

**CALENDAR ITEM
C19**

A 1
S 1

12/02/13
PRC 5560.1
M. J. Columbus

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Joanne C. Taylor or her successor(s) as Trustee of the Joanne C. Taylor Trust certified under Agreement dated June 29, 1993; Joanne C. Taylor and Carrie Hughes Taylor, Co-Trustees of the Carrie Hughes Taylor Trust under the Will of Edward H. Taylor; Bruce C. Taylor and Linda R. Taylor, Trustees of the Bruce and Linda Taylor Family Trust dated November 27, 2002; Jeffrey Edward Taylor; Stephen Bruce Taylor

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 2580 West Lake Boulevard, near Homewood, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier previously authorized by the Commission, and the use and maintenance of two existing mooring buoys not previously authorized by the Commission.

LEASE TERM:

10 years, beginning December 2, 2013.

CONSIDERATION:

\$1,793 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:

Insurance:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

Other:

The proposed lease contains a provision requiring the Applicants to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of a Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone

CALENDAR ITEM NO. **C19** (CONT'D)

Ordinance Amendments and approval of the amended ordinances. This is a continuation of the process the Commission used from approximately 1995 to October 2008 when TRPA adopted an FEIS and Ordinance Amendments supported by the FEIS. In September 2010, the U.S. District Court invalidated the FEIS and nullified the Amendments. When additional information is available, Commission staff will advise the Commission on any suggested modifications to the process used by the Commission pending resolution of the TRPA FEIS and amended ordinance issues.

Lessee expressly acknowledges and agrees that issuance of a Lease does not substitute for, or provide preference in, obtaining authorizations from the TRPA or any other regulatory agency for the improvements authorized by the Commission.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On December 16, 1998, the Commission authorized a 10-year Recreational Pier Lease with Joanne C. Taylor, Trustee of the Joanne C. Taylor Trust dated June 29, 1993. That lease expired on September 26, 2008. Joanne C. Taylor Trustee, deeded a portion of her interest in the upland to Joanne C. Taylor and Carrie Hughes Taylor, Co-Trustees of the Carrie Hughes Taylor Trust under the Will of Edward H. Taylor; Bruce C. Taylor and Linda R. Taylor, Trustees of the Bruce and Linda Taylor Family Trust Dated November 27, 2002; Jeffrey Edward Taylor; Stephen Bruce Taylor. Applicants are now applying for a General Lease – Recreational Use for the continued use and maintenance of an existing pier previously authorized by the Commission and two existing mooring buoys not previously authorized by the Commission.
3. The Applicants' two existing mooring buoys have been in Lake Tahoe for many years, but have not been previously authorized by the Commission.
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).

CALENDAR ITEM NO. C19 (CONT'D)

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.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Joanne C. Taylor or her successor(s) as Trustee of the Joanne C. Taylor Trust certified under agreement dated June 29, 1993; Joanne C. Taylor and Carrie Hughes Taylor, Co-Trustees of the Carrie Hughes Taylor Trust under the Will of Edward H. Taylor; Bruce C. Taylor and Linda R. Taylor, Trustees of the Bruce and Linda Taylor Family Trust dated November 27, 2002; Jeffrey Edward Taylor; Stephen Bruce Taylor beginning December 2, 2013, for a term of 10 years, for the continued use and maintenance of an existing pier previously authorized by the Commission and use and maintenance of two existing mooring buoys not previously authorized by the Commission as described in Exhibit A and shown on Exhibit B (for

CALENDAR ITEM NO. **C19** (CONT'D)

reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$1,793 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 an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5560.1

LAND DESCRIPTION

Three parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 4 of fractional Section 24, Township 15 North, Range 16 East, M.D.B.&M., as shown on Official Government Township Plat approved December 20, 1865, County of Placer, State of California, more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier and two catwalks lying adjacent to that parcel described in Quitclaim Deed recorded May 16, 2003 as Document Number 2003-0076082 in 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.

PARCEL 2 & 3 – BUOYS

Two circular parcels of land, each being 50 feet in diameter, underlying two existing buoys lying adjacent to that parcel described in Quitclaim Deed recorded May 16, 2003 as Document Number 2003-0076082 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 10/02/2013 by the California State Lands Commission Boundary Unit.



