

**CALENDAR ITEM
C17**

A 1
S 1

10/16/15
PRC 5600.1
M. Schroeder

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Adair Rideout McClatchy, Carlos Fugitt McClatchy, and Susan B. McClatchy, Successor Co-Trustees of those trusts created under the exercise of special powers of appointment executed by Phebe B. McClatchy, also known as Phebe Conley, and dated January 11, 1989, identified collectively as the Grace Briggs Trusts under SPOA dated 1/11/89 and individually as: Grace Briggs Trust under SPOA dated 1/11/89 FBO James B. McClatchy – Trust 1; Grace Briggs Trust under SPOA dated 1/11/89 FBO Wm. Ellery McClatchy – Trust 2; and Grace Briggs Trust under SPOA dated 1/11/89 FBO C.K. McClatchy – Trust 3

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 2400 and 2460 West Lake Boulevard, near Homewood, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, two boathouses, sundeck with stairs, an adjustable landing, and two mooring buoys previously authorized by the Commission, and use and maintenance of two existing boat hoists and two boat lifts not previously authorized by the Commission.

LEASE TERM:

10 years, beginning October 16, 2015.

CONSIDERATION:

\$3,877 per year, with an annual Consumer Price Index (CPI) adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

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

Other:

The lease contains provisions stating that the existing sundeck with stairs, as shown on the attached Exhibit B, cannot be expanded, and if repairs to

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any portion of the existing sundeck cost more than 50 percent of the base value of the sundeck, then the sundeck with stairs must be removed from the lease premises.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On July 11, 1997, the Commission authorized a Recreational Pier Lease to the Lessee. That lease expired on February 28, 2007. The Lessee is now applying for a General Lease – Recreational Use.
3. The two boat hoists and two boat lifts have existed for many years in Lake Tahoe, but were not previously authorized by the Commission. Staff recommends authorization of these facilities.
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

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

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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 Adair Rideout McClatchy, Carlos Fugitt McClatchy, and Susan B. McClatchy, Successor Co-Trustees of those trusts created under the exercise of special powers of appointment executed by Phebe B. McClatchy, also known as Phebe Conley, and dated January 11, 1989, identified collectively as the Grace Briggs Trusts under SPOA dated 1/11/89 and individually as: Grace Briggs Trust under SPOA dated 1/11/89 FBO James B. McClatchy – Trust 1; Grace Briggs Trust under SPOA dated 1/11/89 FBO Wm. Ellery McClatchy – Trust 2; and Grace Briggs Trust under SPOA dated 1/11/89 FBO C.K. McClatchy – Trust 3 beginning October 16, 2015, for a term of 10 years, for the continued use and maintenance of an existing pier, two boathouses, sundeck with stairs, an adjustable landing, and two mooring buoys previously authorized by the Commission; and use and maintenance of two existing boat hoists and two boat lifts 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 \$3,877 with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5600.1

LAND DESCRIPTION

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 4 fractional Section 24, Township 15 North, Range 16 East, MDM., as shown on Official Government Township Plat approved April 11, 1884, County of Placer, State of California, and more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, two (2) boat houses, two (2) boat hoists, two (2) boat lifts, sundeck, stairs, landing and adjustable landing lying adjacent to those parcels as described in that Affidavit of Change of Trustee recorded May 29, 2012 as Document Number 2012-00473392 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)

