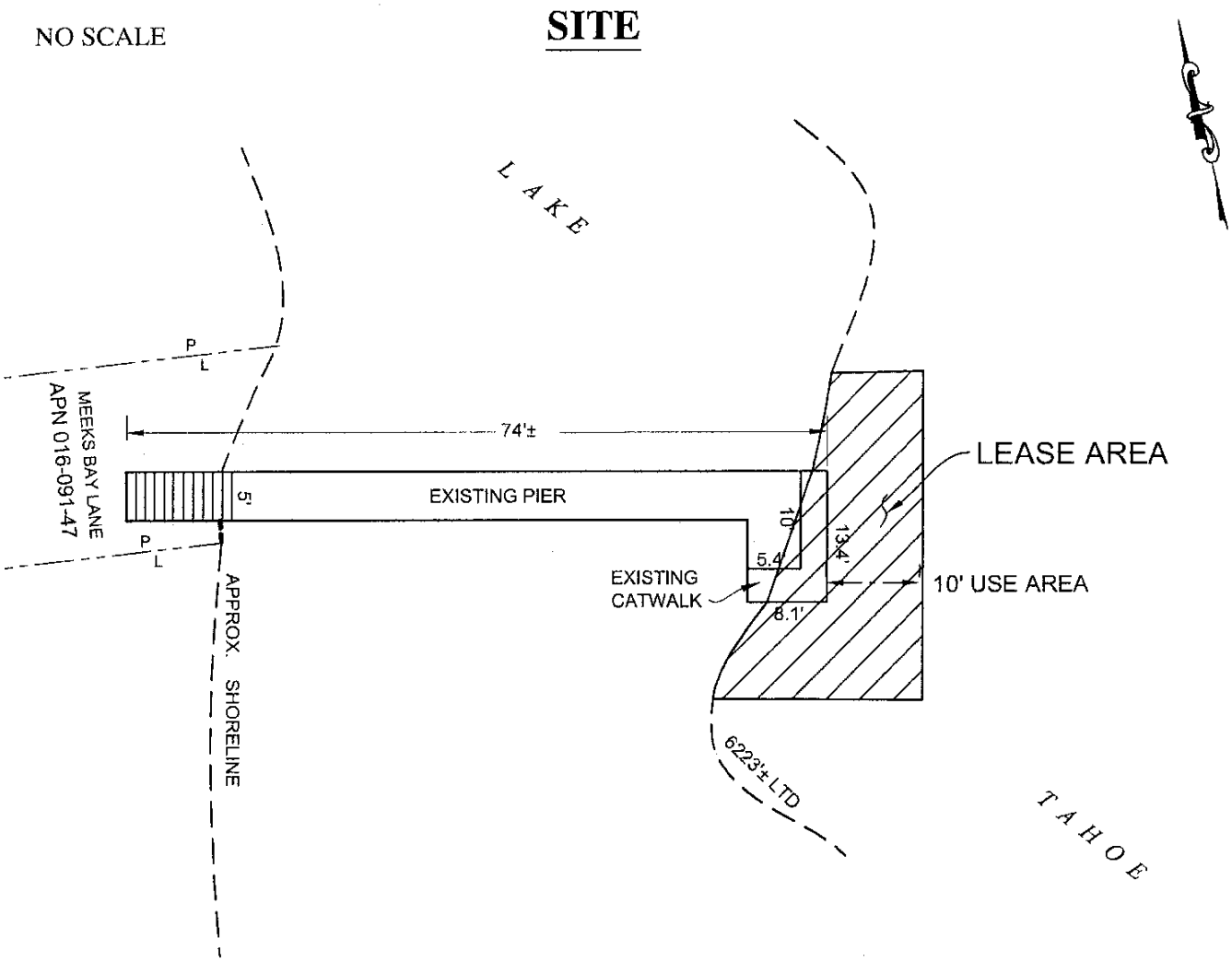
AUTHORIZATION:

1. Authorize acceptance of rent in the amount of $1,525 for the period of June 26, 2005 through June 25, 2010, and waive any penalty or interest that may have accrued.

2. Authorize issuance of a General Lease – Recreational Use to Lakeside Pier Association, beginning June 26, 2010, for a term of ten years, for the continued use and maintenance of an existing pier as shown on Exhibit A attached and by this reference made a part hereof; annual rent in the amount of $391, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance with coverage of no less than $1,000,000.

NO SCALE

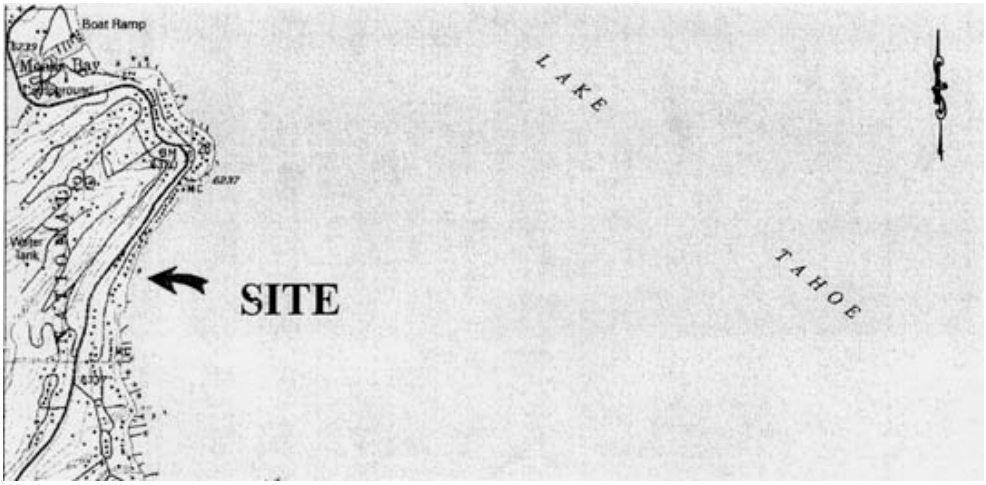
SITE



ADJACENT TO APN 016-091-47, NEAR HOMEWOOD

NO SCALE

LOCATION

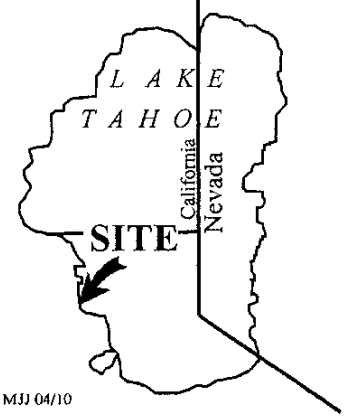


MAP SOURCE: USGS QUAD

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 6851.1
LAKESIDE PIER ASSOCIATION
ADJ. TO APN 016-091-47
GENERAL LEASE
RECREATIONAL USE
EL DORADO COUNTY



MJJ 04/10