

**CALENDAR ITEM
C41**

A 5
S 1

04/26/13
W 26453
N. Lee

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Barbara B. Corneille, Trustee of the Corneille Living Trust dated March 19, 1990

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 135 Quiet Walk Road, near Tahoma, El Dorado County.

AUTHORIZED USE:

Use and maintenance of an existing pier not previously authorized by the Commission.

LEASE TERM:

10 years, beginning April 26, 2013.

CONSIDERATION:

\$727 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 \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. Applicant is applying for a General Lease – Recreational Use for use and maintenance of an existing pier not previously authorized by the Commission. Documentation shows that the pier has existed in Lake Tahoe since 1946 and the U.S. Army Corps of Engineers has acknowledged the pier as a “grandfathered” structure. There are “deeded pier privileges” to nine residential lots situated behind the Applicant’s littoral parcel. Staff recommends issuance of a lease for the use of State land for the Applicant’s pier structure.

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3. Applicant also maintains another existing pier with boat hoist and two mooring buoys adjacent to the same upland parcel at 135 Quiet Walk Road, authorized under Lease No. PRC 3654.9.
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. 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 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 Barbara B. Corneille, Trustee of the Corneille Living Trust dated March 19, 1990, beginning April 26, 2013, for a term of 10 years, for the use and

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maintenance of an existing pier not previously authorized by the Commission 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 \$727, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance with coverage of no less than \$1,000,000.

EXHIBIT A

W 26453

LAND DESCRIPTION

A parcel of submerged lands situate in the bed of Lake Tahoe, lying adjacent to fractional Section 17, Township 14 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved July 29, 1880, County of El Dorado, State of California, more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier lying adjacent to that parcel described in Exhibit A of Grant Deed recorded March 19, 1992 in Book 3743, Page 42, Official Records of said County.

TOGETHER WITH a ten foot impact area.

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 3/14/2013 by the California State Lands Commission Boundary Unit.





