

**CALENDAR ITEM
C43**

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S 1

10/14/14
PRC 1828.1
M. Schroeder

AMENDMENT OF LEASE

LESSEE:

David Michael Bowman, as Trustee, or his Successor, of the David Michael Bowman Trust Agreement dated April 13, 1989

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8401 Meeks Bay Avenue, near Meeks Bay, El Dorado County.

AUTHORIZED USE:

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

LEASE TERM:

10 years, beginning March 1, 2012.

CONSIDERATION:

\$2,092 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 \$2,092 to \$1,357; 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. Lessee owns the upland adjoining the lease premises.
2. On September 20, 2013, the Commission authorized a General Lease – Recreational Use to David Michael Bowman, as Trustee, or his Successor, of the David Michael Bowman Trust Agreement dated April 13, 1989, for a term of 10 years. The Lease will expire on February 28, 2022.

CALENDAR ITEM NO. **C43** (CONT'D)

3. At its January 23, 2014 meeting, the Commission adopted amendments to the regulations, which resulted in changes to the Commission's practice for the calculation of impact areas surrounding piers. The lessee is now applying to amend the lease to reflect the revised lease regulations.
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 1828.1, a General Lease – Recreational Use, effective March 1, 2015, to revise the annual rent from \$2,092 to \$1,357; 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 1828.1

LAND DESCRIPTION

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 4 of fractional Section 29, Township 14 North, Range 17 East, MDM., as shown on Official Government Township Plat approved July 29, 1880, County of El Dorado, State of California, and more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, boat hoist, and two catwalks lying adjacent to those parcels as described in Exhibit "A" of that Trust Transfer Deed recorded May 4, 1989 as Book 3129 Page 179 of Official Records of said County.

TOGETHER WITH any applicable impact area(s).

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

PARCELS 2 & 3 – BUOYS (2)

Two (2) circular parcels of land, 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 September 5, 2014 by the California State Lands Commission Boundary Unit.



