

**CALENDAR ITEM
C01**

A 1
S 1

10/16/15
PRC 1710.1
M.J. Columbus

**ACCEPTANCE OF A QUITCLAIM DEED AND ISSUANCE OF
A GENERAL LEASE – RECREATIONAL USE**

LESSEE:

The Kouretas Family Trust U/A dated November 15, 1978, as amended

APPLICANT:

Ronald E. Rivera, Trustee and Stephanie Tamayo-Rivera, Trustee of the Ronald E. Rivera and Stephanie Tamayo-Rivera Revocable Trust (2009)

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 5230 North Lake Boulevard, near Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, and two mooring buoys.

LEASE TERM:

10 years, beginning September 25, 2014.

CONSIDERATION:

\$1,121 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

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

Other:

1. If Lessee does not have a valid Tahoe Regional Planning Agency (TRPA) buoy permit, Lessee is required to obtain such authorization for the mooring buoys 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. If

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Lessee is unable to obtain such authorization within the time limit, they must remove the buoys.

2. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining authorizations from TRPA or any other regulatory agency for the improvements authorized by the Commission.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On September 20, 2013, the Commission authorized a 10-year General Lease – Recreational Use to The Kouretas Family Trust U/A dated November 15, 1978, as amended. That lease expires on January 31, 2023. On September 25, 2014, the upland was deeded to Ronald E. Rivera, Trustee and Stephanie Tamayo-Rivera, Trustee of the Ronald E. Rivera and Stephanie Tamayo-Rivera Revocable Trust (2009). The Applicant is now applying for a General Lease – Recreational Use.
3. The Lessee executed a quitclaim deed releasing their interest in the Lease to the state. Staff recommends acceptance of the quitclaim deed and issuance of a new lease.
4. Acceptance of the quitclaim deed is not a project as defined by the California Environmental Quality Act (CEQA) because it is an administrative action that will not result in direct or indirect physical changes in the environment.
5. Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378 subdivision (b)(5).
6. The staff recommends that the Commission find that issuance of the lease 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.

7. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et

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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 issuance of the lease 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:

1. Authorize acceptance of a quitclaim deed, effective September 25, 2014, of Lease No. PRC 1710.1, a General Lease - Recreational Use, issued to The Kouretas Family Trust U/A dated November 15, 1978, as amended.
2. Authorize issuance of a General Lease – Recreational Use to Ronald E. Rivera, Trustee and Stephanie Tamayo-Rivera, Trustee of the Ronald E. Rivera and Stephanie Tamayo-Rivera Revocable Trust (2009), beginning September 25, 2014, for a term of 10 years, for the continued use and maintenance of an existing pier, boat lift, and two mooring buoys 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 \$1,121, with an annual Consumer Price Index adjustment; and liability insurance with coverage in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 1710.1

LAND DESCRIPTION

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 2 of fractional Section 22, Township 16 North, Range 17 East, MDM., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California and more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier and boat lift lying adjacent to those Parcels as described in Exhibit “A” of that Quitclaim Deed recorded September 25, 2014 as Document Number 2014-0067099 in Official Records of said County.

TOGETHER WITH any applicable impact area(s).

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

PARCELS 2 & 3 – BUOYS(2)

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

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared August 24, 2015 by the California State Lands Commission Boundary Unit.