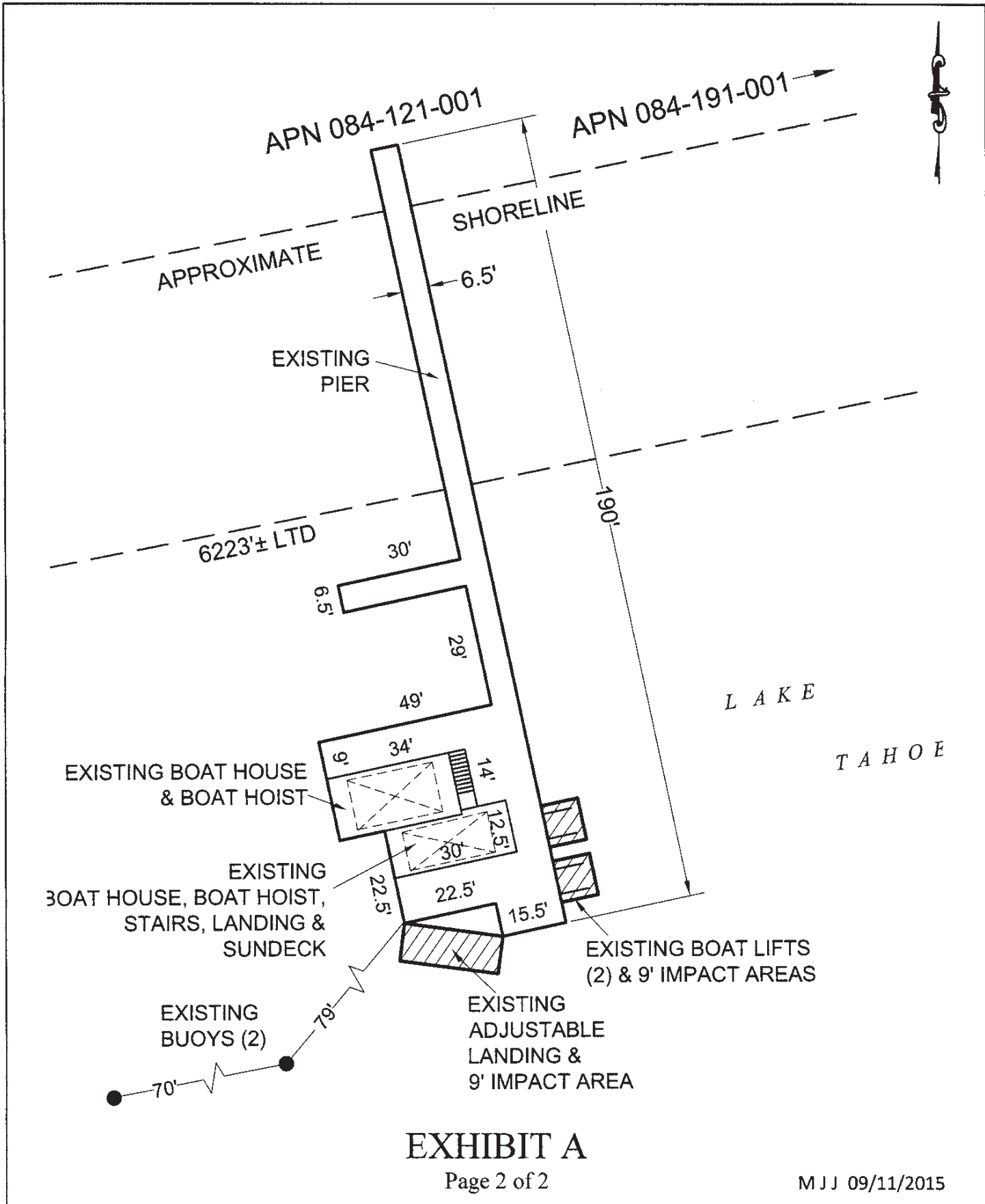
Two (2) circular parcels of land, being 50 feet in diameter, underlying two (2) existing buoys lying adjacent to said parcels.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

