

**CALENDAR ITEM  
C28**

A 1  
S 1

10/14/14  
PRC 4142.1  
S. Kreutzburg

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANTS:**

Bernard John Atkinson, Trustee of the Bernard John Atkinson Qualified Personal Residence Trust I, Dated August 31, 2009; Bernard John Atkinson, Trustee of the Bernard John Atkinson Qualified Personal Residence Trust II, Dated August 31, 2009; and Carol Sue Atkinson, Trustee of the Carol Sue Atkinson Qualified Personal Residence Trust I, Dated September 10, 2009; Carol Sue Atkinson, Trustee of the Carol Sue Atkinson Qualified Personal Residence Trust II, Dated September 4, 2009.

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

Sovereign land located in Lake Tahoe, adjacent to 4870 North Lake Boulevard, near Carnelian Bay, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier and boathouse previously authorized by the Commission, and three existing boat lifts not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning November 29, 2014..

**CONSIDERATION:**

\$2,040 per year, with an annual Consumer Price Index adjustment.

**SPECIFIC LEASE PROVISIONS:**

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

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.
2. On April 26, 2005, the Commission authorized a Recreational Pier Lease to Bernard John Atkinson and Carol Sue Atkinson, Trustees of the Atkinson Family Trust, dated April 2, 1991. That lease expires on

CALENDAR ITEM NO. **C28** (CONT'D)

November 28, 2014. On December 30, 2009, ownership of the upland parcel was transferred to the Applicants. The Applicants are now applying for a General Lease – Recreational Use.

3. The Applicants' boat lifts have been in Lake Tahoe for many years but were not previously authorized by the Commission. Staff recommends bringing the existing boat lifts under lease.
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. 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.

CALENDAR ITEM NO. **C28** (CONT'D)

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to Bernard John Atkinson, Trustee of the Bernard John Atkinson Qualified Personal Residence Trust I, Dated August 31, 2009; Bernard John Atkinson, Trustee of the Bernard John Atkinson Qualified Personal Residence Trust II, Dated August 31, 2009; and Carol Sue Atkinson, Trustee of the Carol Sue Atkinson Qualified Personal Residence Trust I, Dated September 10, 2009; Carol Sue Atkinson, Trustee of the Carol Sue Atkinson Qualified Personal Residence Trust II, Dated September 4, 2009, beginning November 29, 2014, for a term of 10 years, for the continued use and maintenance of an existing pier and boathouse previously authorized by the Commission, and three existing boat lifts 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 \$2,040 with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 4142.1**

**LAND DESCRIPTION**

A parcel of submerged lands situated in the bed of Lake Tahoe, lying adjacent to fractional Section 22, Township 16 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California, more particularly described as follows:

All those lands underlying an existing pier, catwalk and boathouse with three boat lifts lying adjacent to that parcel described in Grant Deed recorded December 30, 2009 as Document Number 2009-0110860-00 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

