MINUTE ITEM
This Calendar Item No. C103 was approved as Minute Item No. 103 by the California State Lands Commission by a vote of 3 to 0 at its 12/16/98 meeting.

CALENDAR ITEM
C103

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12/16/98
PRC 3401.1
B. Young

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Barbie J. Barrett, M.D., Inc., Money Purchase Pension Plan and Trust Agreement
600 Eucalyptus Avenue
Hillsborough, California 94010

AREA, LAND TYPE, AND LOCATION:

0.07 acres, more or less, of sovereign lands in Lake Tahoe, near Cedar Flat, Placer County.

AUTHORIZED USE:

Continued use, maintenance, modification and minor extension of an existing pier, boat lift, and retention of one existing mooring buoy, as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning January 30, 1998.

CONSIDERATION:

$481 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 with coverage of no less than $500,000.

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 buoy by the Commission.

OTHER PERTINENT INFORMATION:

1. **PIER/BOAT LIFT RECONSTRUCTION:** 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 2, Replacement or Reconstruction; Title 14, California Code of Regulations, section 15302.

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

   MINOR PIER EXTENSION: 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 14, California Code of Regulations, section 15301 (e).

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

   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).

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

2. 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 OBTAINED:

PIER/BOAT LIFT: Tahoe Regional Planning Agency and California Department of Fish and Game

FURTHER APPROVALS REQUIRED:

PIER/BOAT LIFT: United States Army Corps of Engineers
BUOY: Tahoe Regional Planning Agency

EXHIBIT:

A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

December 24, 1998

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER/BOAT LIFT RECONSTRUCTION: 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 2, REPAIR OR RECONSTRUCTION; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15302.

MINOR PIER EXTENSION: 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 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15301 (e).

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).

SIGNIFICANT LANDS INVENTORY FINDING:

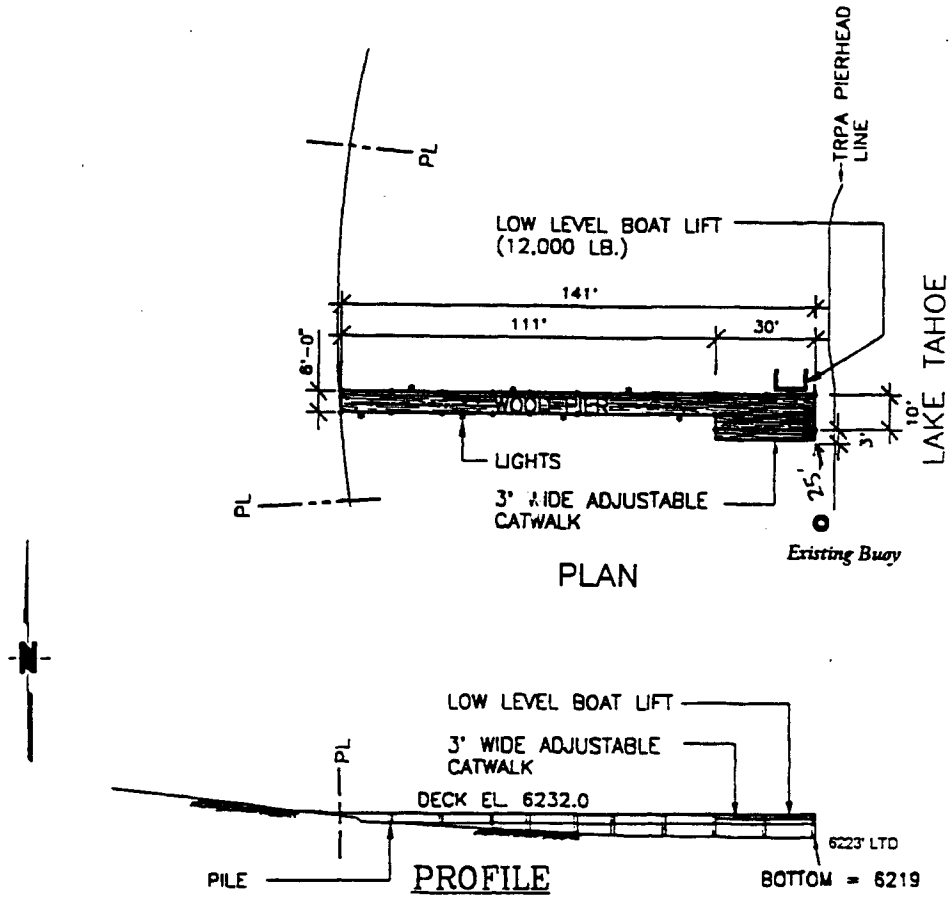
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO BARBIE J. BARRETT, M.D., INC., MONEY PURCHASE PENSION PLAN AND TRUST AGREEMENT OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING JANUARY 30, 1998, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE MAINTENANCE, MODIFICATION AND MINOR EXTENSION OF A PIER, BOAT LIFT, AND RETENTION OF ONE EXISTING MOORING BUOY ON THE LAND SHOWN ON EXHIBIT A, ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: ANNUAL RENT IN THE AMOUNT OF $481, 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.

NO SCALE

SITE MAP



3920 N. Lake Blvd.

NO SCALE

LOCATION MAP

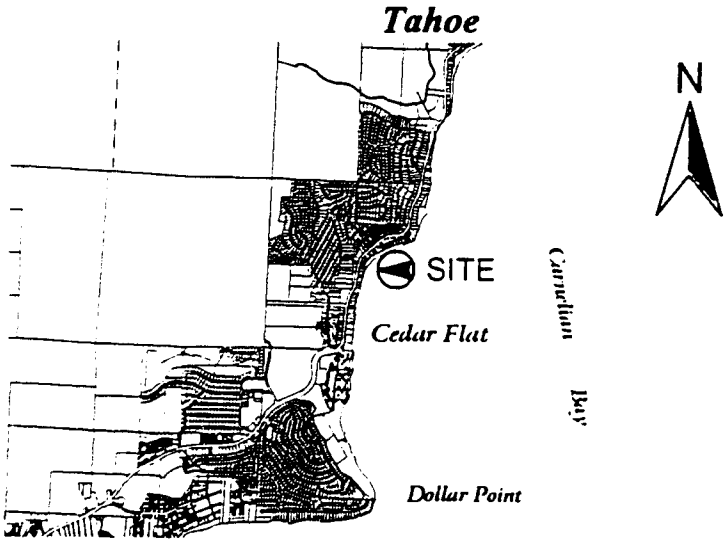
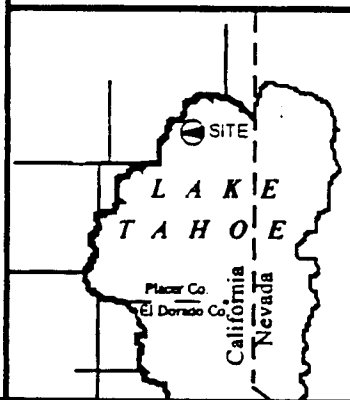


Exhibit A
PRC 3401.1
APN 92-140-001
Lake Tahoe
PLACER COUNTY



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.