

**CALENDAR ITEM
C32**

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S 1

06/29/15
PRC 4320.1
M. Schroeder

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Merrill D. Martin, Trustee of the Merrill D. Martin Qualified Personal Residence Trust-II, U/T/A dated February 11, 2011; and Lillian Z. Martin, Trustee of the Lillian Z. Martin Qualified Personal Residence Trust-II, U/T/A dated February 11, 2011

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 3085 Jameson Beach Road, city of South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier.

LEASE TERM:

10 years, beginning March 26, 2015.

CONSIDERATION:

\$483 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

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

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On April 26, 2005, the Commission authorized a Recreational Pier Lease to the Martin Family Trust – 1989, Merrill D. Martin and Lillian Z. Martin, Trustees, U/T/A dated September 25, 1989. The lease expired March 25, 2015. Interest in the littoral parcel has been conveyed to Merrill D. Martin, Trustee of the Merrill D. Martin Qualified Personal Residence Trust-II, U/T/A dated February 11, 2011; and Lillian Z. Martin, Trustee of the Lillian Z. Martin Qualified Personal Residence Trust-II, U/T/A dated February 11, 2011. The Applicant is now applying for a General Lease – Recreational Use.

CALENDAR ITEM NO. **C32** (CONT'D)

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).

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 Merrill D. Martin, Trustee of the Merrill D. Martin Qualified Personal Residence Trust-II, U/T/A dated February 11, 2011; and Lillian Z. Martin, Trustee of the Lillian Z. Martin Qualified Personal Residence Trust-II, U/T/A dated February 11, 2011, beginning March 26, 2015, for a term of 10 years, for the continued use and maintenance of an existing pier, as described in Exhibit A and shown on Exhibit B (for reference purposes only), attached

CALENDAR ITEM NO. **C32** (CONT'D)

and by this reference made a part hereof; annual rent in the amount of \$483, with an annual Consumer Price Index adjustment; and liability insurance in the amount of \$1,000,000 per occurrence.

EXHIBIT A

PRC 4320.1

LAND DESCRIPTION

One parcel of submerged land situated in the bed of Lake Tahoe, lying adjacent to Lot 3 of fractional Section 6, Township 12 North, Range 18 East, M.D.B.&M., as shown on Official Government Township Plat approved November 9, 1866, County of El Dorado, State of California, more particularly described as follows:

All those lands underlying an existing pier and catwalk lying adjacent to those parcels as described in Grant Deed recorded March 8, 2011 as Document Number 20110010689 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

EXCEPTING THEREFROM any portion 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 02/25/2015 by the California State Lands Commission Boundary Unit.