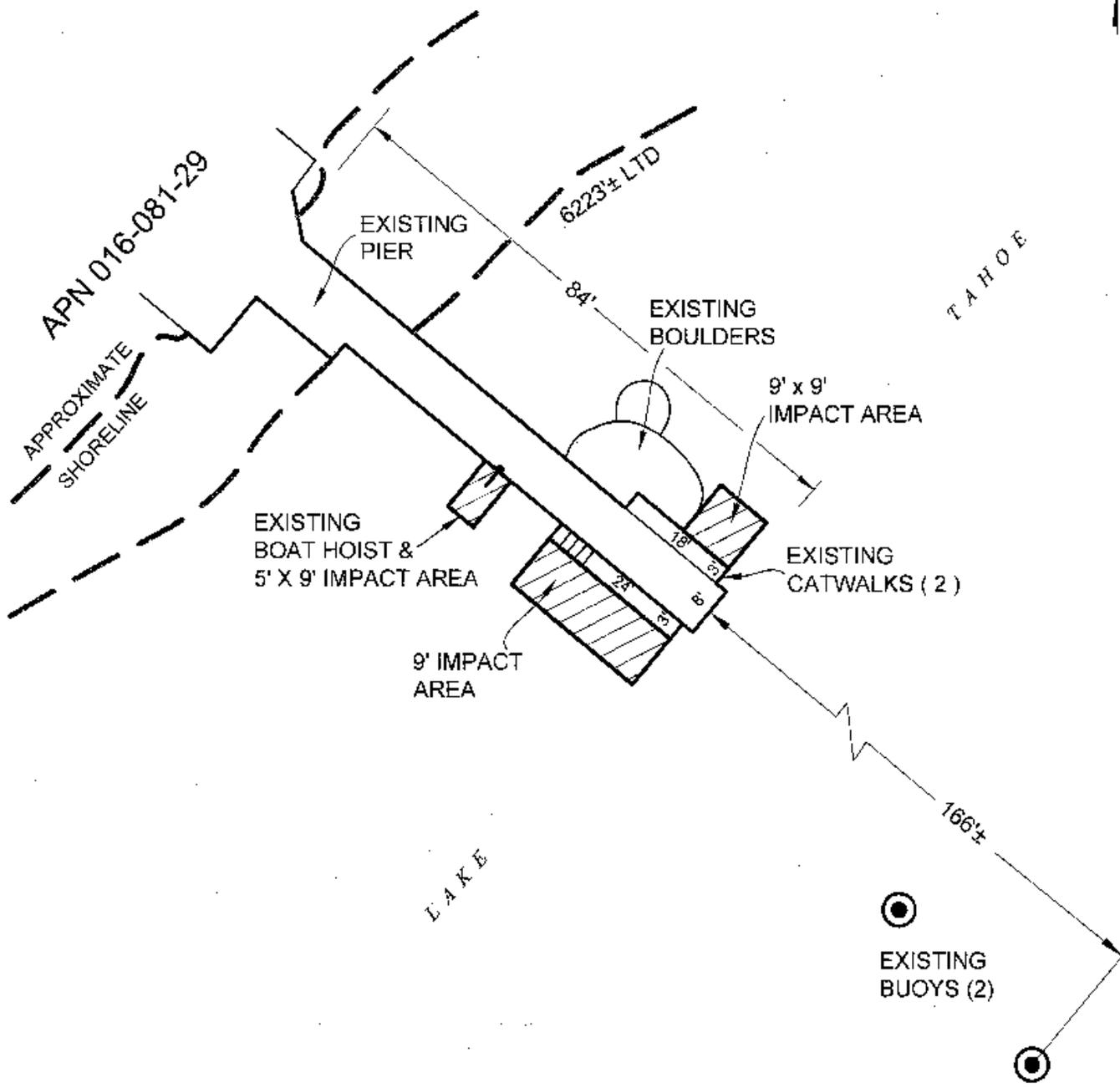


EXHIBIT A

LAND DESCRIPTION PLAT
 PRC 1828.1 BOWMAN TRUST
 EL DORADO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



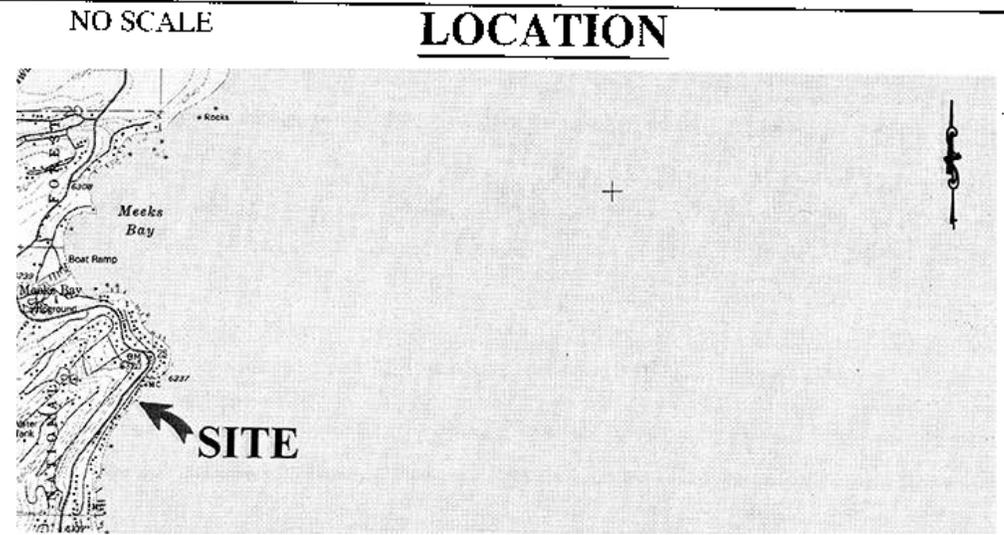