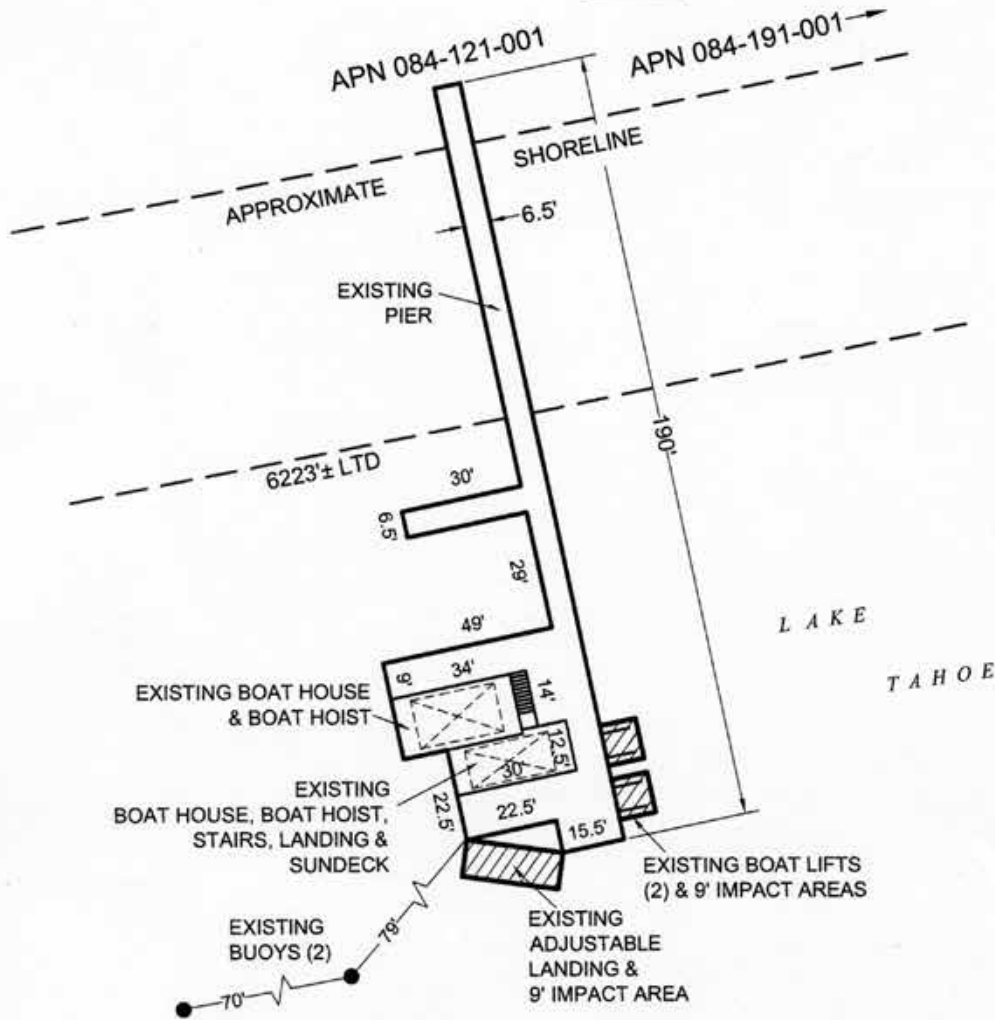
Prepared March 2, 2015 by the California State Lands Commission Boundary Unit.





NO SCALE

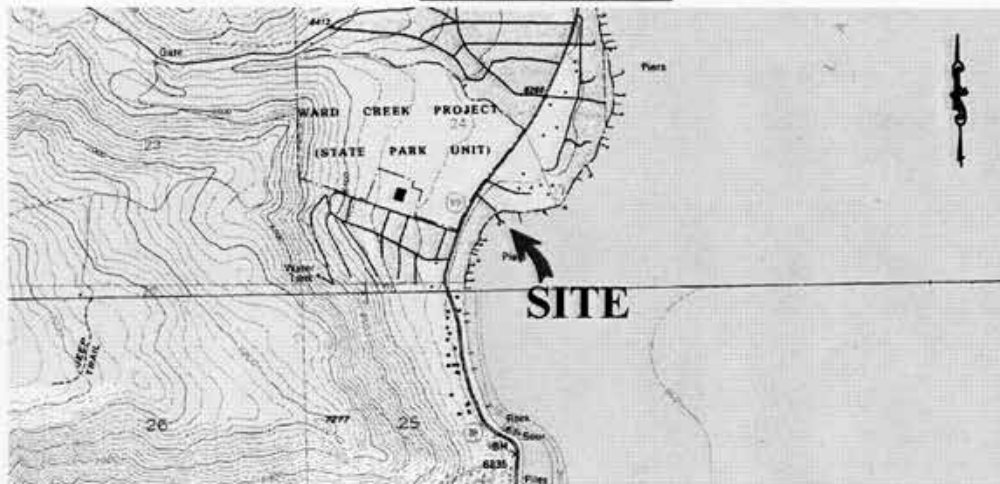
SITE



2400 AND 2460 WEST LAKE BLVD., NEAR HOMEWOOD

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 5600.1
 McCLATCHY
 APN 084-121-001 &
 APN 084-191-001
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



MJJ 09/11/2015

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.