

MINUTE ITEM

This Calendar Item No. C52 was approved as Minute Item No. 52 by the California State Lands Commission by a vote of 3 to 0 at its 11/07/97 meeting.

**CALENDAR ITEM
C52**

A 4
S 1

11/07/97
PRC8003 W 25356
B. Young

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

Gus C. Gianulias and Julie M. Gianulias
7700 College Town Drive, No. 109
Sacramento, California 95826

AREA, LAND TYPE, AND LOCATION:

0.03 Acre, more or less, of sovereign lands in Lake Tahoe, Cedar Flat, Placer County.

AUTHORIZED USE:

Use, maintenance, repair and modification of an existing pier, boat lift, swim float and mooring buoy.

LEASE TERM:

Ten years, beginning October 1, 1997.

CONSIDERATION:

\$93 per year for the swim float, 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 mooring buoy pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

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

Other:

This lease is conditioned on Lessee's obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy 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. **Pier and Boat Lift:** 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) (1).

Buoy: 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).

Swim Float: 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) (4).

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 and Swim Float)

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

FURTHER APPROVALS REQUIRED: (Pier)

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

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CALENDAR ITEM NO. C52 (CONT'D)

EXHIBIT:

A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

January 16, 1998

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER AND BOAT LIFT: 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) (1).

BUOY: 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).

SWIM FLOAT: 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) (4).

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.

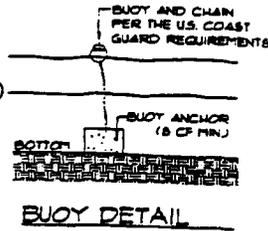
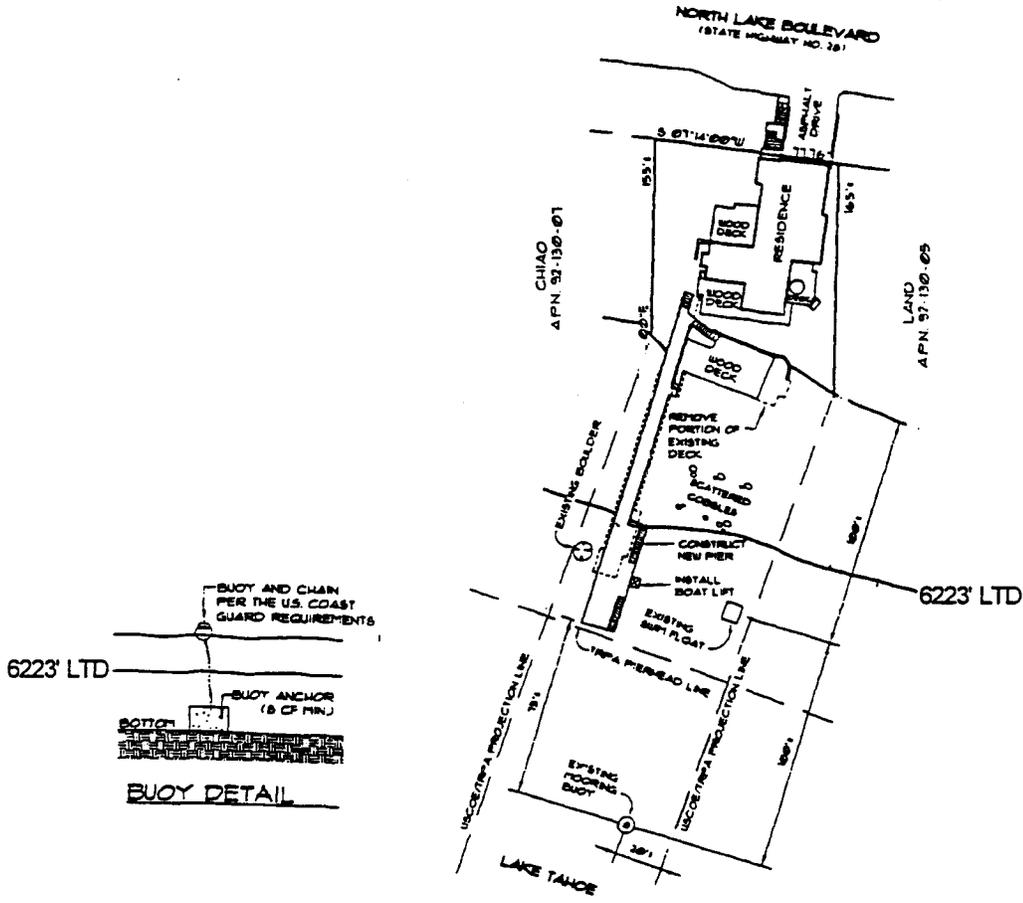
CALENDAR ITEM NO. **C52** (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO GUS C. GIANULIAS AND JULIE M. GIANULIAS OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING OCTOBER 1, 1997, FOR A TERM OF TEN YEARS, FOR THE USE, MAINTENANCE, REPAIR AND MODIFICATION OF AN EXISTING PIER, BOAT LIFT, SWIM FLOAT AND BUOY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION OF \$93 PER YEAR FOR THE SWIM FLOAT, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED BY THE LEASE. NO MONETARY CONSIDERATION FOR THE PIER, BOAT LIFT AND MOORING BUOY PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.

