

**CALENDAR ITEM
C01**

A 5

09/20/13

W 26500

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G. Asimakopoulos

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Chateaux Du Lac Association, Inc.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 709 Lakeview Avenue, near the city of South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Use and maintenance of an existing pier not previously authorized by the Commission.

LEASE TERM:

10 years, beginning August 23, 2013.

CONSIDERATION:

\$639 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 an amount no less than \$2,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. The littoral parcel adjacent to the pier is owned by Silverado Title Company, a California Corporation (Silverado). Silverado has quitclaimed to the Chateaux Du Lac Association, Inc. (Association), all rights, title, and interest in the pier, along with an agreement to provide access to the pier for the Association's members and guests.
2. The Association is applying for a General Lease – Recreational Use for use and maintenance of an existing pier not previously authorized by the Commission. Staff has been provided with evidence suggesting the pier has existed in Lake Tahoe since 1969. The Association will also provide a "grandfather" permit from the U.S. Army Corps of Engineers. Staff

CALENDAR ITEM NO. **C01** (CONT'D)

recommends issuance of a lease for the use of State land for the Association's pier structure.

3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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. Land Description
- B. 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 California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease - Recreational Use to Chateaux Du Lac Association, Inc., beginning August 23, 2013, for a term of 10 years, for the use and maintenance of an existing pier not previously authorized by the Commission, as described in Exhibit A and shown on

CALENDAR ITEM NO. **C01** (CONT'D)

Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$639, 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 \$2,000,000 per occurrence.

EXHIBIT A

W 26500

LAND DESCRIPTION

A parcel of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 4 of fractional Section 32, Township 13 North, Range 18 East, M.D.B.&M., as shown on Official Government Township Plat approved July 8, 1875, County of El Dorado, State of California, more particularly described as follows:

All those lands underlying an existing pier and catwalk lying adjacent to that parcel described in Grant Deed recorded October 29, 1969 as Document Number 21837 in Book 956 at Page 257 in Official Records of said County.

TOGETHER WITH a ten foot impact area.

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

END OF DESCRIPTION

Prepared 04/22/2013 by the California State Lands Commission Boundary Unit.



