

**CALENDAR ITEM
C34**

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04/23/15
PRC 5956.1
M. Schroeder

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Tahoe Tavern Property Owners Association

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 300 West Lake Boulevard, Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing multiple-use pier and 64 mooring buoys, and relocation of 26 mooring buoys and four marker buoys.

LEASE TERM:

10 years, beginning October 1, 2014.

CONSIDERATION:

\$46,319 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 valid Tahoe Regional Planning Agency (TRPA) buoy permits, Lessee is required to obtain such authorization for the mooring buoys 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 buoys.
2. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining

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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. On December 8, 2005, the Commission authorized a General Lease – Recreational Use to Tahoe Tavern Property Owners Association for an existing multiple-use pier, 90 mooring buoys, and four marker buoys. That lease expired on September 30, 2014. The Applicant is now applying for a General Lease – Recreational Use.
3. Due to the low lake levels and to allow for safe moorage of boats, the Applicant is proposing to relocate 26 mooring buoys and four marker buoys in order to maintain a navigable depth.
4. **Relocation of 26 Mooring Buoys and Four Marker Buoys:** 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 2, Replacement or Reconstruction; California Code of Regulations, Title 14, section 15302.
5. **Existing Multiple Use Pier and 64 Mooring Buoys:** The staff recommends that the Commission find that this activity is exempt from the requirements of 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.

6. 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.

APPROVALS OBTAINED:

United States Coast Guard

CALENDAR ITEM NO. **C34** (CONT'D)

FURTHER APPROVALS REQUIRED:

Tahoe Regional Planning Agency

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Relocation of 26 Mooring Buoys and Four Marker Buoys:

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 2, Replacement or Reconstruction, California Code of Regulations, Title 14, section 15302.

Existing Multiple Use Pier and 64 Mooring Buoys:

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.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Tahoe Tavern Property Owners Association beginning October 1, 2014, for a term of 10 years, for the continued use and maintenance of an existing multiple-use pier and 64 mooring buoys, and relocation of 26 mooring buoys and four marker buoys 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 \$46,319, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5956.1

LAND DESCRIPTION

Ninety five parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to fractional Section 7, Township 15 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved November 9, 1866, County of Placer, State of California, more particularly described as follows:

PARCEL 1– PIER

All those lands underlying an existing pier and catwalks lying adjacent to those parcels as shown on the maps “Tahoe Tavern Properties, Phase One” recorded July 28, 1965 in Book H of Maps at Page 70 and “Tahoe Tavern Properties, Phase Two” recorded May 4, 1966 in Book H of Maps at Page 99 of Records of said County.

TOGETHER WITH any applicable Impact Area(s).

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

PARCELS 2 through 95 – BUOYS

Ninety circular parcels of land, each being 50 feet in diameter, underlying ninety existing buoys lying adjacent to those parcels as shown on the map “Tract No. 163 Tahoe Tavern Properties, Phases 5 and 6” recorded January 21, 1970 in Book I of Maps at Page 72 of Records of said County.

TOGETHER WITH four U.S. COAST GUARD MARKER BUOYS.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 03/06/2015 by the California State Lands Commission Boundary Unit.



