

MINUTE ITEM

This Calendar Item No. C70 was approved as Minute Item No. 70 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

CALENDAR ITEM
C70

A 4
S 1

06/26/06
PRC 5177.1
B. Terry

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Edward R. Frazer

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, portion of a cabin, boat lift and two mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning June 30, 2005.

CONSIDERATION:

\$50 per year for the lease area that is occupied by a portion of the cabin; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease. No monetary consideration for the pier, boat lift and two mooring buoys pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$1,000,000.

Other:

This lease is conditioned on the Applicant obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys 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.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

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2. On November 7, 1997, the Commission authorized issuance of a ten-year General Lease - Recreational Use to Edward R. Frazer and Lori Frazer. That lease expired on June 29, 2005. The ownership of the upland property has since transferred to Edward R. Frazer, who is now applying for a new lease.
3. The portion of the cabin which is located on the lease premises does not qualify for rent free status under Public Resource Code section 6503.5, because it is not used for the docking and mooring of boats. The existing pier, boat lift and two mooring buoys do qualify for rent free status under the Public Resource Code section 6503.5, because the Applicant is a natural person who has improved the littoral land with, and uses the upland for a single family dwelling.
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 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.
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.

APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency and U. S. Army Corps of Engineers

EXHIBIT:

- A. Site and Location Map

CALENDAR ITEM NO. C70 (CONT'D)

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:

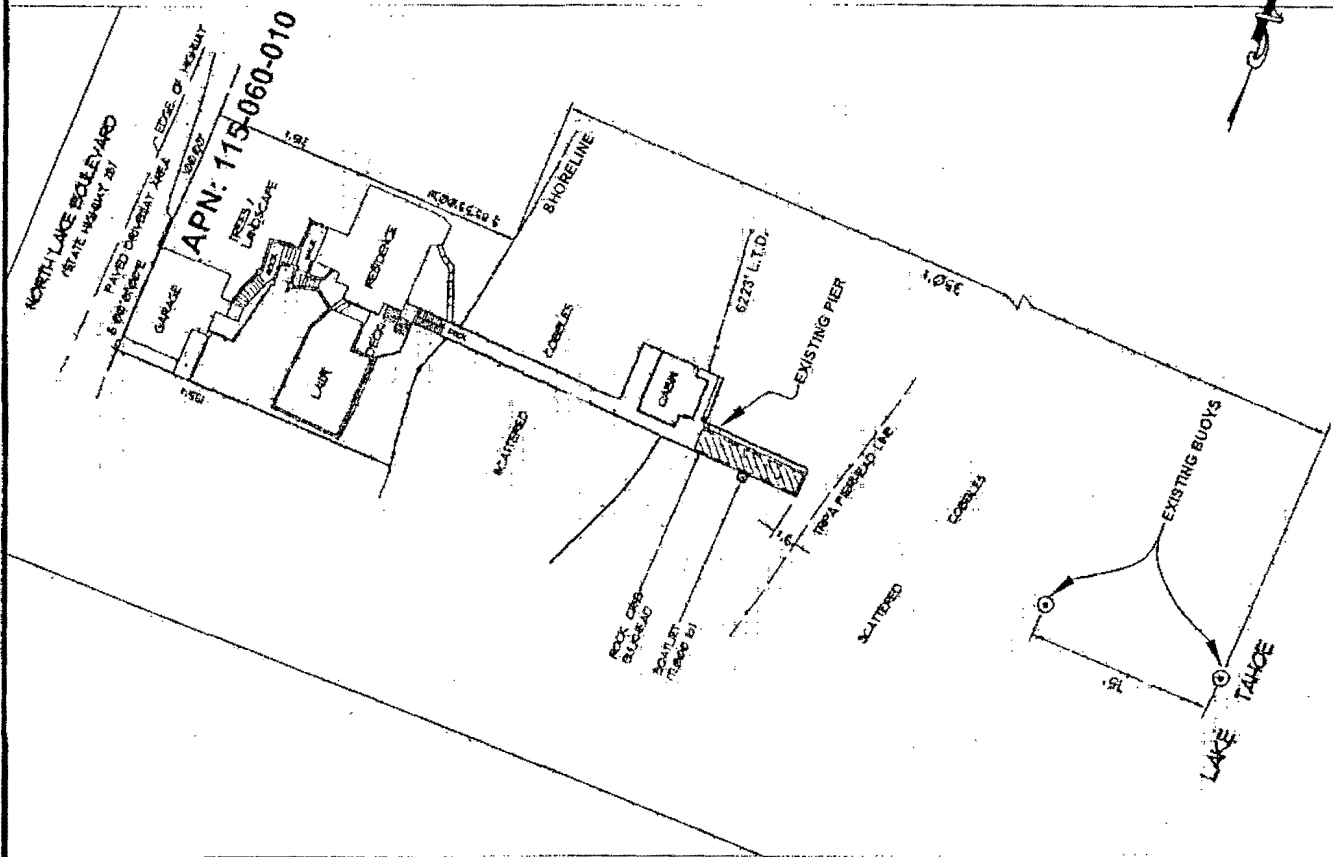
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO EDWARD R. FRAZER OF A TEN-YEAR GENERAL LEASE - RECREATIONAL USE, BEGINNING JUNE 30, 2005, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, PORTION OF A CABIN, BOAT LIFT AND TWO MOORING BUOYS, AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$50 FOR THE CABIN, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5 FOR THE PIER, BOAT LIFT AND TWO MOORING BUOYS; AND LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.

NO SCALE

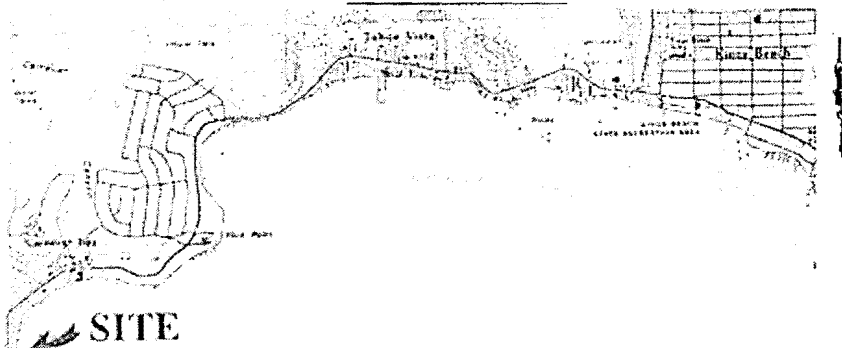
SITE



4796 North Lake Blvd., Carnelian Bay

NO SCALE

LOCATION



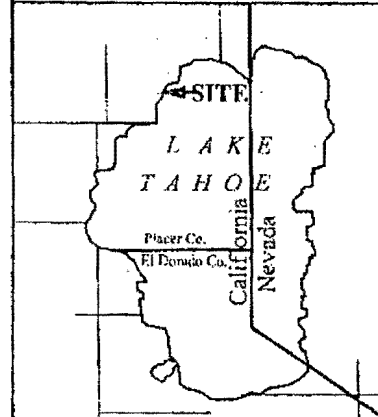
SITE

MAP SOURCE: USGS QUAD

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.

Exhibit A

PRC 5177.1
 FRAZER
 APN:115-060-010
 GENERAL LEASE
 RECREATIONAL USE
 PLACER COUNTY



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