

**CALENDAR ITEM
C12**

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06/19/14
PRC 5558.1
M.J. Columbus

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

George Stanley Langston and Betty Lea Langston as Trustees of the Langston Family Trust of 1990, U.D.T. dated September 28, 1990

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8501 and 8503 Meeks Bay Avenue, near Meeks Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and three existing mooring buoys previously authorized by the Commission and use and maintenance of an existing boat hoist not previously authorized by the Commission.

LEASE TERM:

10 years, beginning December 1, 2012.

CONSIDERATION:

\$1,587 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

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FEIS. In September 2010, the U.S. District Court invalidated the 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 TRPA or any other regulatory agency for the improvements authorized by the Commission.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands, 8501 and 8503 Meeks Bay Avenue, adjoining the lease premises.
2. On December 16, 2002, the Commission authorized a 10-year Recreational Pier Lease to George S. Langston and Betty Lea Langston. That lease expired on November 30, 2012. The Applicants are now applying for a General Lease – Recreational Use for the pier, boat hoist, and one buoy adjacent to 8501 Meeks Bay Avenue (Assessor's Parcel Number [APN] 016-091-33) and two buoys adjacent to 8503 Meeks Bay Avenue (APN 016-101-04).
3. The Applicants' boat hoist has existed for many years but was not previously authorized by the Commission. Staff recommends including the boat hoist as an authorized improvement in the lease.
4. 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.

5. 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

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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

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 George Stanley Langston and Betty Lea Langston as Trustees of the Langston Family Trust of 1990, U.D.T. dated September 28, 1990, beginning December 1, 2012, for a term of 10 years, for continued use and maintenance of an existing pier and three existing mooring buoys previously authorized by the Commission and use and maintenance of an existing boat hoist not previously authorized by the Commission as shown on 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 \$1,587 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 of no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5558.1

LAND DESCRIPTION

Four (4) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 5 of fractional Section 29, Township 14 North, Range 17 East, MDM., as shown on Official Government Township Plat approved July 29, 1880, County of Placer, State of California, and more particularly described as follows:

PARCEL 1 - PIER

All those lands underlying an existing pier, boat hoist and catwalk lying adjacent to those parcels as described in Exhibit One of that Grant Deed recorded October 3, 1990, in Book 3439 Page 56, 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 & 4 - BUOYS

Three (3) circular parcels of land, each being 50 feet in diameter, underlying three (3) existing buoys lying adjacent to said parcels.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared May 22, 2014 by the California State Lands Commission Boundary Unit.



