

**CALENDAR ITEM  
C66**

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S 1

03/25/08  
WP 4015.1  
B. Terry

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Tavern Shores Association, a non-profit California Corporation  
180 West Lake Blvd.  
Tahoe City, CA 96145

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

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

**AUTHORIZED USE:**

Reconstruction, use, and maintenance of an existing pier, and continued use and maintenance of 44 mooring buoys and two marker buoys as shown on the attached Exhibit A.

**LEASE TERM:**

Ten years, beginning June 1, 2006.

**CONSIDERATION:**

\$1,283 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 \$1,000,000.

Other:

This lease contains a provision which requires the Applicant to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendment – Final Environmental Impact Statement (FEIS) and approval of the ordinances based on the FEIS.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the uplands adjacent to the lease premises.

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2. On June 19, 1998, the Commission authorized a ten-year General Lease – Recreational Use with Tavern Shores Property Owners Association. That lease expired on May 31, 2006. Applicant is now applying for a new General Lease – Recreational Use.
3. Applicant is a property owners association consisting of 56 members. Of these 56 members, three do not qualify for rent-free status pursuant to section 6503.5 of the Public Resources Code. The rent for the pier and mooring buoys has been prorated according to the number of members that qualify for rent-free status. The marker buoys are subject to full rent because they are not used for the mooring or docking of boats.
4. Applicant proposes to reconstruct the pier which includes the following: replace the existing wood deck joists with steel girders; replace the wood deck with composite decking material; repair or replace the existing deck lighting; and remove and reattach the existing handrail system. The existing steel piles and cross beams are to remain, no pile driving is proposed. No change is proposed to the existing seasonal buoy field.
5. **Existing Pilings, 44 Mooring Buoys and Two Marker Buoys:** 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 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.
6. **Reconstruction of Decking and Joists:** 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 2, Replacement or Reconstruction; Title 2, California Code of Regulations, section 2905 (b).  
  
Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

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7. 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.

**APPROVALS REQUIRED:**

Pier reconstruction: Tahoe Regional Planning Agency  
U.S. Army Corps of Engineer

Buoys: Tahoe Regional Planning Agency

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

**EXISTING PILINGS, 44 BUOYS AND TWO MARKER BUOYS:** 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 PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

**RECONSTRUCTION OF DECKING AND JOISTS:** 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 PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (b).

**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 TAVERN SHORES ASSOCIATION, A NON-PROFIT CALIFORNIA CORPORATION BEGINNING JUNE 1, 2006, FOR A TERM

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OF TEN YEARS, FOR THE RECONSTRUCTION USE AND MAINTENANCE OF AN EXISTING PIER, AND THE CONTINUED USE AND MAINTENANCE OF 44 MOORING BUOYS AND TWO MARKER BUOYS, AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$1,283, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000.