

**CALENDAR ITEM
C02**

A 1
S 1

10/16/15
PRC 8271.1
M.J. Columbus

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Michael G. Akatiff and Christy D. Akatiff, Trustees of the Michael G. Akatiff and Christy D. Akatiff Revocable Living Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8796 and 8782 Brockway Vista Avenue, near Kings Beach, Placer County.

AUTHORIZED USE:

Continued use and maintenance of two existing mooring buoys previously authorized by the Commission and an existing double jet ski lift and one mooring buoy not previously authorized by the Commission.

LEASE TERM:

10 years, beginning October 16, 2015.

CONSIDERATION:

\$1,320 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 Lessee is unable to obtain such authorization within the time limit, they must remove the buoys.

CALENDAR ITEM NO. C02 (CONT'D)

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 parcels, Assessor's Parcel Numbers (APN) 090-231-049 and 090-231-050, adjoining the lease premises.
2. On February 5, 2001, the Commission authorized a 10-year Recreational Pier Lease to Michael G. Akatiff and Christy D. Akatiff, Trustees of the Michael G. Akatiff and Christy D. Akatiff Revocable Living Trust. This lease authorized two mooring buoys adjacent to APN 090-231-049 and 090-231-050 and expired on December 31, 2010. The Applicant is now applying for a General Lease – Recreational Use.
3. On September 13, 2000, TRPA issued a permit for the construction of a double jet ski lift adjacent to APN 090-231-049. In addition, one mooring buoy has been in Lake Tahoe adjacent to this parcel for many years, but was not previously authorized by the Commission. Staff recommends bringing the Applicant's double jet ski lift and three mooring buoys on two contiguous littoral parcels under lease.
4. 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.

5. 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

CALENDAR ITEM NO. **C02** (CONT'D)

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 Michael G. Akatiff and Christy D. Akatiff, Trustees of the Michael G. Akatiff and Christy D. Akatiff Revocable Living Trust, beginning October 16, 2015, for a term of 10 years, for the continued use and maintenance of two existing mooring buoys previously authorized by the Commission and an existing double jet ski lift and one mooring buoy 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 \$1,320 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 8271.1

LAND DESCRIPTION

Four (4) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 7 fractional Section 19, Township 16 North, Range 18 East, MDM., as shown on Official Government Township Plat approved January 29, 1875, County of Placer, State of California, and more particularly described as follows:

PARCEL 1 –JET SKI LIFT

All those lands underlying an existing double jet ski lift lying adjacent to a parcel described in that Individual Grant Deed recorded July 22, 2003 in Document Number 2003-0119000 and a parcel described in Exhibit “A” of that Grant Deed recorded June 30, 1998 in Document Number 98-0050526 Official Records of said County.

TOGETHER WITH any applicable impact area(s).

PARCELS 2, 3, 4 – BUOYS (3)

Three (3) circular parcels of land, being 50 feet in diameter, underlying three (3) existing buoys lying adjacent to said parcels.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared September 15, 2015 by the California State Lands Commission Boundary Unit.



