

**CALENDAR ITEM
C63**

A 1
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04/26/13
PRC 5290.1
B. Terry

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Tahoe Pines Homeowners Association

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, near Tahoe Pines, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier.

LEASE TERM:

10 years, beginning August 9, 2012.

CONSIDERATION:

\$2,780 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:

Liability insurance in the amount of no less than \$2,000,000.

OTHER PERTINENT INFORMATION:

1. The littoral parcel adjacent to the pier is owned by the County of Placer. The County of Placer has quitclaimed to the Tahoe Pines Homeowners Association (Association) all rights, title, and interest in the pier, along with an agreement to provide access to the pier for the Association's members and guests.
2. On June 27, 2000, the Commission authorized a General Lease – Recreational Use with the Association. That lease expired on August 8, 2009. Applicant is now applying for a new General Lease – Recreational Use.
3. After the prior lease expired, the Applicant continued to pay the annual rent in effect during the term of that lease. Pursuant to the expired lease,

CALENDAR ITEM NO. **C63** (CONT'D)

the annual rent in effect during any holding-over period shall be increased by 25 percent. Staff is recommending that the Commission accept the additional 25 percent of holdover rent in the amount of \$1,074 for the period beginning August 9, 2009 through August 8, 2012.

4. 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..

5. 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).

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.

CALENDAR ITEM NO. **C63** (CONT'D)

AUTHORIZATION:

1. Authorize acceptance of additional holdover rent, in the amount of \$1,074 for the period of August 9, 2009 through August 8, 2012.

2. Authorize issuance of a General Lease - Recreational Use to Tahoe Pines Homeowners Association, beginning August 9, 2012, for a term of 10 years, for the continued use and maintenance of an existing pier 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 \$2,780, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the Lease; and liability insurance in the amount of no less than \$2,000,000.

EXHIBIT A

PRC 5290.1

LAND DESCRIPTION

A parcel of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 2 fractional Section 36, Township 15 North, Range 16 East, MDM., as shown on Official Government Township Plat approved April 11, 1884, County of Placer, State of California, and more particularly described as follows:

All those lands underlying an existing pier and two (2) catwalks lying adjacent to the southeasterly terminus of Grand Avenue, said Grand Avenue shown on that "Map of Tahoe Pines", filed in Book C Maps, Page 12, records of said County.

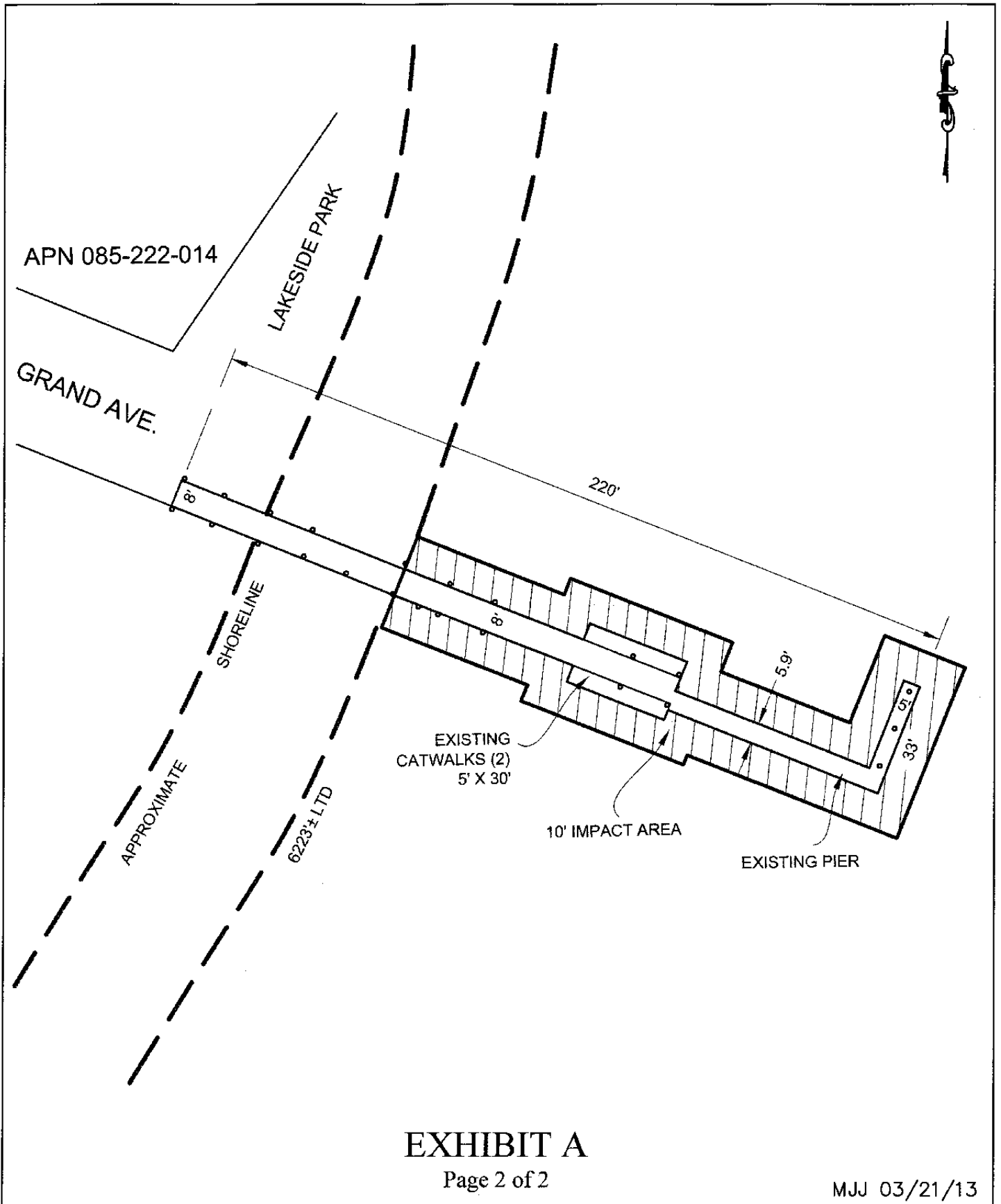
EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared March 20, 2013 by the California State Lands Commission Boundary Unit.





