

**CALENDAR ITEM**

**C49**

A 1

12/02/13

S 1

W 26526  
M. Schroeder

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANTS:**

James Harold Richardson, IV and Kimberly Paulson Richardson, Trustees of the 2006 Restatement of the Richardson Family Trust Dated July 26, 2006

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

Sovereign land in Lake Tahoe, adjacent to 3280 Edgewater Drive, near Tahoe City, Placer County.

**AUTHORIZED USE:**

Use and maintenance of two existing mooring buoys not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning December 2, 2013.

**CONSIDERATION:**

\$754 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:

1. 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 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

CALENDAR ITEM NO. **C49** (CONT'D)

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.

2. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining authorizations from 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. Applicants are applying for a General Lease – Recreational Use for two existing mooring buoys not previously authorized by the Commission. The Applicants' buoys have been in Lake Tahoe for many years. Staff recommends bringing the placement of the Applicants' existing mooring buoys under lease.
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. **C49** (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 James Harold Richardson, IV and Kimberly Paulson Richardson, Trustees of the 2006 Restatement of the Richardson Family Trust Dated July 26, 2006, beginning December 2, 2013, for a term of 10 years, for the 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 reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$754 per year, 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**

**W 26526**

**LAND DESCRIPTION**

Two parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 6 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:

Two circular parcels of land, each being 50 feet in diameter, underlying two existing buoys lying adjacent to that parcel described in Exhibit "A" of that Grant Deed recorded October 19, 2011 as Document Number 2011-0081923-00 in Official Records of said County.

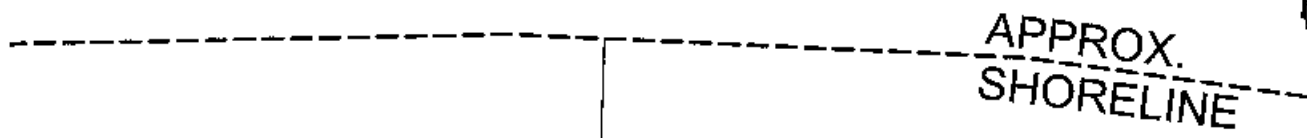
Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

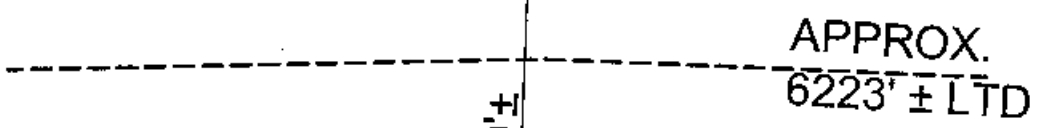
Prepared 04/11/2013 by the California State Lands Commission Boundary Unit.



APN 093-094-037



APPROX. SHORELINE



APPROX. 6223' ± LTD



EXISTING BUOYS (2)

