

**CALENDAR ITEM
C10**

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10/16/15
PRC 4283.1
S. Kreutzburg

**TERMINATION OF A RECREATIONAL PIER LEASE AND
ISSUANCE OF A GENERAL LEASE – RECREATIONAL USE**

LESSEE:

Diana Dollar Knowles, Trustee of the Diana Dollar Knowles Revocable Trust
Dated January 31, 1995.

APPLICANT:

Manitou, LLC.

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 7791 Highway 89, near
Meeks Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boathouse, and boat lift
previously authorized by the Commission, and use and maintenance of two
existing mooring buoys not previously authorized by the Commission.

LEASE TERM:

10 years, beginning October 16, 2015.

CONSIDERATION:

\$1,658 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 valid Tahoe Regional Planning Agency (TRPA)
buoy permits, 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 the TRPA or any other regulatory agency for the improvements authorized by the Commission.

OTHER PERTINENT INFORMATION:

1. The Applicant owns the upland adjoining the lease premises.
2. On February 9, 2006, the Commission authorized a 10-year Recreational Pier Lease to Diana Dollar Knowles, Trustee of the Diana Dollar Knowles Revocable Trust Dated January 31, 1995. The Lease will expire on October 28, 2015.
3. On August 30, 2013, ownership of the upland transferred to Manitou, LLC. The Applicant is now applying for a General Lease – Recreational Use.
4. Staff recommends termination of the existing lease because the Lessee abandoned the lease by selling the upland property without executing a quitclaim deed.
5. Staff recommends that the Commission accept compensation in the amount of \$3,944 for the unauthorized occupation of state lands, for the period beginning August 30, 2013, when the applicant took ownership, through October 15, 2015.
6. The two mooring buoys have existed for many years in Lake Tahoe, but were not previously authorized by the Commission. Staff recommends authorization of these facilities.
7. Termination of the lease 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.

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378 subdivision (b)(5).

8. The staff recommends that the Commission find that issuance of the lease is exempt from the requirements of California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under

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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.

9. 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 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 termination, effective October 15, 2015, of Lease No. PRC 4283.9, a Recreational Pier Lease, issued to Diana Dollar Knowles, Trustee of the Diana Dollar Knowles Revocable Trust dated January 31.
2. Authorize acceptance of compensation in the amount of \$3,944 for the unauthorized occupation of state lands, for the period of August 30, 2013, through October 15, 2015.

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3. Authorize issuance of a General Lease – Recreational Use to Manitou, LLC beginning October 16, 2015, for a term of 10 years, for the continued use and maintenance of an existing pier, boathouse and boat lift previously authorized by the Commission, and use and maintenance of two existing mooring buoys 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 \$1,658, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 4283.1

LAND DESCRIPTION

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 3 fractional Section 20, 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:

PARCEL 1 – PIER

All those lands underlying an existing pier, one (1) catwalk, and one (1) boathouse, with boatlift lying adjacent to those parcels described in Exhibit A of that Grant Deed recorded August 30, 2013 in Document Number 2013-0045981 in Official Records 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.

PARCELS 2 & 3 – BUOYS (2)

Two (2) circular parcels of land, 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 June 16, 2015 by the California State Lands Commission Boundary Unit.



