

**CALENDAR ITEM
C02**

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S 1

04/23/15
W 26744
M.J. Columbus

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Douglas W. Regalia and Susan A. Regalia, Trustees, the Regalia Family Trust
Dated June 11, 2013

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 3005 West Lake Boulevard, near
Homewood, Placer County.

AUTHORIZED USE:

Use and maintenance of one existing mooring buoy

LEASE TERM:

10 years, beginning April 23, 2015.

CONSIDERATION:

\$377 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

Other:

1. If Lessee does not have a valid Tahoe Regional Planning Agency (TRPA) buoy permit, Lessee is required to obtain such authorization for the mooring buoy 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 buoy.
2. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining

CALENDAR ITEM NO. **C02** (CONT'D)

authorizations from 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. The Applicant's mooring buoy has been in Lake Tahoe for many years, but was not previously authorized by the Commission. The Applicant is now applying for a General Lease – Recreational Use for the use and maintenance of the mooring buoy. Staff recommends bringing the existing mooring buoy under lease.
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

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).

CALENDAR ITEM NO. **C02** (CONT'D)

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 Douglas W. Regalia and Susan A. Regalia, Trustees, the Regalia Family Trust Dated June 11, 2013, beginning April 23, 2015, for a term of 10 years, for the use and maintenance of an existing mooring buoy not previously authorized by the Commission 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 \$377, with an annual Consumer Price Index adjustment; and liability insurance with coverage in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

W 26744

LAND DESCRIPTION

One parcel of submerged land situated in the bed of Lake Tahoe, lying adjacent to Lot 2 of fractional Section 25, Township 15 North, Range 16 East, M.D.B.&M., as shown on Official Government Township Plat approved December 20, 1865, County of Placer, State of California, more particularly described as follows:

One circular parcel of land, being 50 feet in diameter, underlying one existing buoy lying adjacent to those parcels described in Grant Deed recorded June 24, 2013 as Document Number 2013-0062062 in Official Records of said County.

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

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 02/12/2015 by the California State Lands Commission Boundary Unit.