NO SCALE

SITE MAP



3880 North Lake Blvd

NO SCALE

LOCATION MAP

Lake Tahoe

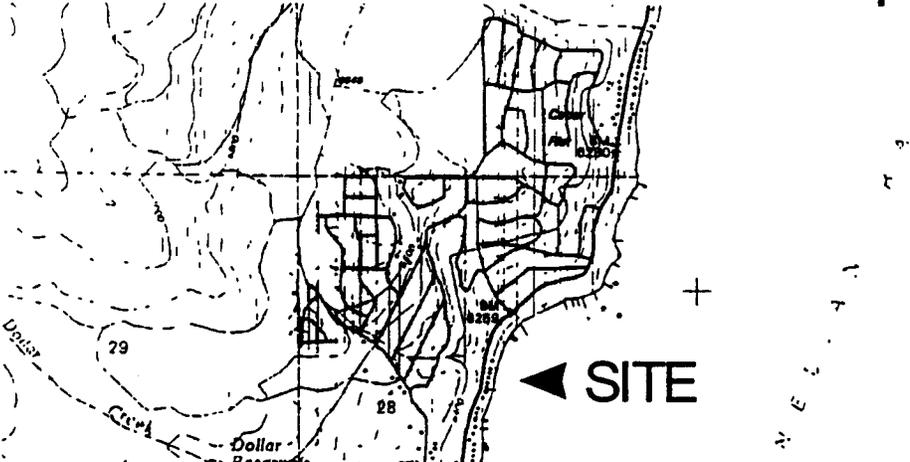
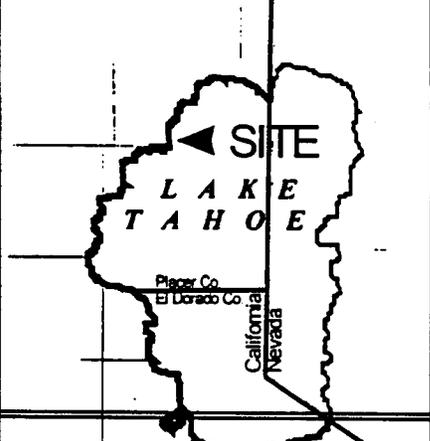


Exhibit A
 W25356
 APN 092-130-06
 Lake Tahoe
 PLACER COUNTY
 Sheet 1 of 2



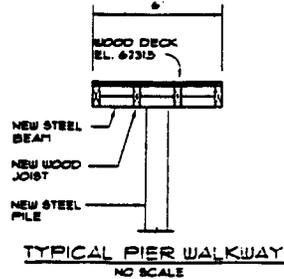
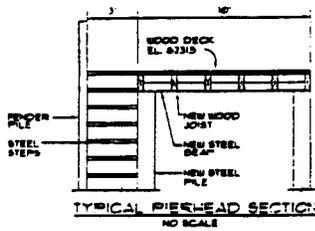
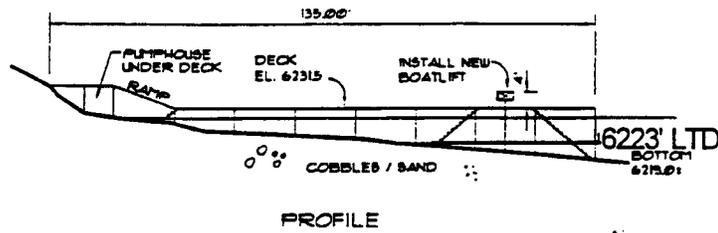
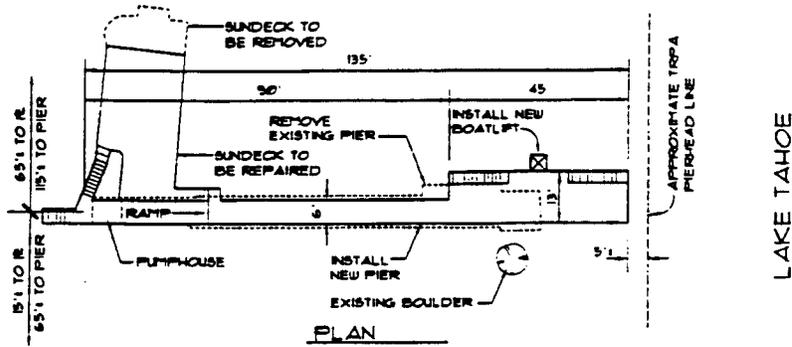
This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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NO SCALE

SITE MAP



3880 North Lake Blvd

NO SCALE

LOCATION MAP

Lake Tahoe

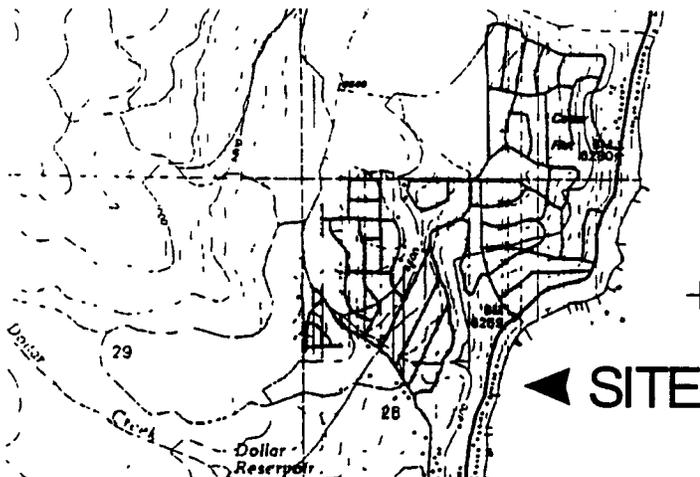


Exhibit A
W25356
APN 092-130-06
Lake Tahoe
PLACER COUNTY
Sheet 2 of 2



This Exhibit is solely for purposes of generally defining the lease premises, 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.

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