

**CALENDAR ITEM
C13**

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S 1

02/20/15
PRC 7279.1
S. Kreutzburg

AMENDMENT OF LEASE AND REVISION OF RENT

LESSEE:

Lucky Bluff, LLC

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 9115 State Highway 89, near Meeks Bay, El Dorado County.

AUTHORIZED USE:

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

LEASE TERM:

10 years, beginning February 6, 2009.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of rent under this lease and recommends rent be revised from \$3,574 per year to \$1,800 per year, effective February 6, 2015.

PROPOSED AMENDMENT:

Amend the Lease to replace the existing Site and Location Map in Section 3 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 uplands adjoining the lease premises.
2. On August 11, 2009, the Commission authorized a 10-year General Lease – Recreational Use to Lucky Bluff, LLC. That lease will expire on February 5, 2019.

CALENDAR ITEM NO. **C13** (CONT'D)

3. Staff conducted the rent review called for in the lease. Staff recommends the rent be reduced due to changes in the calculation of the impact area surrounding the pier.
4. The staff recommends that the Commission find that the subject lease amendment and revision of rent do not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and are, therefore, not projects 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 lease amendment and revision of rent are not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activities are not projects as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

1. Authorize the Amendment of Lease No. PRC 7279.1, a General Lease – Recreational Use, effective February 6, 2015, to delete the existing Site and Location Map in Section 3 and add 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.
2. Approve the revision of rent for Lease No. PRC 7279.1 from \$3,574 per year to \$1,800 per year, effective February 6, 2015.

EXHIBIT A

PRC 7279.1

LAND DESCRIPTION

Three parcels of submerged lands situate in the bed of Lake Tahoe, lying adjacent to Lot 2 of fractional Section 33, Township 14 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved July 29, 1880, County of El Dorado, State of California, more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, catwalk, and boat lift lying adjacent to that parcel described in Exhibit A of Grant Deed recorded May 25, 2007 as Document Number 2007-0035223 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.

PARCEL 2 & 3 - BUOYS

Two circular parcels of land, each being 50 feet in diameter, underlying two existing buoys lying adjacent to that parcel described in Exhibit A of Grant Deed recorded May 25, 2007 as Document Number 2007-0035223 in Official Records of said County

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 10/30/2014 by the California State Lands Commission Boundary Unit.



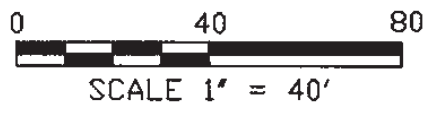
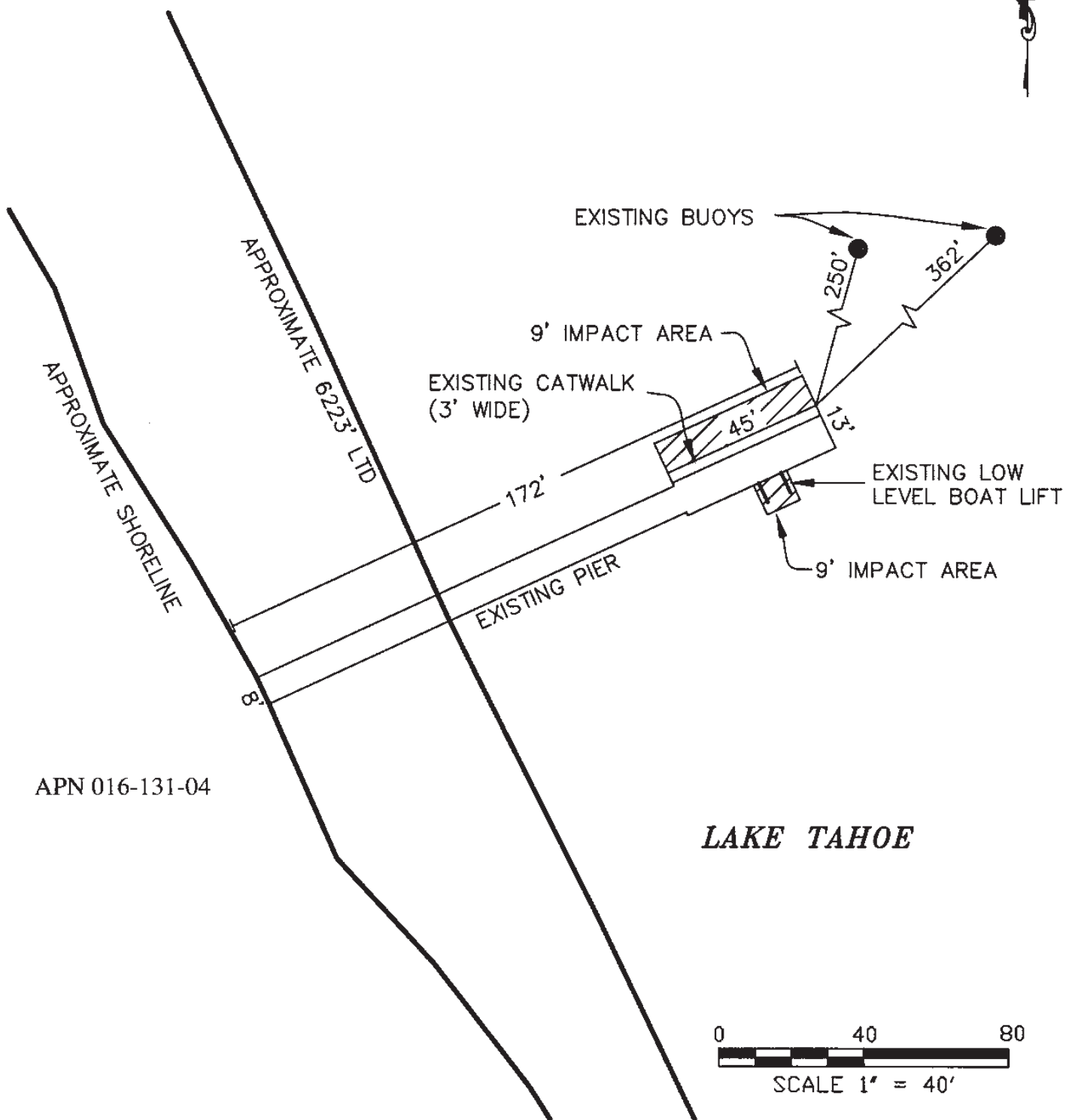


