

**CALENDAR ITEM
C50**

A 1
S 1

06/19/14
PRC 3955.1
B. Terry

AMENDMENT OF LEASE

LESSEE:

Rocky Ridge Properties Owners Association
180 Sierra Vista Road
Tahoe City, CA 96145

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 180 Sierra Vista Road, Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, 31 mooring buoys, and two marker buoys.

LEASE TERM:

10 years, beginning August 23, 2013.

CONSIDERATION:

\$14,598 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Amend the Lease to revise the annual rent from \$14,598 to \$13,462; and replace the existing Exhibit A, Land Description and Exhibit B, Site and Location Map with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only). All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On December 2, 2013, the Commission authorized a 10-year General Lease – Recreational Use with Rocky Ridge Properties Owners Association. That lease will expire on August 22, 2023.

CALENDAR ITEM NO. **C50** (CONT'D)

3. At the January 23, 2014, meeting, the Commission adopted amendments to Sections 1900, 2002, and 2003 of the California Code of Regulations pertaining to its leasing regulations, which resulted in a change to the Commission's practice in terms of assessing rent and the impact area surrounding piers. The Applicant is now applying to amend its lease to reflect the revised lease regulations and practices.
4. The staff recommends that the Commission find that the subject lease amendment 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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease amendment 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 amendment of Lease No. PRC 3955.1, a General Lease - Recreational Use, effective August 23, 2013, to revise the annual rent from \$14,598 to \$13,462; and replace the existing Exhibit A, Land Description and Exhibit B, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only); all other terms and conditions of the lease will remain in effect without amendment.

EXHIBIT A

PRC 3955.1

LAND DESCRIPTION

Thirty four (34) parcels of submerged lands, situate in the bed of Lake Tahoe, lying adjacent to fractional Section 5, Township 15 North, Range 17 East, MDM, as shown on the Official Township Plat, approved November 9th, 1866, County of Placer, State of California, and more particularly described as follows:

PARCEL 1 – PIER, CATWALKS & BOAT HOIST

All those lands underlying an existing pier, two catwalks and boat hoist adjacent to "Parcel One" as described in Exhibit A of that Corporation Grant Deed recorded February 13th, 1980 in Volume 2225 Page 156 in Official Records of said County.

TOGETHER WITH any applicable impact area(s).

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

PARCELS 2 thru 32 – MOORING BUOYS

Thirty one (31) circular parcels of land, being 50 feet in diameter, underlying existing buoys, adjacent to "Parcel One" as described in Exhibit A of that Corporation Grant Deed recorded February 13th, 1980 in Volume 2225 Page 156 in Official Records of said County.

PARCELS 33 & 34 – MARKER BOUYS

Two (2) circular parcels of land, being 50 feet in diameter, underlying existing buoys, adjacent to "Parcel One" as described in Exhibit A of that Corporation Grant Deed recorded February 13th, 1980 in Volume 2225 Page 156 in Official Records of said County.

Accompanying plat is hereby made a part of this description.

