

MINUTE ITEM
This Calendar Item No. C19 was approved as
Minute Item No. 19 by the California State Lands
Commission by a vote of 3 to 0 at its
8-8-05 meeting.

CALENDAR ITEM
C19

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08/08/05
PRC 3637 WP 3637.1
R. Barham

**TERMINATION AND ISSUANCE OF A
GENERAL LEASE – RECREATIONAL USE**

LESSEE:

Lakeside Investors, L.P., A California Limited Partnership

APPLICANTS:

William D. Watkins and Denise P. Watkins Trustees of the Watkins Family Trust
Dated 1-7-94

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Tahoma, Placer County

AUTHORIZED USE:

Continued use and maintenance of an existing guest pier and the retention of five
existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning March 5, 2004

CONSIDERATION:

\$919 per year for the guest pier and five mooring buoys; 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 \$500,000.

Other:

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.

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OTHER PERTINENT INFORMATION:

1. On October 1, 2002, the Commission authorized a ten-year General Lease – Recreational Use to Lakeside Investors, L.P., A California Limited Partnership. That lease will expire on September 18, 2011.
2. On March 5, 2004, the Lessee transferred ownership of the uplands to William D. Watkins and Denise P. Watkins Trustees of the Watkins Family Trust Dated 1-7-94. Staff is recommending termination of the existing lease and approval of a new lease, effective as of the date of the upland property transfer. Applicants are now applying for a new General Lease – Recreational Use.
3. The applicants do not qualify for a rent-free Recreational Pier Lease because the upland parcel, adjacent to the lease premises, is improved as a motel/lodge. The guest pier and five mooring buoys are for the use of the guests of the lodge.
4. **Termination of existing lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code Section 21065 and Title 14, California Code of Regulations, section 15060(c)(3) and 15378.

5. **Issuance of new lease (guest pier and five mooring 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.

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6. 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:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

TERMINATION OF EXISTING LEASE: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060 (c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

ISSUANCE OF NEW LEASE (GUEST PIER AND FIVE 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).

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.

CALENDAR ITEM NO. C19 (CONT'D)

AUTHORIZATION:

AUTHORIZE TERMINATION OF A GENERAL LEASE – RECREATIONAL USE NO. PRC 3637.1, EFFECTIVE MARCH 5, 2004, ISSUED TO LAKESIDE INVESTORS, L.P., A CALIFORNIA LIMITED PARTNESHIP APPROVED BY THE COMMISSION ON OCTOBER 1, 2002.

AUTHORIZE ISSUANCE TO WILLIAM D. WATKINS AND DENISE P. WATKINS TRUSTEES OF THE WATKINS FAMILY TRUST DATED 1-7-94 OF A TEN-YEAR GENERAL LEASE – RECREATIONAL USE, BEGINNING MARCH 5, 2004, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING GUEST PIER AND THE RETENTION OF FIVE EXISTING MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$919, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$500,000.