LAKE

TAHOE

EXHIBIT A

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LAND DESCRIPTION PLAT  
W 26526, RICHARDSON  
PLACER COUNTY

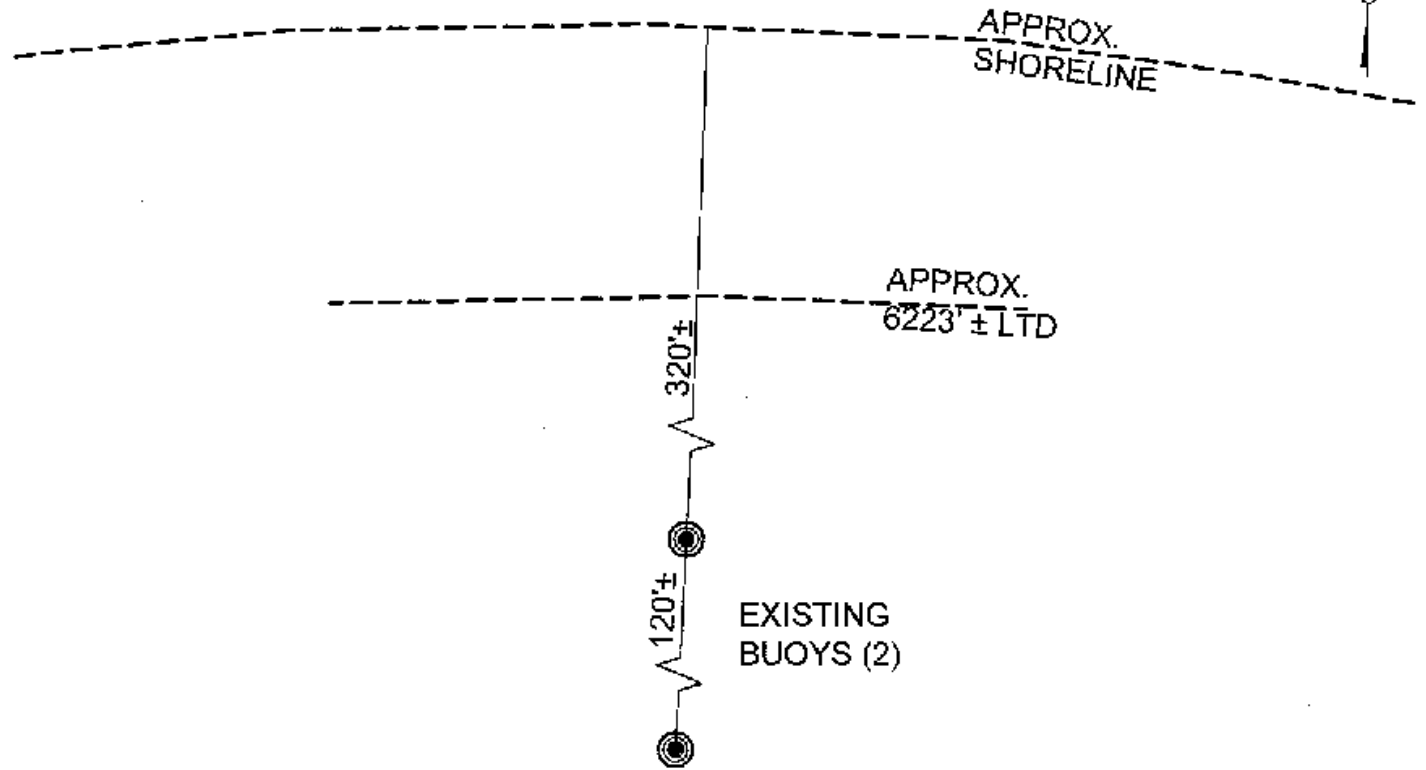
CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

# SITE

APN 093-094-037



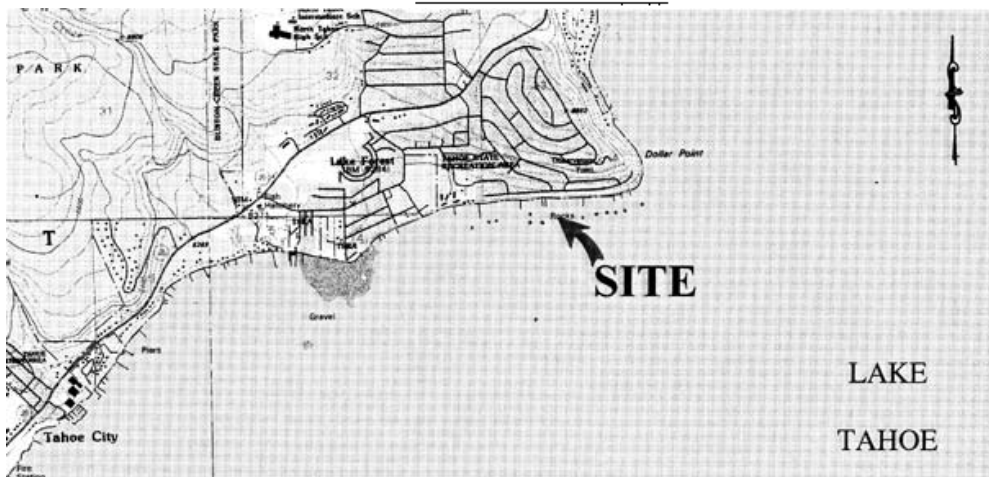
LAKE

TAHOE

3280 EDGEWATER DRIVE, NEAR TAHOE CITY

NO SCALE

# LOCATION



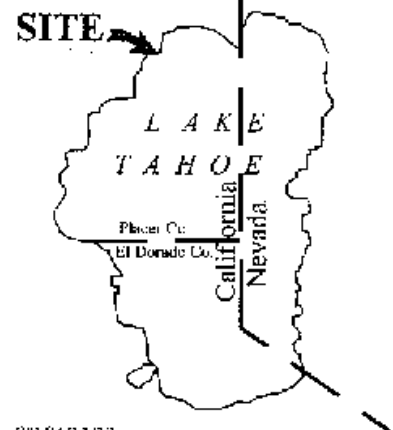
LAKE  
TAHOE

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

W 26526  
RICHARDSON  
APN 093-094-037  
GENERAL LEASE -  
RECREATIONAL USE  
PLACER COUNTY



TS 04/1/13