

**CALENDAR ITEM
C05**

A 1
S 1

04/23/14
PRC 8400.1
M.J. Columbus

ASSIGNMENT OF LEASE

LESSEES/ASSIGNORS:

Charles W. King, III, and Patricia King Porter, Trustees of the 1999 Michael James King Family Trust dated March 26, 1999.

APPLICANT/ASSIGNEE:

Sanjay Srivastava

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 4830 West Lake Boulevard, near Homewood, Placer County.

AUTHORIZED USE:

Continued use and maintenance of one existing mooring buoy.

LEASE TERM:

10 years, beginning February 1, 2013.

CONSIDERATION:

\$377 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 lease contains a provision requiring the Applicants 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 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

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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.

OTHER PERTINENT INFORMATION:

1. Assignee owns the upland adjoining the lease premises.
2. On February 22, 2013, the Commission authorized a General Lease - Recreational Use with Charles W. King, III, and Patricia King Porter, Trustees of the 1999 Michael James King Family Trust dated March 26, 1999, for one existing mooring buoy. That lease will expire on January 31, 2023. On September 11, 2013, the upland parcel was deeded to Sanjay Srivastava. The Applicant is now applying for an assignment of the lease.
3. The staff recommends that the Commission find that the subject lease assignment does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease assignment is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

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AUTHORIZATION:

Authorize the assignment of Lease No. PRC 8400.1, a General Lease - Recreational Use, of sovereign land as shown on Exhibit A, from Charles W. King, III, and Patricia King Porter, Trustees of the 1999 Michael James King Family Trust dated March 26, 1999, to Sanjay Srivastava, effective September 11, 2013.

EXHIBIT A

PRC 8400.1

LAND DESCRIPTION

A parcel of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 1 of fractional Section 1, Township 14 North, Range 16 East, M.D.B.&M., as shown on Official Government Township Plat approved January 17, 1866, County of Placer, State of California, more particularly described as follows:

A circular parcel of land, being 50 feet in diameter, underlying an existing buoy lying adjacent to that parcel described in Grant Deed recorded September 11, 2013 as Document Number 2013-0089541 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 10/14/2013 by the California State Lands Commission Boundary Unit.



