

**CALENDAR ITEM
C19**

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06/19/14
PRC 8356.1
M.J. Columbus

ASSIGNMENT OF LEASE

LESSEES/ASSIGNORS:

Jeffrey P. Lanini and Krista D. Lanini

APPLICANTS/ASSIGNEES:

James A. Robertson and Cathy Robertson, as Trustees of the James and Cathy Robertson Trust dated September 5, 1996

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8770 and 8774 Brockway Vista Avenue, near Kings Beach, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing joint-use pier, boat lift, and four mooring buoys.

LEASE TERM:

10 years, beginning October 19, 2012.

CONSIDERATION:

\$2,877 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:

The 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

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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 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. Lessees and Applicants/Assignees own the upland parcels, Assessor's Parcel Numbers (APN) 090-231-030 and 090-231-031, adjoining the lease premises.
2. On October 19, 2012, the Commission authorized a General Lease - Recreational Use Lease with Stephen J. Gordon, Trustee of the Stephen J. Gordon Revocable Trust; and Jeffrey P. Lanini and Krista D. Lanini, for an existing joint-use pier, boat lift, and four mooring buoys. That lease will expire on October 18, 2022. On September 20, 2013, Jeffrey P. Lanini and Krista D. Lanini deeded their littoral parcel (APN 090-231-031) to James A. Robertson and Cathy Robertson, as Trustees of the James and Cathy Robertson Trust dated September 5, 1996. The Applicants, James A. Robertson and Cathy Robertson, as Trustees of the James and Cathy Robertson Trust dated September 5, 1996, are now applying for an assignment of all interest of Jeffrey P. Lanini and Krista D. Lanini under the lease. Stephen J. Gordon, Trustee of the Stephen J. Gordon Revocable Trust, will remain as Lessee.
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. Land Description
- B. Site and Location Map

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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.

AUTHORIZATION:

Authorize the assignment of Lease No. PRC 8356.1, a General Lease - Recreational Use, of sovereign land as shown on Exhibit A, from Jeffrey P. Lanini and Krista D. Lanini, to James A. Robertson and Cathy Robertson, as Trustees of the James and Cathy Robertson Trust dated September 5, 1996, effective September 20, 2013.

EXHIBIT A

PRC 8356.1

LAND DESCRIPTION

Five (5) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 1 of fractional Section 19, Township 16 North, Range 18 East, MDM., as shown on Official Government Township Plat approved January 29, 1875, County of Placer, State of California, and more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier and boatlift lying adjacent to that parcel as described in that Grant Deed recorded September 20, 2013 as Document Number 2013-0091783 of said County.

TOGETHER WITH a ten foot impact area.

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

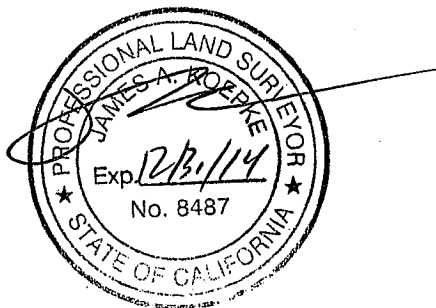
PARCELS 2, 3, 4 & 5 – BUOYS

Four (4) circular parcels of land, each being 50 feet in diameter, underlying four (4) existing buoys lying adjacent to said parcels and lots as described in said Interspousal Transfer Deed and Grant Deed.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared December 24, 2013 by the California State Lands Commission Boundary Unit.



