

**CALENDAR ITEM  
C21**

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S 1

10/16/15  
PRC 6158.1  
M. Schroeder

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Samuel N. Harrosh and Suzanne C. Harrosh, Trustees of the Harrosh Family Trust dated November 13, 1984; Lynne M. Harrosh; Michael A. Harrosh; Aaron F. Harrosh; and Lynne M. Harrosh-Marovic, Trustee of the Lynne M. Harrosh-Marovic Revocable Trust dated February 14, 2008

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Lake Tahoe, adjacent to 5550 North Lake Boulevard, near Carnelian Bay, Placer County.

**AUTHORIZED USE:**

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

**LEASE TERM:**

10 years, beginning October 16, 2015.

**CONSIDERATION:**

\$3,837 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:

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

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the amended ordinances. If 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.
3. 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 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 August 8, 2005, the Commission authorized a Recreational Pier Lease to Samuel N. Harrosh and Suzanne C. Harrosh, Trustees of the Harrosh Family trust dated November 13, 1984, for an existing pier, boathouse, sundeck with stairs, and two mooring buoys. That lease expired on June 27, 2015. Since then, partial interest in the upland was granted to Lynne M. Harrosh; Michael A. Harrosh; Aaron F. Harrosh; and Lynne M. Harrosh-Marovic, Trustee of the Lynne M. Harrosh-Marovic Revocable Trust dated February 14, 2008. The Applicant is now applying for a General Lease – Recreational Use.
3. The 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. Staff recommends that the lease commence on October 16, 2015, and that the Commission accept compensation in the amount of \$1,208, for the period beginning June 27, 2015, when the prior lease expired, through October 15, 2015.
5. 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).

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Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. 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:**

1. Authorize acceptance of compensation in the amount of \$1,208, for the period of June 27, 2015 through October 15, 2015.
2. Authorize issuance of a General Lease – Recreational Use to Samuel N. Harrosh and Suzanne C. Harrosh, Trustees of the Harrosh Family Trust dated November 13, 1984; Lynne M. Harrosh; Michael A. Harrosh; Aaron F. Harrosh; and Lynne M. Harrosh-Marovic, Trustee of the Lynne M. Harrosh-Marovic Revocable Trust dated February 14, 2008, beginning October 16, 2015, for a term of 10 years, for the continued use and maintenance of an existing pier, boathouse, sundeck with stairs, and two mooring buoys previously authorized by the Commission; and use and maintenance of two existing boat lifts not previously authorized by

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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 \$3,837 with an annual Consumer Price Index adjustment; and liability insurance in the amount of no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 6158.1**

**LAND DESCRIPTION**

One parcel of submerged land situated in the bed of Lake Tahoe, lying adjacent to Lot 3 of fractional Section 15, Township 16 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California, more particularly described as follows:

**PARCEL 1 - PIER**

All those lands underlying an existing pier, sundeck with stairs, boathouse, and two boat lifts lying adjacent to those parcels as described in Grant Deed recorded February 20, 2013 as Document Number 20130016077 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.

