

**CALENDAR ITEM  
C01**

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06/19/14  
PRC 7329.1  
G. Asimakopoulos

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Michael D. Grimes, Trustee of the 3272 Edgewater Road Qualified Personal Residence Trust dated August 9, 2013

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

Sovereign land in Lake Tahoe, adjacent to 3272 Edgewater Drive, near Dollar Point, Placer County.

**AUTHORIZED USE:**

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

**LEASE TERM:**

10 years, beginning August 19, 2013.

**CONSIDERATION:**

\$1,470 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 Applicant 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

CALENDAR ITEM NO. **C01** (CONT'D)

FEIS and nullified the Amendments. When 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.

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. Applicant owns the upland parcel adjoining the lease premises.
2. On February 2, 2004, the Commission authorized a 10-year Recreational Pier Lease with James L. Duffy and Vicki L. Duffy, Trustees of the Duffy Revocable Trust dated 09/14/01. The lease expired on January 19, 2012. On August 19, 2013, the upland parcel was deeded to Michael D. Grimes, Trustee of the 3272 Edgewater Road Qualified Personal Residence Trust dated August 9, 2013. The Applicant is now applying for a new 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.

CALENDAR ITEM NO. **C01** (CONT'D)

**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.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to Michael D. Grimes, Trustee of the 3272 Edgewater Road Qualified Personal Residence Trust dated August 9, 2013, beginning August 19, 2013, for a term of 10 years, for the continued use and maintenance of an existing pier, boat lift, 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 \$1,470, 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**

**PRC 7329.1**

**LAND DESCRIPTION**

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 7 of fractional Section 33, Township 16 North, Range 17 East, MDM., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California, and more particularly described as follows:

**PARCEL 1 - PIER**

All those lands underlying an existing pier, boat lift and two (2) catwalks lying adjacent to those parcels as described in Exhibit One of that Grant Deed recorded January 25, 2002 in Document Number 2002-0008876 in Official Records of said County.

TOGETHER WITH any applicable impact area(s).

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

**PARCELS 2 & 3 - BUOYS**

Two (2) circular parcels of land, each being 50 feet in diameter, underlying two (2) existing buoys lying adjacent to said parcels.

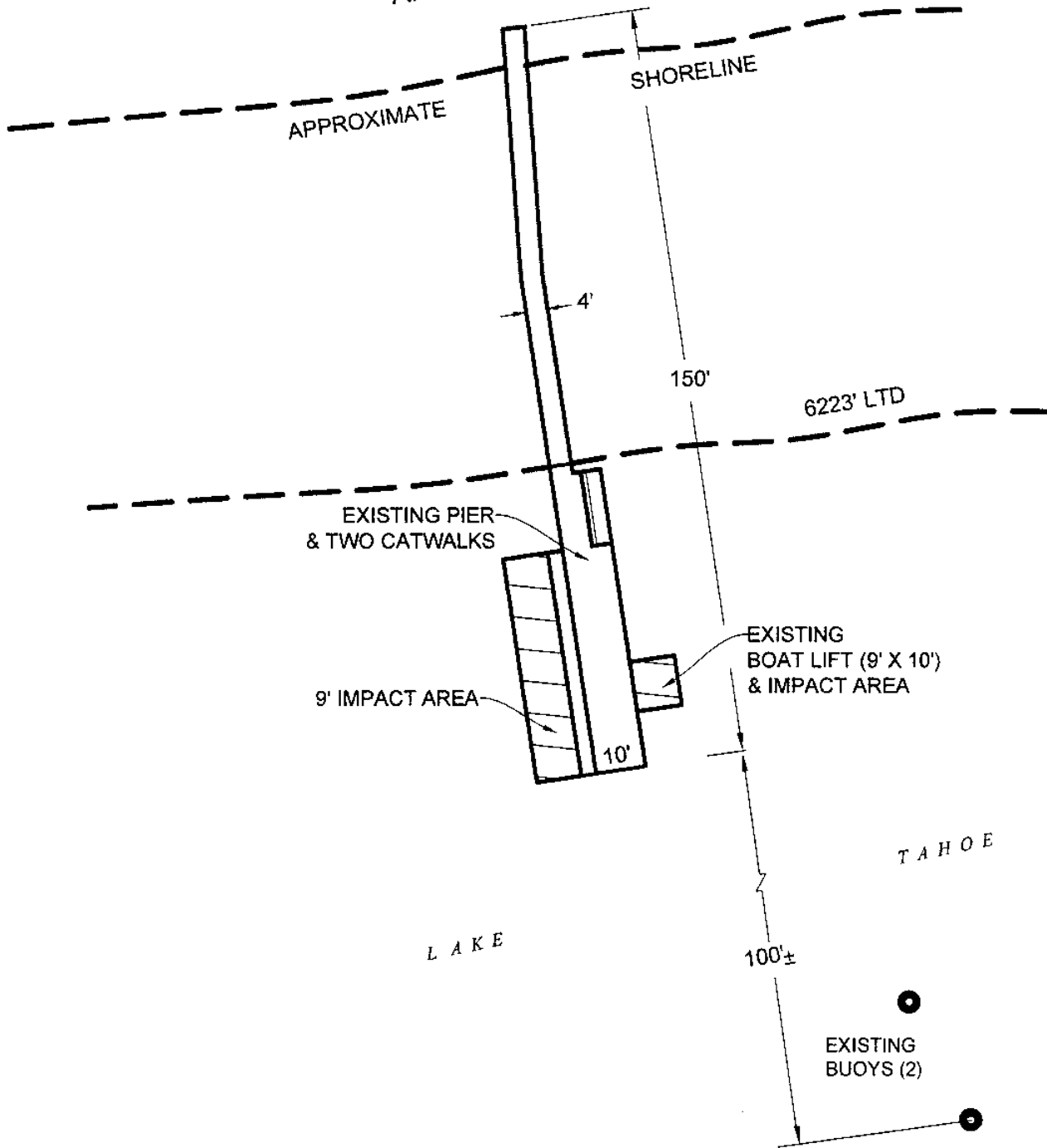
Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared May 19, 2014 by the California State Lands Commission Boundary Unit.