LAKE TAHOE

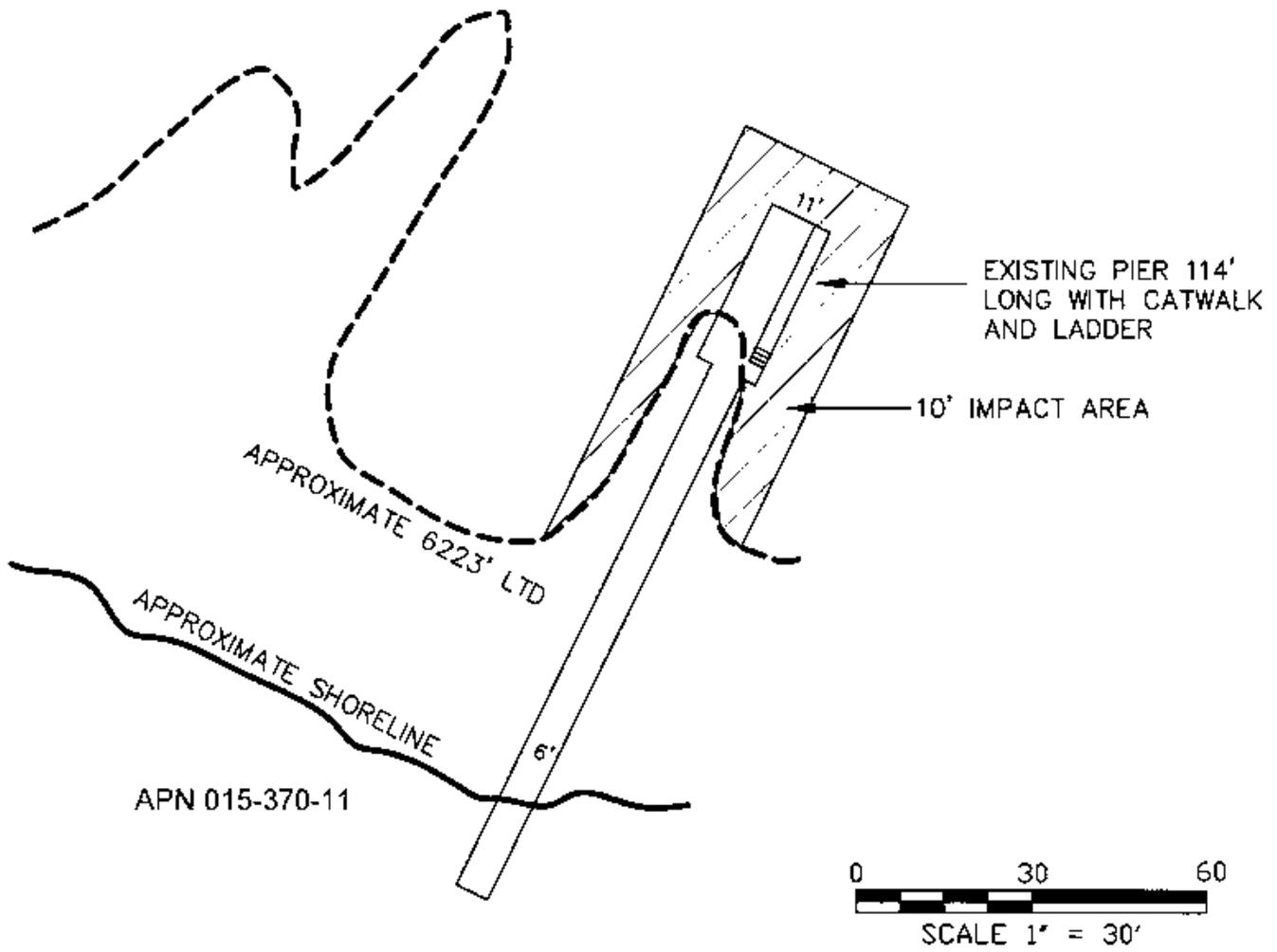


EXHIBIT A

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Date 03/18/13

*Land Description Plat
W26453, CORNEILLE
EL DORADO COUNTY*

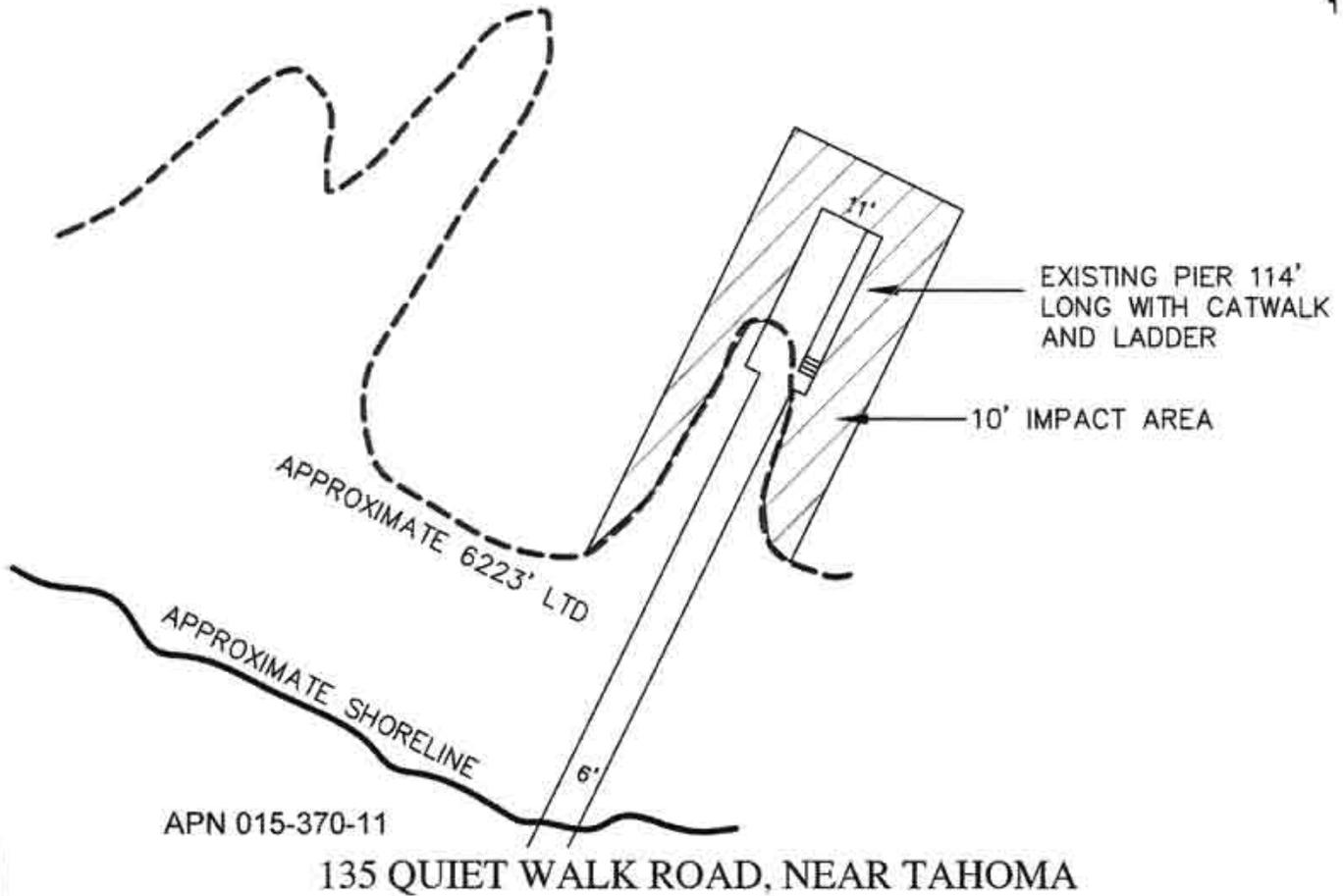
**CALIFORNIA STATE
LANDS COMMISSION**



