

**CALENDAR ITEM
C29**

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06/29/15
PRC 6851.1
M. Schroeder

AMENDMENT OF LEASE AND REVISION OF RENT

LESSEE:

Lakeside Pier Association

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to Assessor's Parcel Number 016-091-47, near Meeks Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier.

LEASE TERM:

10 years, beginning June 26, 2010.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease and recommends that rent be revised from \$391 per year to \$114 per year, effective June 26, 2015.

PROPOSED AMENDMENT:

Amend the lease to replace the existing Section 3, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only). All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee has a right to use the upland adjoining the lease premises.
2. On June 28, 2010, the Commission authorized a General Lease – Recreational Use to Lakeside Pier Association, for a term of 10 years. The Lease will expire on June 25, 2020.

CALENDAR ITEM NO. **C29** (CONT'D)

3. Staff conducted the rent review called for in the lease. Staff recommends the rent be reduced due to changes in the calculation of the impact area surrounding the pier.
4. The staff recommends that the Commission find that the subject approval of lease amendment and revision of rent 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 approval of lease amendment and revision of rent 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:

1. Authorize the amendment of Lease No. PRC 6851.1, a General Lease – Recreational Use, effective June 26, 2015, to replace the existing Section 3, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only); all other terms and conditions of the lease will remain in effect without amendment.
2. Approve the revision of rent for Lease No. PRC 6851.1 from \$391 per year to \$114 per year, effective June 26, 2015.

EXHIBIT A

PRC 6851.1

LAND DESCRIPTION

One (1) parcel of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 4 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:

All those lands underlying an existing pier and one catwalk lying adjacent to that parcel as described in Exhibit "A" of that Quit Claim Deed recorded June 11, 2014 in Document Number 2014-0021802 of said County.

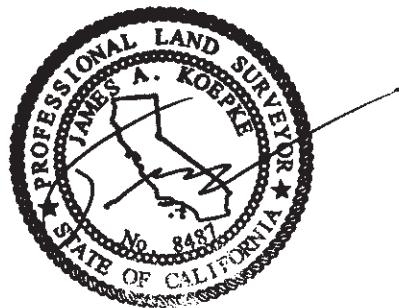
TOGETHER WITH any applicable impact area(s).

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

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared January 9, 2015 by the California State Lands Commission Boundary Unit.