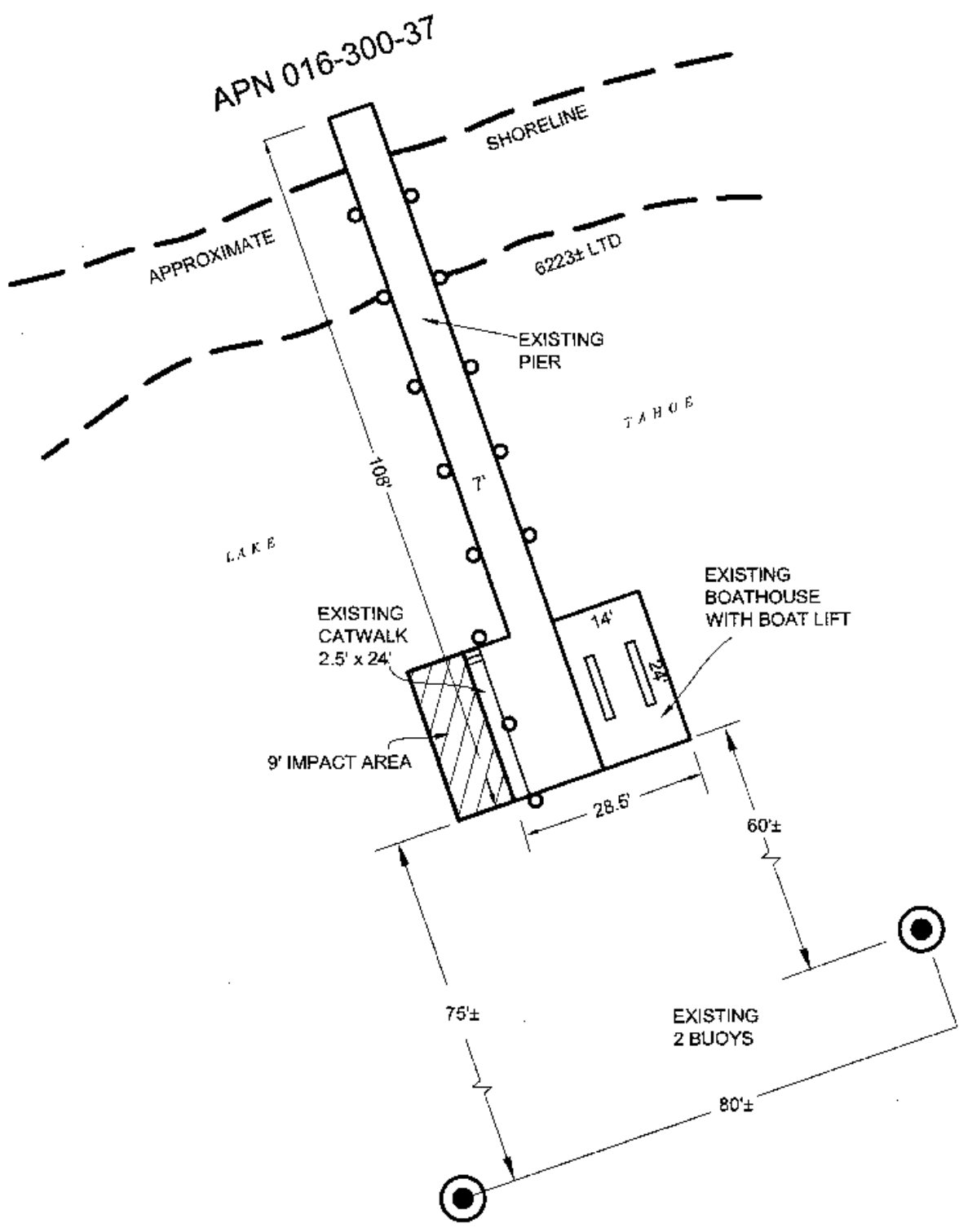


EXHIBIT A

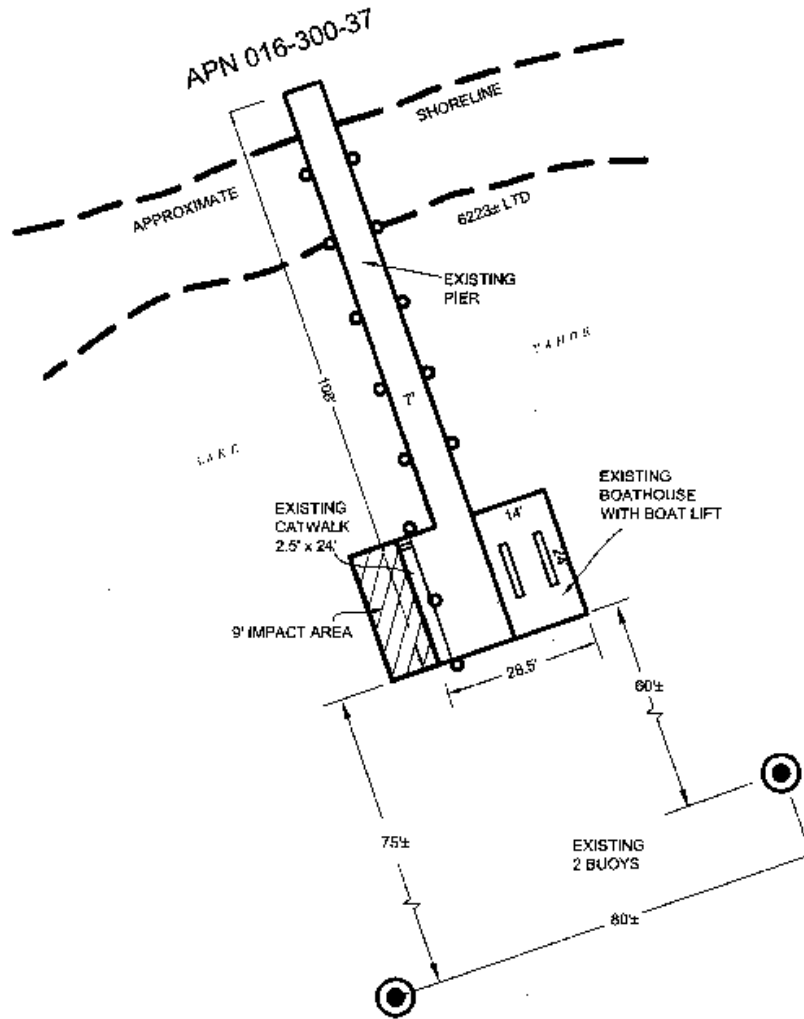
LAND DESCRIPTION PLAT
 PRC 4283.1, MANITOU, LLC
 EL DORADO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



7791 HIGHWAY 89, NEAR MEEKS BAY

NO SCALE

LOCATION