APN 093-094-036



# EXHIBIT A

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LAND DESCRIPTION PLAT  
PRC 7329.1, GRIMES TRUSTEE  
PLACER COUNTY

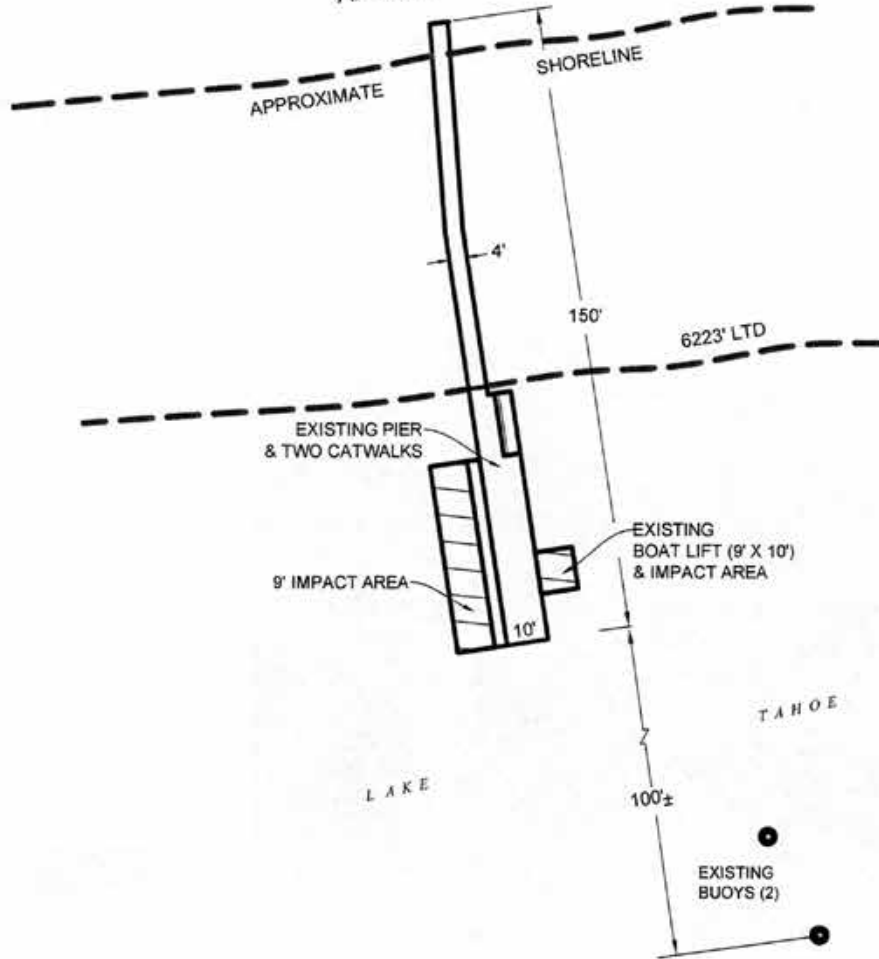
CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

# SITE

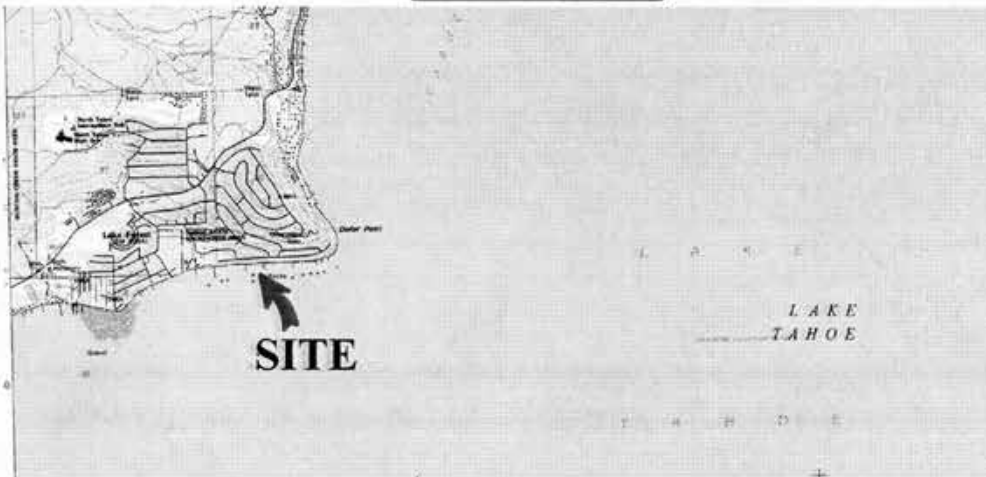
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3272 EDGEWATER DRIVE, NEAR DOLLAR POINT

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

# Exhibit B

PRC 7329.1  
 GRIMES TRUSTEE  
 APN 093-094-036  
 GENERAL LEASE -  
 RECREATIONAL USE  
 PLACER COUNTY



MIJ 05/26/2014

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.