EXHIBIT A

LAND DESCRIPTION PLAT
 PRC 7279.1, LUCKY BLUFF LLC
 EL DORADO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



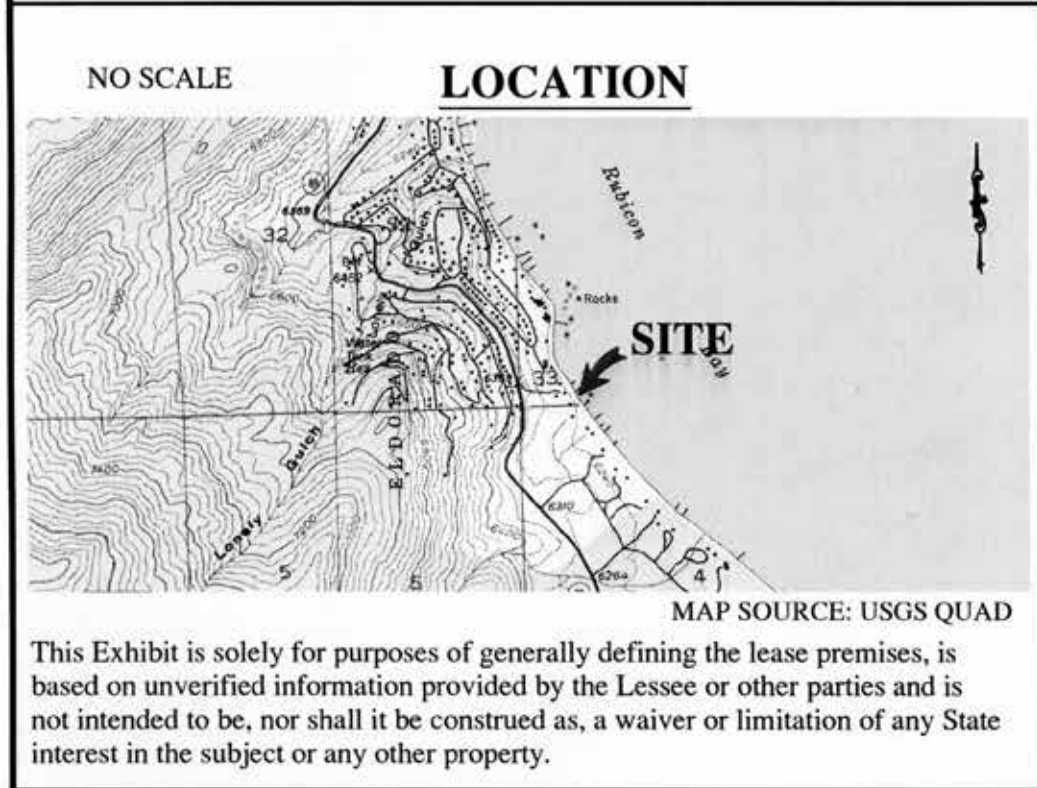
