

**CALENDAR ITEM
C03**

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04/26/13
PRC 7949.9
G. Asimakopoulos

ASSIGNMENT OF LEASE

LESSEES/ASSIGNORS:

Michael McCarthy and Marie McCarthy

APPLICANTS/ASSIGNEES:

Virginia K. Stock and George Johannessen

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 5568 North Lake Boulevard, near Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of two existing mooring buoys.

LEASE TERM:

10 years, beginning June 1, 2009.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance of no less than \$500,000.

Other:

The lease contains a provision requiring the Applicants to obtain authorization from the Tahoe Regional Planning Agency (TRPA) 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. 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

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Commission on any suggested modifications to the process used by the Commission pending resolution of the TRPA FEIS and amended ordinance issues.

OTHER PERTINENT INFORMATION:

1. Assignees own the upland adjoining the lease premises.
2. On June 1, 2009, the Commission authorized a Recreational Pier Lease with Michael McCarthy and Marie McCarthy for two existing mooring buoys. That lease will expire on May 31, 2019. On December 21, 2012, the upland parcel was deeded to Virginia K. Stock and George Johannessen. Ms. Stock and Mr. Johannessen are now applying for an assignment of the lease.
3. The staff recommends that the Commission find that the subject lease assignment 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.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease assignment 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 assignment of Lease No. PRC 7949.9, a Recreational Pier Lease, of sovereign land as shown on Exhibit A, from Michael McCarthy and Marie McCarthy to Virginia K. Stock and George Johannessen, effective April 26, 2013.

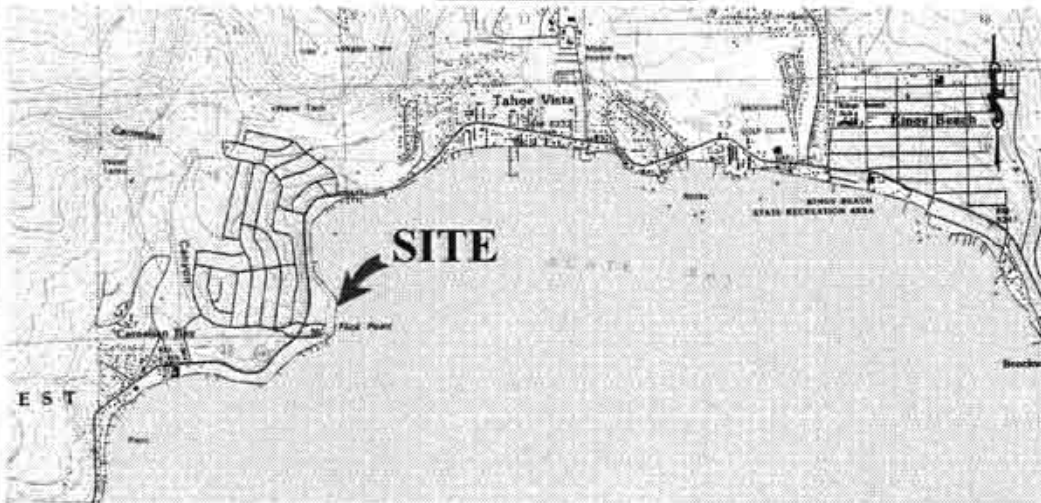
NO SCALE

SITE



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 A

PRC 7949.9
 STOCK & JOHANNESSEN
 APN 116-220-049
 RECREATIONAL
 PIER LEASE
 PLACER COUNTY

SITE