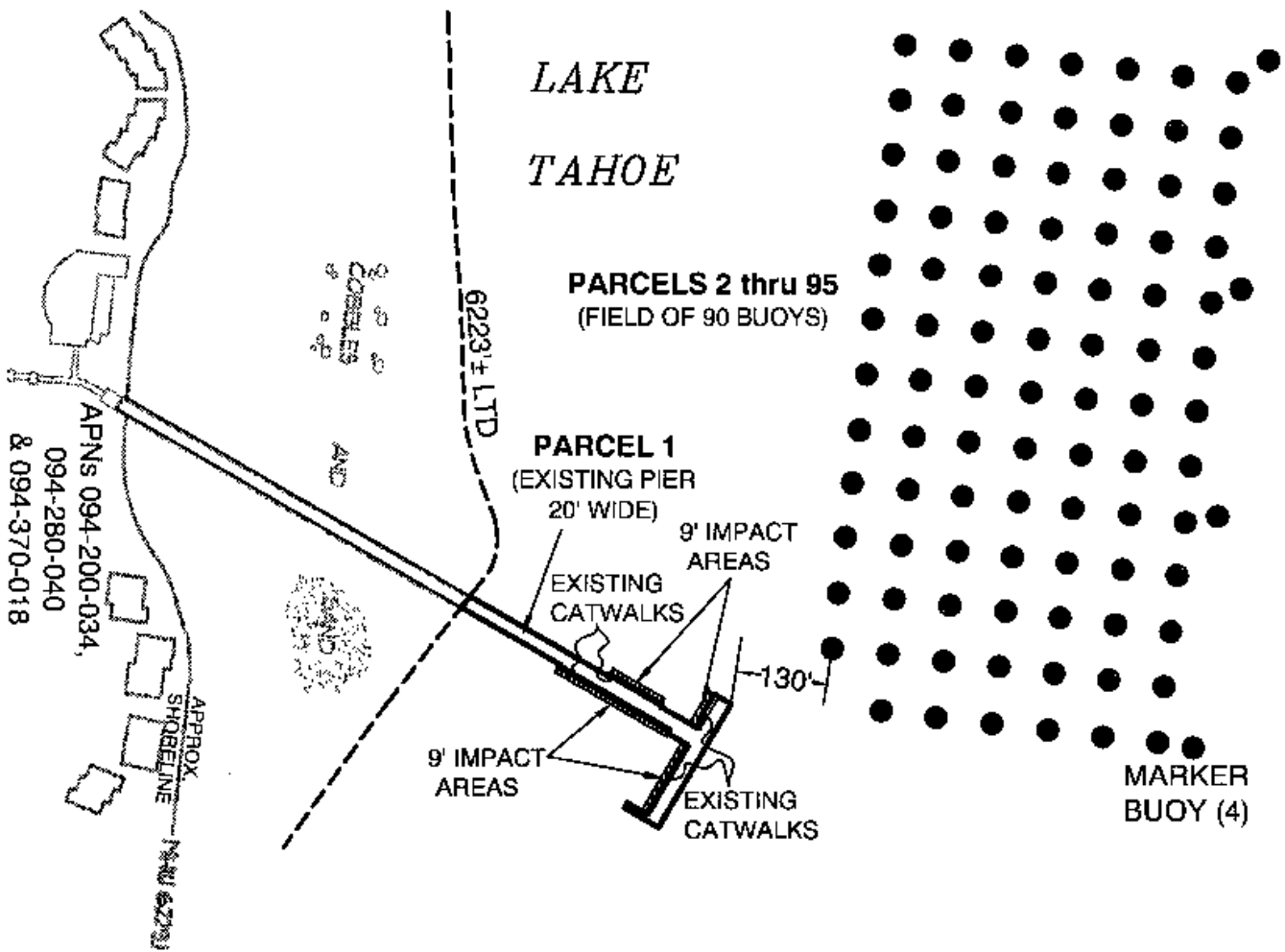


EXHIBIT A

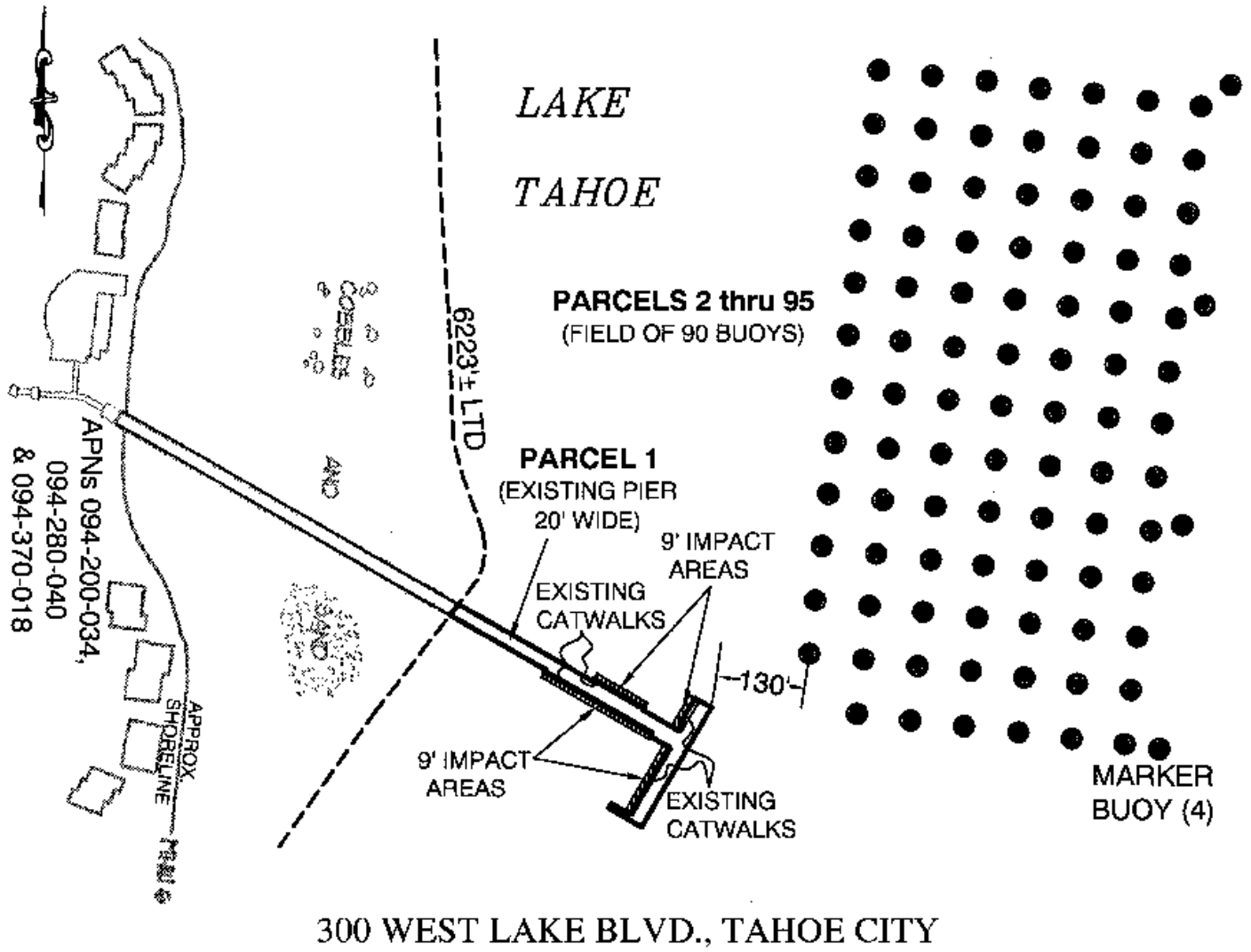
LAND DESCRIPTION PLAT
 PRC 5956.1, TAHOE TAVERN PROPERTY
 OWNERS ASSOCIATION
 PLACER COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



300 WEST LAKE BLVD., TAHOE CITY

NO SCALE

LOCATION

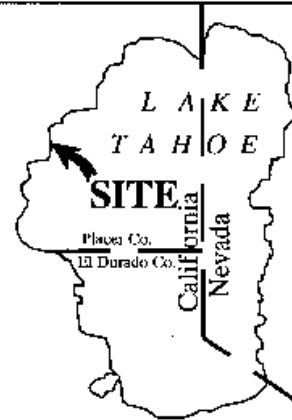


MAP SOURCE: USGS QUAD

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.