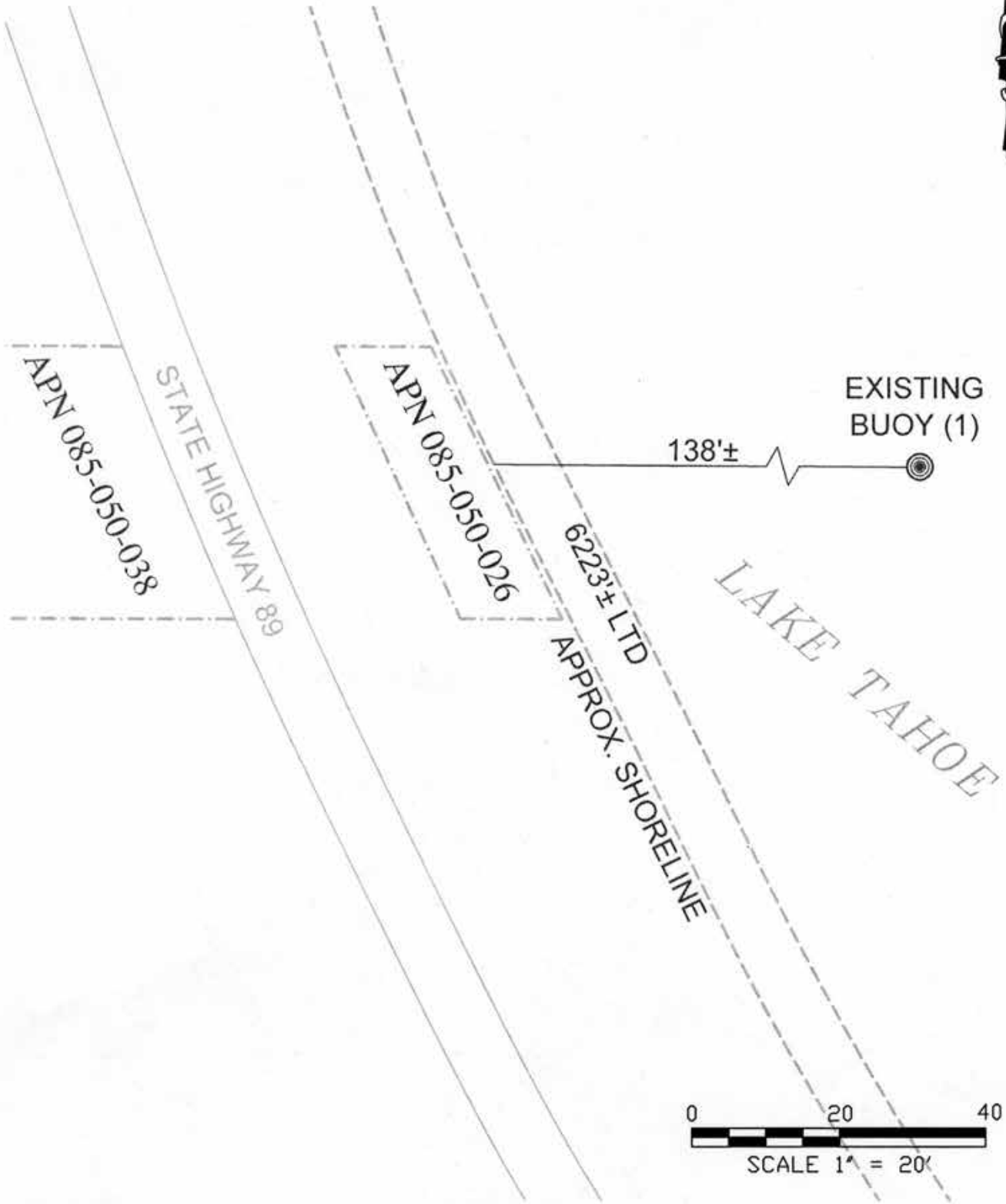


EXHIBIT A

LAND DESCRIPTION PLAT
W 26744, REGALIA
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



