

**CALENDAR ITEM
C47**

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06/19/14
PRC 4856.1
B. Terry

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

9898 Lake, LLC

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 9898 Lake Street, near Kings Beach, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier.

LEASE TERM:

10 years, beginning April 1, 2014.

CONSIDERATION:

\$1,016 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:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On February 8, 2000, the Commission authorized a Recreational Pier Lease with Mark Howerth Paye, Trustee under Trust Agreement dated 2-1-88. That lease expired on January 31, 2010. On July 31, 2009, the upland parcel was transferred to 9898 Lake, LLC. The Applicant is now applying for a General Lease–Recreational Use.
3. On July 31, 2009, when ownership transferred to 9898 Lake, LLC, the Lessee no longer qualified for rent-free status pursuant to the original definition of Public Resources Code section 6503.5 in effect at that time. Therefore, staff is recommending that the Commission accept rent in the

CALENDAR ITEM NO. **C47** (CONT'D)

amount of \$4,792 for the period beginning July 31, 2009 through March 31, 2014.

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 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:

1. Authorize acceptance of rent in the amount of \$4,792 for the period of July 31, 2009 through March 31, 2014.

CALENDAR ITEM NO. **C47** (CONT'D)

2. Authorize issuance of a General Lease – Recreational Use to 9898 Lake, LLC beginning April 1, 2014, for a term of 10 years, for the continued use and maintenance of an existing pier 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 \$1,016 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 4856.1

LAND DESCRIPTION

A parcel of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 3 of fractional Section 30, Township 16 North, Range 18 East, M.D.B.&M., as shown on Official Government Township Plat approved January 2, 1875, County of Placer, State of California, more particularly described as follows:

All those lands underlying an existing rock crib pier lying adjacent to that parcel described in Grant Deed recorded July 31, 2009 as Document Number 2009-0067457-00 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

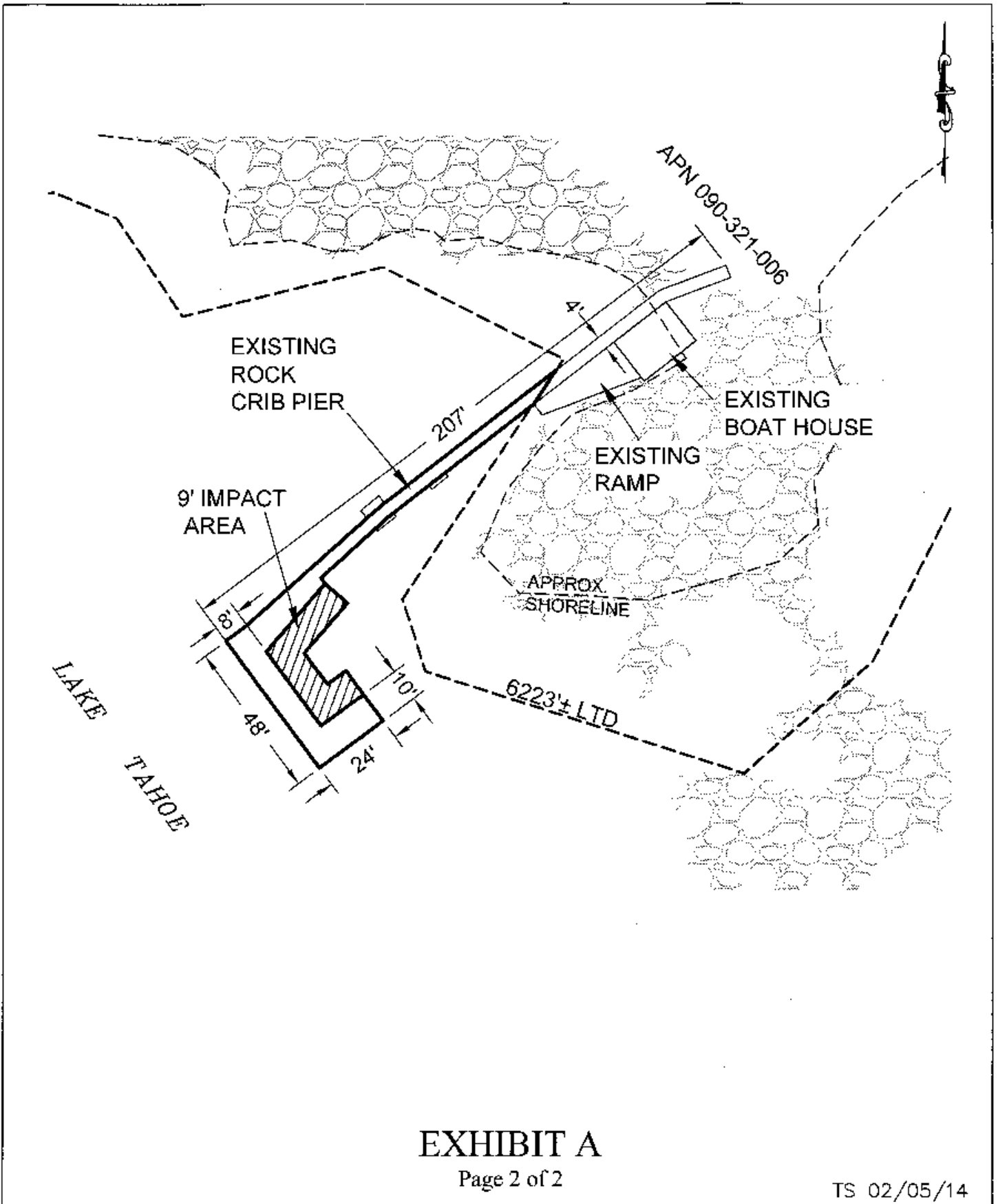
EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 02/05/2014 by the California State Lands Commission Boundary Unit.





