

**CALENDAR ITEM
C46**

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S 1

10/14/14
PRC 5134.1
M. Schroeder

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Ravenhill Properties, LP

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 3107 Jameson Beach Road, city of South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

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

LEASE TERM:

10 years, beginning October 14, 2014.

CONSIDERATION:

\$1,664 per year, with an annual Consumer Price Index (CPI) adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

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

Other:

1. The proposed lease contains a provision requiring the Applicant 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 Commission on any suggested modifications to the process used

CALENDAR ITEM NO. C46 (CONT'D)

by the Commission pending resolution of the TRPA FEIS and amended ordinance issues.

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

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland parcel adjoining the lease premises.
2. On June 7, 2004, the Commission authorized a 10-year Recreational Pier Lease to Terry Knutson and Rose Knutson, Co-Trustees of the Terry and Rose Knutson 2000 Family Trust, for an existing pier and two mooring buoys. That lease expired on June 6, 2014. Ownership of the upland was deeded to Ravenhill Properties, LP on December 31, 2012. Terry Knutson and Rose Knutson are the only partners of Ravenhill Properties, LP. The Applicant is now applying for a General Lease – Recreational Use.
3. On December 31, 2012, when ownership transferred to Ravenhill Properties, LP, the Knutsons no longer qualified for rent-free status pursuant to the provisions in their lease. Therefore, the Applicant is subject to back rent. Staff is recommending that the Commission accept rent in the amount of \$3,051 for the period beginning December 31, 2012, through October 13, 2014.
4. The staff recommends that the Commission find that this activity 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.

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.

CALENDAR ITEM NO. **C46** (CONT'D)

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 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 the acceptance of rent in the amount of \$3,051 for the period beginning December 31, 2012 through October 13, 2014.
2. Authorize issuance of a General Lease - Recreational Use to Ravenhill Properties, LP, beginning October 14, 2014, for a term of 10 years, for the continued use and maintenance of an existing pier 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 \$1,664, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5134.1

LAND DESCRIPTION

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 1 of fractional Section 6, Township 12 North, Range 18 East, MDM., as shown on Official Government Township Plat approved November 9, 1866, County of El Dorado, State of California, and more particularly described as follows:

PARCEL 1 - PIER

All those lands underlying an existing pier and catwalk, lying adjacent to that parcel as described in Exhibit "A" of that Quit Claim Deed recorded December 31, 2012, in Document 2012-0068867, in Official Records of said County.

TOGETHER WITH any applicable impact area(s).

EXCEPTING THEREFROM any portion(s) lying landward of the elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

PARCEL 2, 3 – BUOYS (2)

Two (2) circular parcels of land, each being 50 feet in diameter, underlying two (2) existing buoys lying adjacent to said parcel.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

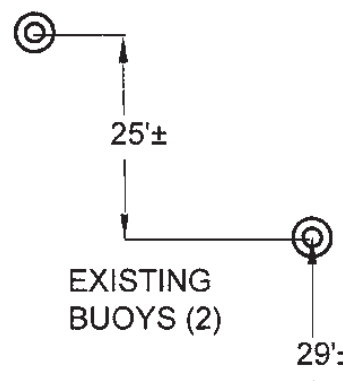
Prepared August 21, 2014 by the California State Lands Commission Boundary Unit.