END OF DESCRIPTION

PREPARED 5/14/14 BY THE
CALIFORNIA STATE LANDS COMMISSION
BOUNDARY UNIT



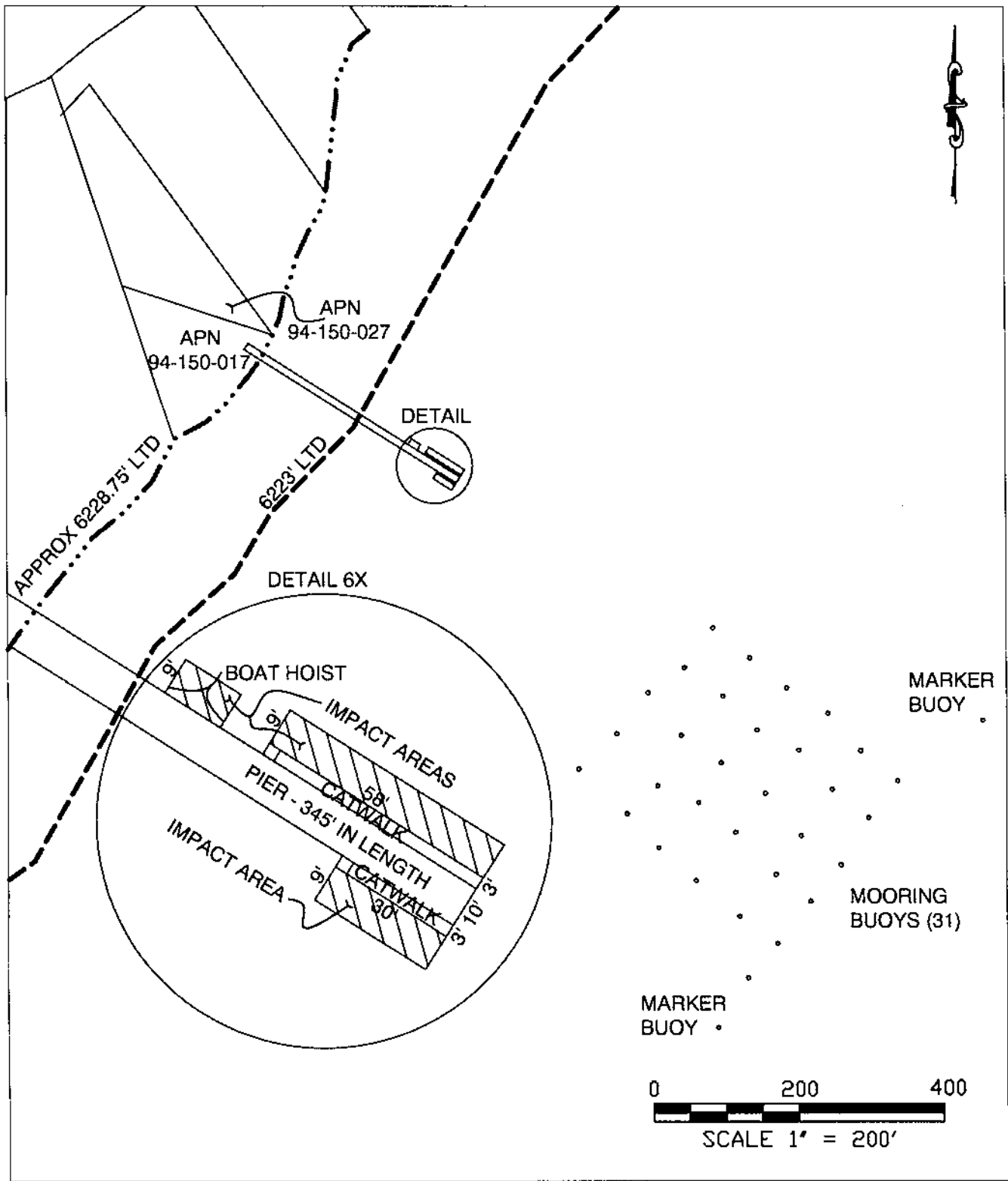


EXHIBIT A

Page 2 of 2

MJF 5/16/14

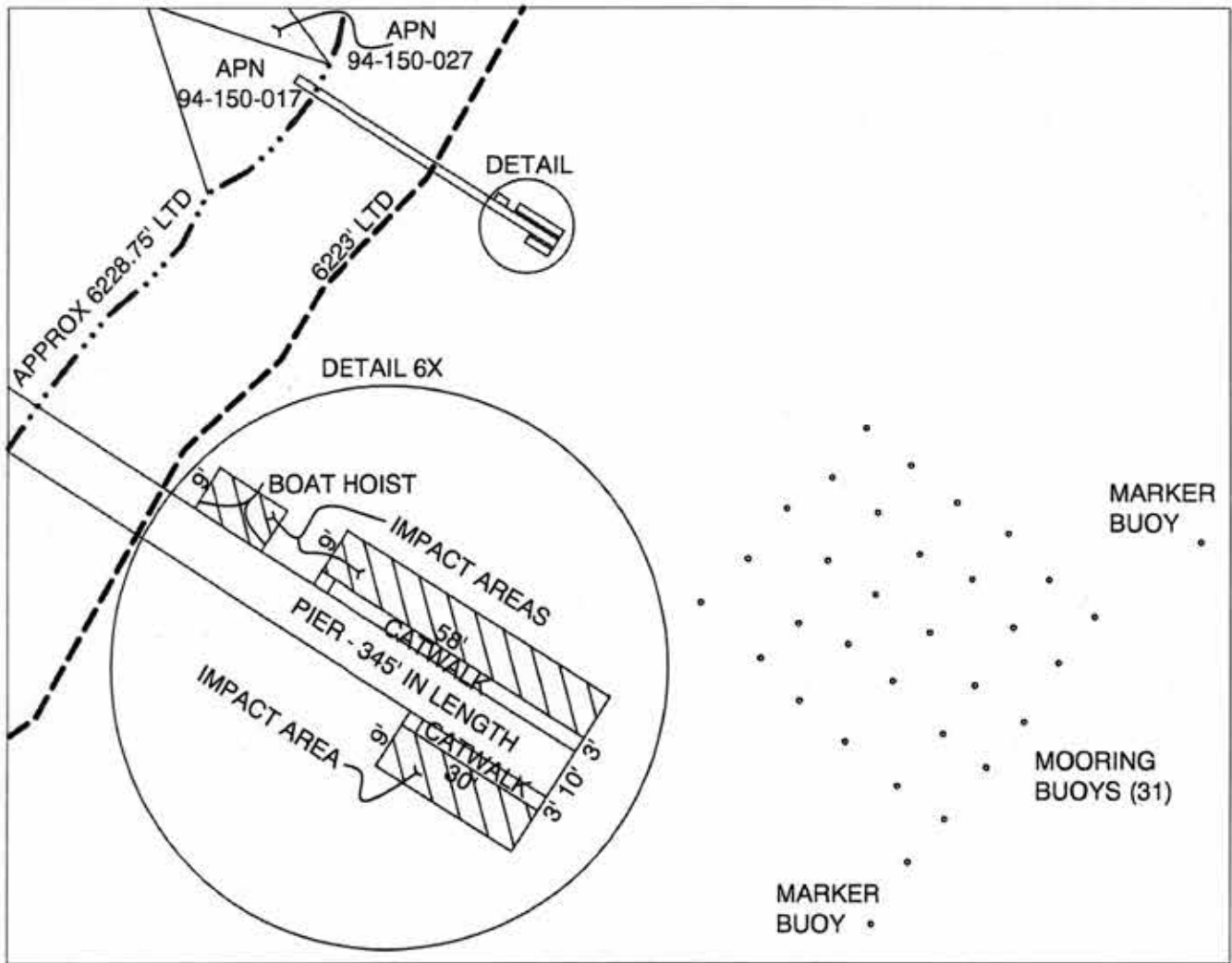
LAND DESCRIPTION PLAT
 PRC 3955.1, ROCKY RIDGE HOA
 PLACER COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



180 Sierra Vista Rd, near Tahoe City

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 3955.1
 ROCKY RIDGE H.O.A.
 APN 094-150-017
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



MJP 5/16/14

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.