LAKE TAHOE

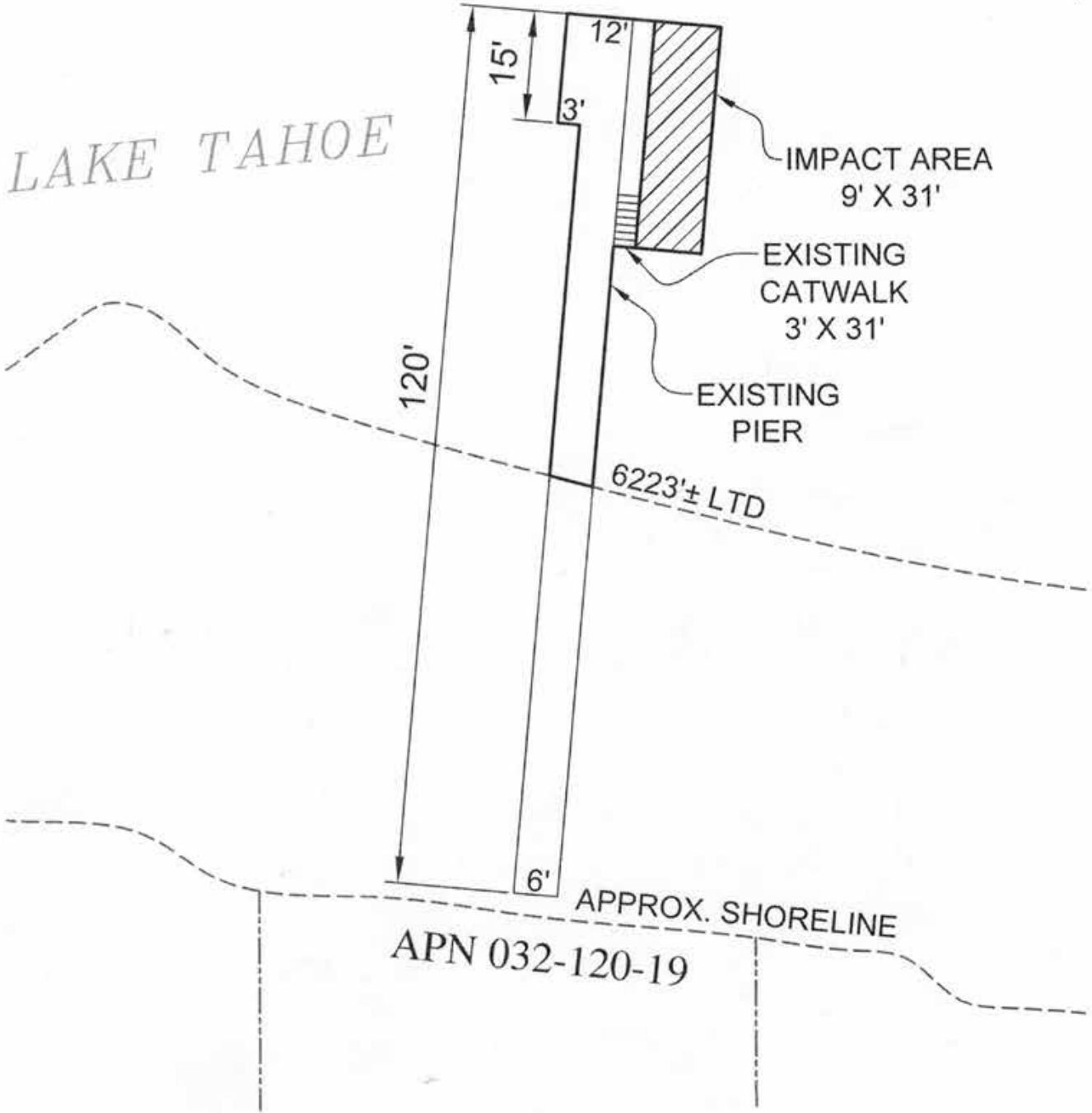


EXHIBIT A

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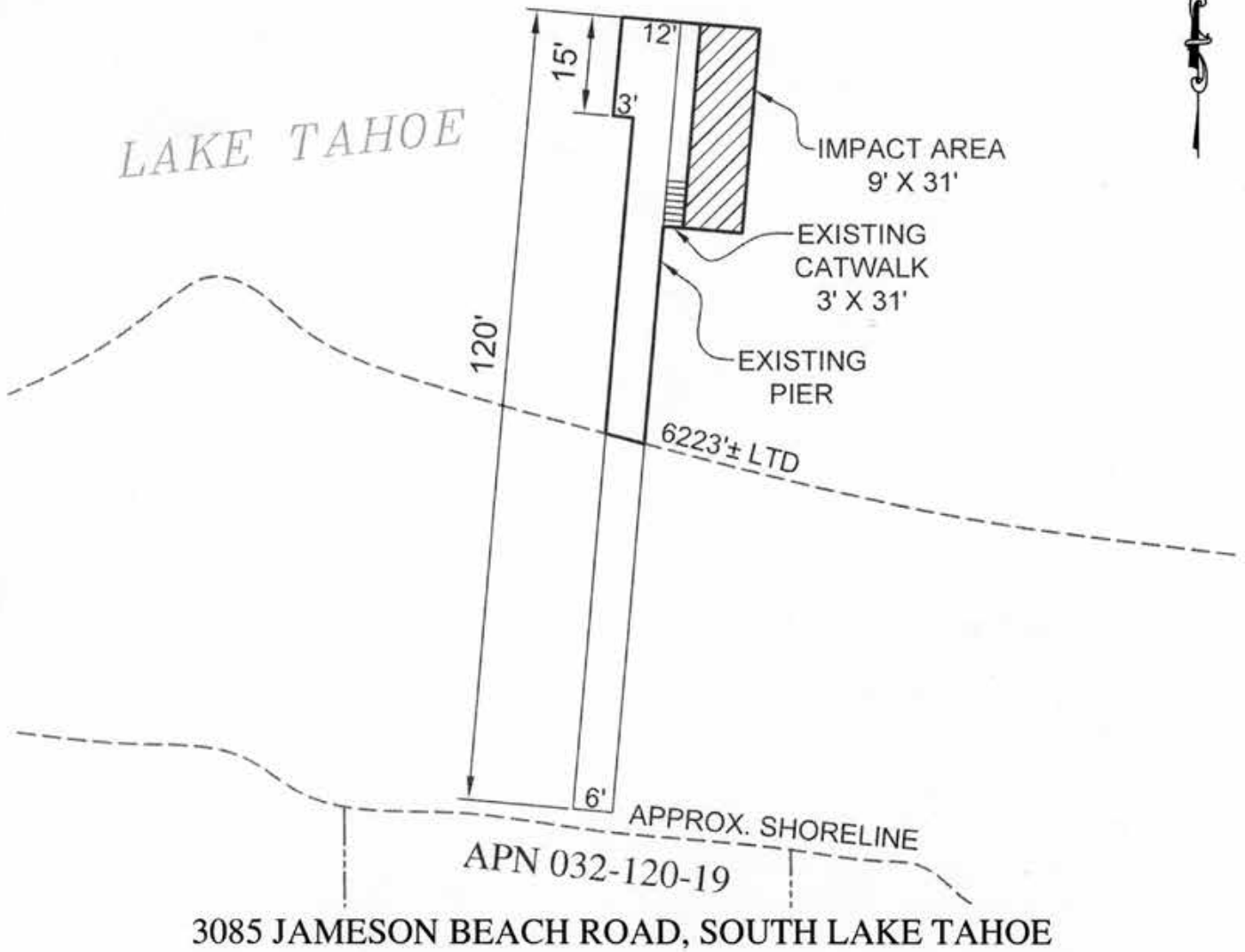
LAND DESCRIPTION PLAT
PRC 4320.1, MARTIN TRUST