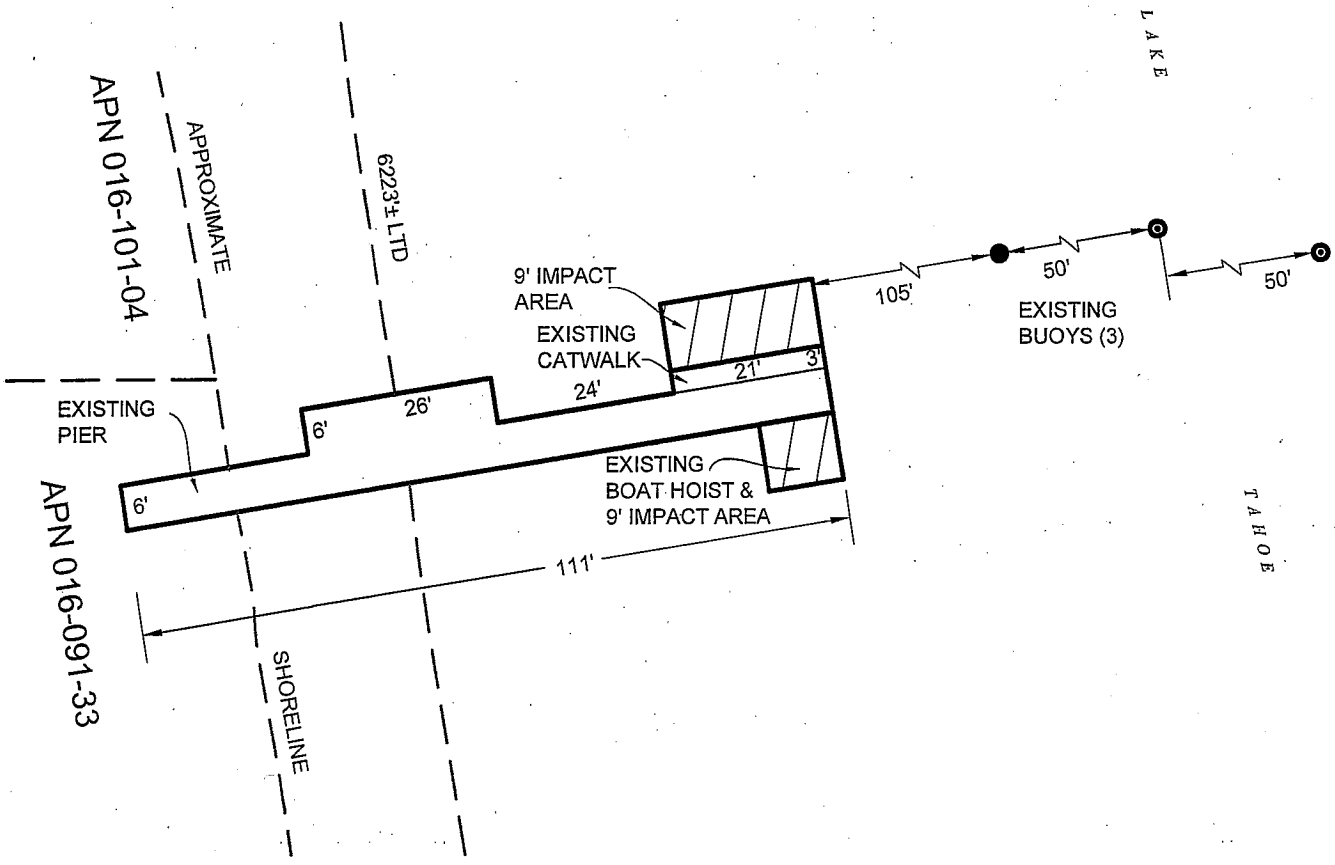


EXHIBIT A

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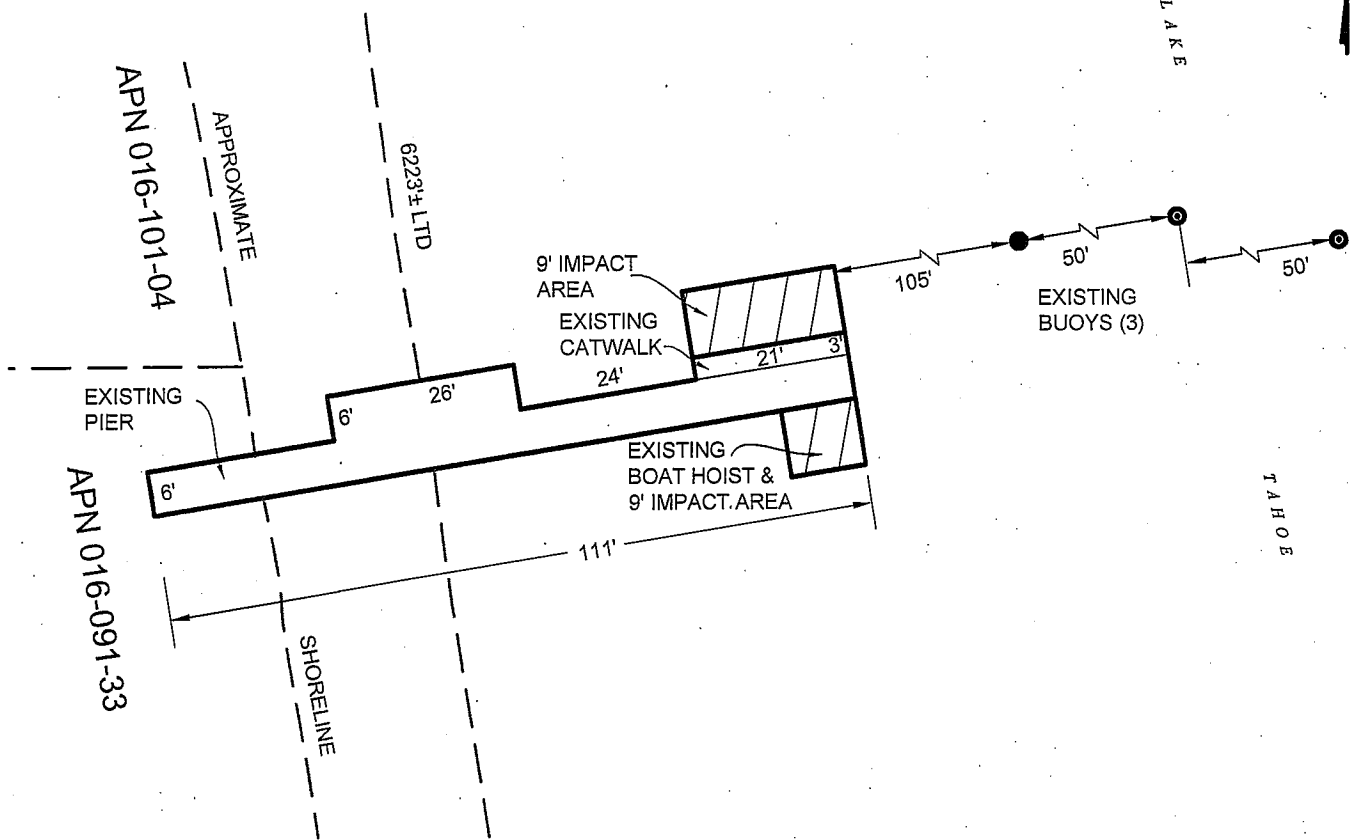
LAND DESCRIPTION PLAT
PRC 5558.1, LANGSTON
EL DORADO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