**PARCEL 2 - BUOYS**

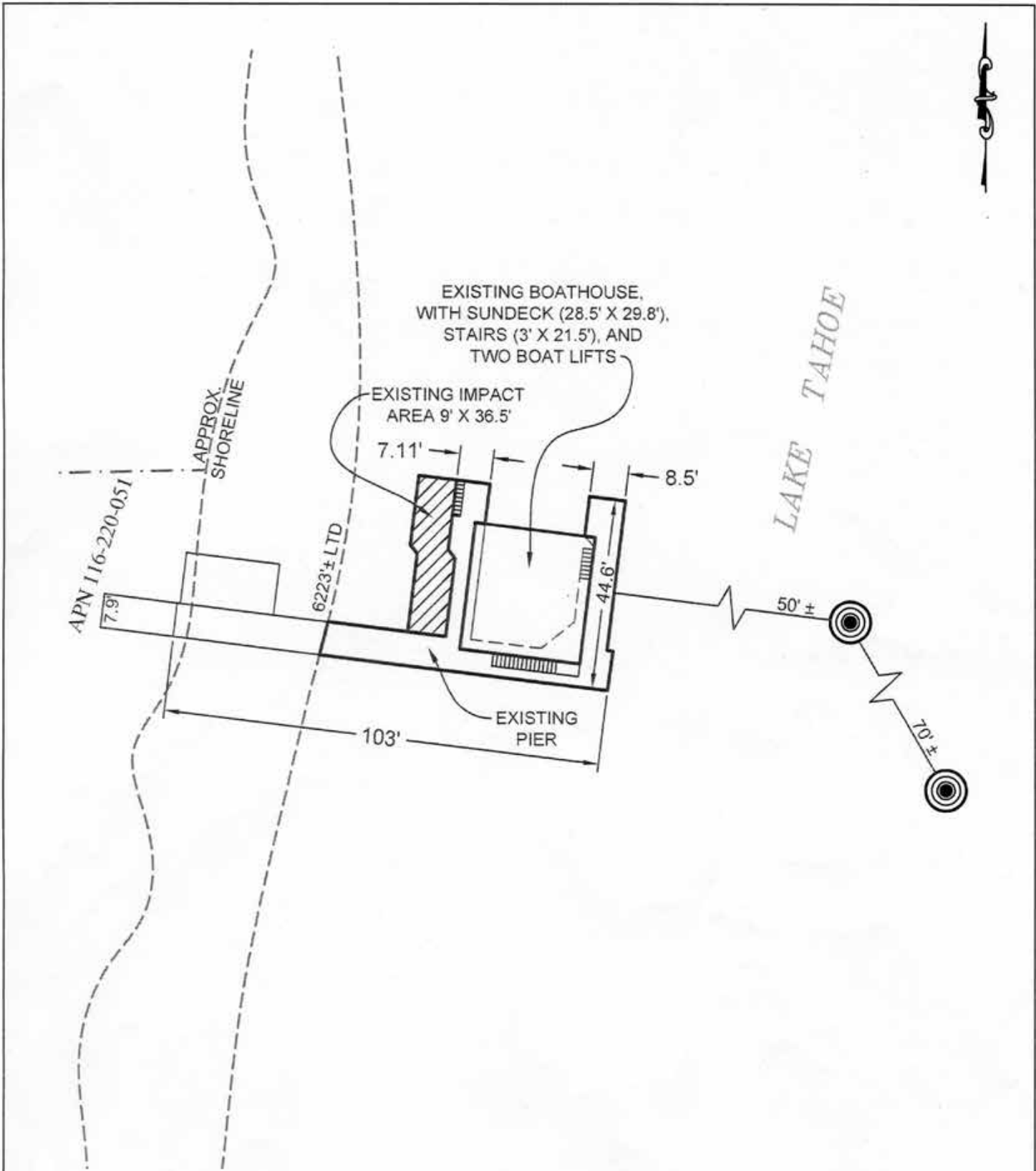
Two circular parcels of land, each being 50 feet in diameter, underlying two existing buoys lying adjacent to those parcels as described in Grant Deed recorded February 20, 2013 as Document Number 20130016077 in Official Records of said County.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 03/15/2015 by the California State Lands Commission Boundary Unit.





