

**CALENDAR ITEM
C14**

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S 1

04/23/15
W 26816
S. Kreutzburg

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

David Putnam, Trustee of The Martin and Anne Putnam 2010 Irrevocable Trust
Dated December 10, 2010.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 5240 North Lake Boulevard, near
Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing freshwater intake pipeline
previously authorized by the Commission, and construction, use, and
maintenance of a pier not previously authorized by the Commission.

LEASE TERM:

10 years, beginning April 23, 2015.

CONSIDERATION:

\$682 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

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

Other:

Lessee is required to allow the public to pass and repass via stairs on
each side of the pier to have continuous access to the public trust
easement between the high water elevation 6,228.75 feet, Lake Tahoe
Datum (LTD), and low water elevation 6,223 feet, LTD.

OTHER PERTINENT INFORMATION:

1. The Applicant owns the upland adjoining the lease premises.

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2. In May 2013, a boundary line adjustment was recorded with the Placer County Recorder's Office which split a larger upland parcel adjoining the lease premises into two separate parcels. The Applicant is the owner of both parcels and has a lease with the Commission for an existing pier, two mooring buoys, and two freshwater intake pipelines under Lease No. PRC 3545.1. Because of the boundary line adjustment, one of the previously authorized freshwater intake pipelines under Lease No. PRC 3545.1 is now located adjacent to the Applicant's new parcel, Assessor's Parcel Number 115-030-097. The Applicant is now applying for a General Lease – Recreational Use for the continued use and maintenance of the existing freshwater intake pipeline, and construction, use, and maintenance of a pier.
3. A new application for Lease No. PRC 3545.1 is also before the Commission at the April 23, 2015 meeting for reconstruction of the existing pier, two mooring buoys, and the other existing freshwater intake pipeline.
4. The Applicant is proposing to remove an existing raised sundeck and foundation existing within the State-administered Public Trust Easement between the locations of the high and low water marks of Lake Tahoe. A pier will then be constructed in its place. The pier will have a 10-foot pierhead with a 3-foot by 25-foot adjustable catwalk and will be 143.5 feet long. The proposed pier will be constructed from the Lake via barge.
5. The Applicant has agreed to provide continuous public access within the Public Trust Easement by allowing the public to pass and repass via stairs on each side of the proposed pier within the easement.
6. **Existing Freshwater Intake Pipe:** 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).

Pier Construction: 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 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations,

CALENDAR ITEM NO. **C14** (CONT'D)

Title 2, section 2905.

7. 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.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency

FURTHER APPROVALS REQUIRED:

State Water Resources Control Board
U.S. Army Corps of Engineers
California Department of Fish and Wildlife

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Existing Water Intake Pipe: 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).

Pier Construction: 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 3, New Construction of Small Structures, California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

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. **C14** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to David Putnam, Trustee of the Martin and Anne Putnam 2010 Irrevocable Trust dated December 10, 2010, beginning April 23, 2015, for a term of 10 years, for the continued use and maintenance of an existing freshwater intake pipeline previously authorized by the Commission, and the construction, use, and maintenance of a pier not previously authorized by the Commission, 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 \$682, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

W 26816

LAND DESCRIPTION

One parcel of submerged land situated in the bed of Lake Tahoe, lying adjacent to Lot 3 of fractional Section 22, Township 16 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California, more particularly described as follows:

PARCEL 1 – PROPOSED PIER

All those lands underlying a proposed pier, catwalk, and ramp lying adjacent to those parcels described in Grant Deeds recorded October 25, 2012 as Document Number 2012-0100486 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

PARCEL 2 – EXISTING WATER IN-TAKE PIPE

All those lands underlying an existing water in-take pipe lying adjacent to those parcels described in Grant Deeds recorded October 25, 2012 as Document Number 2012-0100486 in Official Records of said County.

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

This description is based on Applicant provided design plans for a proposed pier, together with any and all appurtenances pertaining thereto, to be built at a later date within the Lease time frame. This description is to be updated once final as-built plans are submitted.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 03/17/2015 by the California State
Lands Commission Boundary Unit.