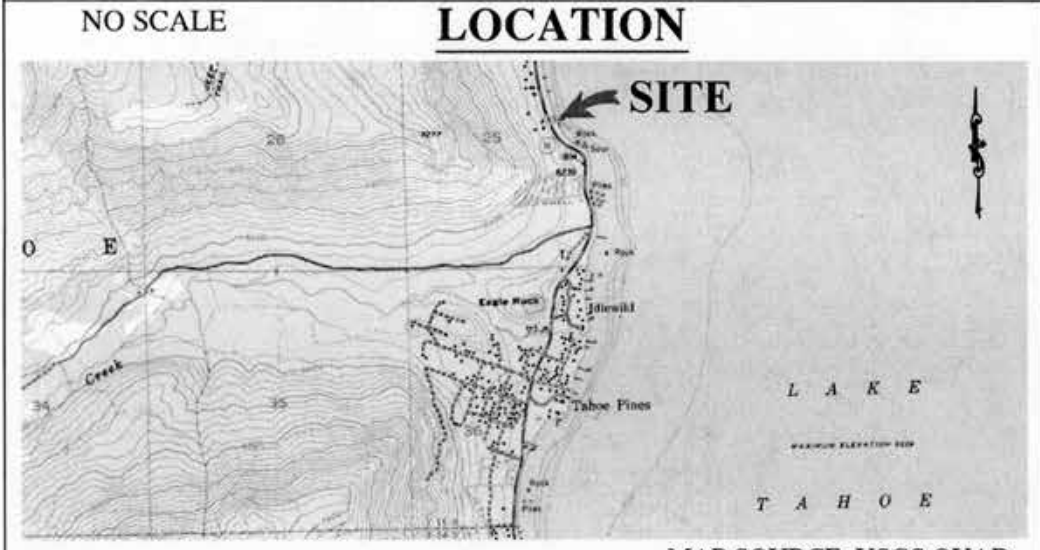
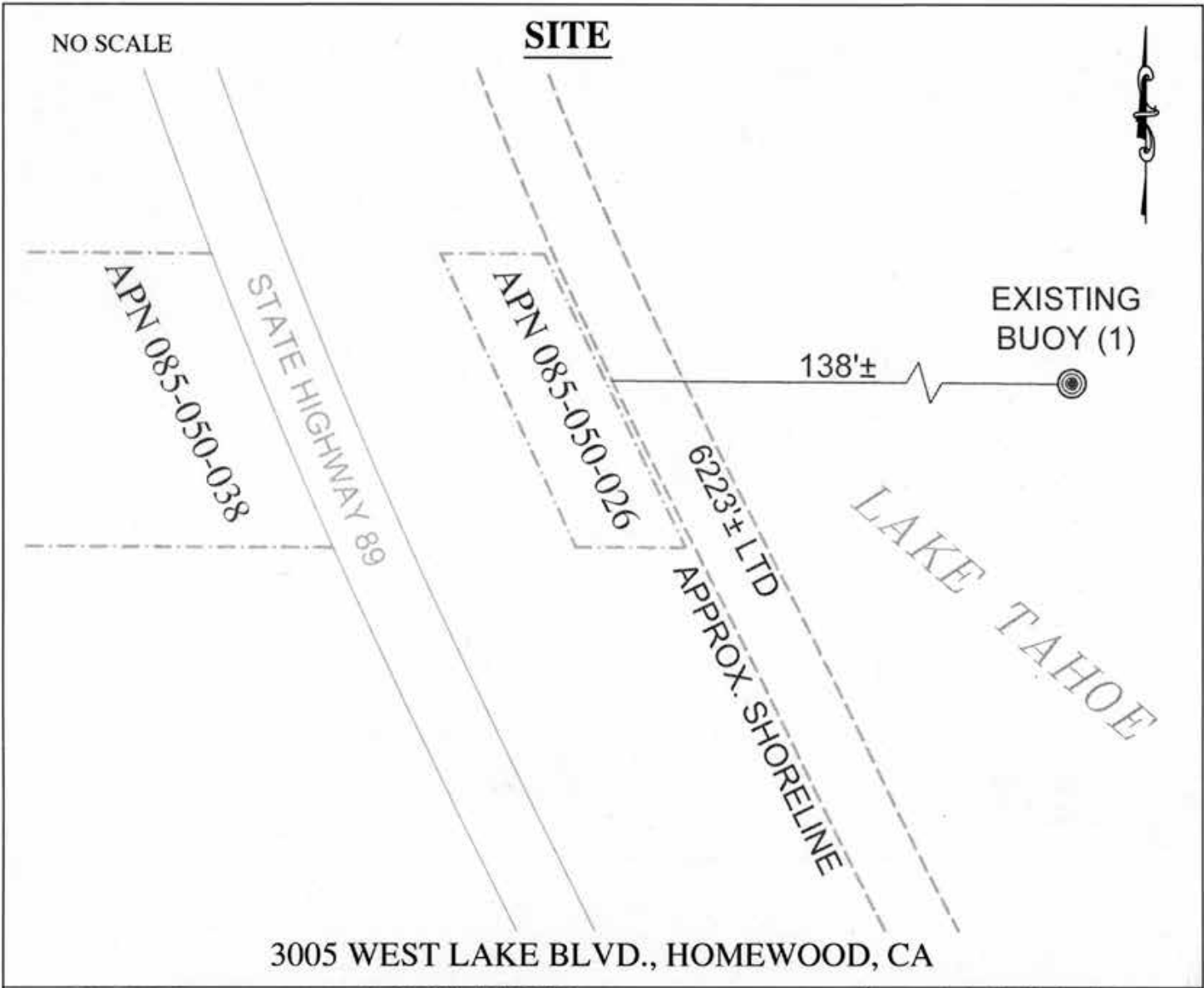


Exhibit B

W 26744
 REGALIA
 APN 085-050-026
 APN 085-050-038
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



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.