

**CALENDAR ITEM
C12**

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S 1

08/19/15
PRC 6832.1
S. Kreutzburg

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Dorothy Marie Prowell, as Trustee of the Residual Trust under the Prowell Family Trust, dated November 19, 1991

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 8857 Rubicon Drive, near Tahoma, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of one existing mooring buoy.

LEASE TERM:

10 years, beginning May 23, 2015.

CONSIDERATION:

\$377 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 buoy 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 buoy.
2. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining authorizations from the TRPA or any other regulatory agency for the improvements authorized by the Commission.

CALENDAR ITEM NO. **C12** (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On February 9, 2006, the Commission authorized a Recreational Pier Lease to Dorothy Marie Prowell, as Trustee of the Residual Trust under the Prowell Family Trust, dated November 19, 1991. That lease expired on May 22, 2015. The Applicant is now applying for a General Lease – Recreational Use.
3. The staff recommends that the Commission find that the issuance of a lease 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.

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 issuance of a lease is exempt from the requirements of CEQA 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.

CALENDAR ITEM NO. **C12** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Dorothy Marie Prowell, as Trustee of the Residual Trust under the Prowell Family Trust, dated November 19, 1991, beginning May 23, 2015, for a term of 10 years, for the continued use and maintenance of one existing mooring buoy, 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 \$377, with an annual Consumer Price Index adjustment; and liability insurance in the amount of \$1,000,000 per occurrence.

EXHIBIT A

PRC 6832.1

LAND DESCRIPTION

One (1) parcel of submerged land situated in the bed of Lake Tahoe, lying adjacent to Lot 1 of fractional Section 33, Township 14 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved January 17, 1866, County of El Dorado, State of California, more particularly described as follows:

One circular parcel of land, being 50 feet in diameter, underlying an existing buoy lying adjacent to that parcel described in Grant Deed recorded February 2, 2005 as Document Number 2005-0008792 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 06/05/2015 by the California State Lands Commission Boundary Unit.





L A K E
T A H O E

EXISTING
BUOY

400'

6223± LTD

APPROX. SHORELINE

APN
016-251-06

EXHIBIT A

Page 2 of 2

RGB 06/05/15

LAND DESCRIPTION PLAT
PRC 6832.1, PROWELL TRUST
EL DORADO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

L A K E
T A H O E

EXISTING
BUOY

400'

6223'± LTD

APPROX. SHORELINE

APN
016-251-06

8857 RUBICON DR., NEAR TAHOMA, CA

NO SCALE

LOCATION



SITE

MAP SOURCE: USGS QUAD

Exhibit B

PRC 6832.1
PROWELL TRUST
APN 016-251-06
GENERAL LEASE -
RECREATIONAL USE
EL DORADO COUNTY



SITE

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.

RGB 06/05/15