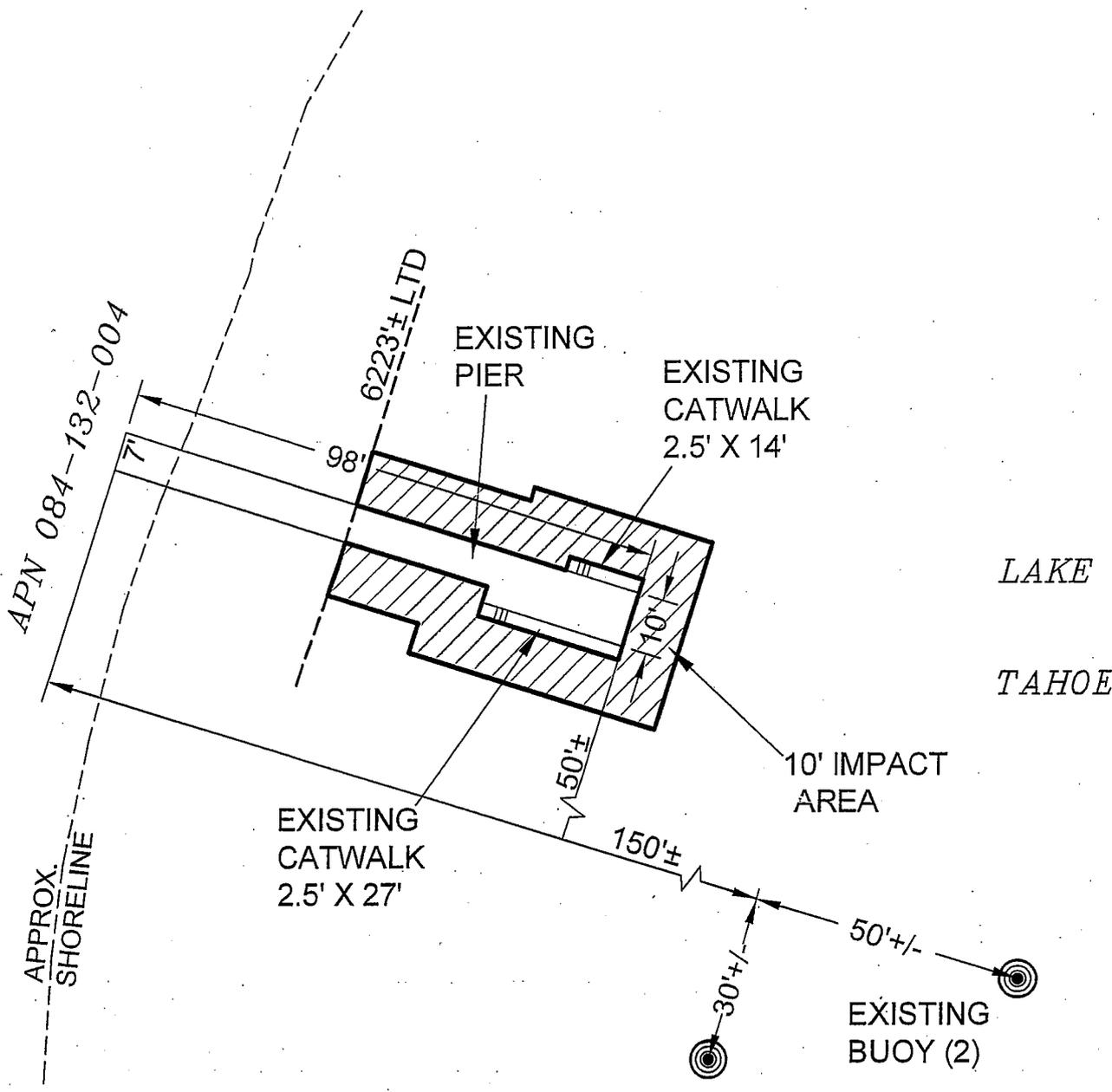
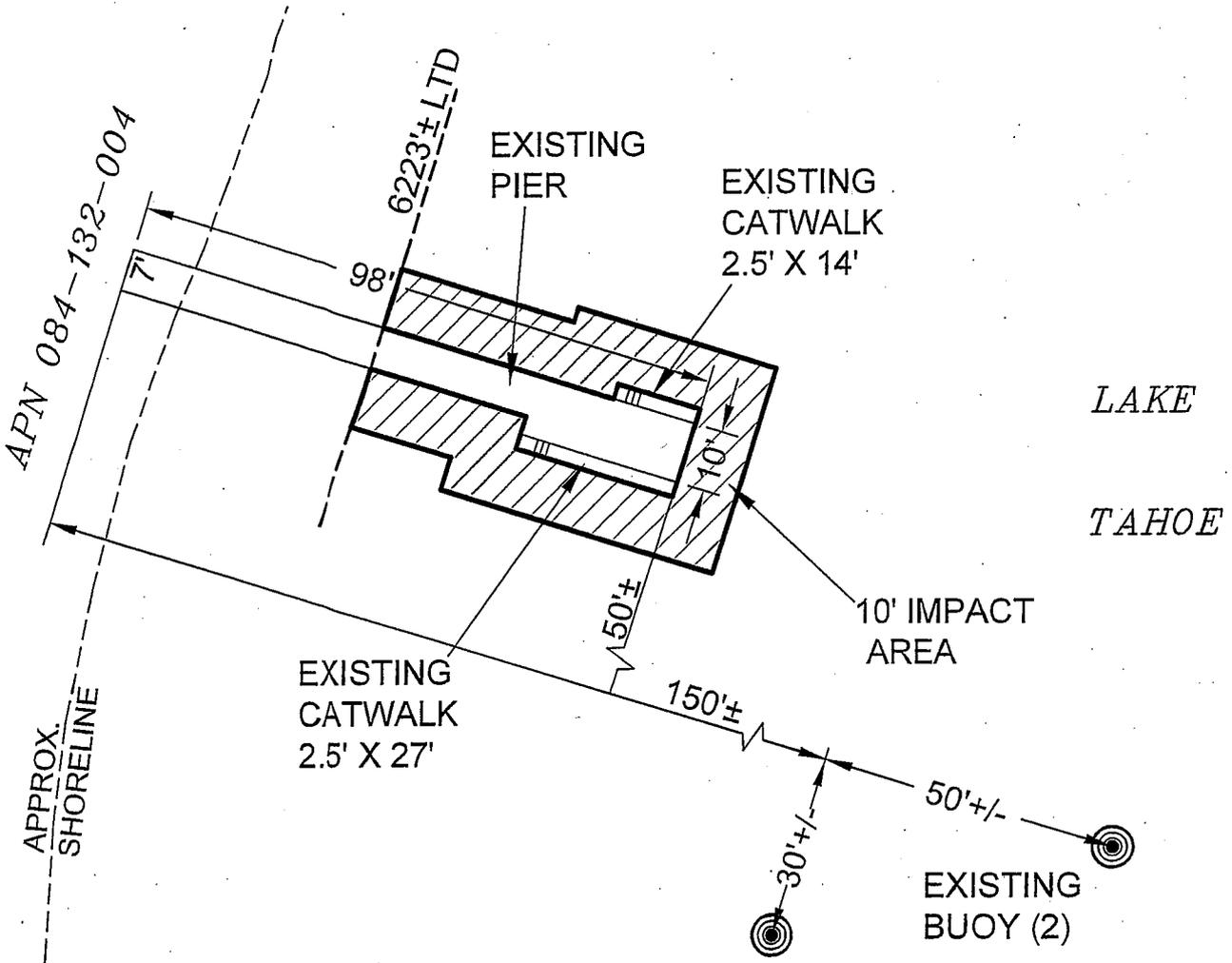


