

MINUTE ITEM

This Calendar Item No. C09 was approved as Minute Item No. 09 by the California State Lands Commission by a vote of 3 to 0 at its 10/06/04 meeting.

CALENDAR ITEM
C09

A 4
S 1

10/06/04
PRC 8560 W 25408
M. Hays

GENERAL LEASE-RECREATIONAL USE

APPLICANT:

Tahoya Shores Condominium Association
P. O. Box 111
Tahoe Vista, CA 96148

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Tahoe City, Placer County.

AUTHORIZED USE:

The retention of five existing mooring buoys, not previously authorized by the Commission, as shown on Exhibit A.

LEASE TERM:

Ten years, beginning October 6, 2004.

CONSIDERATION:

\$50 minimum annual rent, with the State reserving the right to fix a different rent periodically during the lease term.

SPECIFIC LEASE PROVISIONS:

1. Liability insurance with coverage of not less than \$1,000,000.
2. This lease is conditioned on the Applicants obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

OTHER PERTINENT INFORMATION:

1. The Applicant owns the upland parcel adjoining the Lease Premises and is now applying for a new lease for five existing mooring buoys.

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2. The Applicant is a homeowners' association comprised of 41 condominium units. Two percent of the 41 homeowners' association units are not owned by natural persons and do not qualify for "rent-free status". A minimum annual rent has been set.
3. The Applicant is also a Co-Lessee under PRC 7954.1 with the adjacent property owner Red Wolf Lakeside Lodge L. P. for the use and maintenance of a multi-use pier.
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 the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(3).

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.

EXHIBIT:

- A. Site and Location Map

APPROVALS NEEDED:

Buoys: Tahoe Regional Planning Agency
U.S. Army Corps of Engineers

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT

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PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(3).

SIGNIFICANT LANDS INVENTORY FINDING:

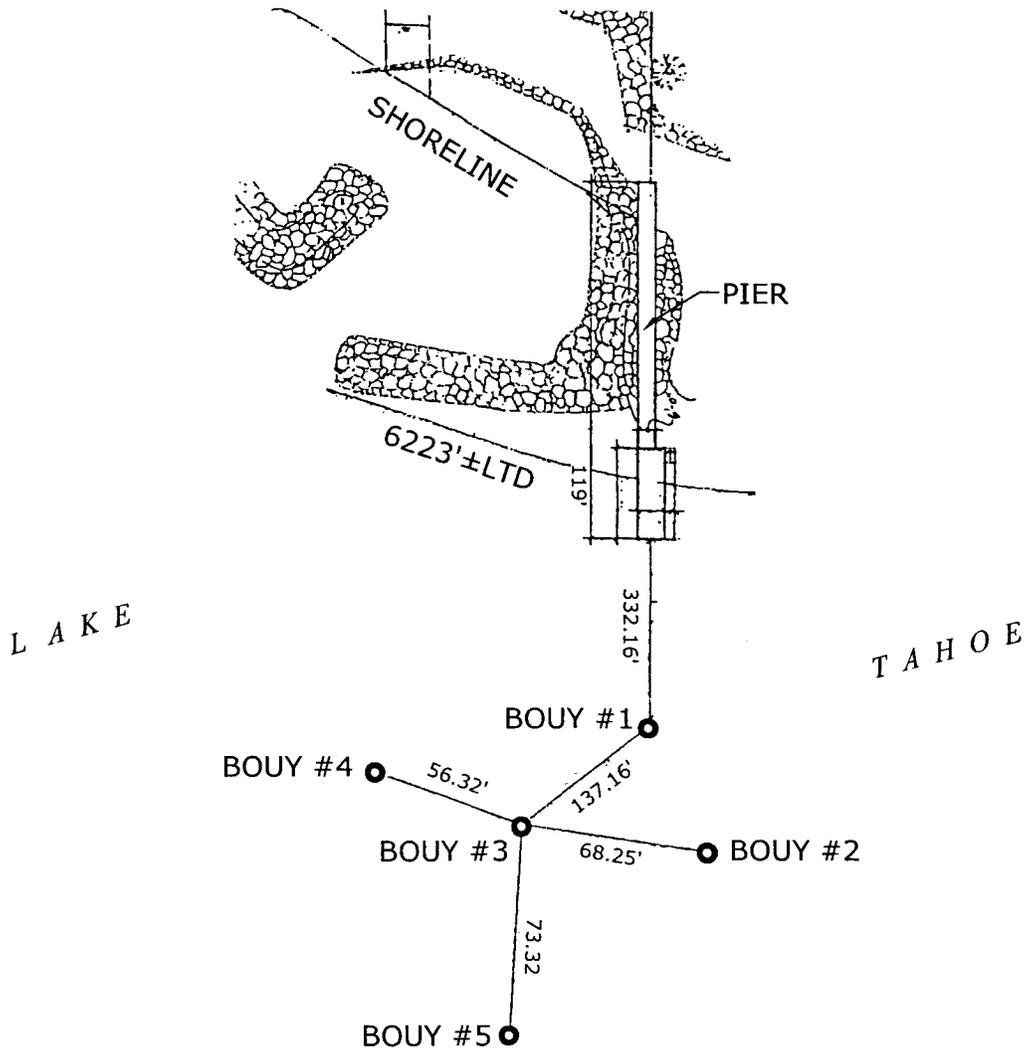
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO TAHOYA SHORES CONDOMINIUM ASSOCIATION OF A GENERAL LEASE-RECREATIONAL USE, BEGINNING OCTOBER 6, 2004, FOR A TERM OF TEN YEARS, FOR THE RETENTION OF FIVE EXISTING MOORING BUOYS, NOT PREVIOUSLY AUTHORIZED, ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; MINIMUM ANNUAL RENT OF \$50, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE TERM OF THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.

