

**CALENDAR ITEM  
C42**

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S 1

04/26/12  
PRC 7920.1  
N. Lee

**AMENDMENT OF LEASE**

**APPLICANT/LESSEE:**

Tahoe Boat Company Owners Association  
P.O. Box 330  
Tahoe City, CA 96145

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Lake Tahoe, adjacent to 700 North Lake Boulevard, Tahoe City, Placer County.

**AUTHORIZED USE:**

Commercial marina operation, which includes 88 boat slips, docks, sheet pile crib walls, and a boathouse.

**LEASE TERM:**

Beginning October 28, 1996, and ending June 30, 2020, with an option to renew the lease for a period not to exceed nine years.

**CONSIDERATION:**

Annual rent of five percent of the fair market rental value for the boat slips plus five percent of the gross income derived from berthing and mooring of boats on the Lease Premises; with a minimum annual rent of \$7,040; and the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**PROPOSED AMENDMENT:**

Amend lease to revise the one-time maintenance dredging completion date from prior to the 2011 boating season to April 30, 2015. All other terms and conditions of the lease shall remain in effect without amendment.

**OTHER PERTINENT INFORMATION:**

1. Lessee has the right to use the uplands adjoining the lease premises.

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2. On October 28, 1996, the Commission authorized a General Lease – Commercial Use to Tahoe Boat Company Owners Association (Association) for the operation of a commercial marina. The lease will expire on June 30, 2020. On April 26, 2005, the Commission authorized an amendment to the lease to allow the Lessee to rebuild and retain an existing boathouse. The Commission authorized a second amendment on February 8, 2011, to allow one-time maintenance dredging and rock removal prior to the 2011 boating season. Because of high lake levels, the dredging did not occur. The Association is now applying to amend the lease to extend the completion date and has requested an additional two years.
3. The dredging will be accomplished by using a long arm excavator mounted on a barge. A turbidity curtain will be placed around the area where the dredging will occur. The dredging activity is expected to be completed in the fall of 2013. However, if lake levels do not warrant dredging this year, the Association will complete the one-time maintenance dredging for the 2014 boating season. The dredge and rock material will be deposited into lined trucks, dewatered, and taken by truck to Eastern Regional Landfill near Truckee. The dredged and rock material being removed will not be sold. Equipment staging for all other aspects of the project will occur on the upland parcel.
4. A survey for aquatic invasive species (AIS) of Eurasian Water Milfoil and Curlyleaf pondweed was conducted September 17, 2010 in the marina and no AIS was found.
5. 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 4, Minor Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(4).

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.

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**APPROVALS OBTAINED:**

Lahontan Regional Water Quality Control Board  
United States Army Corps of Engineers

**FURTHER APPROVALS REQUIRED:**

California Department of Fish and Wildlife

**EXHIBIT:**

A. 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 4, Minor Alteration to Land, California Code of Regulations, Title 2, section 2905, subdivision (d)(4).