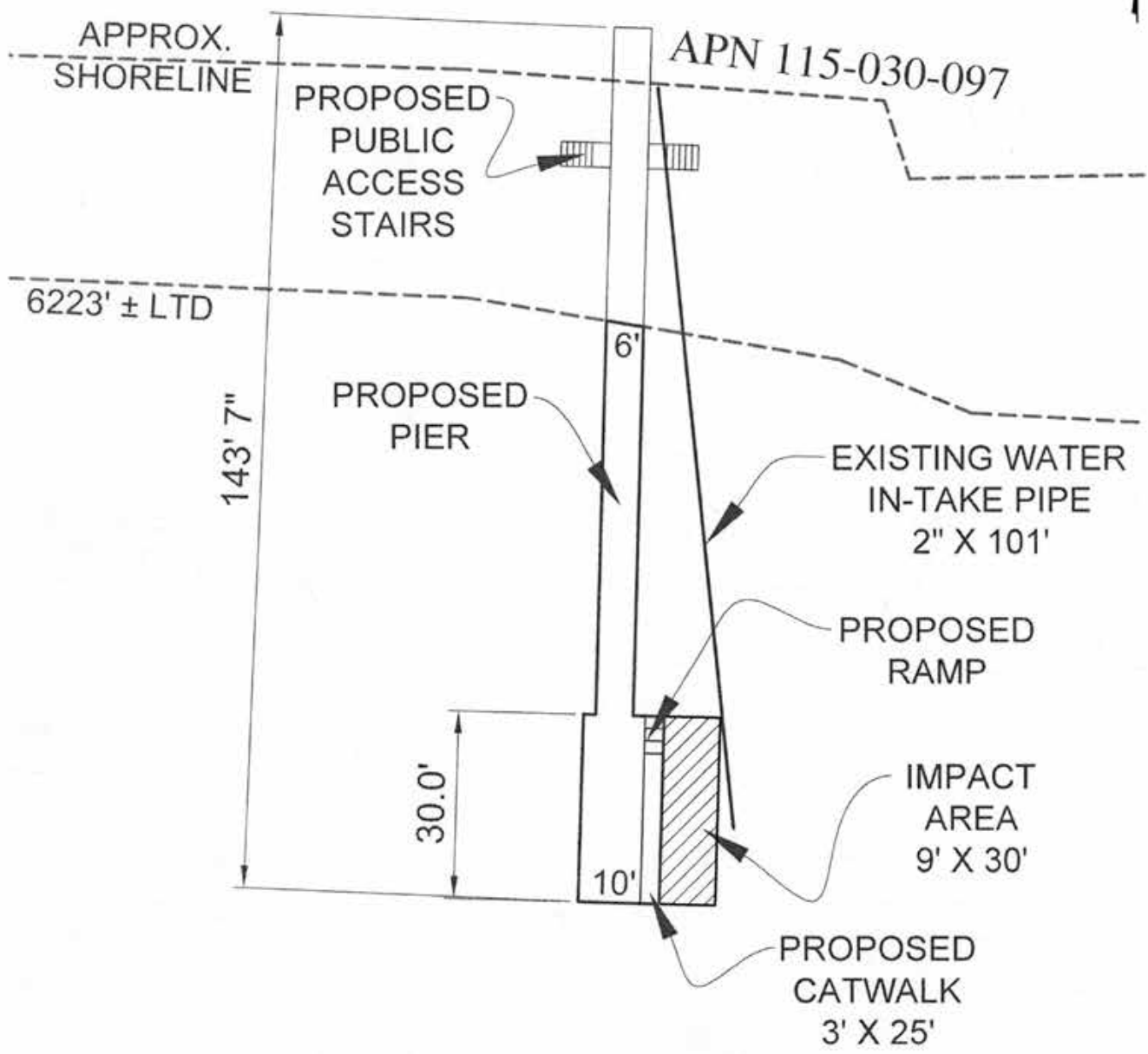


EXHIBIT A

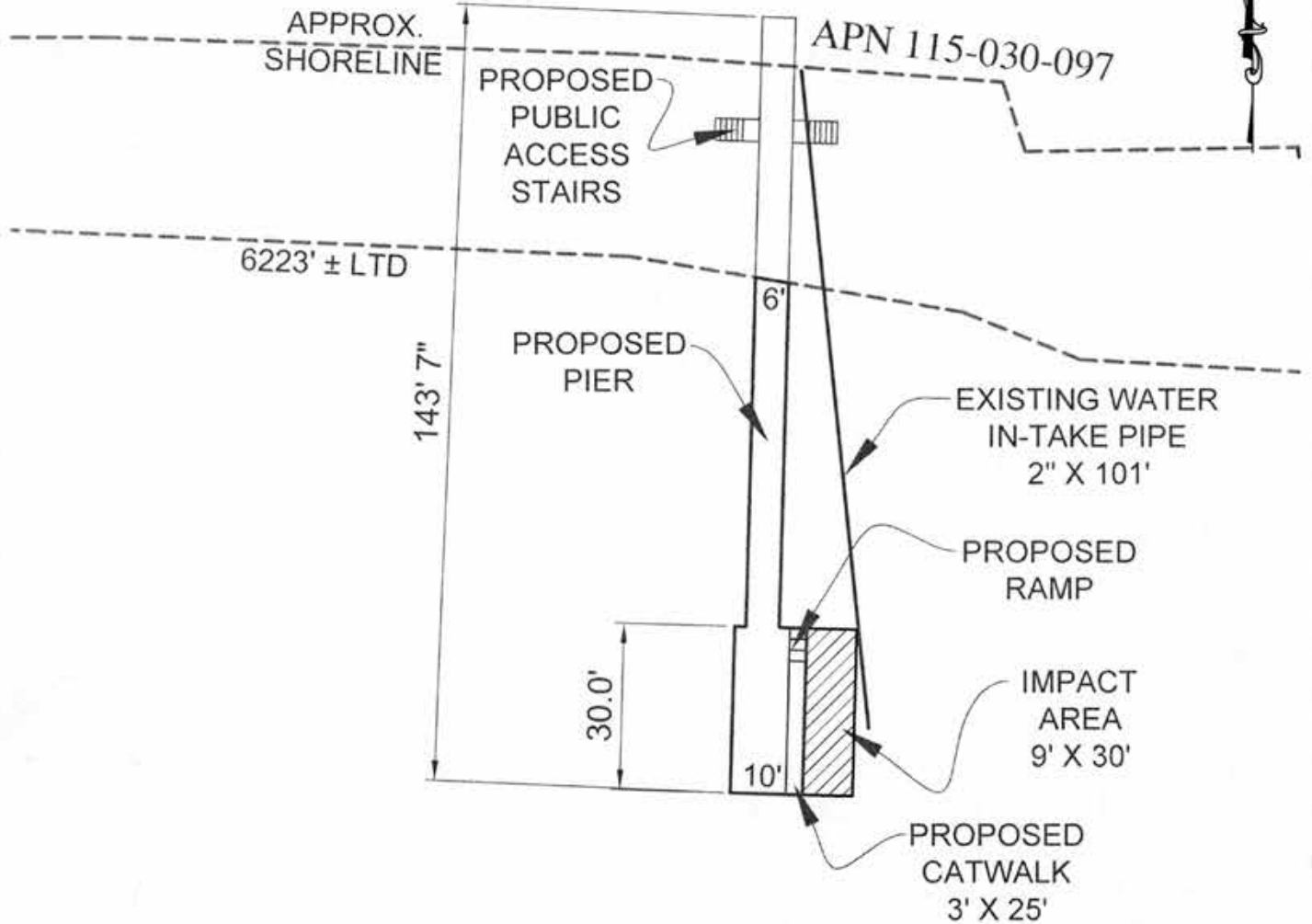
LAND DESCRIPTION PLAT
W 26816, PUTNAM TRUST
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

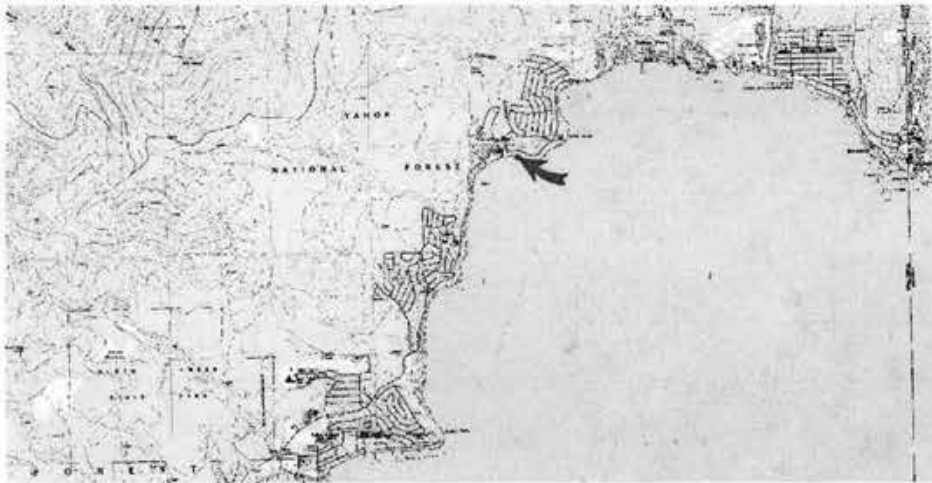
SITE



5240 NORTH LAKE BOULEVARD, CARNELIAN BAY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 26816
 PUTNAM TRUST
 APN 115-030-097
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



RGB 03/16/15

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