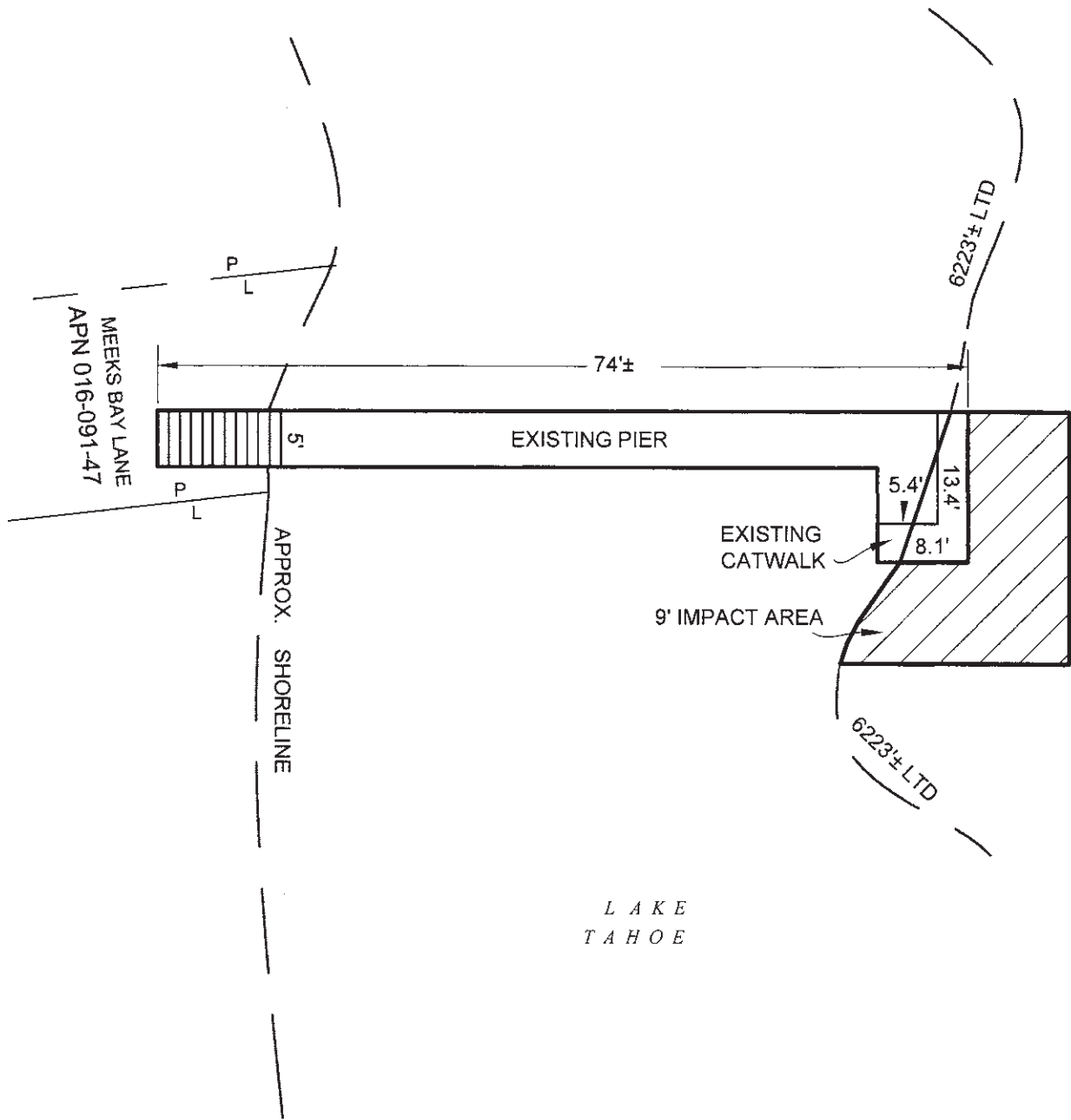
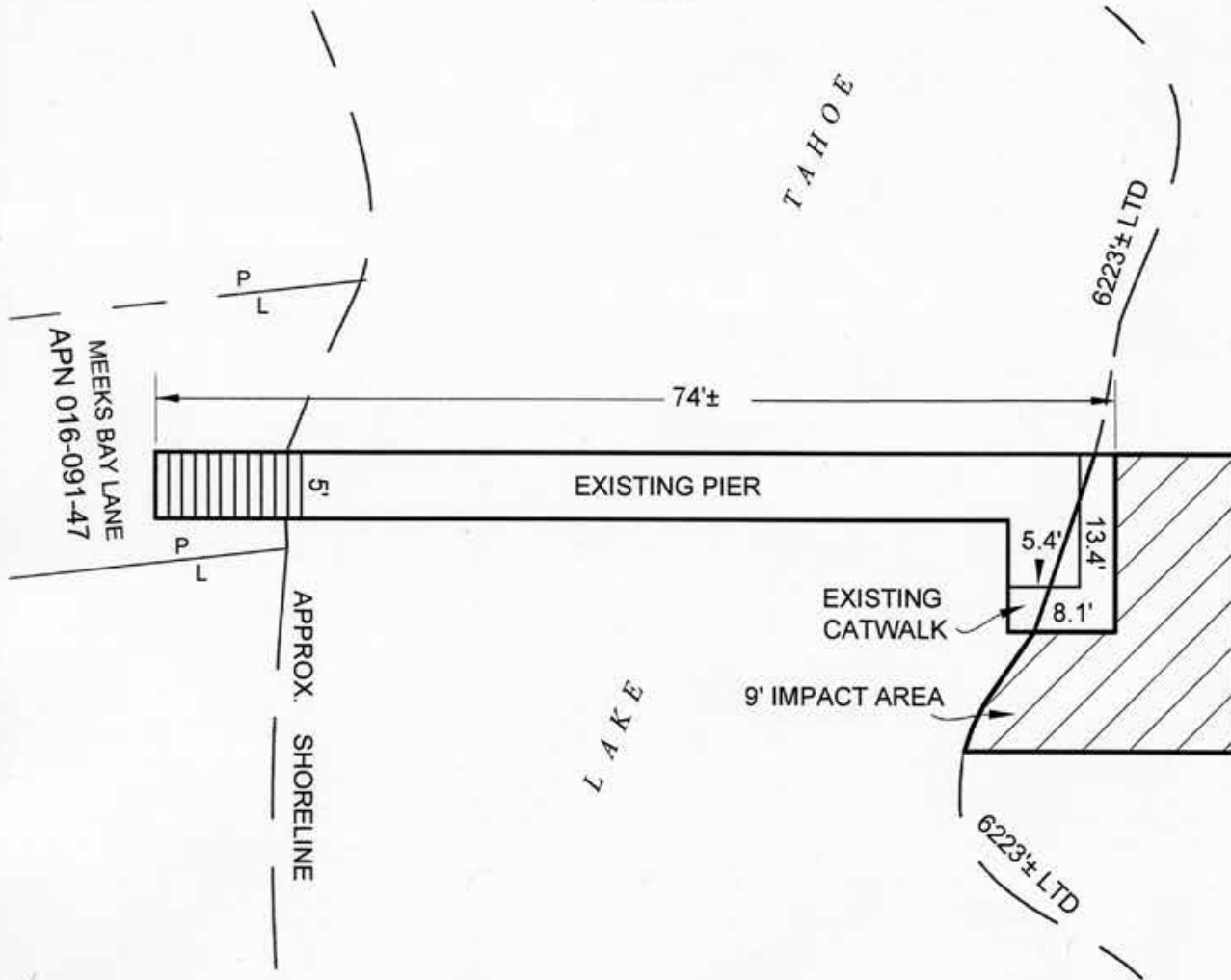