APN 115-030-035

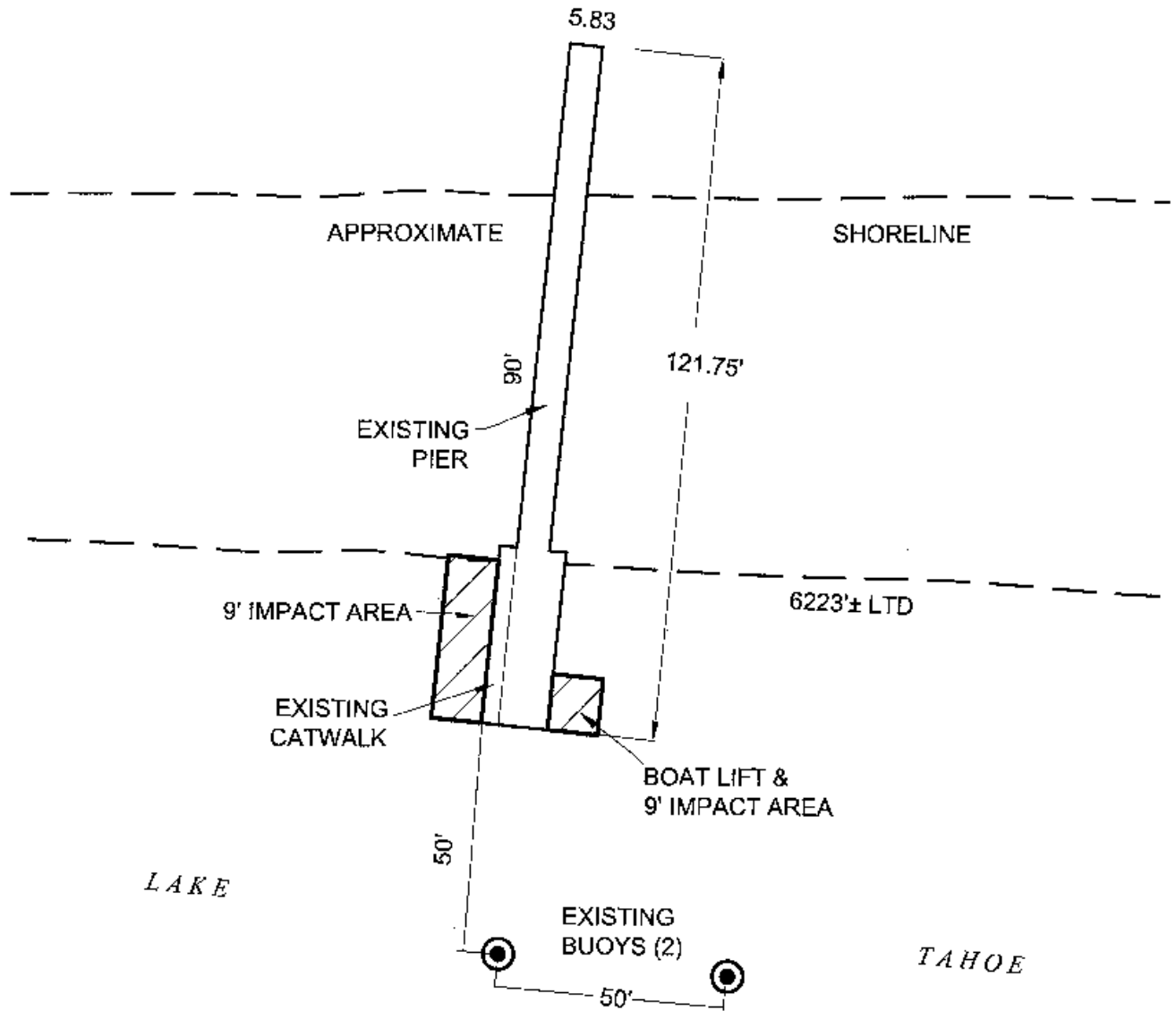


EXHIBIT A

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LAND DESCRIPTION PLAT
PRC 1710.1, RIVERA
PLACER COUNTY

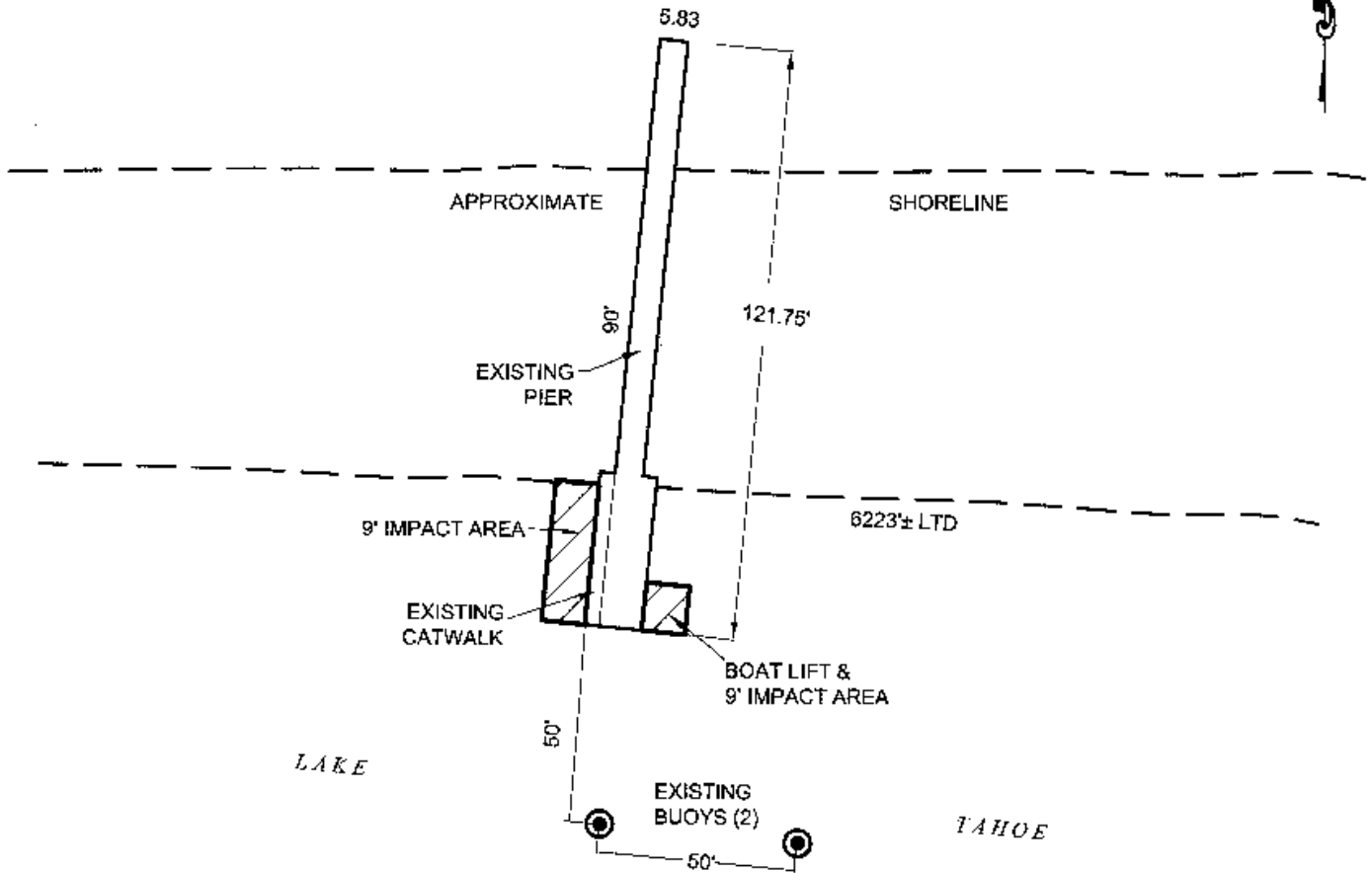
CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

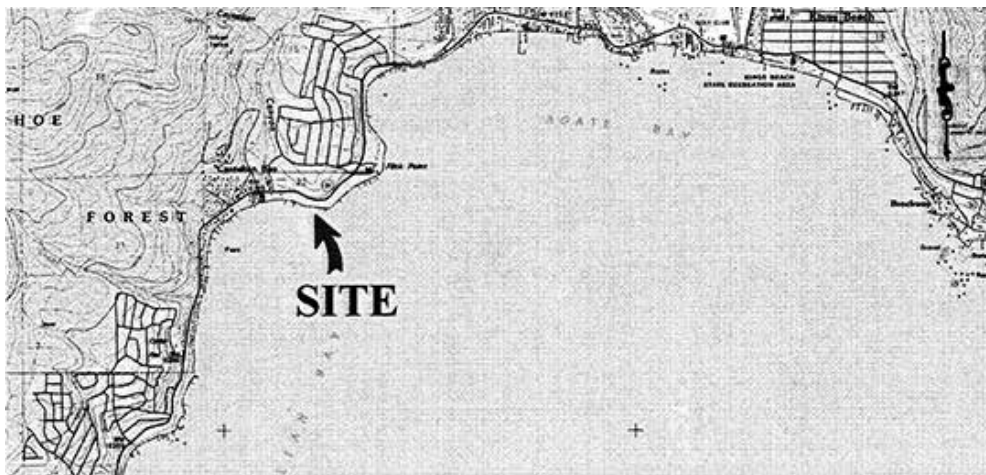
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5230 NORTH LAKE BLVD., NEAR CARNELIAN BAY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 1710.1

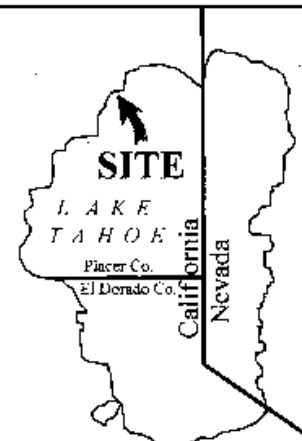
RIVERA

APN 115-030-035

GENERAL LEASE -

RECREATIONAL USE

PLACER COUNTY



MJJ 08/24/15

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.