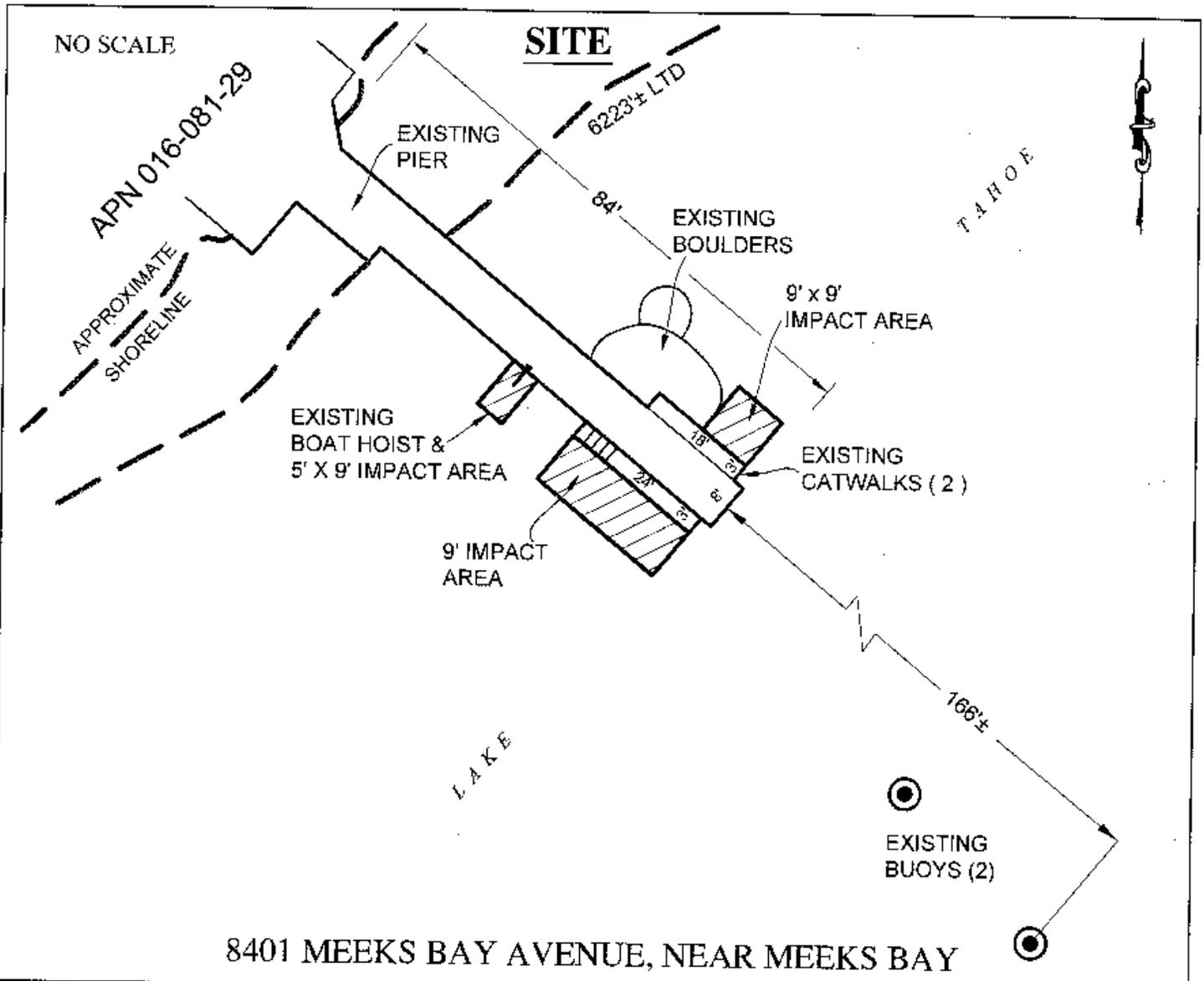
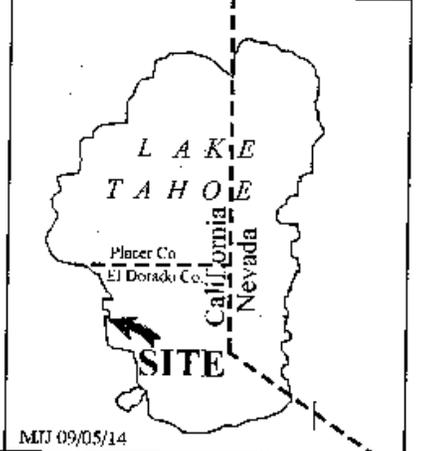


Exhibit B
 PRC 1828.1
 BOWMAN TRUST
 APN 016-081-29
 GENERAL LEASE -
 RECREATIONAL USE
 EL DORADO COUNTY



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.