EXHIBIT A



NO SCALE

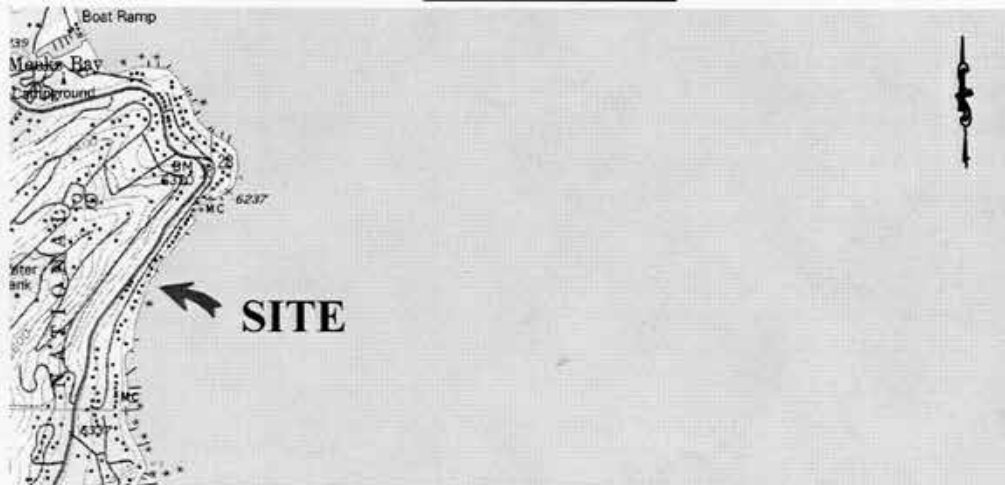
SITE



ADJACENT TO APN 016-091-47, NEAR MEEKS BAY

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 B

PRC 6851.1
 LAKESIDE PIER ASSOCIATION
 APN 016-091-47
 GENERAL LEASE -
 RECREATIONAL USE
 EL DORADO COUNTY



MJJ 01/09/2015