

**CALENDAR ITEM
C48**

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10/22/09
WP 4967.1
B. Terry

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Ridgewood Property Owners Association
4520 North Lake Boulevard
Carnelian Bay, CA

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 4520 North Lake Boulevard, near Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, 15 mooring buoys and one swim float as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning September 29, 2008.

CONSIDERATION:

\$456 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 with coverage of no less than \$2,000,000.

Other:

The lease contains a provision that 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 Amendments-Final Environmental Impact Statement (FEIS) and approval of the ordinances based on the FEIS.

Buoy Allotment Program:

The use of the buoy field will be made available to all members of the Ridgewood Property Owners Association (Association) in a fair and equitable manner. A buoy allotment program must be maintained during

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the lease term that will identify how the buoys will be managed, maintained and distributed for use by the Association's members.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On December 16, 1998, the Commission authorized a ten-year General Lease – Recreational Use, with Ridgewood Property Owners Association. That lease expired on September 28, 2008. Applicant is now applying for a new General Lease – Recreational Use.
3. Applicant is a property owners association consisting of 55 members. Of these 55 members, one member does 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 swim float is subject to full rent because it is not used for the mooring and docking of boats.
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 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.

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.

APPROVAL REQUIRED:

Buoys and Swim Float: Tahoe Regional Planning Agency

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

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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 PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15303.

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 RIDGEWOOD PROPERTY OWNERS ASSOCIATION, BEGINNING SEPTEMBER 29, 2008, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, 15 MOORING BUOYS, AND ONE SWIM FLOAT AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$456, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; AND LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$2,000,000.