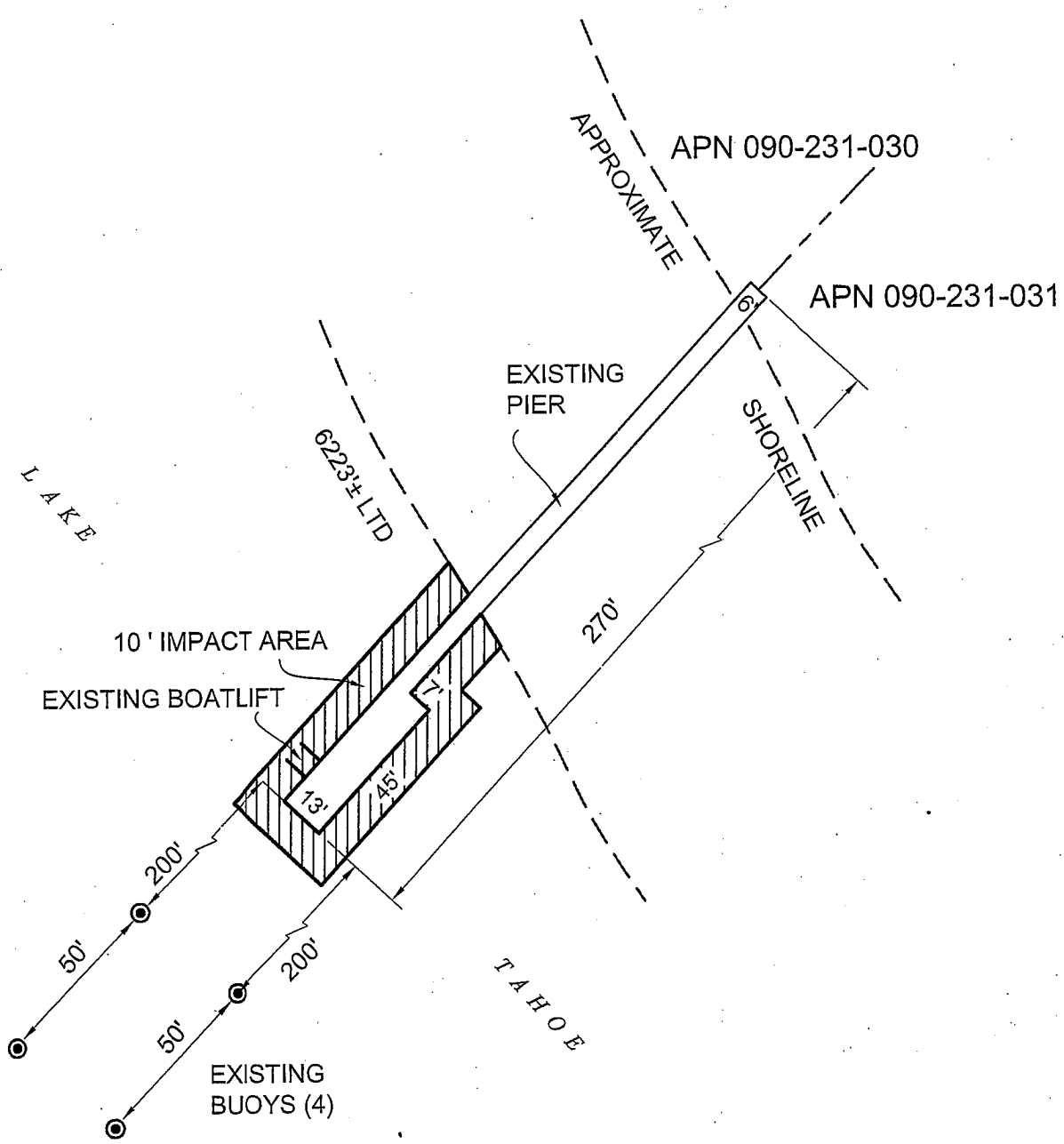


EXHIBIT A

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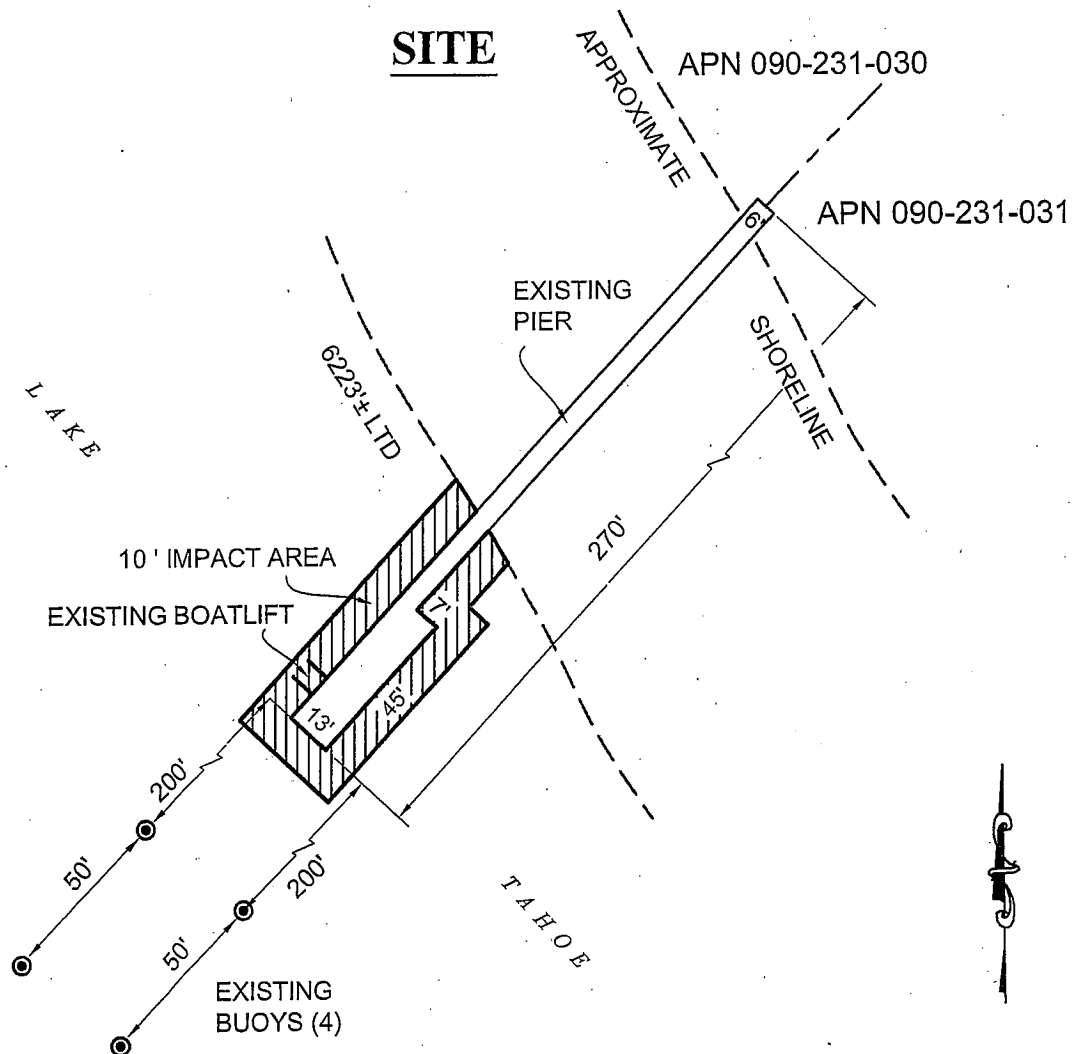
LAND DESCRIPTION PLAT
 PRC 8356.1, ROBERTSON & GORDON
 PLACER COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



8770 & 8774 BROCKWAY VISTA AVE., NEAR KINGS BEACH

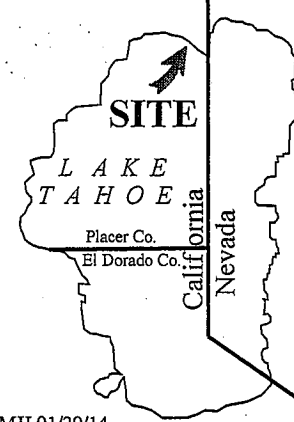
NO SCALE

LOCATION



Exhibit B

PRC 8356.1
 ROBERTSON & GORDON
 APN 090-231-030 & 031
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



MJJ 01/29/14

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.