EL DORADO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



NO SCALE

LOCATION

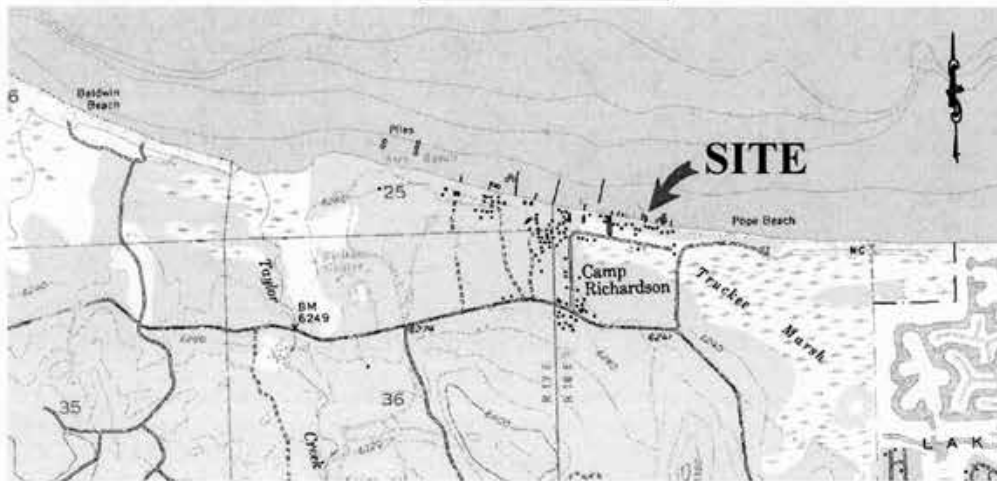


Exhibit B

PRC 4320.1
 MARTIN TRUST
 APN 032-120-19
 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