LAND DESCRIPTION PLAT
 PRC 5290.1, TAHOE PINES HOA
 PLACER COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



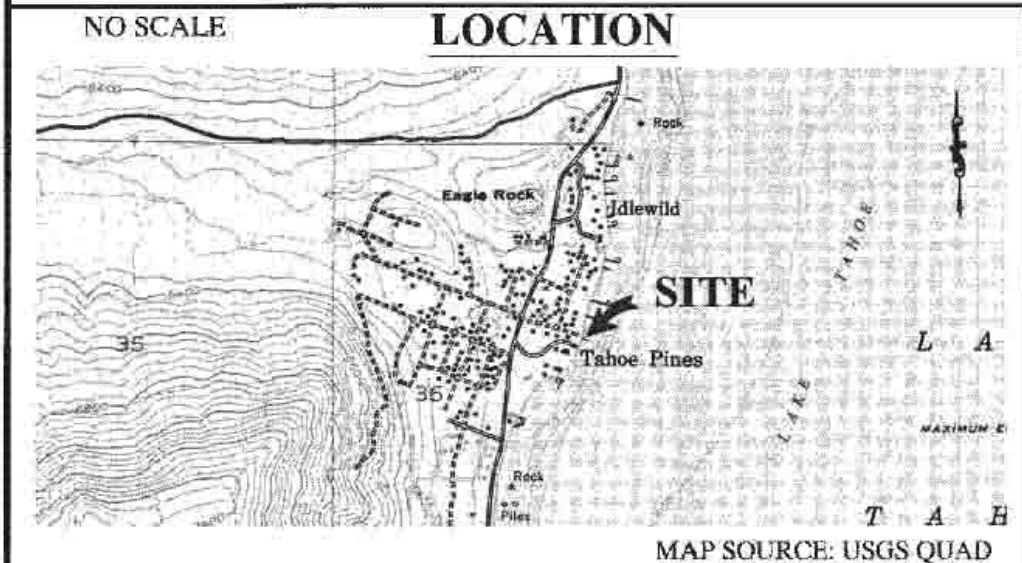
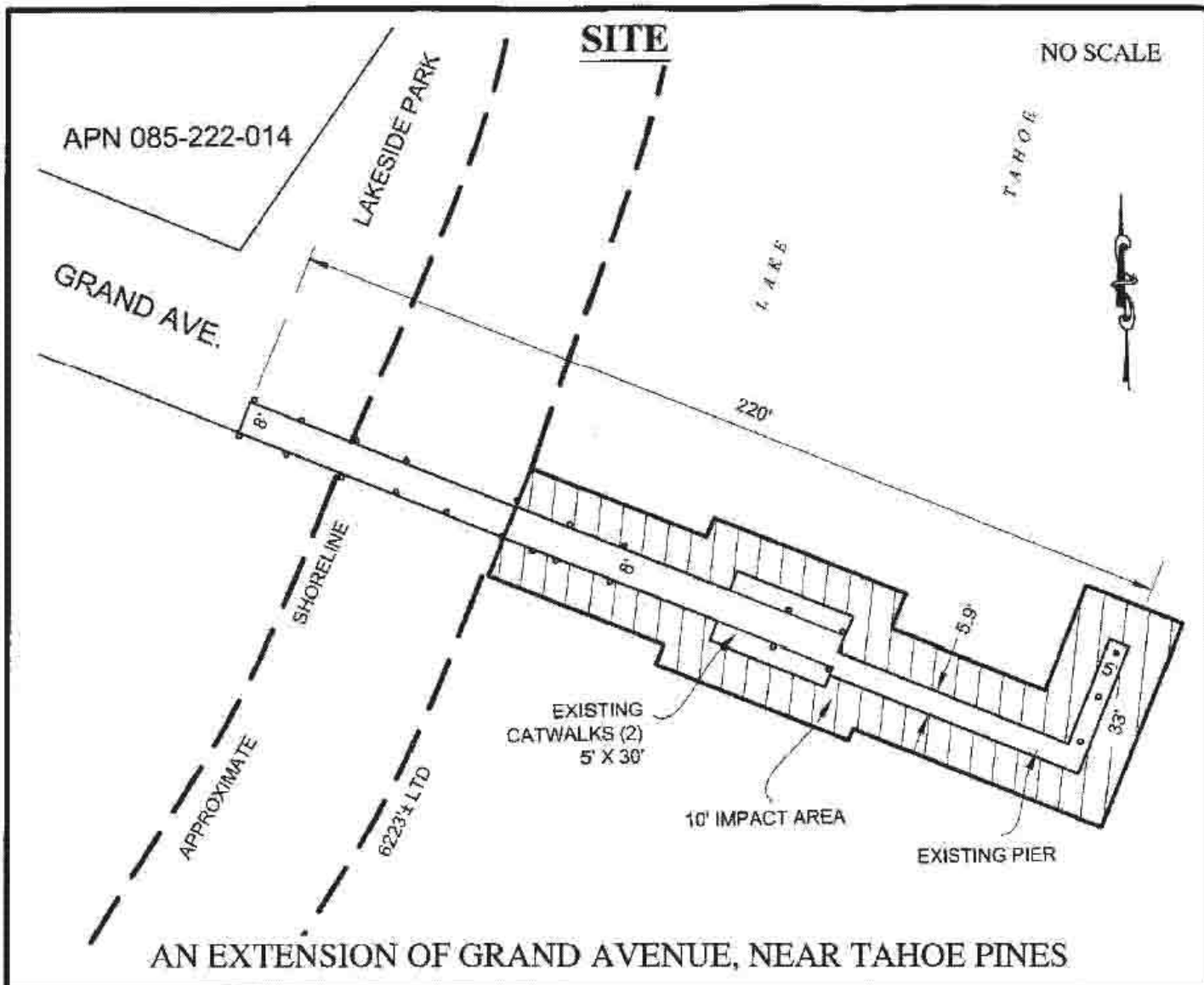
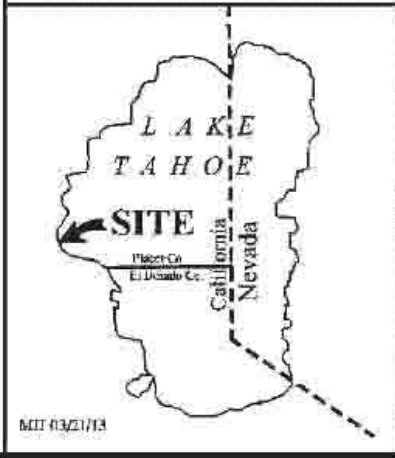


Exhibit A
 PRC 5290.1
 TAHOE PINES HOA
 EXTENSION OF
 GRAND AVE.
 APN 085-222-014
 PLACER COUNTY



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.