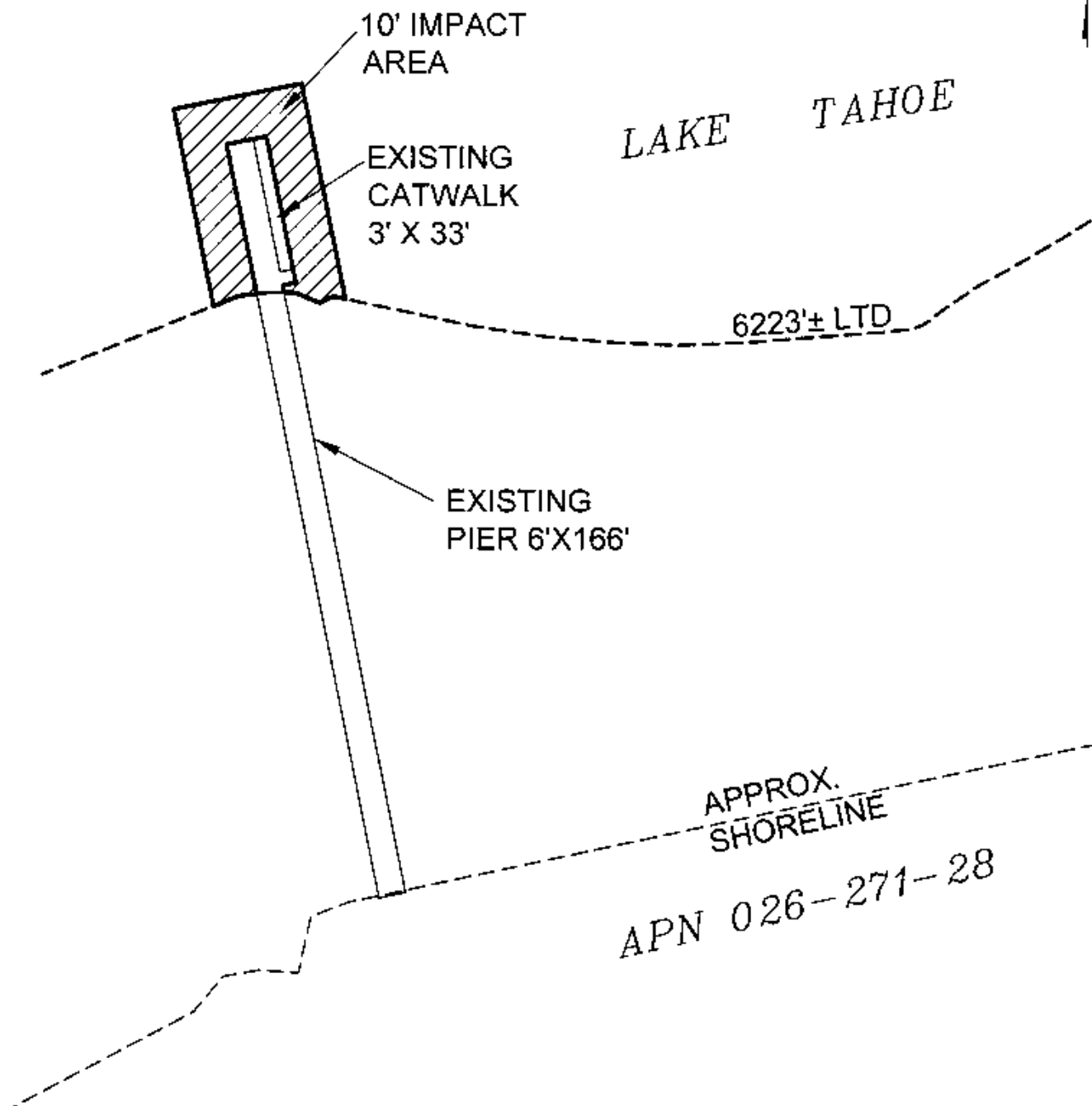


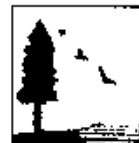
EXHIBIT A

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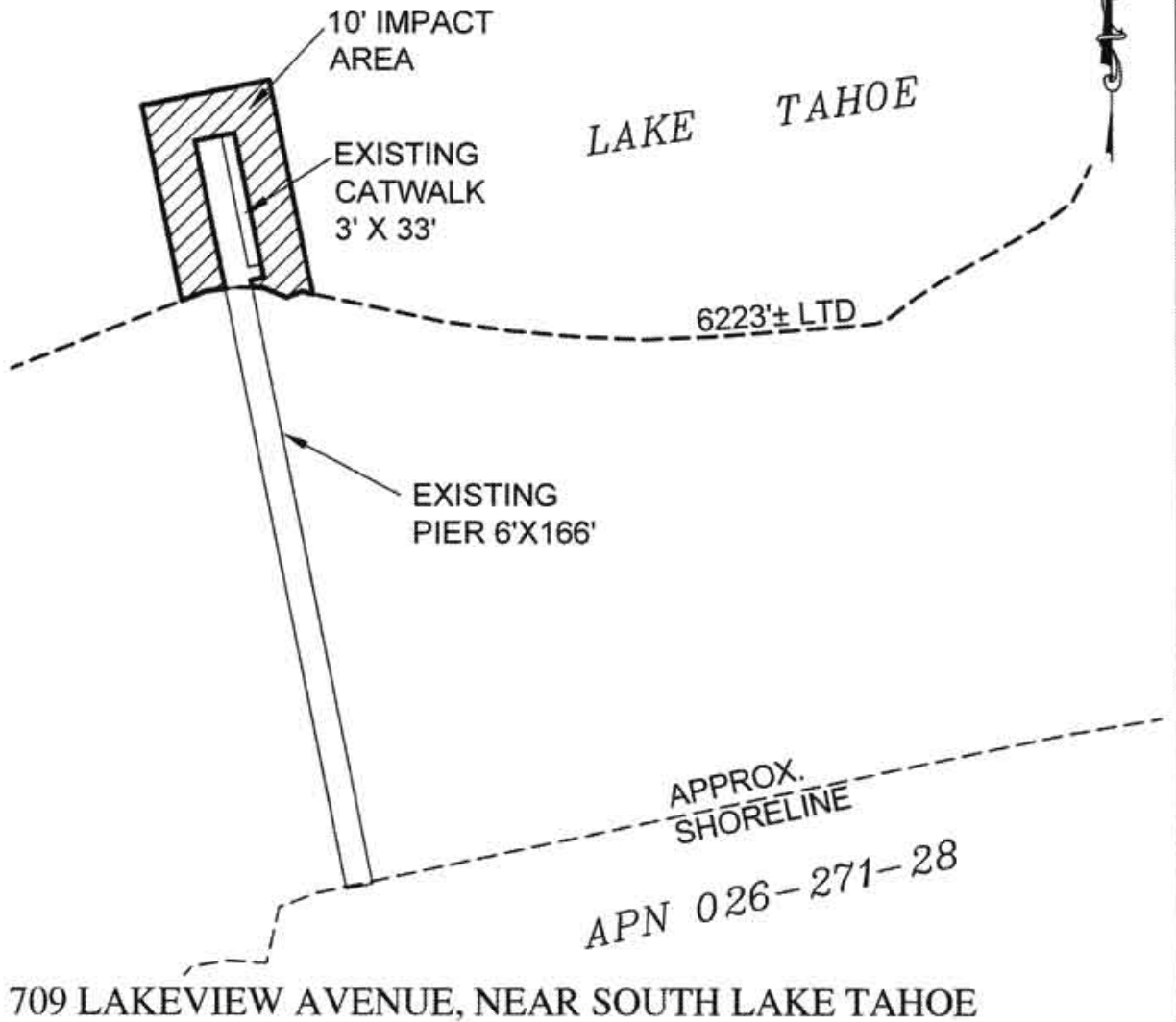
LAND DESCRIPTION PLAT
W 26500, CHATEAUX DU LAC
HOMEOWNER'S ASSOCIATION
