

**CALENDAR ITEM  
C37**

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02/21/14  
PRC 8172.1  
R. Boggiano

**REVISION OF RENT**

**LESSEE:**

Timothy P. Alpers and Pamela J. Alpers

**LAND TYPE AND LOCATION:**

Sovereign land located in Mono Lake, near Lee Vining, Mono County.

**AUTHORIZED USE:**

The continued use and maintenance of a residential leach field system.

**LEASE TERM:**

49 years, beginning July 1, 2000.

**CONSIDERATION:**

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease and recommends that rent be revised from \$200 per year to \$278 per year, effective July 1, 2014.

**OTHER PERTINENT INFORMATION:**

1. On June 27, 2000, the Commission authorized a Memorandum of Understanding (MOU), referred to as Lease No. PRC 8172.1, with Timothy P. Alpers and Pamela J. Alpers for the continued use and maintenance of a residential leach field system. The Commission authorized the MOU instead of a General Lease because the Alpers contested the State's ownership and jurisdiction over the relicted lands on Mono Lake on which their leach field is located. The MOU will expire on June 30, 2049.
2. Staff conducted a rent review called for in the MOU and recommends rent be increased.
3. Staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a

CALENDAR ITEM NO. **C37** (CONT'D)

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.

**EXHIBIT:**

- A. Site And Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the subject revision of rent 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.

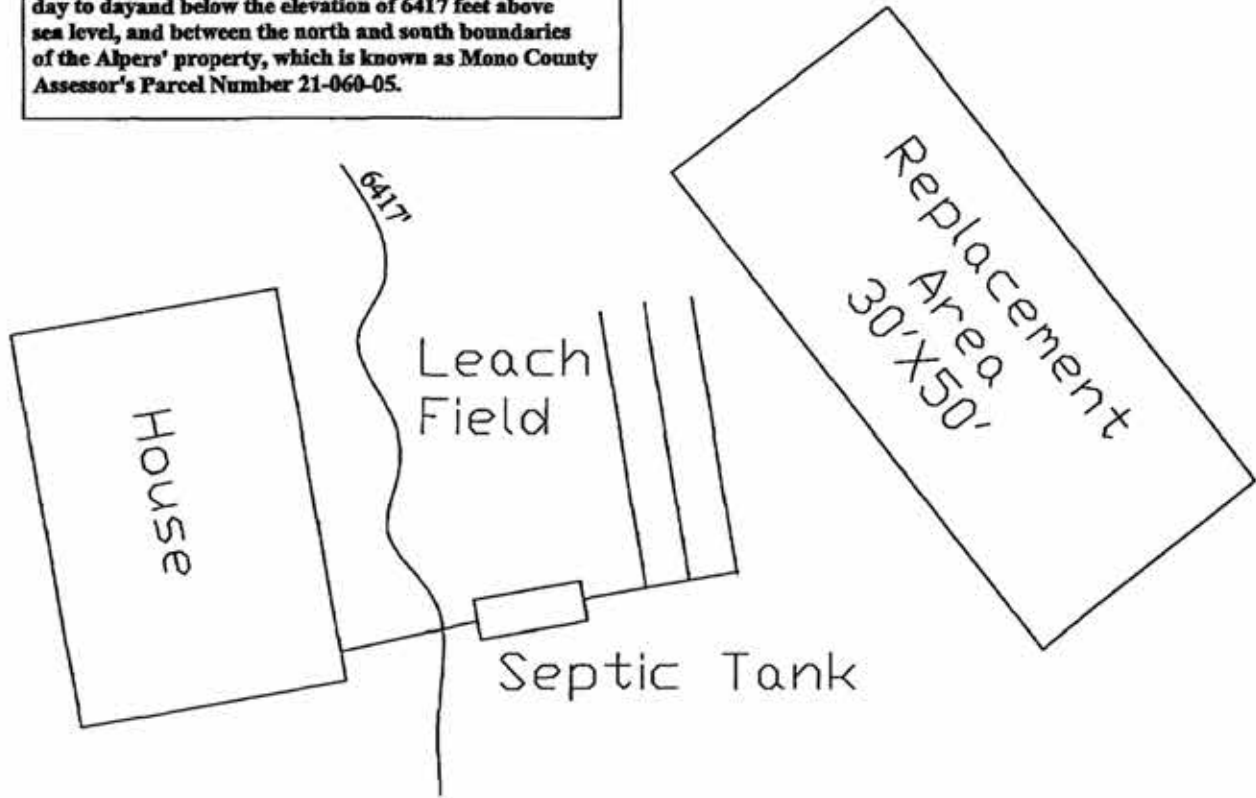
**AUTHORIZATION:**

Approve the revision of rent from \$200 per year to \$278 per year, effective July 1, 2014.

NO SCALE

# SITE

The recessional lands are generally described as those lands lying above the level of the lake as it exists from day to day and below the elevation of 6417 feet above sea level, and between the north and south boundaries of the Alpers' property, which is known as Mono County Assessor's Parcel Number 21-060-05.



The line shown as elevation 6417 is for purposes of illustration only. A final survey may show the line at a different location.

## APN 21-060-05

MONO LAKE, NEAR LEE VINING, CA

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

# Exhibit A

PRC 8172.1  
ALPERS  
APN 21-060-05  
GENERAL LEASE -  
RESIDENTIAL LEACH  
FIELD SYSTEM  
MONO COUNTY



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.