

MINUTE ITEM

This Calendar Item No. C29 was approved as
Minute Item No. 29 by the California State Lands
Commission by a vote of 3 to 0 at its
9-17-01 meeting.

CALENDAR ITEM

C29

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S 1

09/17/01
PRC 8332 W 25716
N. Lee

ISSUANCE OF GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

Robert D. May and Judith T. May
4029 Tilden Lane
Lafayette, CA 94549-2737

AREA, LAND TYPE, AND LOCATION:

0.029 acres, more or less, of sovereign lands in Lake Tahoe, near Tahoe City,
Placer County.

AUTHORIZED USE:

Continued use and maintenance of one existing mooring buoy as shown on the
attached Exhibit A.

LEASE TERM:

Ten years, beginning March 1, 2001.

CONSIDERATION:

\$93 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: Combined single limit coverage of \$300,000.

Other:

This lease is conditioned on Lessee obtaining authorization from the
Tahoe Regional Planning Agency (TRPA) for the mooring buoy within two
years after the adoption of the Lake Tahoe Shorezone Amendments-Draft
Environmental Impact Statement (EIS) and approval of the ordinances
based on the EIS.

CALENDAR PAGE	0000156
MINUTE PAGE	0001508

CALENDAR ITEM NO. **C29** (CONT'D)

OTHER PERTINENT INFORMATION:

1. On November 7, 1997, the Commission authorized a Recreational Pier Lease with Carolyn L. Brien, Kathryn R. Childers and Robert D. May covering a pier and two mooring buoys. That lease will expire on June 29, 2007. On May 12, 2000, Carolyn L. Brien, Kathryn R. Childers and Robert D. May deeded the littoral land to John B. Lovewell and Cynthia B. Lovewell, Trustees of the John B. Lovewell and Cynthia B. Lovewell Revocable Trust dated September 21, 1990. On the same date, John and Cynthia Lovewell entered into an agreement with Robert D. May and Judith T. May entitling the Mays to maintain and use one of the mooring buoys and granting them an easement to access the buoy through the littoral land. Applicants do not qualify for a rent-free Recreational Pier Lease because the applicants no longer own the littoral land and, therefore, do not meet the qualifications pursuant to Public Resources Code section 6503.5. Robert D. May and Judith T. May are now applying for a new General Lease - Recreational Use.
2. 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 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.
3. 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.

FURTHER APPROVALS REQUIRED:

Buoy: Tahoe Regional Planning Agency.

EXHIBIT:

- A. Location and site map

CALENDAR ITEM NO. **C29** (CONT'D)

PERMIT STREAMLINING ACT DEADLINE:

N/A

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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

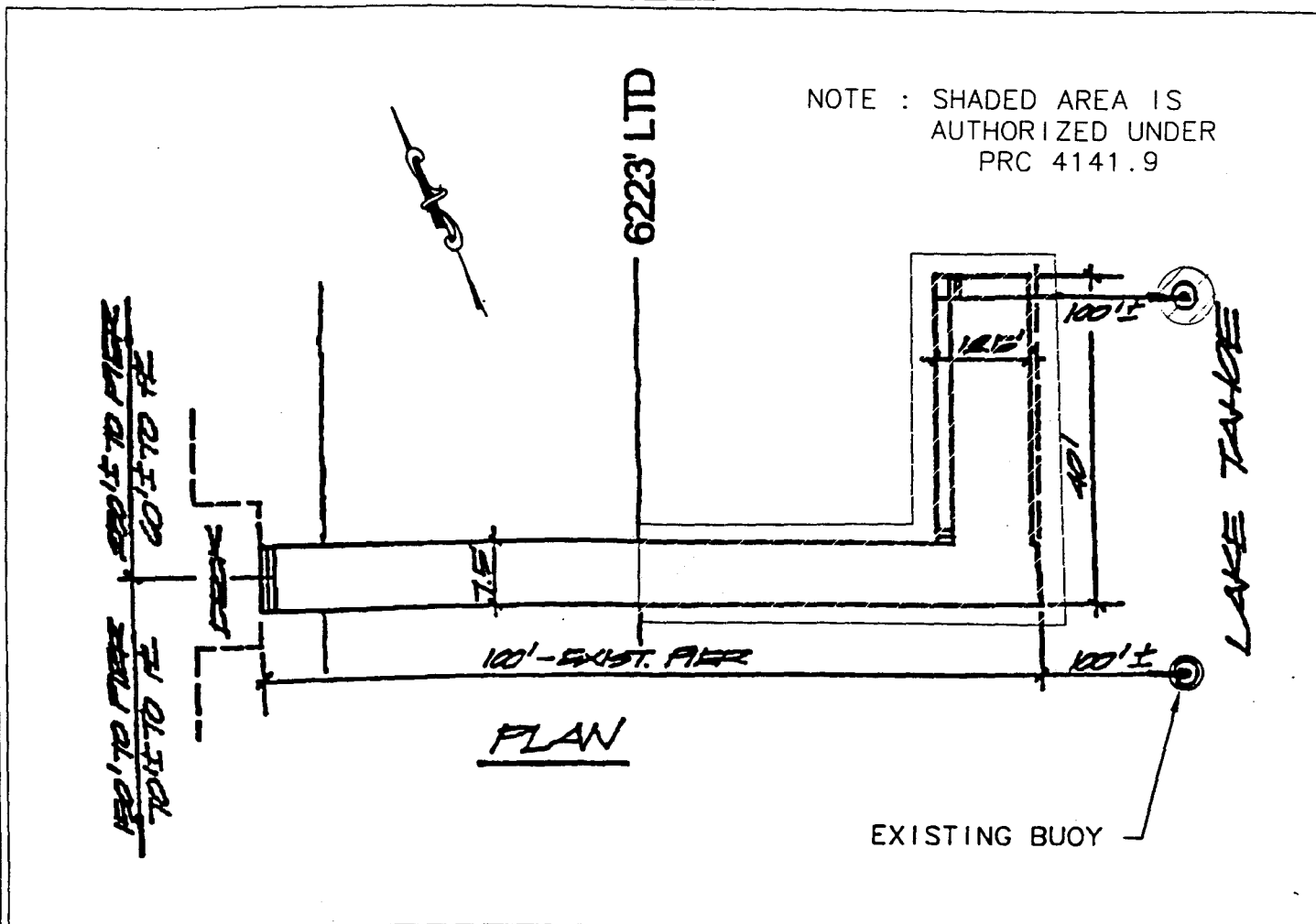
SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