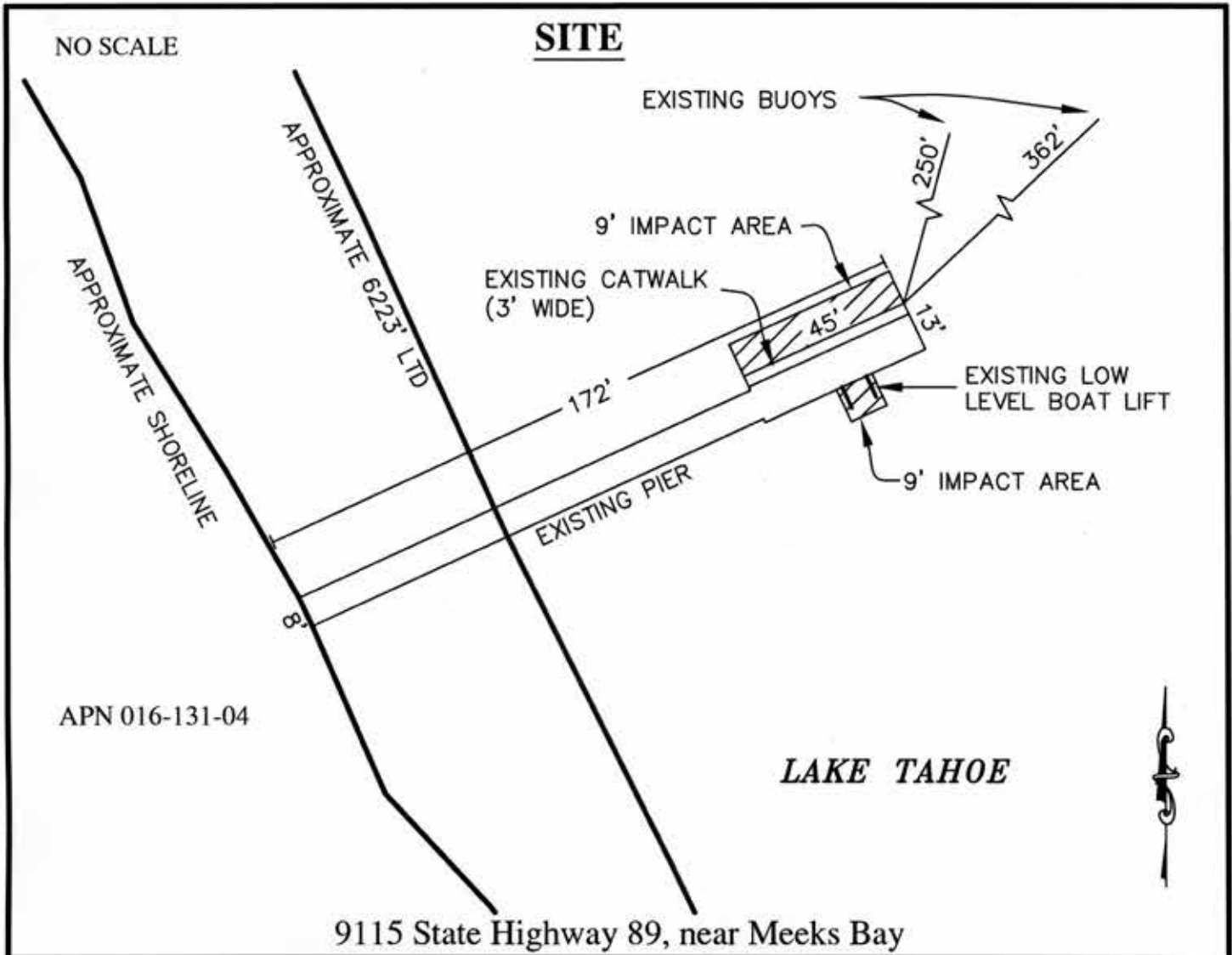


Exhibit B
 PRC 7279.1
 LUCKY BLUFF LLC
 APN 016-131-04
 GENERAL LEASE -
 RECREATIONAL USE
 EL DORADO COUNTY