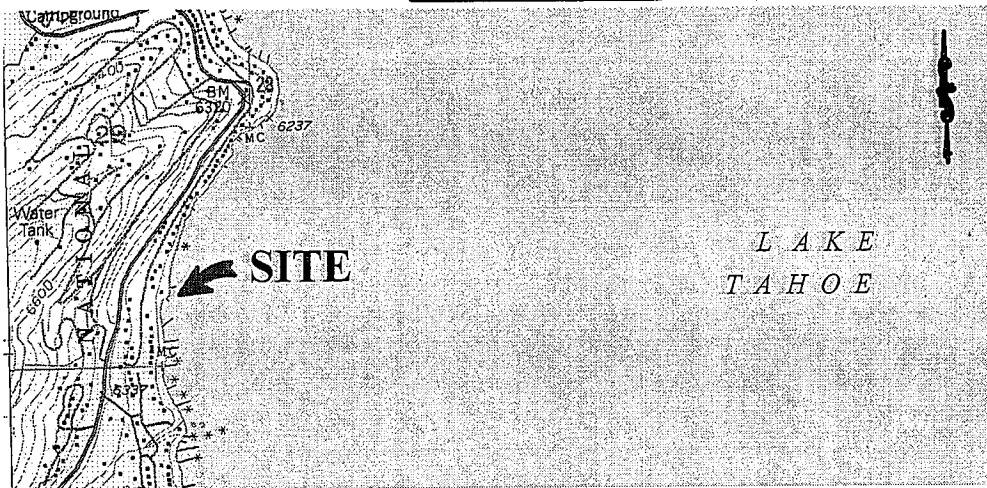
SITE



8501 & 8503 MEEKS BAY AVE., NEAR MEEKS BAY

NO SCALE

LOCATION

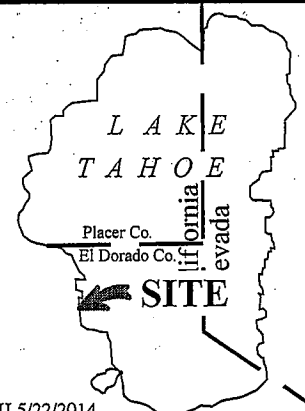


MAP SOURCE: USGS QUAD

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 5558.1
 LANGSTON
 APN 016-091-33
 APN 016-101-04
 GENERAL LEASE -
 RECREATIONAL USE
 EL DORADO COUNTY



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