

**CALENDAR ITEM
C20**

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05/05/08
WP 2754.9
N. Lee

AMENDMENT OF LEASE

LESSEES:

Tahoe City Public Utility District
P.O. Box 5249
Tahoe City, CA 96145

California Department of Fish and Game,
Acting through the Wildlife Conservation Board
1807 13th Street, Suite 103
Sacramento, CA 95811

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 2500 Lake Forest Road, near Tahoe City, Placer County.

AUTHORIZED USE:

Use and maintenance of a public recreational boating facility.

LEASE TERM:

49 years, beginning January 16, 1979.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

PROPOSED AMENDMENT:

Authorize the permanent installation of seven floating pier sections to expand the existing pier and six trench plates to extend the existing boat launching ramp. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. The California Department of Fish and Game, acting through the Wildlife Conservation Board (WCB), owns the uplands adjoining the lease

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premises. Under an agreement with the WCB, the Tahoe City Public Utility District (TCPUD) operates and maintains the public pier and boat launching ramp facility within the lease premises.

2. On June 27, 1979, the Commission authorized a General Permit - Public Agency Use with the TCPUD and the WCB. That permit will expire on January 15, 2028. On April 24, 1980, the Commission authorized an amendment to this permit for construction of an extension to the pier. A second amendment was authorized on April 24, 2001, for the expansion, relocation and reconstruction of the pier. On April 7, 2003, the Commission authorized a third amendment for the addition of seven temporary float sections to expand the existing pier and six temporary trench plates to extend the existing boat launching ramp.
3. The temporary float sections and trench plates were initially needed during a period of low water in 2003, which made the pier almost inaccessible to boats. Since the construction of the pier, the facility has experienced a tremendous increase in demand. Throughout the four-month summer boating season, the TCPUD's public pier facility sees an estimated 6,500 users and, on a peak day, the average use can be upwards of 850 patrons. Without the extended float sections and trench plates, boaters are forced to launch their boats and idle in the waters surrounding the landing. Due to concerns for the safety of the boating public on the lease premises and to help alleviate heavy traffic and congestion, the TCPUD has applied for a fourth amendment to authorize the permanent installation of the float sections and trench plates.
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.

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APPROVALS REQUIRED:

Tahoe Regional Planning Agency
U.S. Army Corps of Engineers
Lahontan Regional Water Quality Control Board
California Department of Fish and Game

EXHIBITS:

- A. Site and Location Map
- B. Land Description

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 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.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 2754.9, A GENERAL PERMIT – PUBLIC AGENCY USE, OF LANDS SHOWN ON EXHIBIT A AND DESCRIBED IN EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE MAY 5, 2008, TO AUTHORIZE THE PERMANENT INSTALLATION OF SEVEN FLOATING PIER SECTIONS TO EXPAND THE EXISTING PIER AND SIX TRENCH PLATES TO EXTEND THE EXISTING BOAT LAUNCHING RAMP; ALL OTHER TERMS AND CONDITIONS OF THE PERMIT WILL REMAIN IN EFFECT WITHOUT AMENDMENT.