

**CALENDAR ITEM
C24**

A 1
S 1

04/23/15
PRC 4860.1
S. Kreutzburg

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Richard J. Ferris, Trustee of the Richard J. Ferris California Qualified Personal Residence Trust Dated July 30, 2011, and Kelsey K. Ferris, Trustee of the Kelsey K. Ferris California Qualified Personal Residence Trust Dated July 30, 2011

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 3400 and 3410 Edgewater Drive, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, adjustable platform, and two mooring buoys.

LEASE TERM:

10 years, beginning September 1, 2015.

CONSIDERATION:

\$1,657 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

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

Other:

1. If Lessee does not have valid Tahoe Regional Planning Agency (TRPA) buoy permits, Lessee is required to obtain such authorization 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. If Lessee is unable to obtain such authorization within the time limit, they must remove the buoys.

CALENDAR ITEM NO. **C24** (CONT'D)

2. 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 April 17, 2006, the Commission authorized a Recreational Pier Lease to Richard J. Ferris and Kelsey K. Ferris. That lease will expire on August 31, 2015. On September 27, 2011, the upland parcels were deeded to Richard J. Ferris, Trustee of the Richard J. Ferris California Qualified Personal Residence Trust Dated July 30, 2011, and Kelsey K. Ferris, Trustee of the Kelsey K. Ferris California Qualified Personal Residence Trust Dated July 30, 2011. The Applicants are now applying for a General Lease – Recreational Use.
3. 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.

4. 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

CALENDAR ITEM NO. **C24** (CONT'D)

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 Richard J. Ferris, Trustee of the Richard J. Ferris Qualified Personal Trust Dated July 30, 2011, and Kelsey K. Ferris, Trustee of the Kelsey K. Ferris Qualified Personal Trust Dated July 30, 2011, beginning September 1, 2015, for a term of 10 years, for the continued use and maintenance of an existing pier, boat lift, adjustable platform, and two mooring buoys 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 \$1,657 with an annual Consumer Price Index adjustment; and liability insurance in the amount of \$1,000,000 per occurrence.

EXHIBIT A

PRC 4860.1

LAND DESCRIPTION

Three (3) parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 5 of fractional Section 33, 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:

PARCEL 1 – PIER

All those lands underlying an existing pier, adjustable platform(s) and boat lift lying adjacent to those parcels as described in Grant Deed recorded September 1, 1995 as Document Number 95-046306 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.

PARCELS 2 & 3 – BUOYS

Two circular parcels of land, each being 50 feet in diameter, underlying two existing buoys lying adjacent to those parcels as described in Grant Deed recorded September 1, 1995 as Document Number 95-046306 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 11/12/2014 by the California State Lands Commission Boundary Unit.



APN 093-083-10, 11
093-083-23, 24

APPROX.
SHORELINE

6223± LTD

EXISTING
ADJUSTABLE
PLATFORM(S)

EXISTING
PIER

9' IMPACT
AREAS

EXISTING
BOATLIFT

30'

7'

EXISTING
BUOYS (2)

53' ±

60' ±

LAKE TAHOE

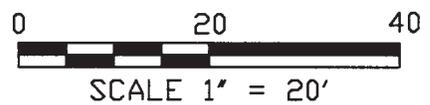


EXHIBIT A

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RGB 11/20/14

LAND DESCRIPTION PLAT
PRC 4860.1, FERRIS
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



APN 093-083-10, 11
093-083-23, 24

APPROX.
SHORELINE

6223± LTD

EXISTING
ADJUSTABLE
PLATFORM(S)

EXISTING
PIER

9' IMPACT
AREAS

EXISTING
BOATLIFT

7'

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EXISTING
BUOYS (2)

LAKE TAHOE

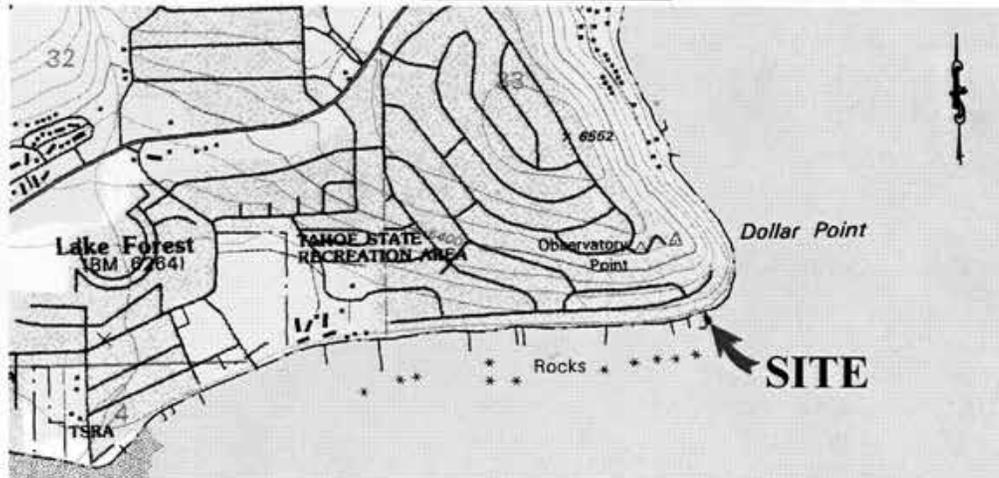
60' ±

53' ±

3400 & 3410 EDGEWATER DRIVE, NEAR TAHOE CITY

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 4860.1

FERRIS

APN 093-083-10,11,23,&24

GENERAL LEASE -
RECREATIONAL USE
PLACER COUNTY

SITE



RGB 11/20/14