

**CALENDAR ITEM
C06**

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06/29/15
PRC 6714.1
M.J. Columbus

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

T. Gary Rogers and Kathleen Tuck Rogers, Co-Trustees of The Rogers LPRP Legacy Trust dated March 31, 2007, and T. Gary Rogers and Kathleen Tuck Rogers, Co-Trustees of The Rogers Revocable Trust dated December 31, 1981

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 1390 West Lake Boulevard, near Tahoe City, Placer County.

AUTHORIZED USE:

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

LEASE TERM:

10 years beginning September 27, 2015.

CONSIDERATION:

\$1,361 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

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

Other:

1. If Lessee does not have valid Tahoe Regional Planning Agency (TRPA) buoy permits, Lessee is required to obtain such authorization 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. If Lessee is unable to obtain such authorization within the time limit, they must remove the buoys.

2. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining

CALENDAR ITEM NO. **C06** (CONT'D)

authorizations from TRPA or any other regulatory agency for the improvements authorized by the Commission.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On April 17, 2006, the Commission authorized a 10-year Recreational Pier Lease to T. Gary Rogers and Kathleen Tuck Rogers, Co-Trustees of the Rogers Revocable Trust, dated December 31, 1981, for an existing pier, boat lift, and two mooring buoys. That lease expires September 26, 2015. On September 24, 2010, the upland was deeded to T. Gary Rogers and Kathleen Tuck Rogers, Co-Trustees of The Rogers LPRP Legacy Trust dated March 31, 2007 and T. Gary Rogers and Kathleen Tuck Rogers, Co-Trustees of The Rogers Revocable Trust dated December 31, 1981. The Applicant is now applying for a General Lease – Recreational Use.
3. The staff recommends that the Commission find that this activity is exempt from the requirements of 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.

4. 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

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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:

Authorize issuance of a General Lease – Recreational Use to T. Gary Rogers and Kathleen Tuck Rogers, Co-Trustees of The Rogers LPRP Legacy Trust dated March 31, 2007, and T. Gary Rogers and Kathleen Tuck Rogers, Co-Trustees of The Rogers Revocable Trust dated December 31, 1981, beginning September 27, 2015, for a term of 10 years, for the continued use and maintenance of an existing pier, boat lift, and two mooring buoys 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 \$1,361, with an annual Consumer Price Index adjustment; and liability insurance with coverage in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 6714.1

LAND DESCRIPTION

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 3 fractional Section 18, Township 15 North, Range 17 East, MDM., as shown on Official Government Township Plat approved November 9, 1866, County of Placer, State of California, and more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, boat lift, stairs and one (1) catwalk with landing lying adjacent to those parcels described in Exhibit “A” of that Grant Deed recorded September 24, 2010 in Document Number 2010-0075600 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 (2)

Two (2) circular parcels of land, being 50 feet in diameter, underlying two (2) existing buoys lying adjacent to that lot as described in said Grant Deed.

Accompanying plat is hereby made part of this description.