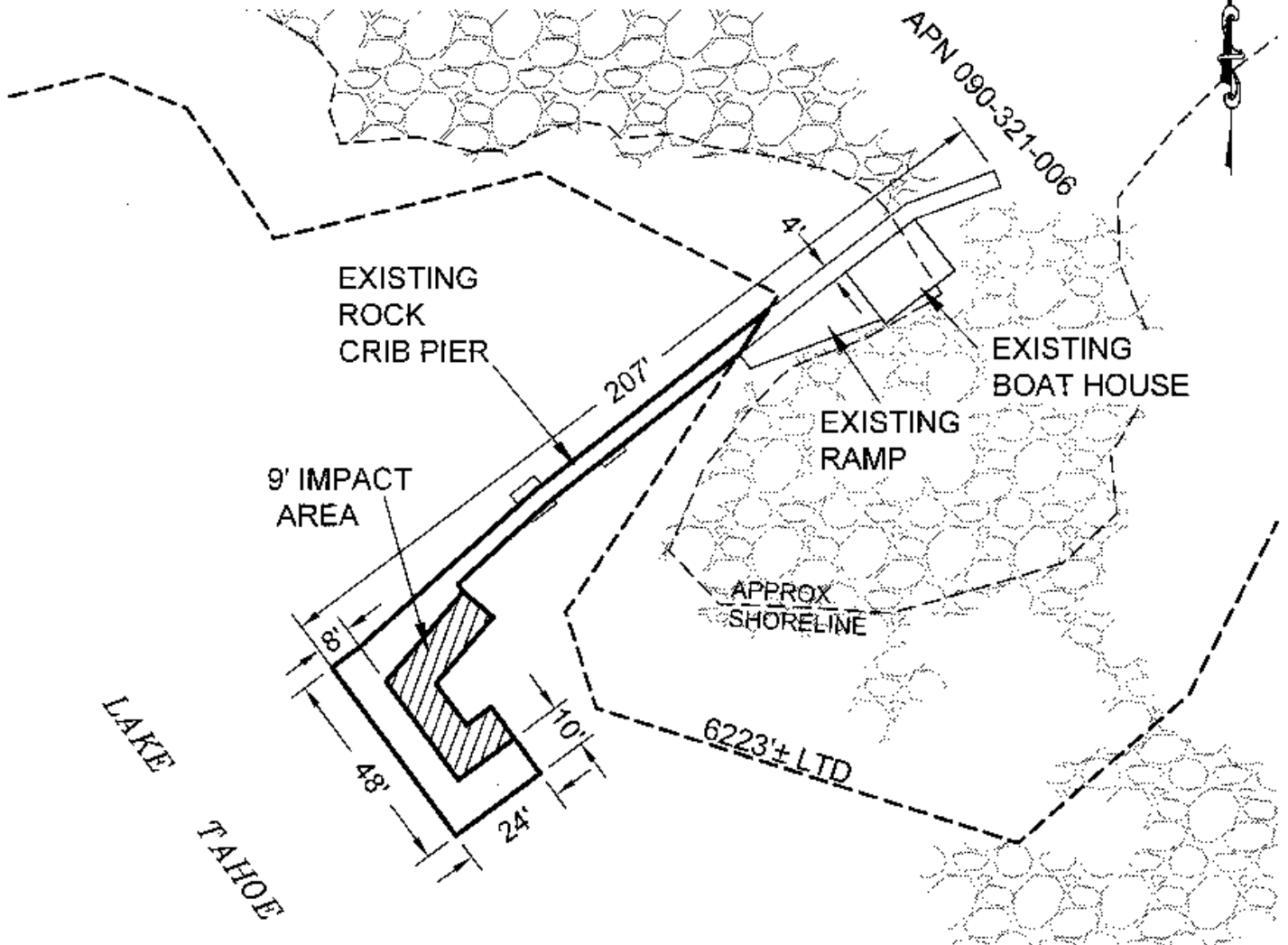
LAND DESCRIPTION PLAT
 PRC 4856.1, 9898 LAKE LLC
 PLACER COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

