

**CALENDAR ITEM
C52**

A 5
S 1

10/14/14
PRC 8368.1
B. Terry

AMENDMENT OF LEASE

LESSEES:

Antony C. Evans and Carol Ross Evans, Trustees of the Tony and Carol Evans
2000 Revocable Trust, established April 20, 2000

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8547 Meeks Bay Avenue, near
Rubicon Bay, El Dorado County

AUTHORIZED USE:

Continued use and maintenance of two existing mooring buoys previously
authorized by the Commission and the proposed reconstruction and expansion of
an existing pier onto sovereign land.

LEASE TERM:

10 years, beginning October 19, 2012.

CONSIDERATION:

\$1,768 per year, with the State reserving the right to fix a different rent
periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Amend the Lease to revise the annual rent from \$1,768 to \$1,410; replace the
existing Exhibit A, Land Description and Exhibit B, Site and Location Map with
the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map
(for reference purposes only); and replace certain General Provisions related to
insurance with new insurance provisions. All other terms and conditions of the
lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On October 19, 2012, the Commission authorized a 10-year General
Lease – Recreational Use with Antony C. Evans and Carol Ross Evans,

CALENDAR ITEM NO. **C52** (CONT'D)

Trustees of the Tony and Carol Evans 2000 Revocable Trust, established April 20, 2000. That lease will expire on October 18, 2022.

3. At the January 23, 2014 meeting, the Commission adopted amendments to sections 1900, 2002, and 2003 of the California Code of Regulations pertaining to its leasing regulations, which resulted in a change to the Commission's practice in terms of assessing rent and the impact area surrounding piers. The Lessee is now applying to amend its lease to reflect the revised lease regulations and has also requested a change to the insurance provision of their lease so that the State is not required to be an additional insured on their policy.
4. The staff recommends that the Commission find that the subject lease amendment 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.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease amendment 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.

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. **C52** (CONT'D)

AUTHORIZATION:

Authorize the amendment of Lease No. PRC 8368.1, a General Lease - Recreational Use, effective October 19, 2014, to revise the annual rent from \$1,768 to \$1,410; replace the existing Exhibit A, Land Description and Exhibit B, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only); and include special lease provisions related to insurance; all other terms and conditions of the lease will remain in effect without amendment.

EXHIBIT A

PRC 8368.1

LAND DESCRIPTION

Three (3) parcels 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 – PIER

All those lands underlying a pier lying adjacent to Parcel Two as described in Exhibit “A” of that Grant Deed recorded January 31, 2006 in Document Number 2006-0006684-00 in Official Records of said County.

TOGETHER WITH any applicable impact area(s).

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

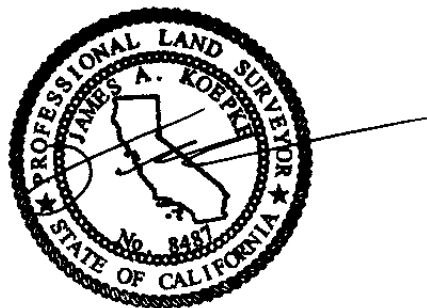
PARCELS 2 & 3 – BUOYS

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

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared August 5, 2014 by the California State Lands Commission Boundary Unit.



