

MINUTE ITEM

This Calendar Item No. C50 was approved as
Minute Item No. 50 by the California State Lands
Commission by a vote of 3 to 0 at its
11/07/97 meeting.

**CALENDAR ITEM
C50**

A 4
S 1

PRC8002

11/07/97
W 25401
B. Young

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Bewley Family Limited Partnership
5332 East Adahnore Lane
Stockton, California 95212

AREA, LAND TYPE, AND LOCATION:

0.01 acre, more or less, of sovereign lands in Lake Tahoe, near Homewood,
Placer County.

AUTHORIZED USE:

Four mooring buoys, as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning October 1, 1997.

CONSIDERATION:

\$372 per year; with the State reserving the right to fix a different rent periodically
during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$300,000.

Other:

This lease is conditioned on Lessee obtaining authorization from the
Tahoe Regional Planning Agency (TRPA) for the four buoys within two
years from the effective date of the authorization of the buoys by the
Commission.

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OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. Sale of Littoral Parcels: Applicant is the owner of adjacent Assessor Parcel Numbers 97-164-08 and 97-164-09. The lease premises lie adjacent to and in front of parcel 97-164-09. It is the intent of the parties that this lease provide for the authorization of two buoys per parcel and that the buoys shall be permitted in accordance with the rules and regulations of the State Lands Commission and the Tahoe Regional Planning Agency at all times. (A) Applicant agrees that, if at any time after the execution of this lease, parcel 97-164-08 is sold or otherwise transferred, this lease shall not be assignable to the purchaser or transferee and shall automatically terminate as to parcel 97-164-08 unless such party can demonstrate within 60 days of the closing of the sale that the parcel qualifies under the rules and regulations of the Tahoe Regional Planning Agency for the improvements authorized under this lease. (B) Applicant further agrees that, if parcel 97-164-09 is sold by applicant, this lease shall terminate 60 days after the closing of the sale unless applicant can demonstrate that parcel 97-164-08 can qualify for a permit under the rules and regulations of the Tahoe Regional Planning Agency for the improvements authorized under this lease.
3. A 90-day extension has been received from the applicant.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c) (3). Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.
5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. 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.

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FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers, Tahoe Regional Planning Agency, California
State Lands Commission

EXHIBIT:

A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

February 17, 1998

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c) (3).

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 SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO BEWLEY FAMILY LIMITED PARTNERSHIP OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING OCTOBER 1, 1997, FOR FOUR MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A, ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: \$372 PER YEAR; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.