Exhibit B-1

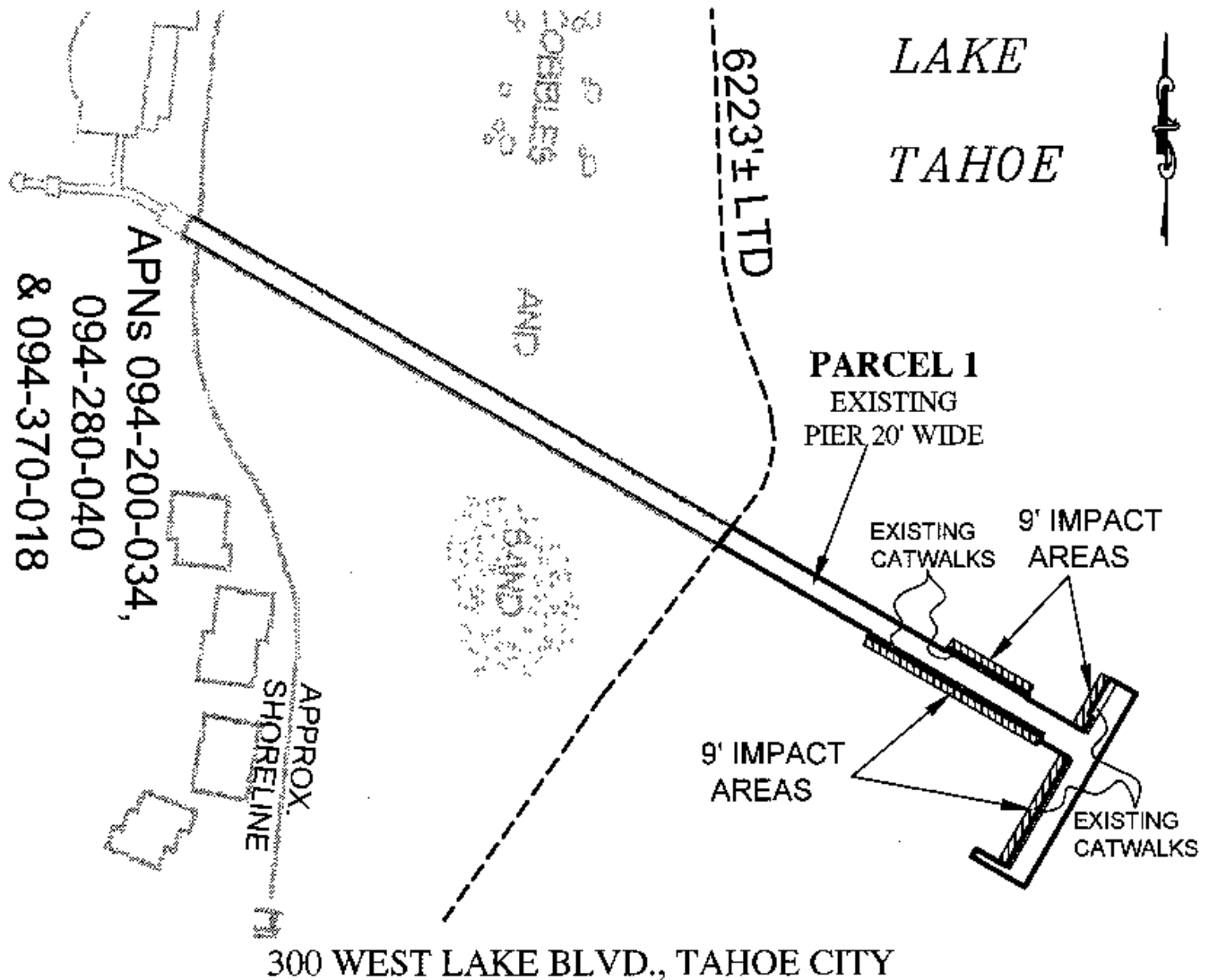
PRC 5956.1
 TAHOE TAVERN PROPERTY OWNERS ASSOCIATION
 APNs 094-200-034, 094-280-040 & 094-370-018
 GENERAL LEASE - RECREATIONAL USE
 PLACER COUNTY



TS 03/06/15

NO SCALE

SITE



NO SCALE

LOCATION

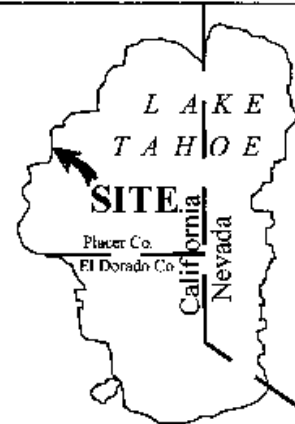


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Exhibit B-2

PRC 5956.1
 TAHOE TAVERN PROPERTY
 OWNERS ASSOCIATION
 APNs 094-200-034, 094-280-040 &
 094-370-018
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



TS 03/06/15