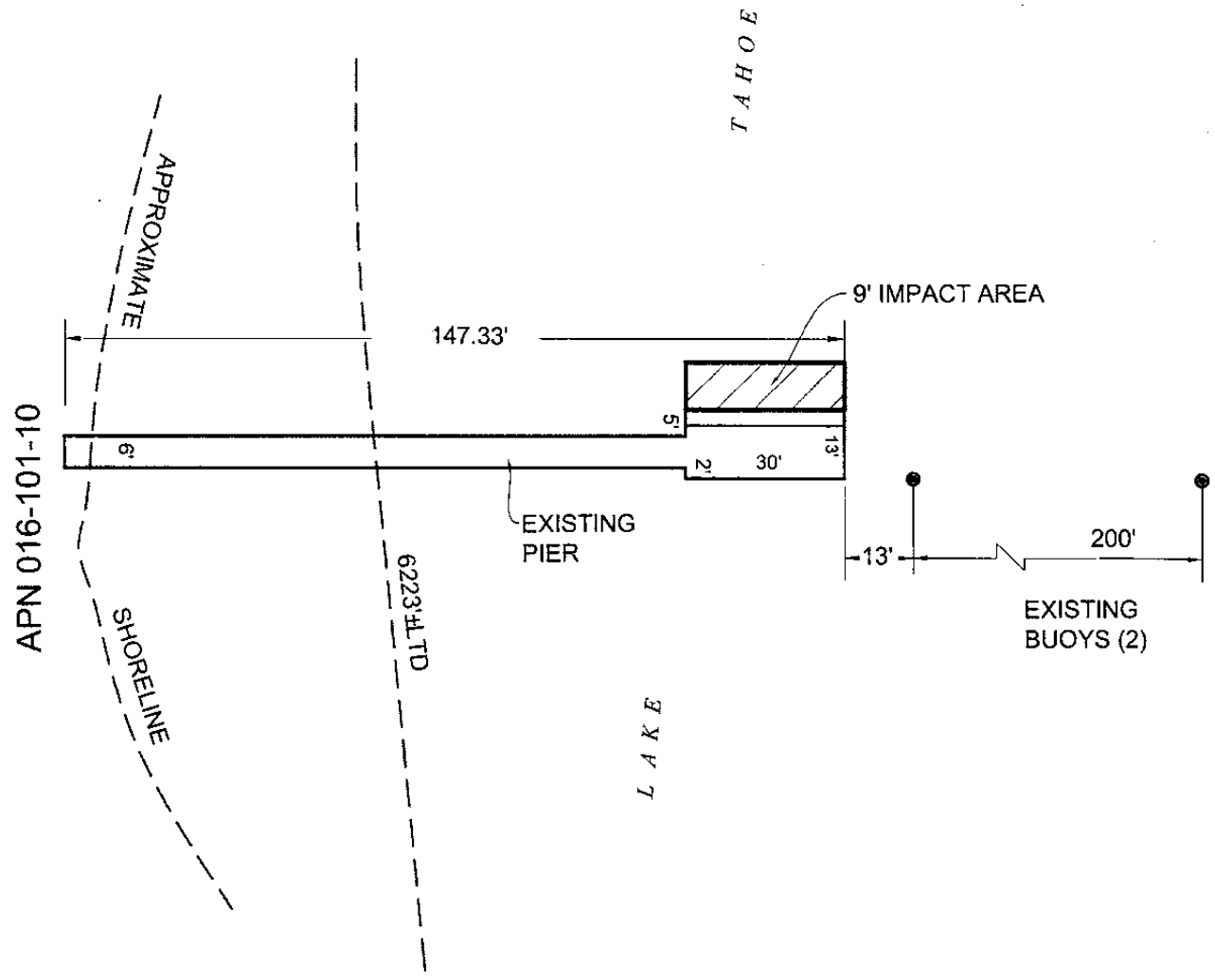


EXHIBIT A

LAND DESCRIPTION PLAT
 PRC 8368.1, EVANS
 EL DORADO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