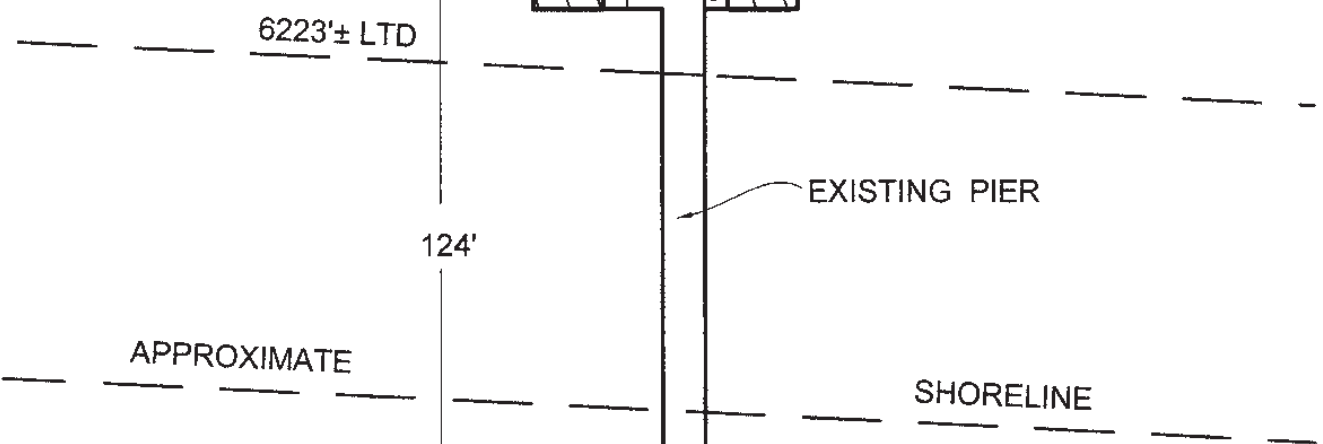
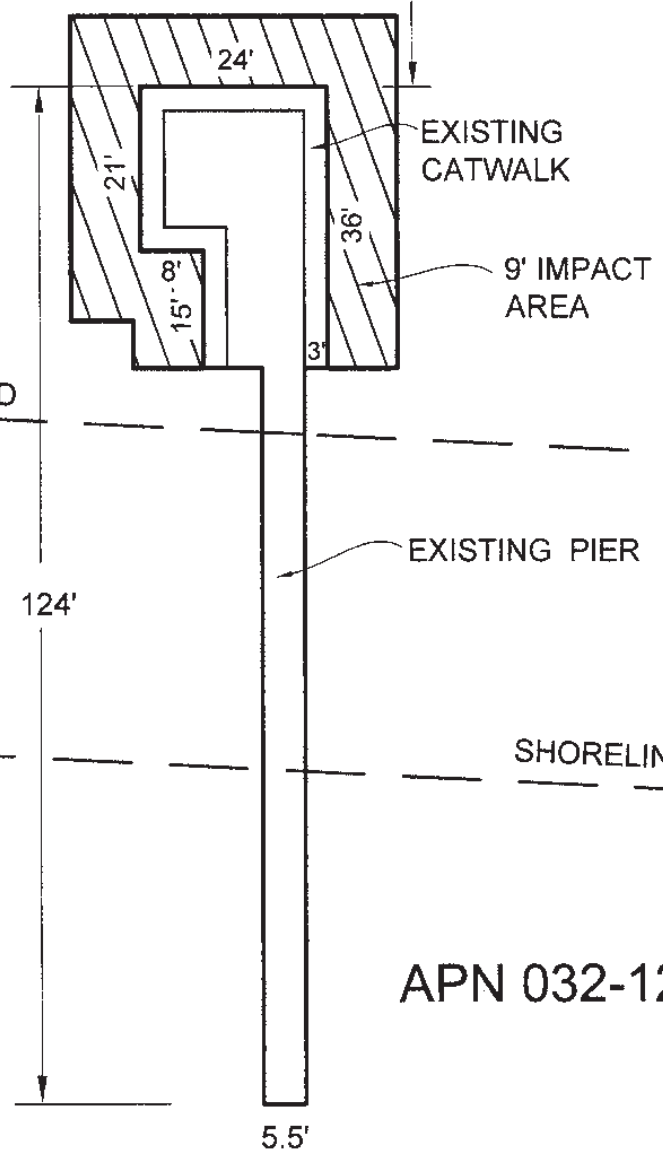


L A K E

T A H O E



EXISTING BUOYS (2)