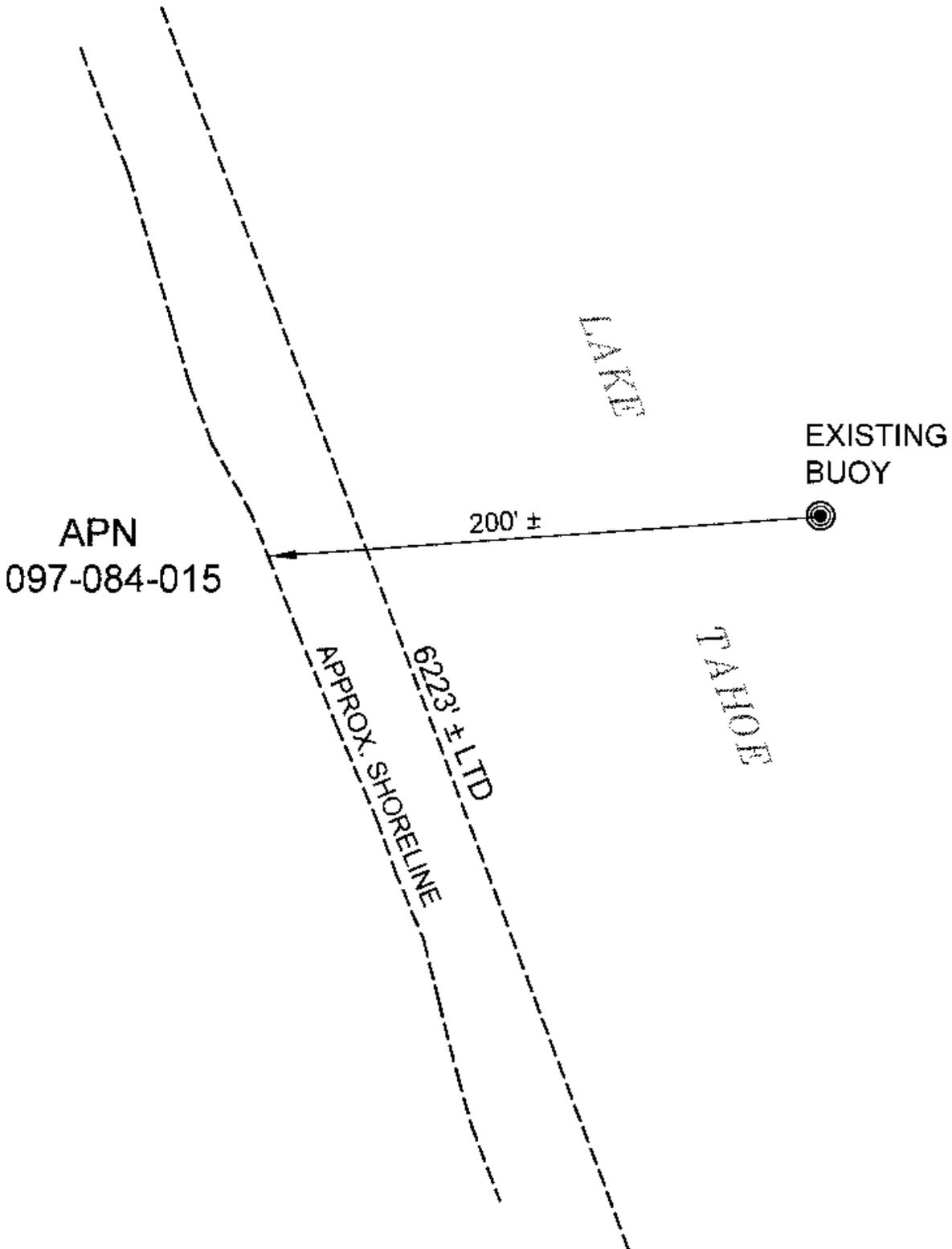


EXHIBIT A

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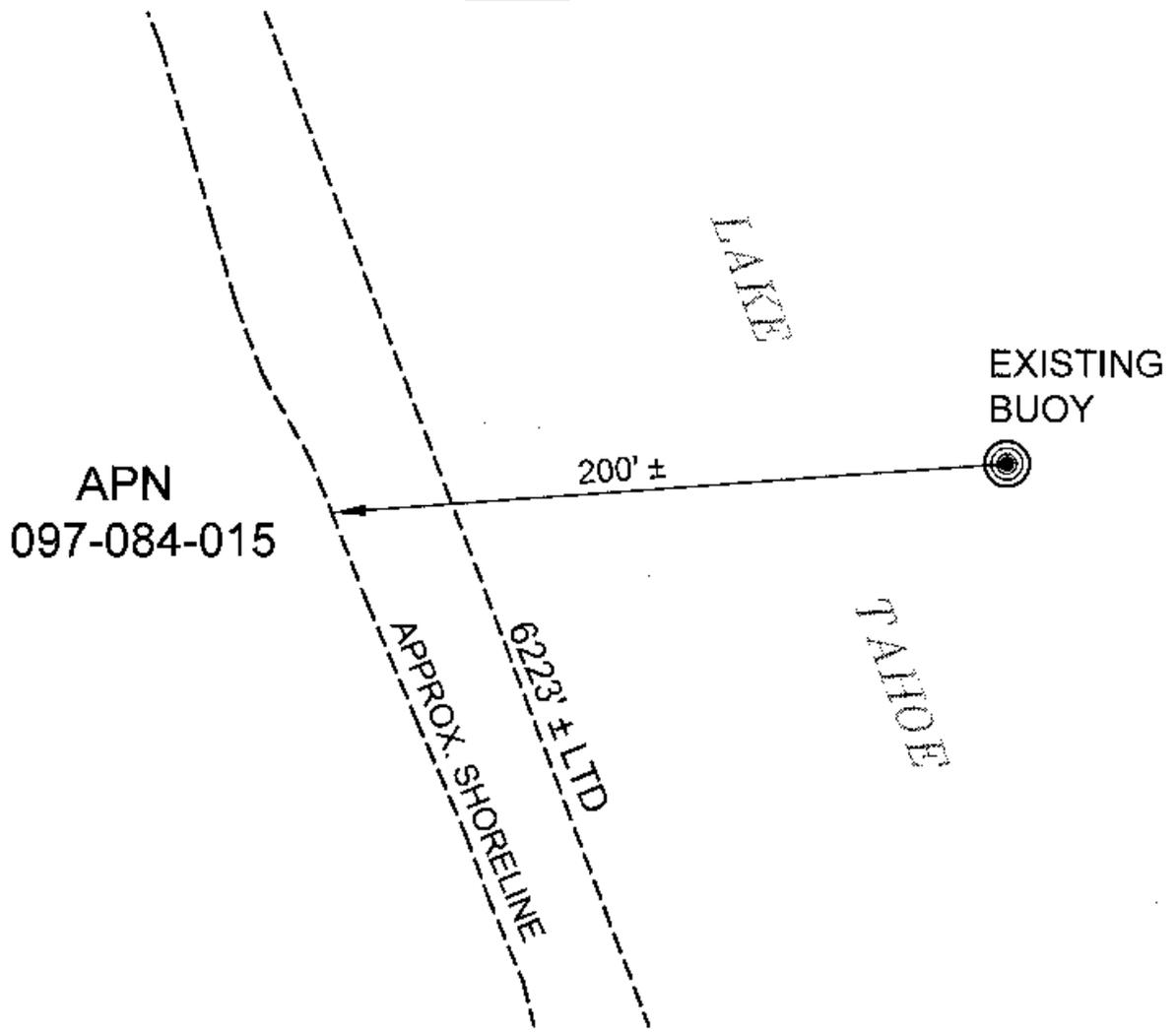
LAND DESCRIPTION PLAT
PRC 8400.1, SRIVASTAVA
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

