

**MINUTE ITEM**

This Calendar Item No. C09 was approved as Minute Item No. 09 by the California State Lands Commission by a vote of 3 to 0 at its 12-16-98 meeting.

**CALENDAR ITEM**

**C09**

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12/16/98  
PRC 4204.1  
G. Cooper

**GENERAL LEASE - RECREATIONAL USE**

**APPLICANTS:**

Carl D. Arnold Jr. and Barbara P. Arnold as Trustees of the Arnold Family Trust U/A Dated June 1, 1989  
775 Baywood Drive, Suite 215  
Petaluma, California 94954

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

0.09 acres, more or less, of sovereign lands in Lake Tahoe, near Kings Beach, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of a pier, two (2) boat lifts, and two (2) mooring buoys, as shown on the attached Exhibit A.

**LEASE TERM:**

Ten years, beginning April 1, 1998.

**CONSIDERATION:**

\$1,115 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:**

Liability insurance with coverage of no less than \$500,000.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the uplands adjoining the lease premises.
2. Applicant does not qualify for a "rent-free" lease as defined in Section 6503.5 of the Public Resources Code since the land owned by the applicant, littoral to the State-owned land, has not been improved with a single-family dwelling.
3. **PIER/BOAT LIFTS:** Pursuant to the Commission's delegation of authority

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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.

**BUOYS:** 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.

**APPROVALS OBTAINED:**

Tahoe Regional Planning Agency  
United States Army Corps of Engineers

**EXHIBIT:**

A. Site and Location Map

**PERMIT STREAMLINING ACT DEADLINE:**

N/A

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

**PIER/BOAT LIFTS:** 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

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

**BUOYS:** 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 CARL D. ARNOLD, JR. AND BARBARA P. ARNOLD AS TRUSTEES OF THE ARNOLD FAMILY TRUST U/A DATED JUNE 1, 1989, OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING APRIL 1, 1998, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF A PIER, TWO (2) BOAT LIFTS, AND TWO (2) MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A, ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: ANNUAL RENT IN THE AMOUNT OF \$1,115, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$500,000.