EL DORADO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



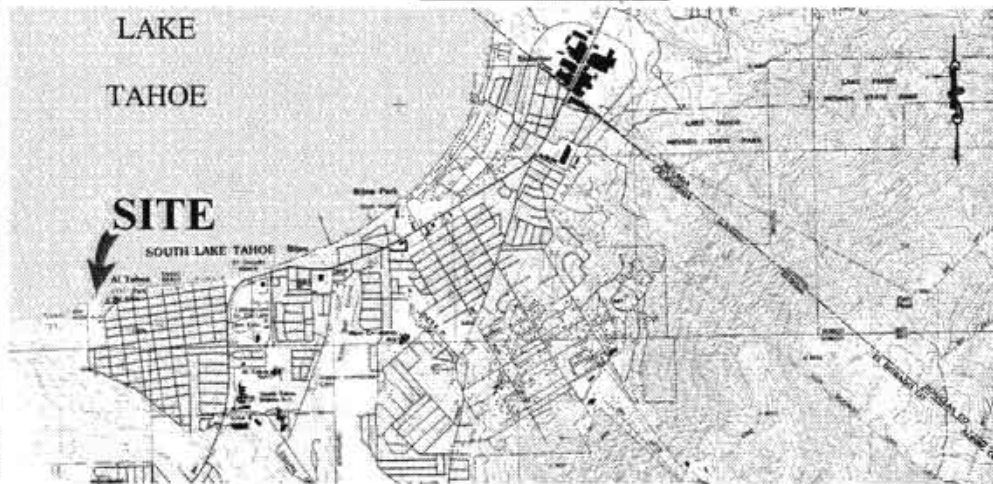
NO SCALE

SITE



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 B

W 26500
CHATEAUX DU LAC
HOMEOWNER'S ASSOCIATION
APN 026-271-28
GENERAL LEASE -
RECREATIONAL USE
EL DORADO COUNTY



TS 04/22/13