# EXHIBIT A

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RGB 02/25/15

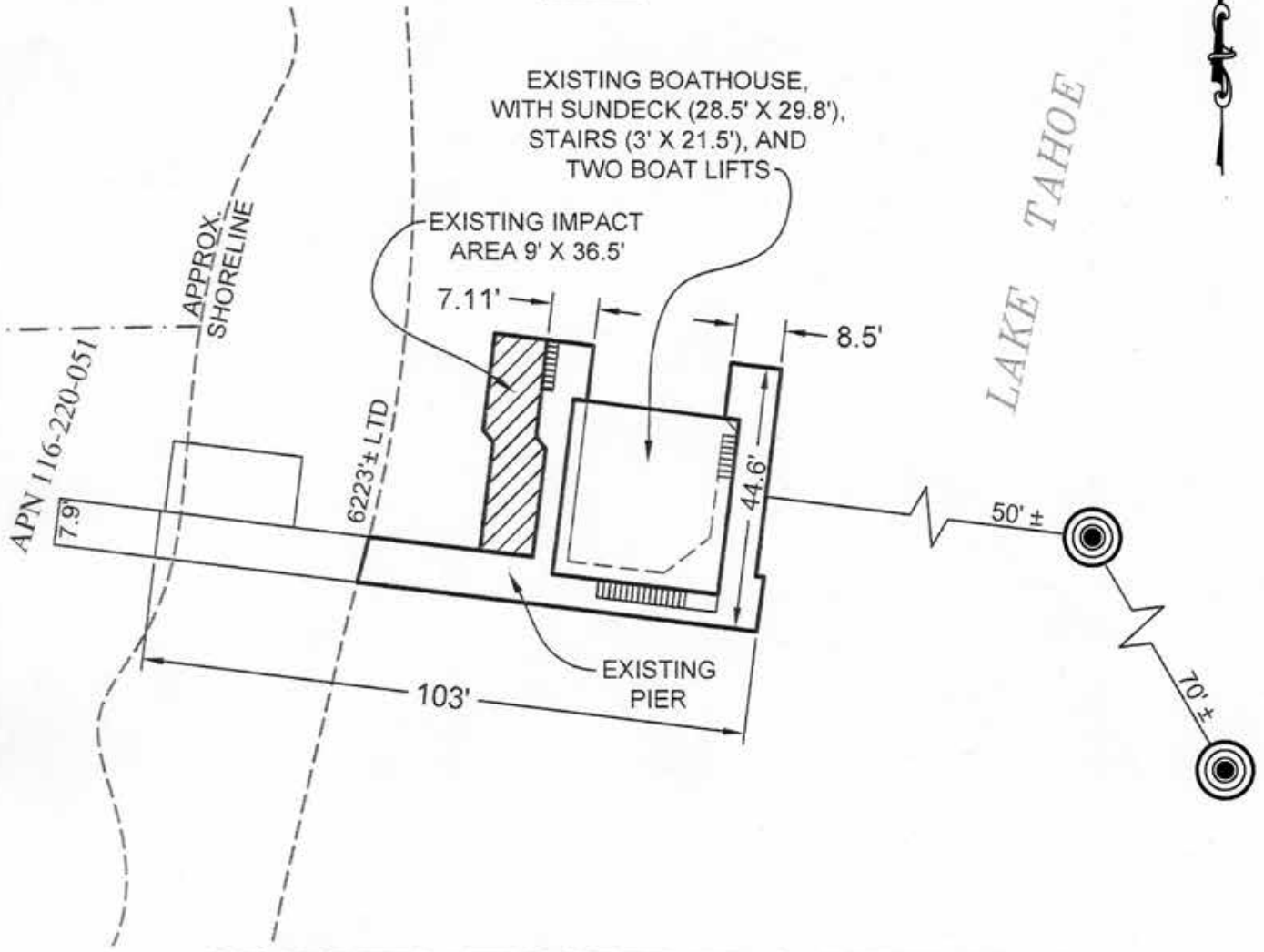
LAND DESCRIPTION PLAT  
 PRC 6158.1, HARROSH TRUST, et al  
 PLACER COUNTY

CALIFORNIA STATE  
 LANDS COMMISSION



NO SCALE

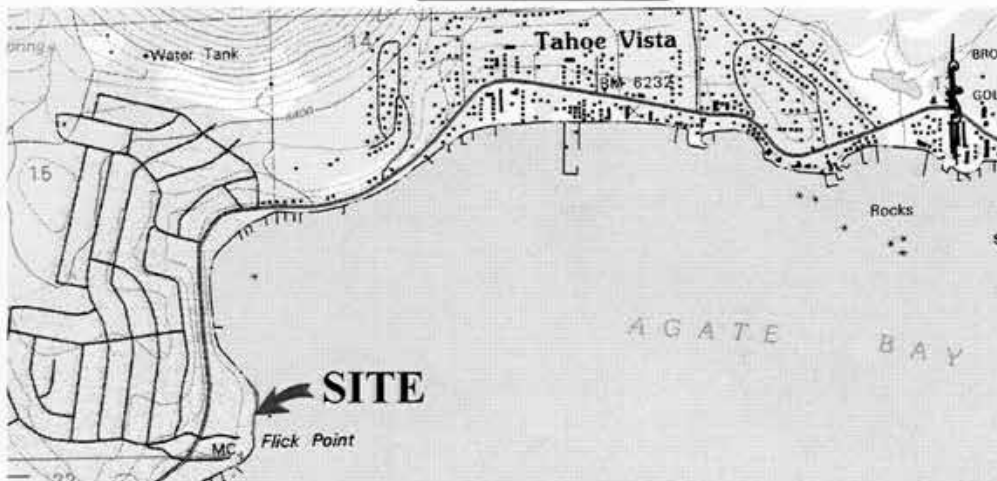
# SITE



5550 NORTH LAKE BOULEVARD, CARNELIAN BAY

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

# Exhibit B

PRC 6158.1  
 HARROSH TRUST, et al  
 APN 116-220-051  
 GENERAL LEASE -  
 RECREATIONAL USE  
 PLACER 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.