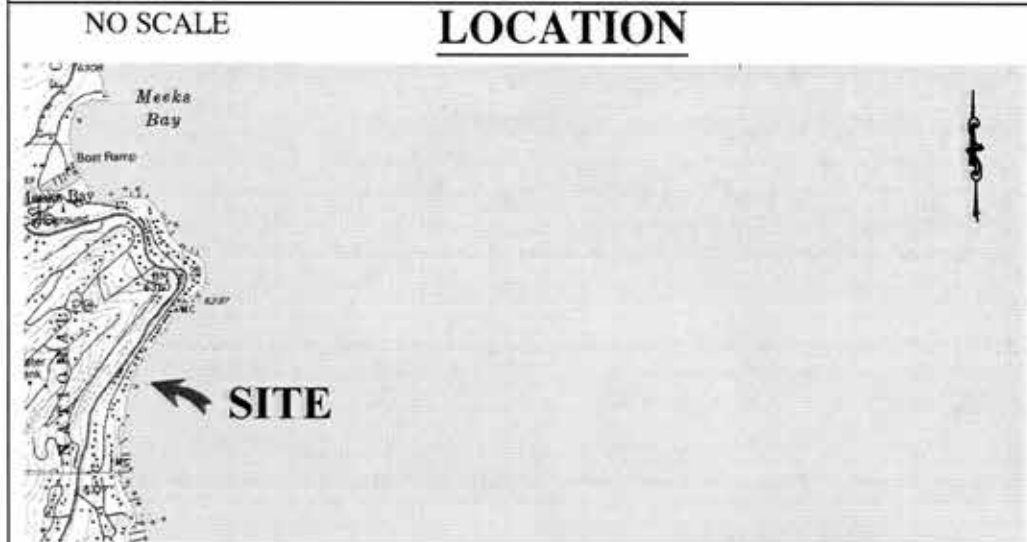
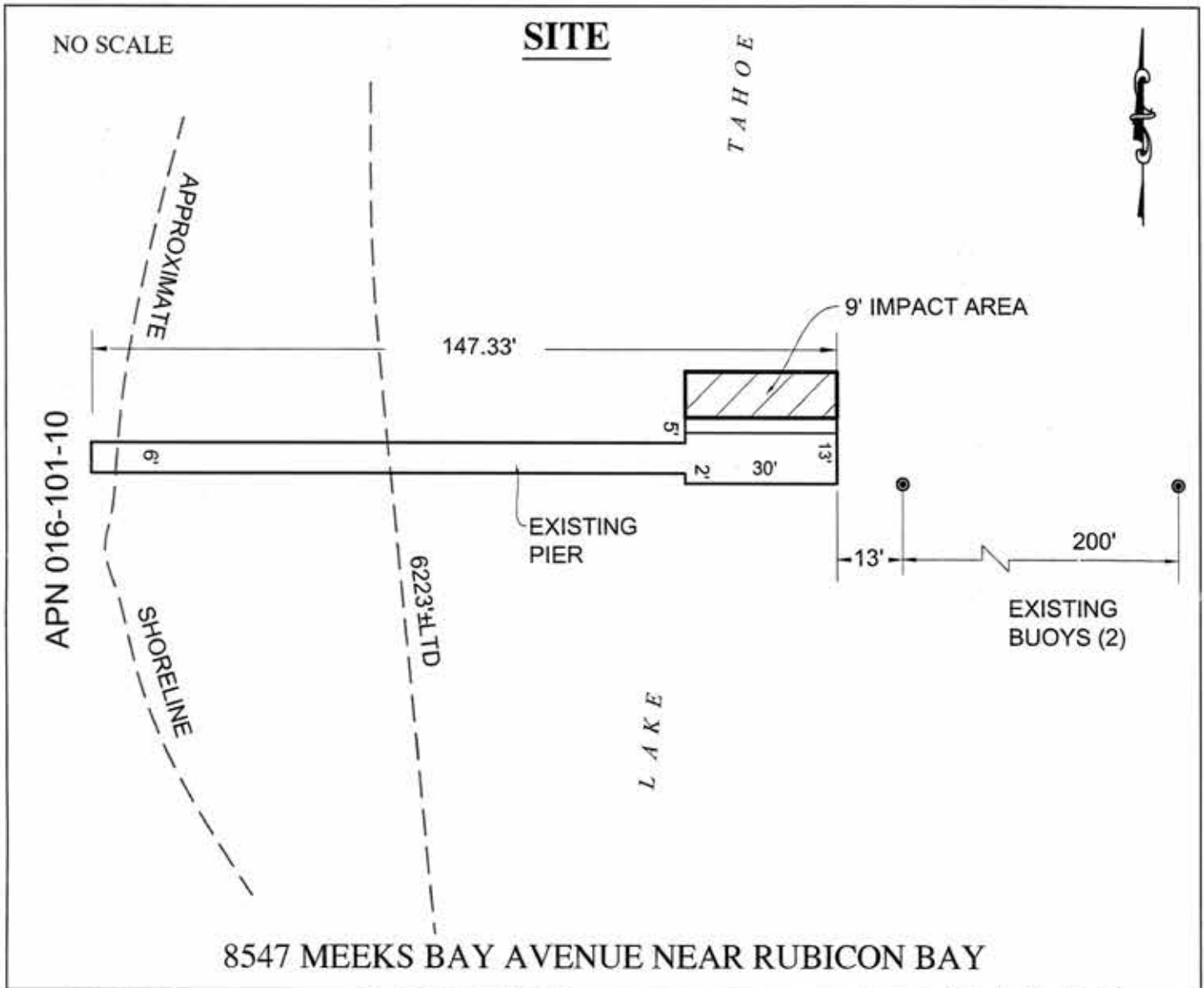


Exhibit B

PRC 8368.1

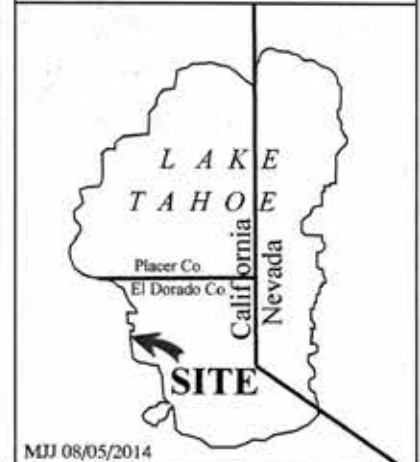
EVANS

APN 016-101-10

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.