

**CALENDAR ITEM
C23**

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12/18/15
PRC 8662.1
M. Schroeder

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Edgelake Beach Timeshare Owners Association, Inc.

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 7680 North Lake Boulevard, near Tahoe Vista, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, sundeck with stairs, 10 mooring buoys, and one marker buoy.

LEASE TERM:

10 years, beginning February 1, 2016.

CONSIDERATION:

\$5,180 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 Edgelake Beach Timeshare Owners Association, Inc., 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.
2. If Lessee does not have valid Tahoe Regional Planning Agency (TRPA) buoy permits, Lessee is required to obtain such authorization for the mooring buoys within two years after the adoption of a Final Environmental Impact Statement (FEIS) for the

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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 TRPA or any other regulatory agency for the improvements authorized by the Commission.
4. The lease contains provisions stating that the existing sundeck with stairs, as shown on the attached Exhibit B, cannot be expanded, and if repairs to any portion of the existing sundeck cost more than 50 percent of the base value of the sundeck, then the sundeck with stairs must be removed from the lease premises.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On February 9, 2006, the Commission authorized a General Lease – Recreational Use to Edgelake Beach Timeshare Owners Association, Inc. for an existing pier, sundeck with stairs, 10 mooring buoys, and one marker buoy. That lease will expire on January 31, 2016. The Applicant is now applying for a 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.

CALENDAR ITEM NO. **C23** (CONT'D)

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 Edgelake Beach Timeshare Owners Association, Inc., beginning February 1, 2016, for a term of 10 years, for the continued use and maintenance of an existing pier, sundeck with stairs, 10 mooring buoys, and one marker buoy, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$5,180 with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$2,000,000 per occurrence.

EXHIBIT A

PRC 8662.1

LAND DESCRIPTION

Twelve (12) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 2 fractional Section 13, Township 16 North, Range 17 East, MDM., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California, and more particularly described as follows:

PARCEL 1– PIER

All those lands underlying existing pier, two (2) catwalks and one (1) sundeck and stairs lying adjacent to that parcel described in that Grant Deed recorded June 29, 1993 in Document Number 93-046369 of Official Records of said County.

TOGETHER WITH any applicable impact area(s).

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

PARCEL 2 – BUOY FIELD (10 BUOYS)

Ten (10) circular parcels of land, being 50 feet in diameter, underlying ten (10) existing buoys lying adjacent to that parcel as described in said Grant Deed.

TOGETHER WITH one (1) US Coast Guard marker buoy adjacent to said buoy field.

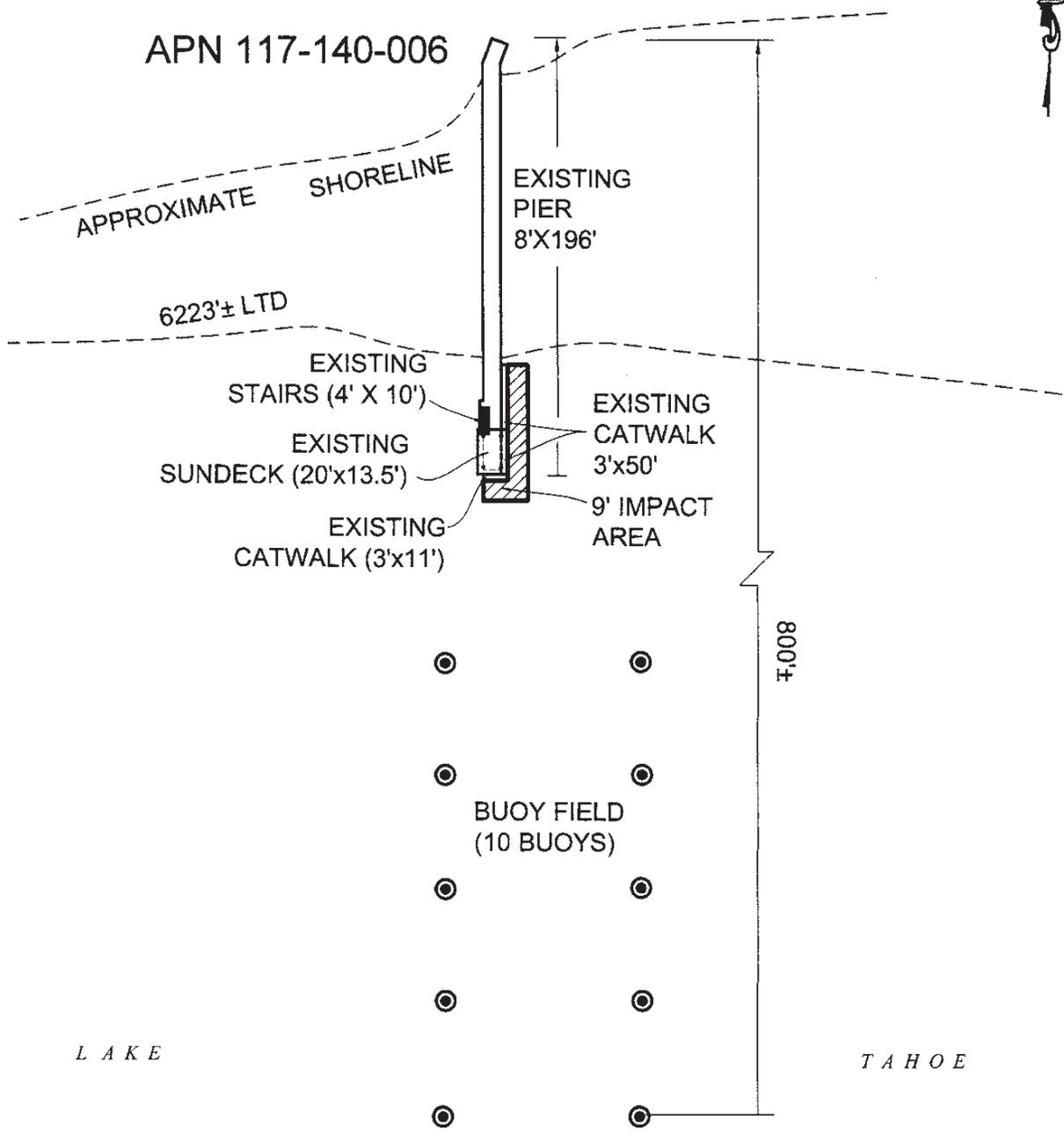
Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared October 19, 2015 by the California State Lands Commission Boundary Unit.



