

**CALENDAR ITEM
C04**

A 4
S 1

10/19/12
PRC 8419.1
G. Asimakopoulos

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

10:10 Holdings, LLC, a California Limited Liability Company.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8551 Meeks Bay Avenue, near
Tahoma, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of one existing mooring buoy.

LEASE TERM:

10 years, beginning October 19, 2012.

CONSIDERATION:

\$377 per year, with the State reserving the right to fix a different rent periodically
during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$1,000,000.

Other:

The proposed lease contains a provision requiring the Applicant to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy within two years of the adoption of a Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of the amended ordinances. This is a continuation of the process the Commission used from approximately 1995 to October 2008 when TRPA adopted an FEIS and Ordinance Amendments supported by the FEIS. In September 2010, the U.S. District Court invalidated the FEIS and nullified the Amendments. When additional information is available, Commission staff will advise the Commission on any suggested modifications to the process used by the Commission pending resolution of the TRPA FEIS and ordinance issues.

CALENDAR ITEM NO. **C04** (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland parcel adjoining the lease premises.
2. On October 1, 2002, the Commission authorized a 10-year Recreational Pier Lease with Ann Holmes Terrell, Trustee of the Ann Holmes Terrell 1998 Trust, for one existing mooring buoy. The lease expired on September 30, 2012. On December 16, 2011, the upland parcel was deeded to 10:10 Holdings, LLC, a California Limited Liability Company. The Applicant is now applying for a new General Lease – Recreational Use.
3. The staff is recommending that the Commission accept rent in the amount of \$300 for the period beginning December 16, 2011, which is when the upland property was transferred to the Applicant, to October 18, 2012. The Applicant did not qualify for rent-free status pursuant to the original definition of Public Resources Code section 6503.5 in effect at this time.
4. 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.

5. 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

CALENDAR ITEM NO. **C04** (CONT'D)

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 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:

1. Authorize acceptance of rent in the amount of \$300 for the period of December 16, 2011, through October 18, 2012.
2. Authorize issuance of a General Lease – Recreational Use to 10:10 Holdings, LLC, a California Limited Liability Company, beginning October 19, 2012, 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 the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance with coverage of no less than \$1,000,000.

EXHIBIT A

PRC 8419.1

LAND DESCRIPTION

One (1) parcel of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 5 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:

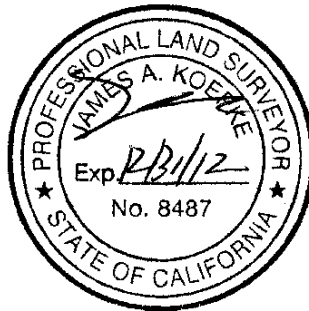
PARCEL 1 – BUOY

One (1) circular parcel of land, being 50 feet in diameter, underlying one (1) existing buoy lying adjacent to Parcel No. 2 as described in Exhibit “A” of that Grant Deed recorded April 10, 1998 in Document Number 98-0019234-00 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared October 1, 2012 by the California State Lands Commission Boundary Unit.





APN 016-101-92

SHORELINE
APPROXIMATE

6223'± LTD

320'

L A K E

EXISTING
BUOY

T A H O E

EXHIBIT A

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LAND DESCRIPTION PLAT
PRC 8419.1, 10:10 HOLDINGS, LLC
EL DORADO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

APN 016-101-92

SHORELINE

APPROXIMATE

6223± LTD

320'

L A K E

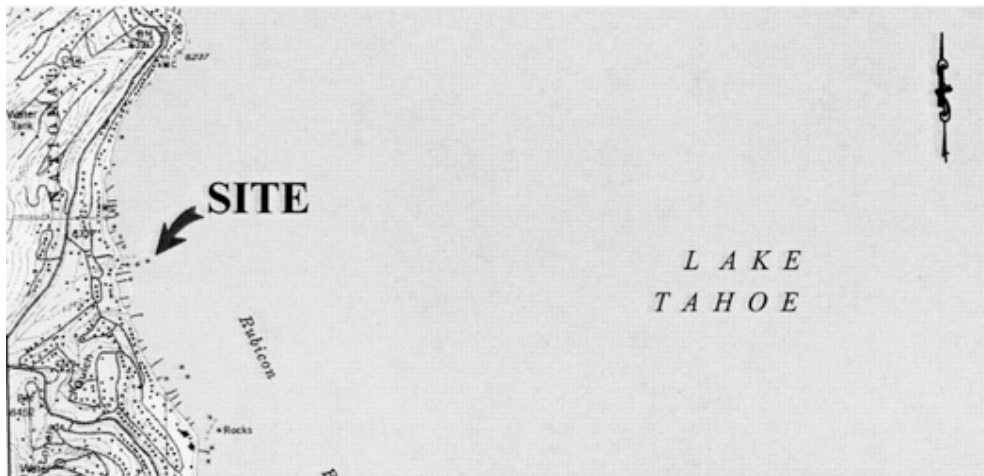
EXISTING BUOY

T A H O E

8551 MEEKS BAY AVENUE, NEAR TAHOMA

NO SCALE

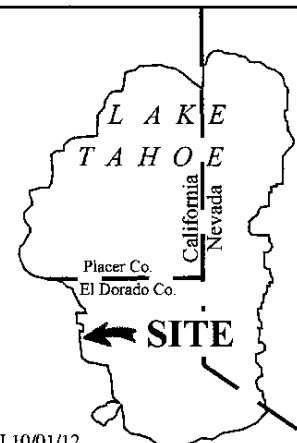
LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8419.1
 10:10 HOLDINGS, LLC
 APN 016-101-92
 GENERAL LEASE -
 RECREATIONAL USE
 EL DORADO COUNTY



MJJ 10/01/12

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.