

**CALENDAR ITEM
C21**

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04/23/15
PRC 8570.1
S. Kreutzburg

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Lakeside Terrace Homeowners Association and Timberlake Homeowners Association

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 1380 and 1400 North Lake Boulevard, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing joint-use pier, 13 mooring buoys, and two marker buoys.

LEASE TERM:

10 years, beginning October 1, 2014.

CONSIDERATION:

\$6,088 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance: Liability insurance in an amount no less than \$2,000,000 per occurrence.

Other:

1. Buoy Allotment Program: The use of the buoy field will be made available to all members of the Lakeside Terrace Homeowners Association and the Timberlake Homeowners Association (Associations) 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 Associations' members.
2. If Lessee does not have valid Tahoe Regional Planning Agency (TRPA) buoy permits, Lessee is required to obtain such authorization

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for the mooring buoys within two years after the adoption of a Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of the amended ordinances. If Lessee is unable to obtain such authorization within the time limit, they must remove the buoys.

3. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining authorizations from the TRPA or any other regulatory agency for the improvements authorized by the Commission.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On October 6, 2004, the Commission authorized a 10-year General Lease – Recreational Use to Lakeside Terrace Homeowners Association and Timberlake Homeowners Association. That lease expired on September 30, 2014. The Applicant is now applying for a new General Lease – Recreational Use.
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

CALENDAR ITEM NO. **C21** (CONT'D)

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 Lakeside Terrace Homeowners Association and Timberlake Homeowners Association beginning October 1, 2014, for a term of 10 years, for the continued use and maintenance of an existing joint-use pier, 13 mooring buoys, and two marker buoys as described in Exhibit A and as shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$6,088, with an annual Consumer Price index adjustment; and liability insurance in an amount no less than \$2,000,000 per occurrence.

EXHIBIT A

PRC 8570.1

LAND DESCRIPTION

Sixteen parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 5 of fractional Section 5, Township 15 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved November 9, 1866, County of Placer, State of California, more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier and catwalks (2) lying adjacent to those parcels described in Grant Deeds recorded December 2, 2003 as Document Number 2003-0200808 and May 23, 2002 as Document Number 2002-0059684 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

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

PARCEL 2-16 – BUOYS

Thirteen circular parcel of land, being 50 feet in diameter, underlying thirteen existing buoy lying adjacent to that parcel described in Grant Deeds recorded December 2, 2003 as Document Number 2003-0200808 and May 23, 2002 as Document Number 2002-0059684 in Official Records of said County.

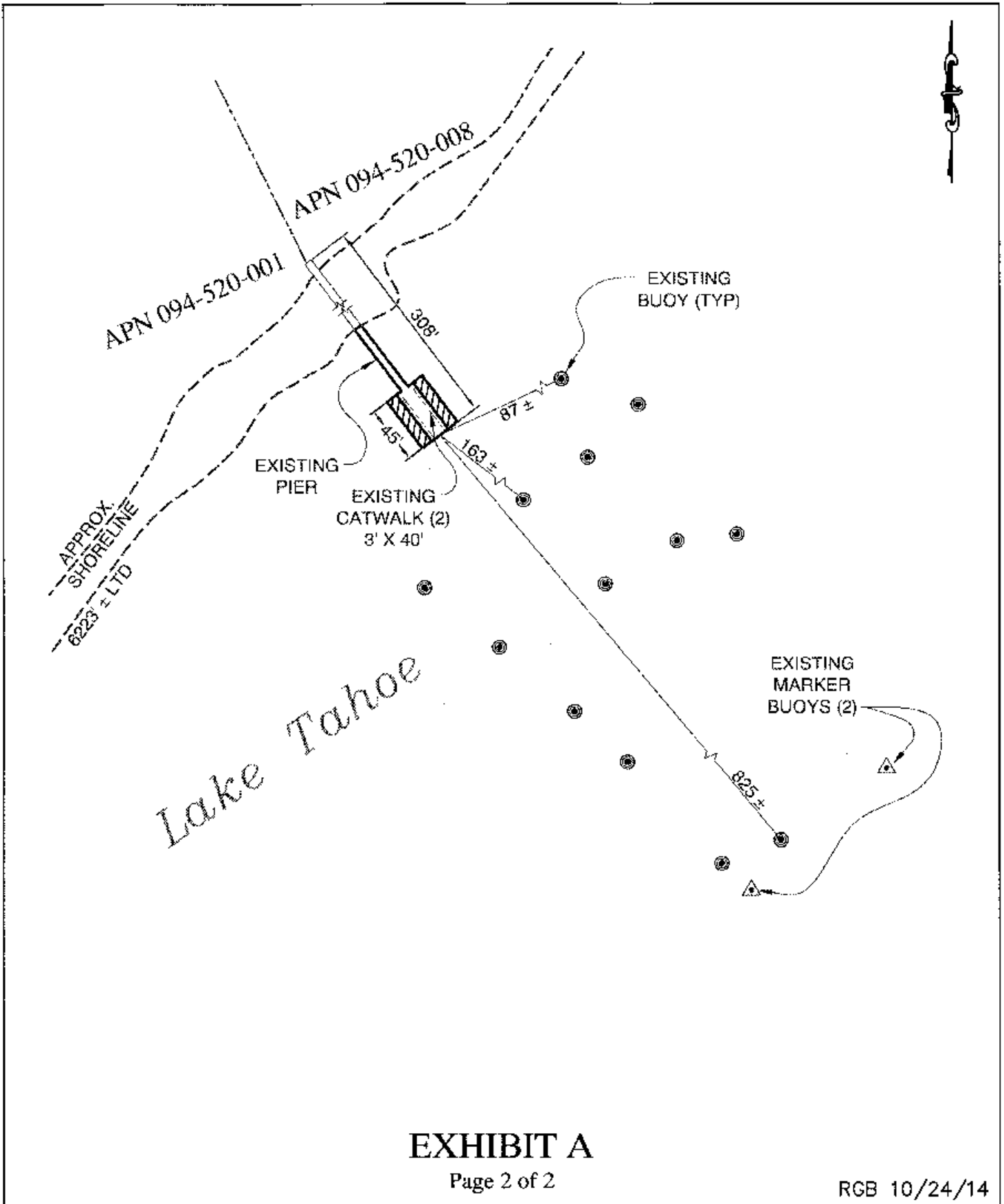
TOGETHER WITH two U.S. COAST GUARD MARKER BUOYS.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 02/02/2015 by the California State
Lands Commission Boundary Unit.





