

**CALENDAR ITEM
C52**

A 1
S 1

02/22/13
PRC 6387.9
B. Terry

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

John V. Kearns

APPLICANT/ASSIGNEE:

Harry Boyajian, Jr.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 4720 West Lake Boulevard, near Homewood, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat house, and two mooring buoys.

LEASE TERM:

10 years, beginning March 25, 2008.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance of no less than \$1,000,000.

Other:

The lease contains a provision requiring the Applicant 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 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

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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 March 25, 2008, the Commission authorized a Recreational Pier Lease with John V. Kearns for an existing pier, boat house, and two mooring buoys. That lease will expire on March 24, 2018. On October 7, 2011, the upland parcel was deeded to Harry Boyajian, Jr., Applicant. The Applicant is requesting Commission authorization 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. 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.

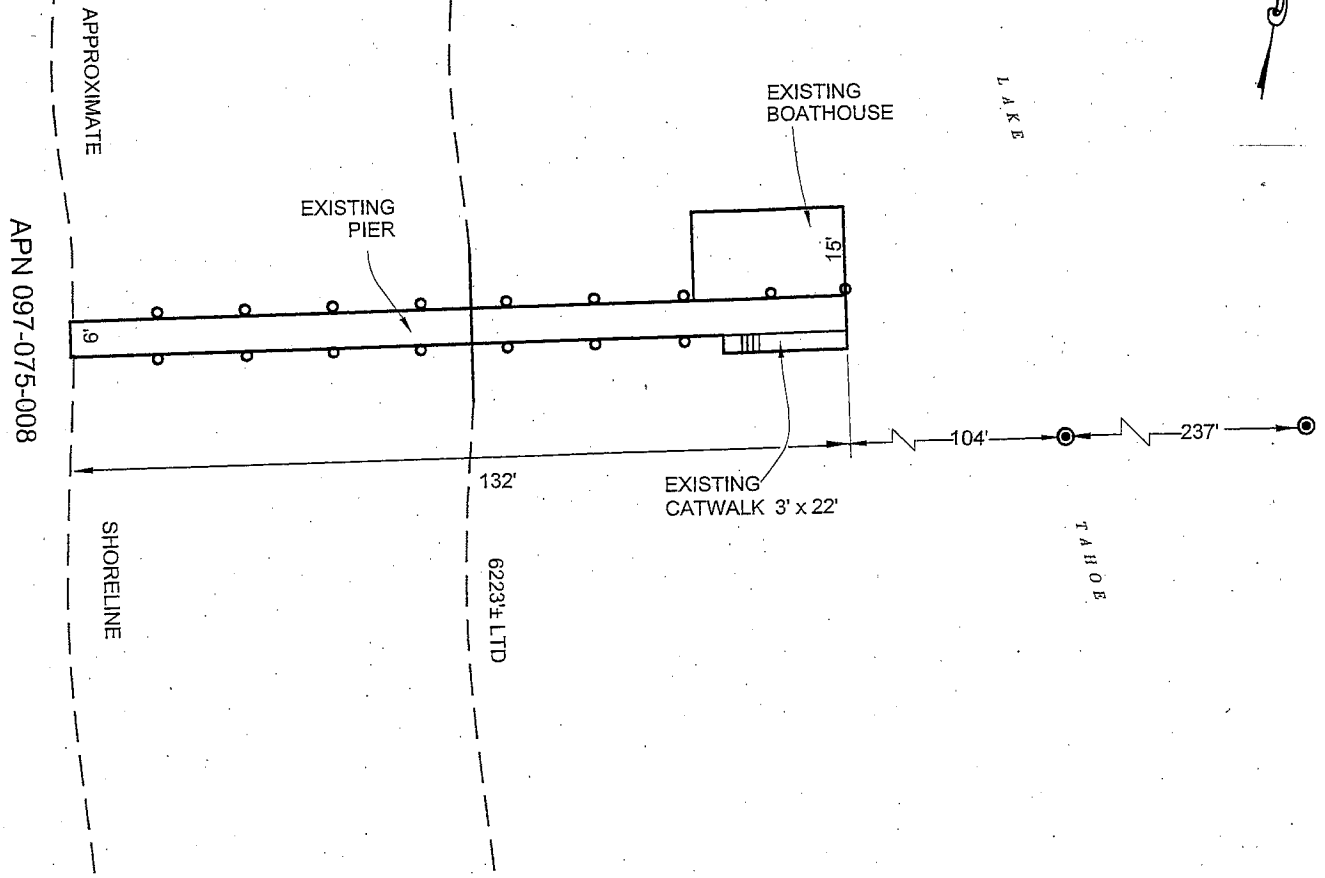
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AUTHORIZATION:

Authorize the assignment of Lease No. PRC 6387.9, a Recreational Pier Lease, of sovereign land as shown on Exhibit A, from John V. Kearns to Harry Boyajian, Jr; effective February 22, 2013.

NO SCALE

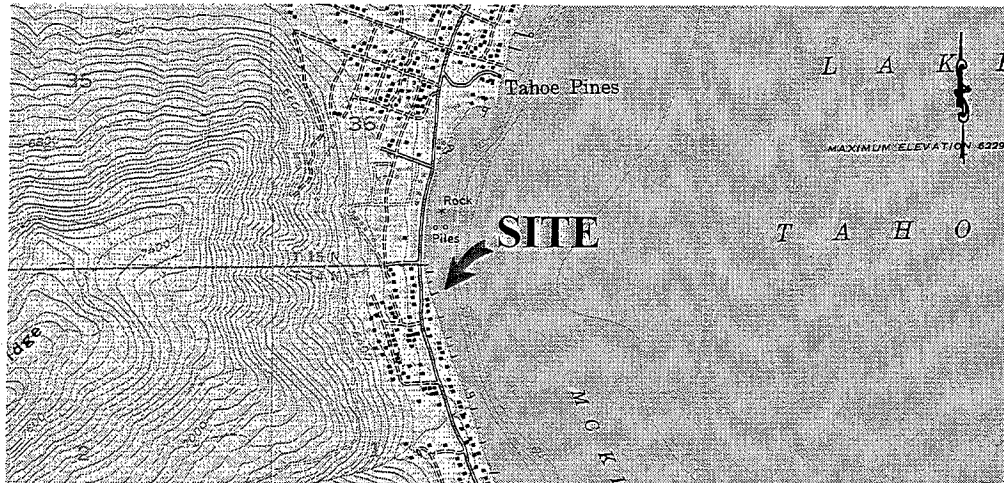
SITE



4720 WEST LAKE BLVD., NEAR HOMEWOOD

NO SCALE

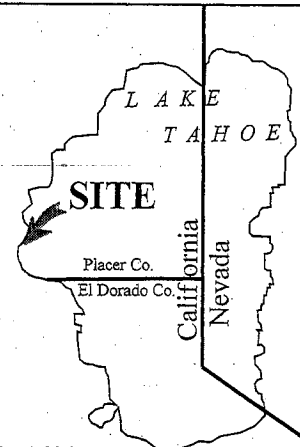
LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

PRC 6387.9
 BOYAJIAN
 APN 097-075-008
 RECREATIONAL PIER LEASE
 PLACER COUNTY



MJ 11/18/12

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.