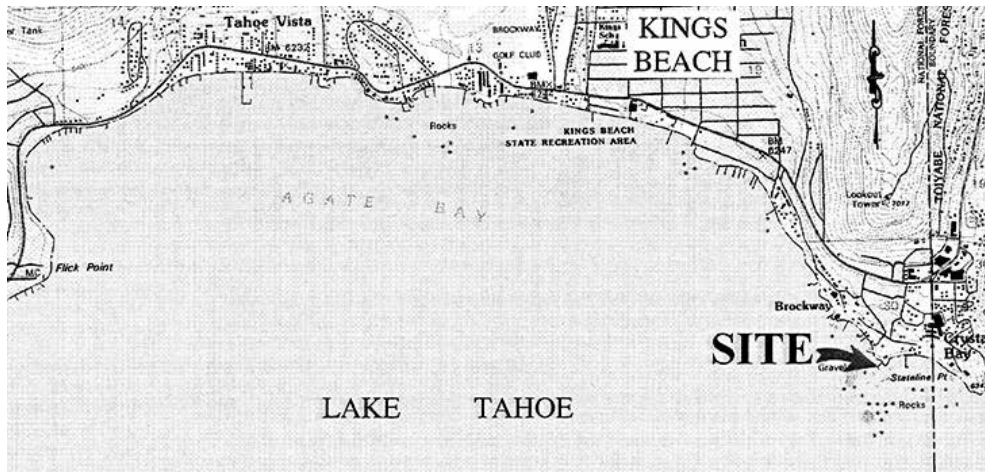
SITE



9898 LAKE STREET, NEAR KINGS BEACH

NO SCALE

LOCATION

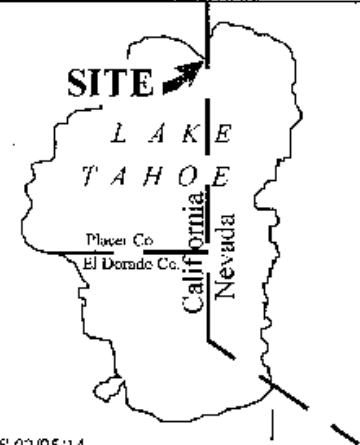


MAP SOURCE: USGS QUAD

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 4856.1
 9898 LAKE LLC
 APN 090-321-006
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



TS 02/05/14