APN 032-120-24

EXHIBIT A



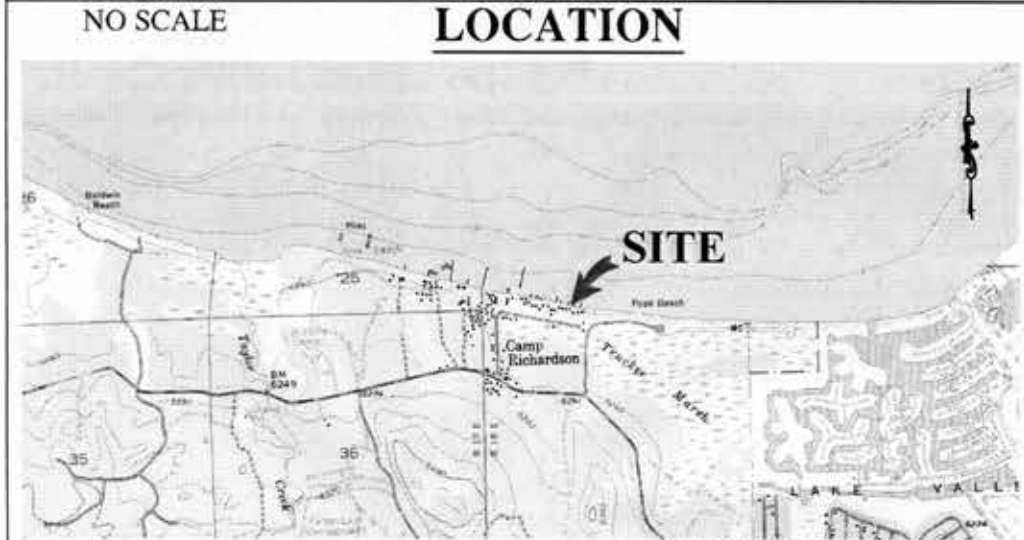
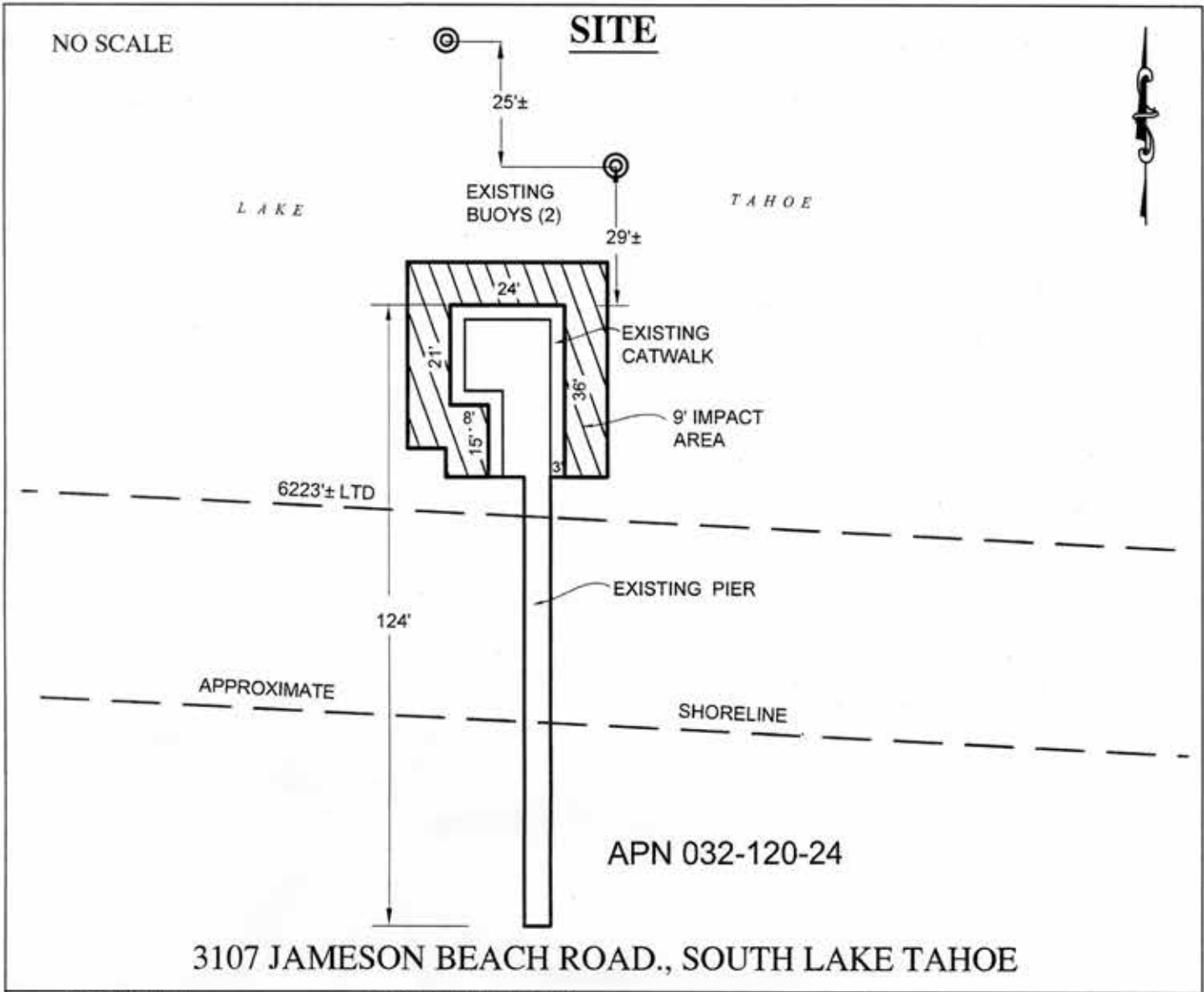
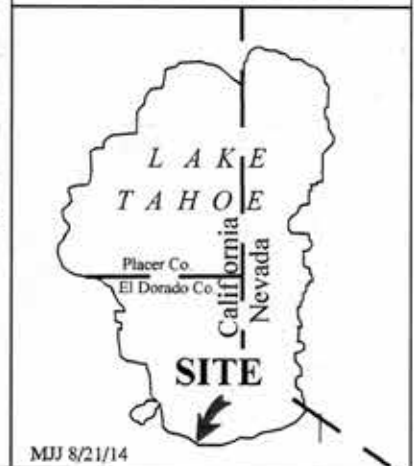


Exhibit B

PRC 5134.1
 RAVENHILL PROPERTIES, LP
 APN 032-120-24
 GENERAL LEASE -
 RECREATIONAL USE
 EL DORADO COUNTY



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.