APN 117-140-006



⊙ US COAST GUARD MARKER BUOY

EXHIBIT A

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LAND DESCRIPTION PLAT

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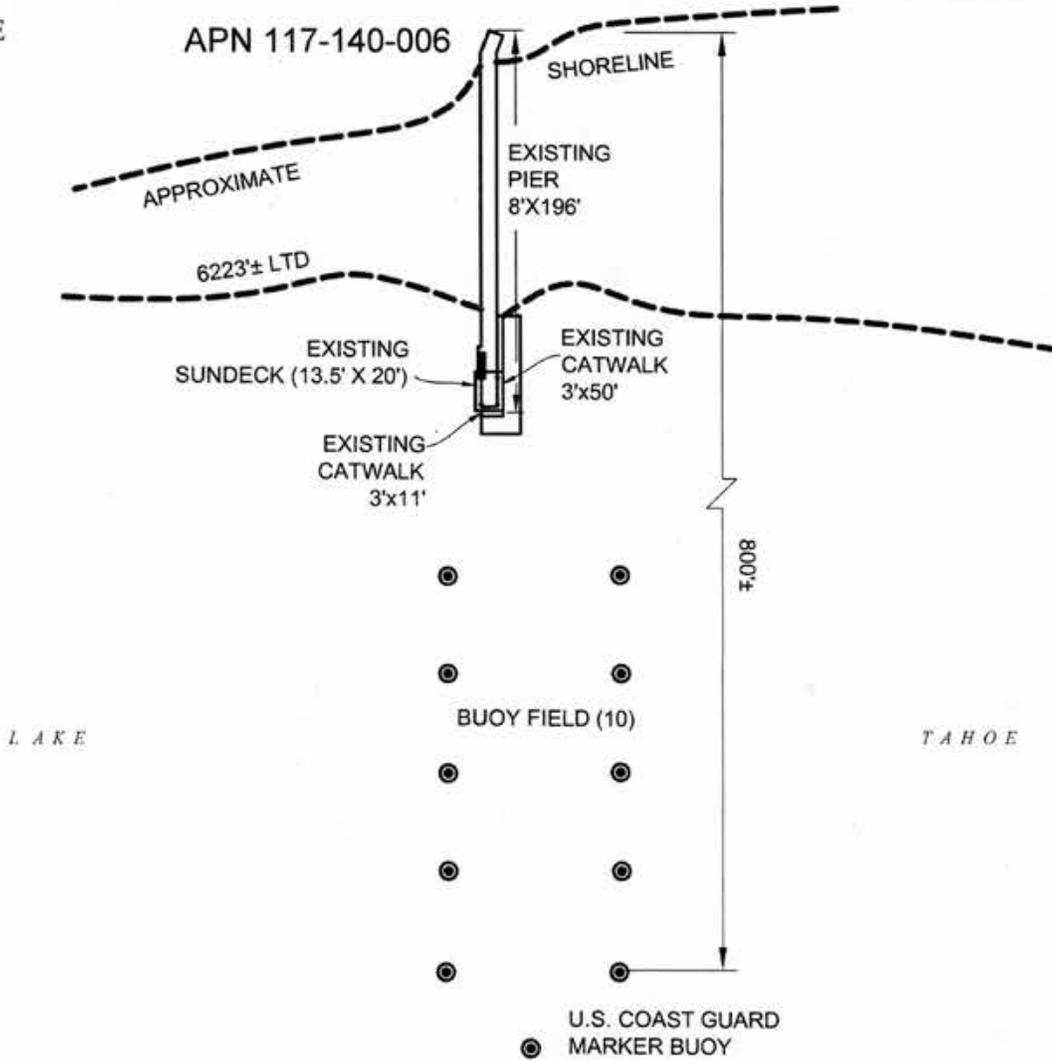
EDGELAKE BEACH TIMESHARE OWNERS ASSOC.

PLACER COUNTY

CALIFORNIA STATE LANDS COMMISSION



NO SCALE
SITE



7680 NORTH LAKE BLVD., NEAR TAHOE VISTA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8662.1
EDGELAKE BEACH TIMESHARE OWNERS
APN 117-140-006
GENERAL LEASE
RECREATIONAL USE
PLACER COUNTY



MJJ 10/27/2015

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.