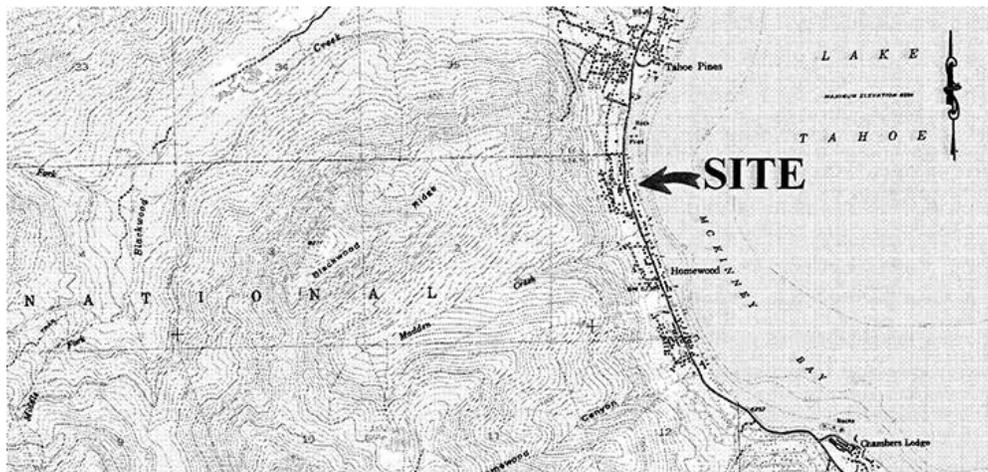
SITE



4830 WEST LAKE BLVD., HOMEWOOD

NO SCALE

LOCATION

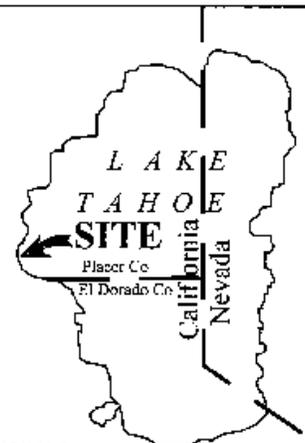


MAP SOURCE: USGS QUAD

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

PRC 8400.1
 SRIVASTAVA
 APN 097-084-015
 GENERAL LEASE-
 RECREATIONAL USE
 PLACER COUNTY



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