L A K E T A H O E

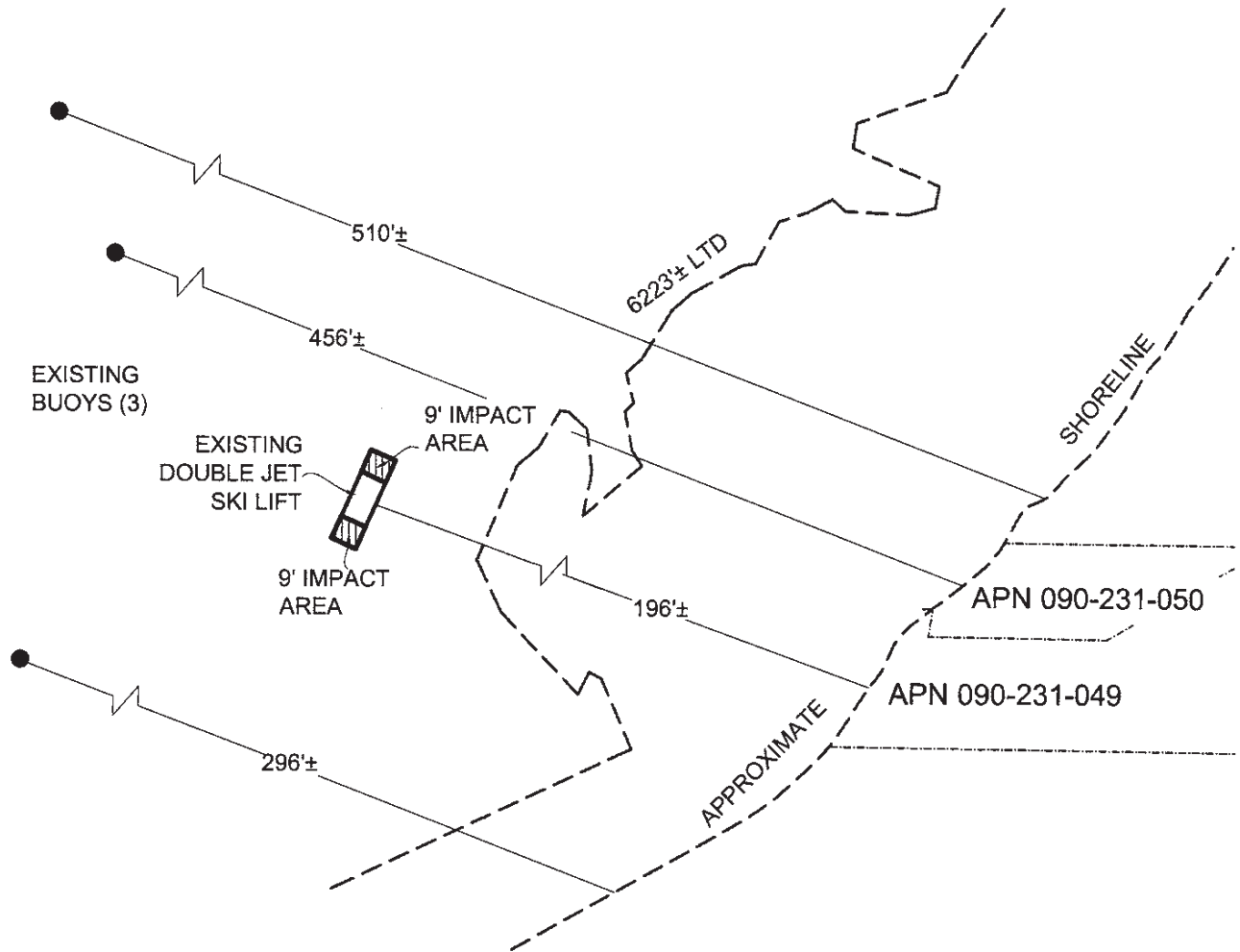


EXHIBIT A

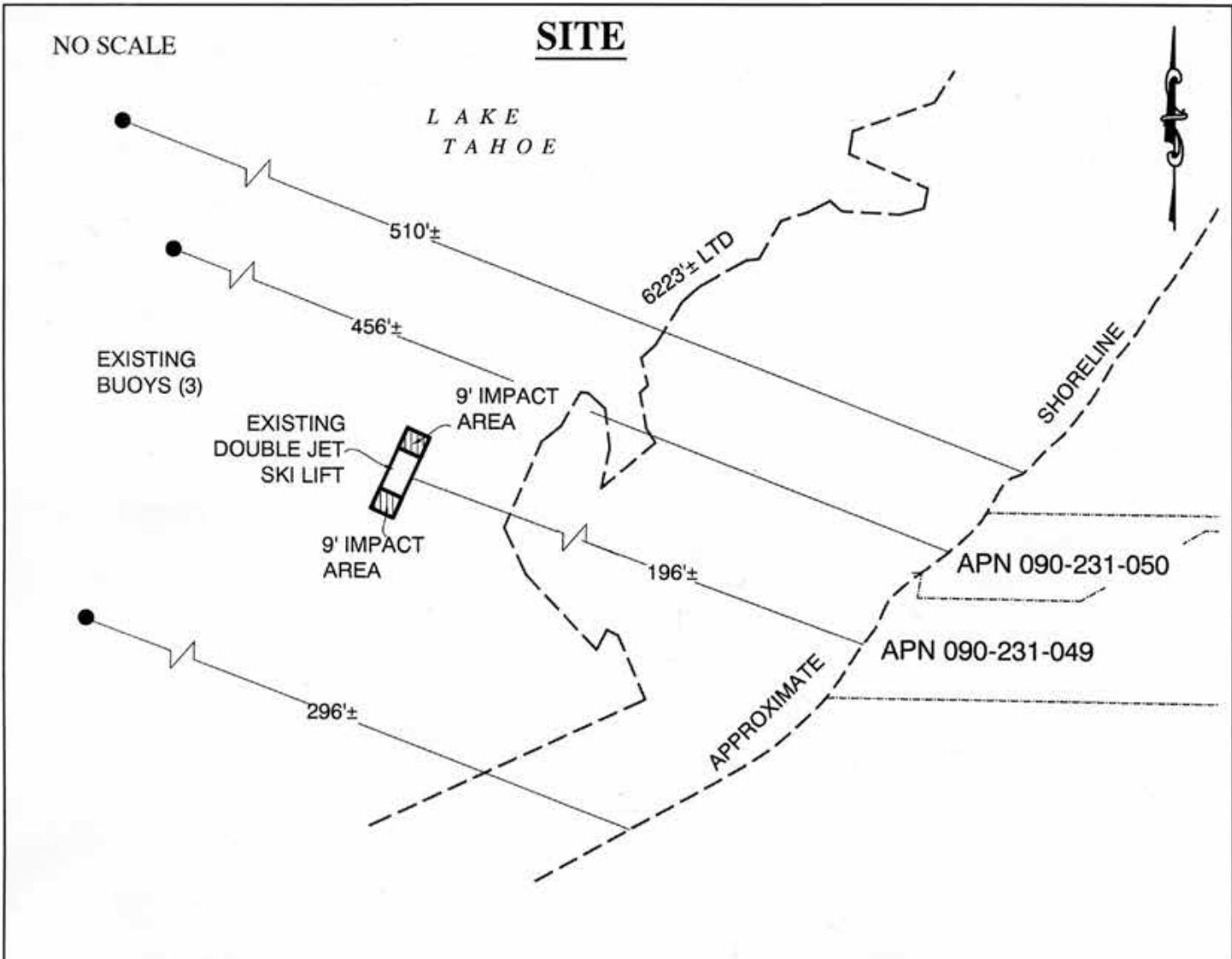
Page 2 of 2

MJJ 09/12/2015

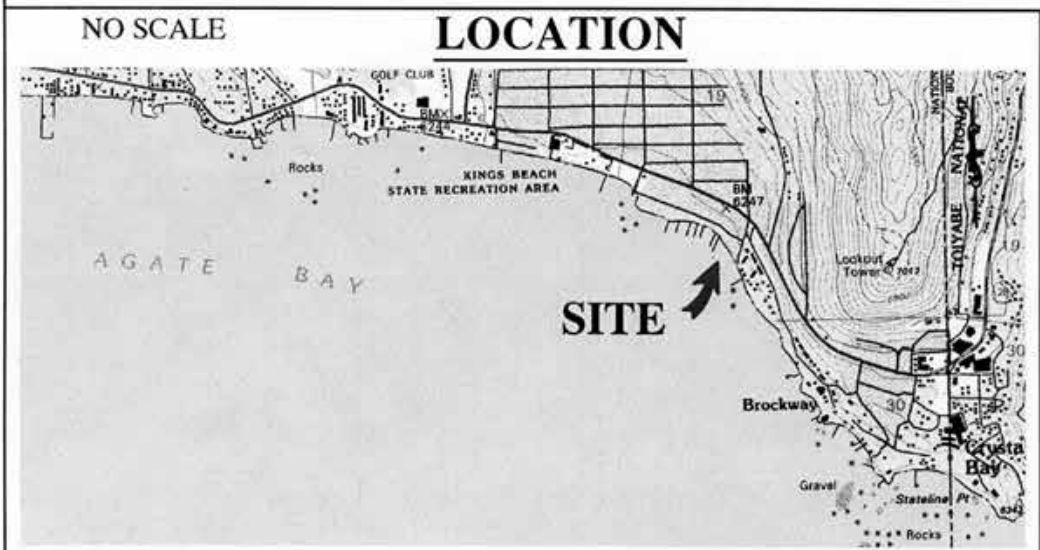
LAND DESCRIPTION PLAT
PRC 8271.1
AKATIFF REVOCABLE LIVING TRUST
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION





8796 & 8782 BROCKWAY VISTA AVE., NEAR KINGS BEACH



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8271.1

AKATIFF REVOCABLE LIVING TRUST

APN 090-231-049 & 050

GENERAL LEASE - RECREATIONAL USE

PLACER COUNTY



MJJ 09/10/2015

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.