NO SCALE

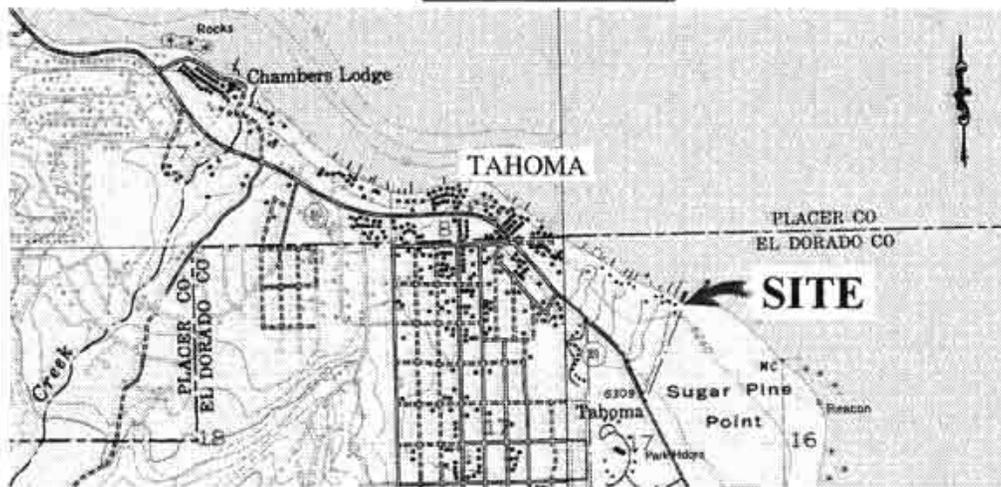
SITE

LAKE TAHOE



NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 26453
 CORNEILLE
 APN 015-370-11
 GENERAL LEASE -
 RECREATIONAL USE
 EL DORADO 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.



DJF 03/12/2013