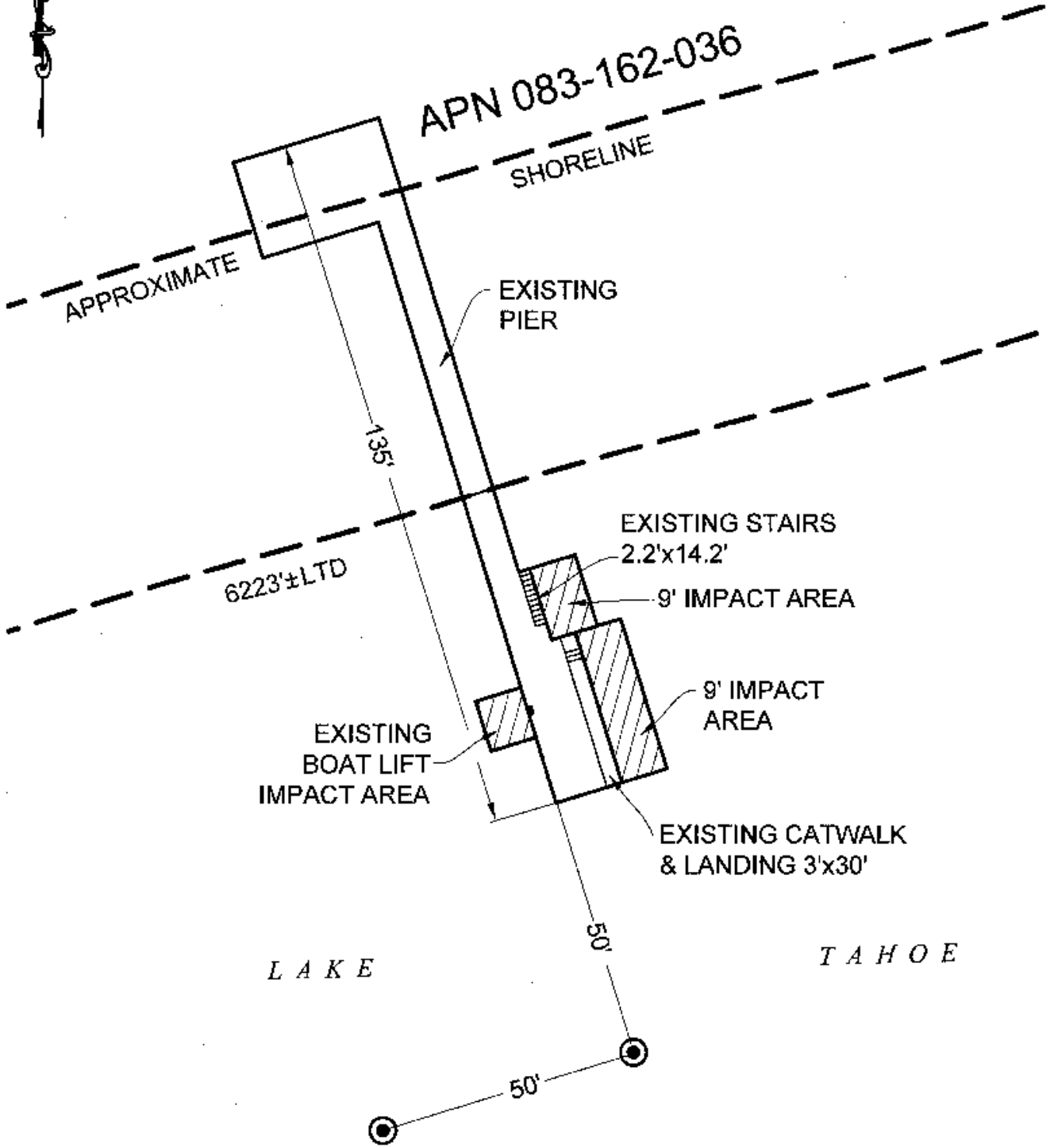
END OF DESCRIPTION

Prepared May 13, 2015 by the California State Lands Commission Boundary Unit.





