

**CALENDAR ITEM  
C40**

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S 1

08/20/10  
WP 5296.1  
B. Terry

**GENERAL LEASE –RECREATIONAL USE**

**APPLICANT:**

Northshore Townhouse Association  
P.O. Box 6466  
Tahoe City, CA 96145

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Lake Tahoe, adjacent to 125 Lassen Drive, Tahoe City, Placer County.

**AUTHORIZED USE:**

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

**LEASE TERM:**

Ten years, beginning September 29, 2009

**CONSIDERATION:**

\$501 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 \$2,000,000.

Other:

Buoy Allotment Program: The use of the buoy field will be made available to all members of the Northshore Townhouse Association (Association) in a fair and equitable manner. A buoy allotment program must be maintained during the lease term that will identify how the buoys will be managed, maintained, and distributed for use by the Association's members.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the uplands adjoining the lease premises.

CALENDAR ITEM NO. C40 (CONT'D)

2. On June 27, 2000, the Commission authorized a ten-year General Lease – Recreational Use with Northshore Townhouse Association. That lease expired on September 28, 2009. The Applicant is now applying for a new General Lease – Recreational Use.
3. The Applicant is a townhouse association consisting of 71 members. Of these 71 members, four do not qualify for rent-free status pursuant to section 6503.5 of the Public Resources Code. Therefore, the rent is prorated according to the number of members that qualify for rent-free status.
4. 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.

5. 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.

**EXHIBITS:**

- A. Site and Location Map
- B. Land Description

**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).

CALENDAR ITEM NO. **C40** (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 of a General Lease – Recreational Use to Northshore Townhouse Association, beginning September 29, 2009, for a term of ten years, for the continued use and maintenance of an existing pier and 16 mooring buoys as shown on Exhibit A (for reference purposes only) and described in Exhibit B attached and by this reference made a part hereof; annual rent in the amount of \$501 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 \$2,000,000.