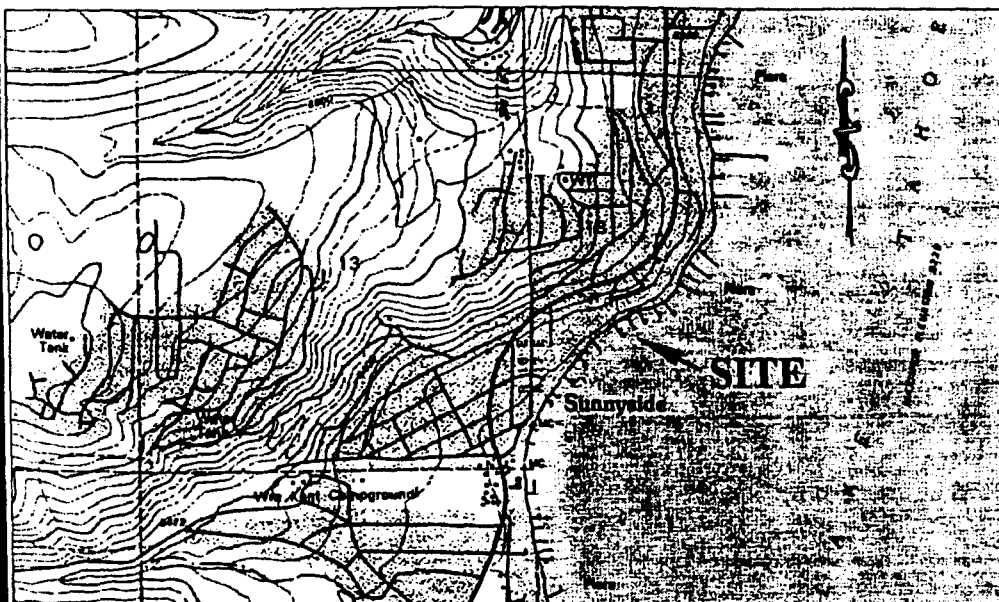
AUTHORIZE ISSUANCE TO ROBERT D. AND JUDITH T. MAY OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING MARCH 1, 2001, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF ONE EXISTING MOORING BUOY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$93, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000.

SITE MAP



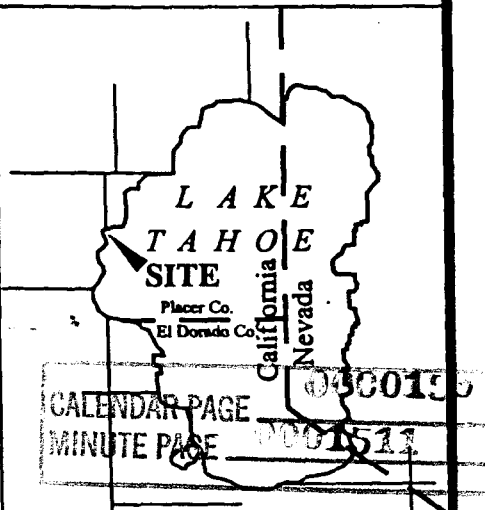
1400 West Lake Blvd.

LOCATION MAP



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by 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.

**Exhibit A
W25716
APN 083-162-027
Lake Tahoe
PLACER COUNTY**



SCL