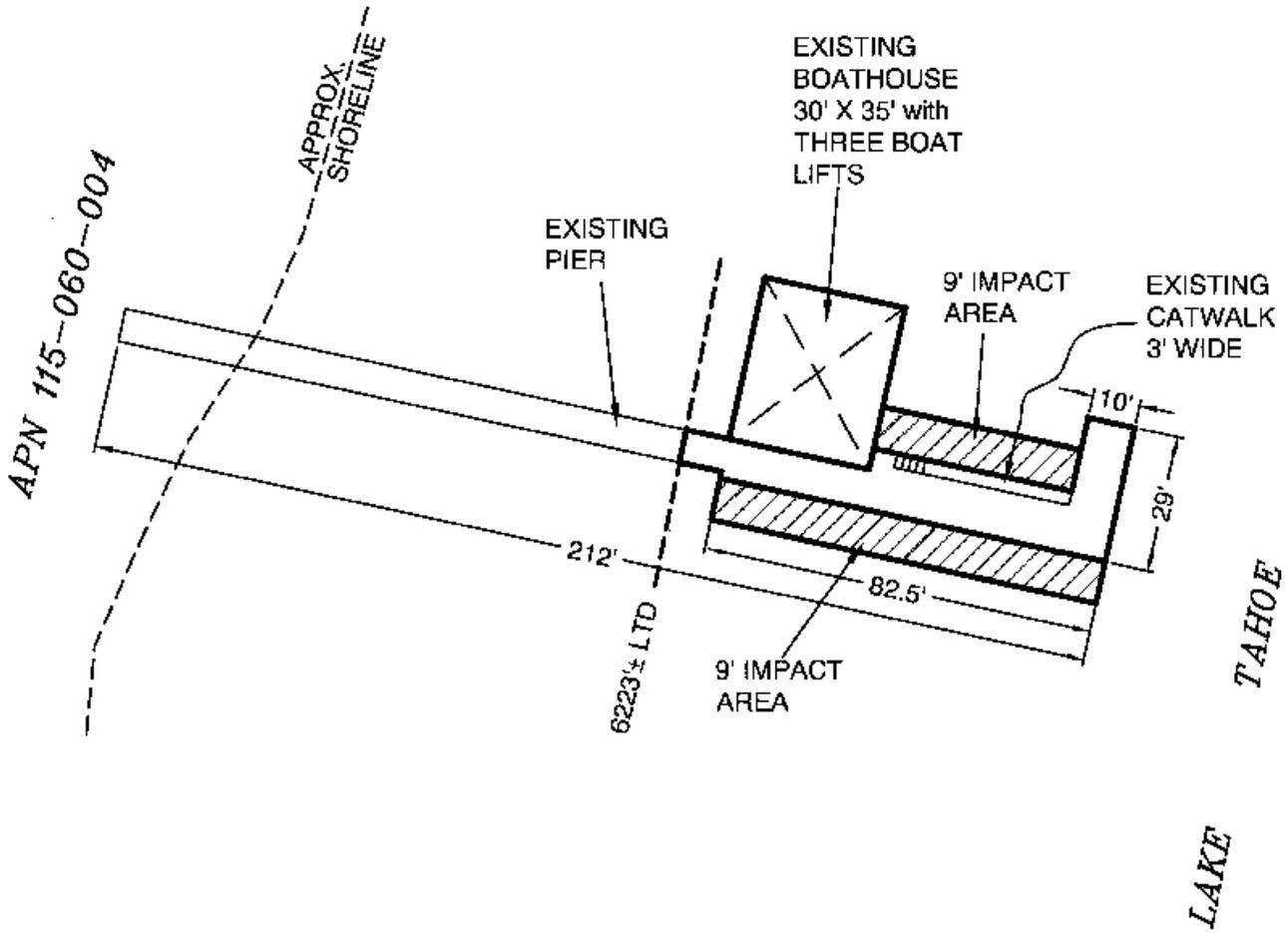
EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 07/09/2014 by the California State Lands Commission Boundary Unit.





