

**CALENDAR ITEM
C47**

A 5
S 1

04/26/13
PRC 8418.1
S. Paschall

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Daniel J. Cockrum and Suzanne M. Cockrum, as trustees of The Daniel J. Cockrum and Suzanne M. Cockrum Revocable Trust Dated June 12, 2001.

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 949 Lakeview Avenue, city of South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of one existing mooring buoy.

LEASE TERM:

10 years, beginning September 1, 2012.

CONSIDERATION:

Annual rent of \$377; with the State reserving the right to set a different rent during the lease term.

SPECIFIC LEASE PROVISIONS:

Insurance:

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

Other:

The proposed lease contains a provision requiring the Applicants to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy 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 by the

CALENDAR ITEM NO. **C47** (CONT'D)

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

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On October 1, 2002, the Commission authorized issuance of a Recreational Pier Lease to Daniel J. Cockrum and Suzanne M. Cockrum, as trustees of the Daniel J. Cockrum and Suzanne M. Cockrum Revocable Trust Dated June 12, 2001. That lease expired August 31, 2012. The Applicants are now applying for a new General Lease – Recreational Use.
3. 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.

4. 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

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).

CALENDAR ITEM NO. **C47** (CONT'D)

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:

Authorize issuance of a General Lease – Recreational Use to Daniel J. Cockrum and Suzanne M. Cockrum, as trustees of The Daniel J. Cockrum and Suzanne M. Cockrum Revocable Trust Dated June 12, 2001, beginning September 1, 2012, for a term of 10 years, for the continued use and maintenance of one existing mooring buoy 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 \$377, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8418.1

LAND DESCRIPTION

One parcel of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 2 of fractional Section 32, Township 13 North, Range 18 East, MDM., as shown on Official Government Township Plat approved July 8, 1875, 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 that parcel as described in that Grant Deed Trust Transfer recorded May 28, 2002 as Document Number 2002-0038435 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared March 12, 2013 by the California State Lands Commission Boundary Unit.



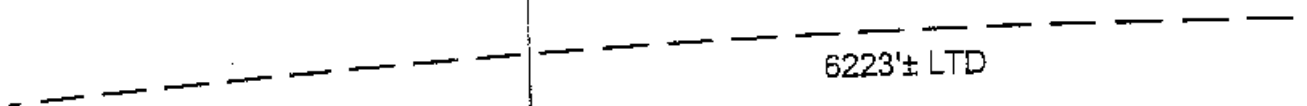


EXISTING
BUOY

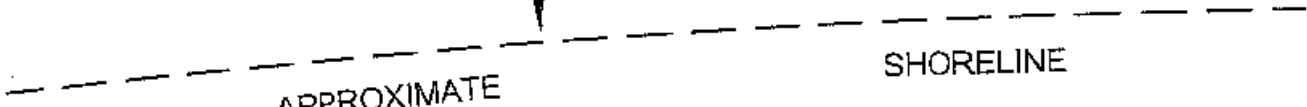
L A K E

T A H O E

348'



6223'± LTD



APPROXIMATE

SHORELINE

APN 026-042-081

EXHIBIT A

Page 2 of 2

MJJ 03/12/13

LAND DESCRIPTION PLAT
PRC 8418.1, COCKRUM TRUST
EL DORADO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

EXISTING BUOY

L A K E

T A H O E

348'

6223'± LTD

APPROXIMATE

SHORELINE

APN 026-042-081

949 LAKEVIEW AVENUE, NEAR LAKE TAHOE

NO SCALE

LOCATION

L A K E
T A H O E



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 B

PRC 8418.1
COCKRUM TRUST
APN 026-042-081
GENERAL LEASE -
RECREATIONAL USE
EL DORADO COUNTY



MIT 03/1 /13