EXHIBIT A



NO SCALE

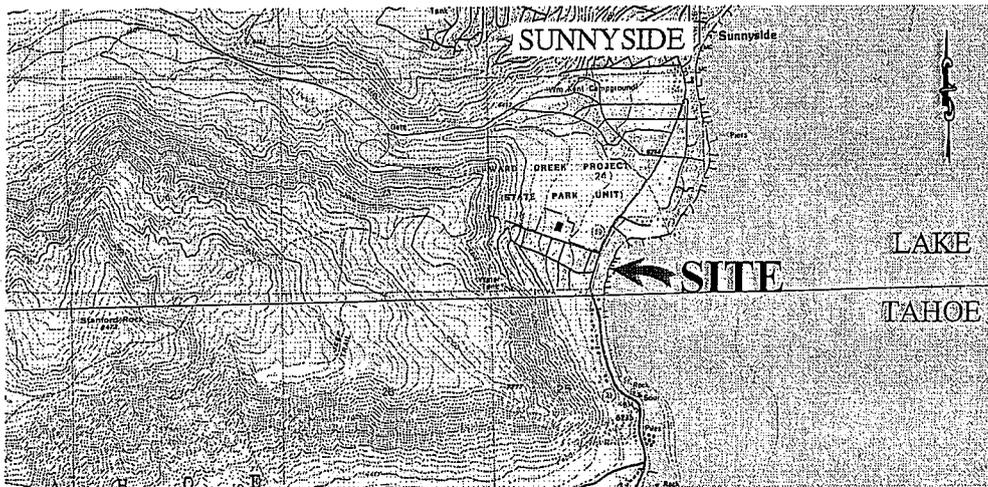
SITE



2580 WEST LAKE BLVD., NEAR SUNNYSIDE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

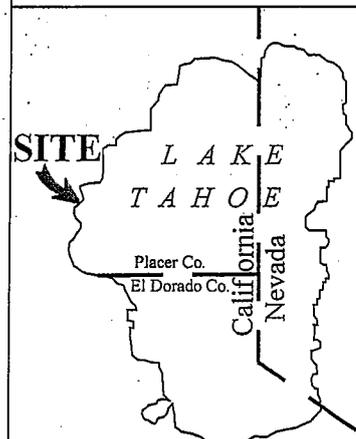
Exhibit B

PRC 5560.1

TAYLOR

APN 084-132-004

GENERAL LEASE-
RECREATIONAL USE
PLACER COUNTY



TS 10/02/13

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.