NO SCALE

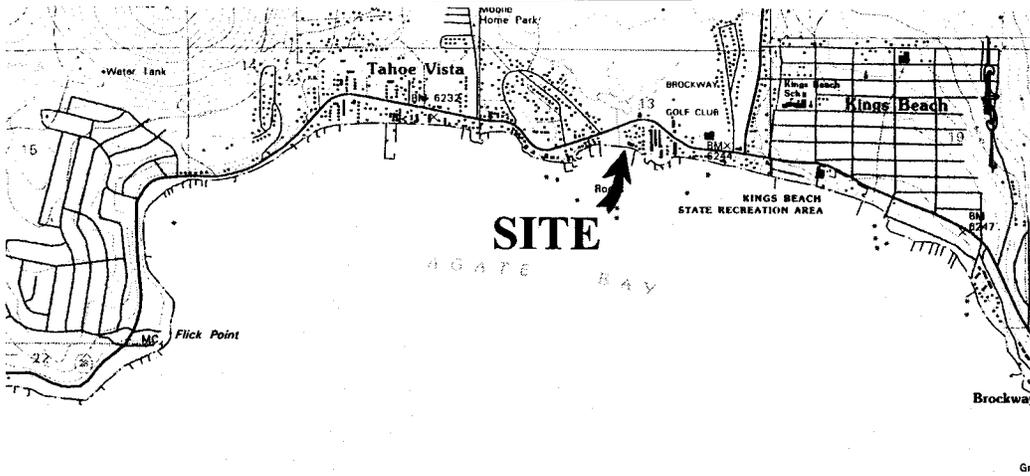
SITE



7610 NORTH LAKE BLVD., TAHOE VISTA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

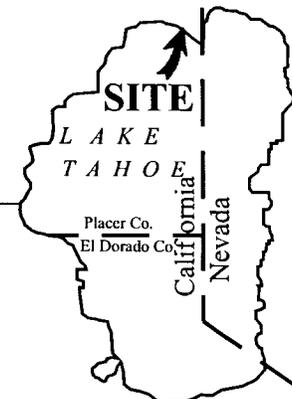
This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

W 25408

APN 117-210-082

Tahoya Shores Condominium Homeowner's Assn.
General Lease-Recreational Use
LAKE TAHOE
PLACER COUNTY



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MJJ 07/04