**SIGNIFICANT LANDS INVENTORY FINDING:**

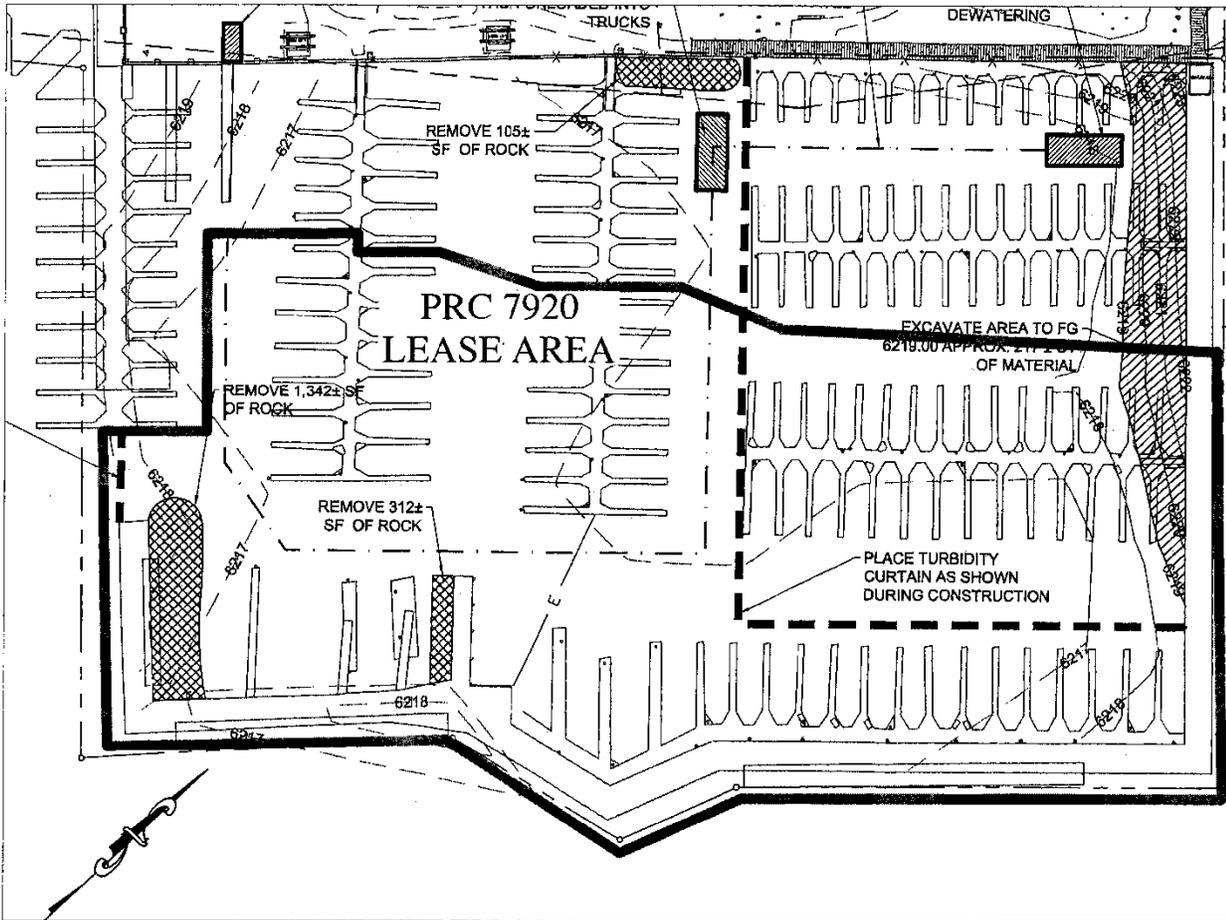
Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

Authorize the Amendment of Lease No. PRC 7920.1, a General Lease – Commercial Use, of lands shown on Exhibit A, effective April 26, 2013, to revise the one-time maintenance dredging completion date from prior to the 2011 boating season to April 30, 2015; all other terms and conditions of the lease will remain in effect without amendment.

NO SCALE

### SITE



Proposed Dredging & Rock Removal  
 700 North Lake Blvd., Tahoe City - APN 094-090-032

NO SCALE

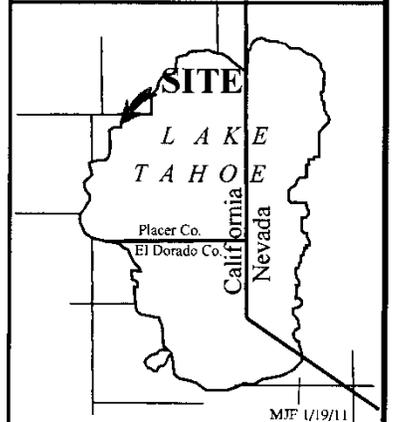
### LOCATION



MAP SOURCE: USGS QUAD

### Exhibit A

PRC 7920.1  
 TAHOE BOAT COMPANY  
 OWNERS ASSOCIATION  
 AMENDMENT OF GENERAL  
 LEASE - COMMERCIAL USE FOR  
 MAINTENANCE DREDGING  
 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.