## EXHIBIT A

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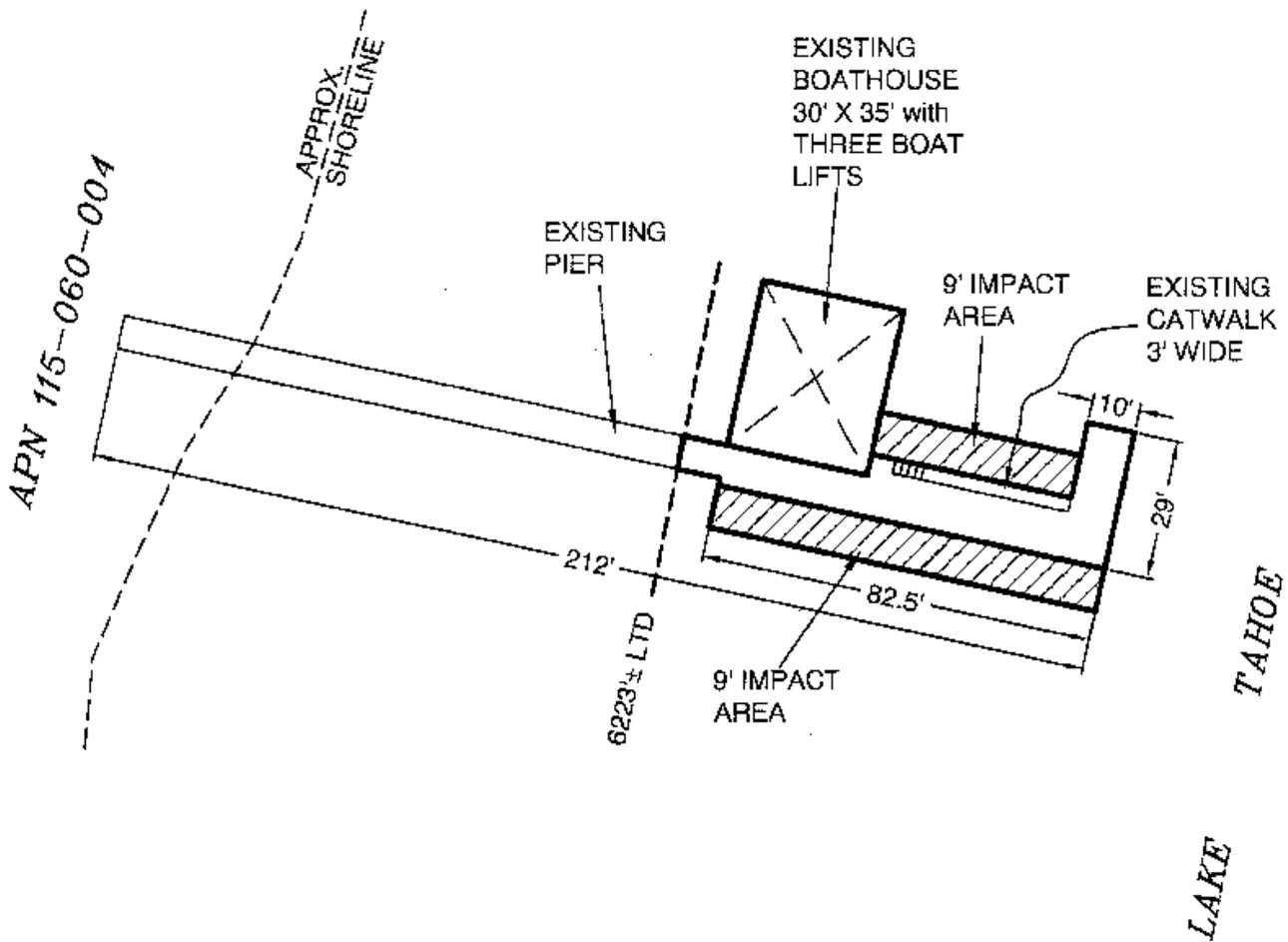
LAND DESCRIPTION PLAT  
PRC 4142.1, ATKINSON  
PLACER COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

# SITE



4870 NORTH LAKE BLVD, CARNELIAN BAY

NO SCALE

# LOCATION



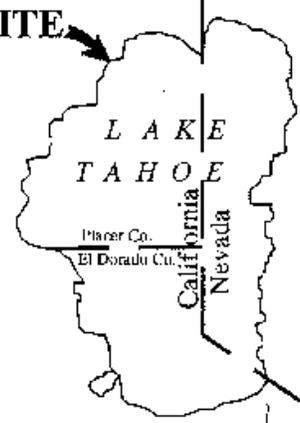
MAP SOURCE: USGS QUAD

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 4142.1  
 ATKINSON  
 APN 115-060-004  
 GENERAL LEASE -  
 RECREATIONAL USE  
 PLACER COUNTY

# SITE



TS 07/09/14