APN 083-162-036



L A K E

T A H O E

EXHIBIT A

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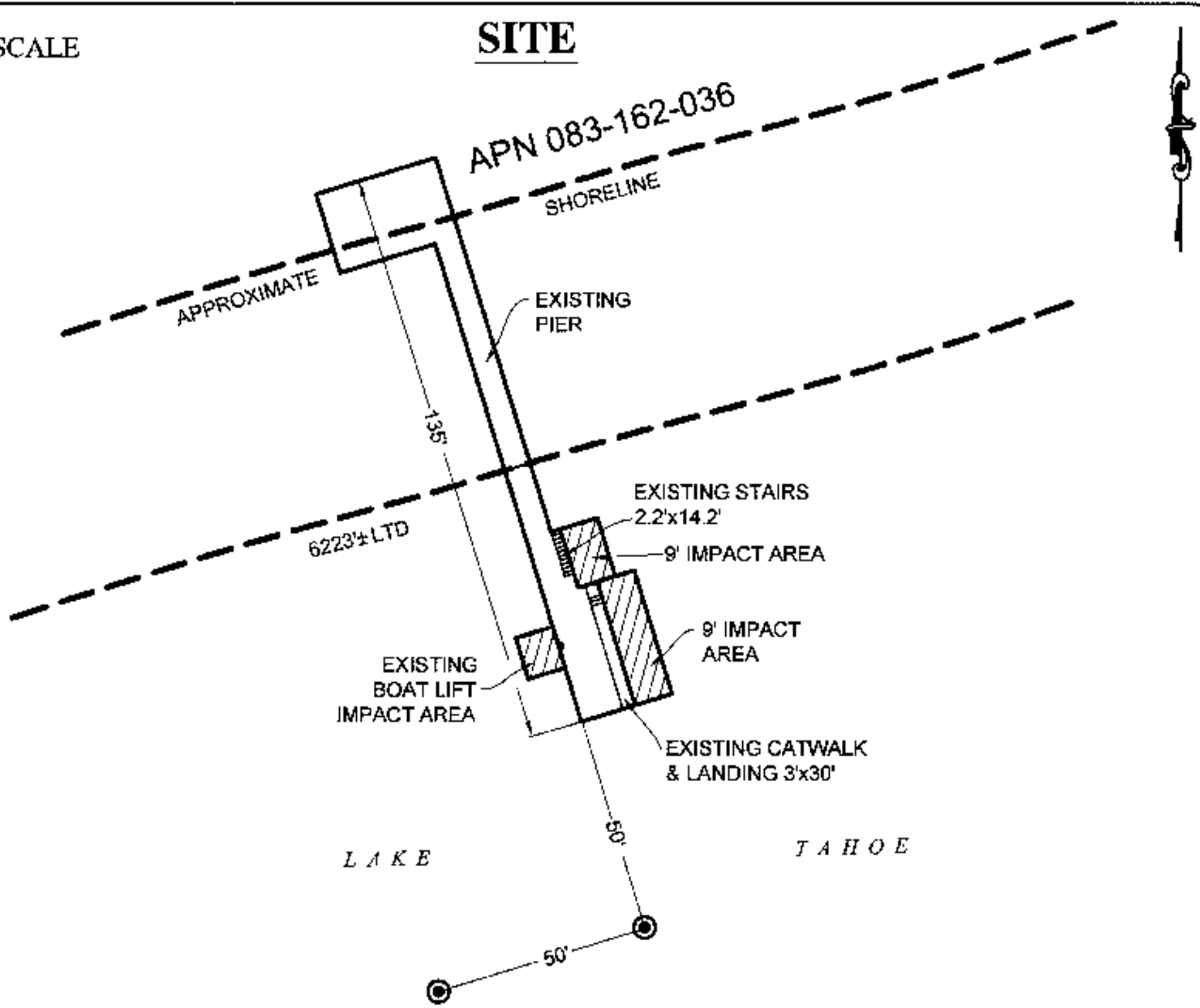
LAND DESCRIPTION PLAT
 PRC 6714.1, ROGERS TRUST
 PLACER COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



1390 WEST LAKE BLVD., NEAR TAHOE CITY

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.

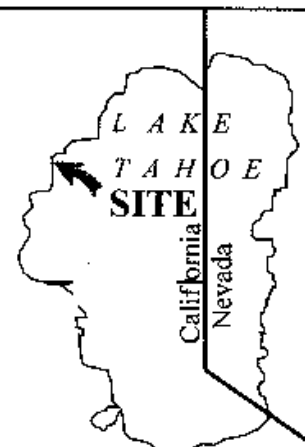
Exhibit B

PRC 6714.1

ROGERS TRUST

APN 083-162-036

GENERAL LEASE -
RECREATIONAL USE
PLACER COUNTY



MIJ 05/05/15