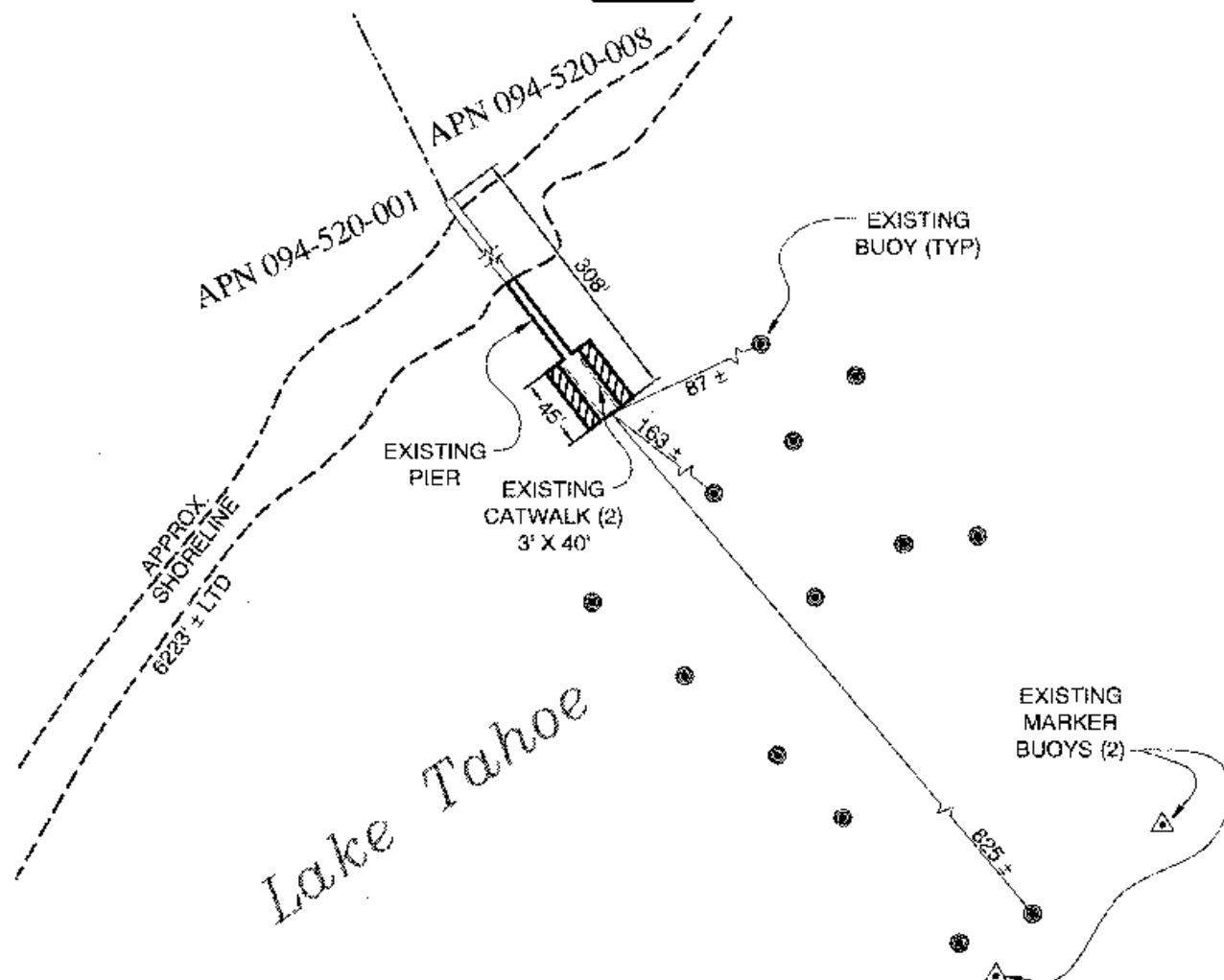
LAND DESCRIPTION PLAT
 PRC 8570, LAKESIDE/ TIMBERLAKE
 PLACER COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



1380 and 1400 NORTH LAKE BOULEVARD, NEAR TAHOE CITY

NO SCALE

LOCATION



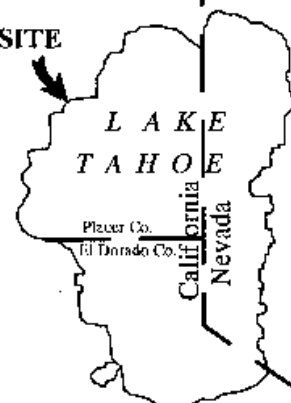
MAP SOURCE: USGS QUAD

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

PRC 8570.1
 LAKESIDE/ TIMBERLAKE
 APN 094-520-001 & 008
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY

SITE



RGB 10/24/14