

MINUTE ITEM

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12/03/99

W 25571

D. Jones

**TIMOTHY P. ALPERS AND PAMELA J. ALPERS
(APPLICANTS):**

PULLED PRIOR TO COMMISSION MEETING

Item attached

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GENERAL LEASE - RIGHT OF WAY USE

LESSEES:

Timothy P. Alpers and Pamela J. Alpers
P.O. Box 263
Lee Vining, California 93541

AREA, LAND TYPE, AND LOCATION:

0.03 acres, more or less, of sovereign lands in Mono Lake, near the town of Lee Vining, Mono County.

AUTHORIZED USE:

The continued use and maintenance of an existing residential leach field system.

LEASE TERM:

49 years, beginning September 1, 1999.

CONSIDERATION:

\$200 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. The Commission has leased to the California Department of Parks and Recreation (Lease No. PRC 6537.9) all of the State-owned sovereign lands at Mono Lake below the elevation of 6417 feet above sea level. The Department has no objection to this lease.
3. 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

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Class 3, New Construction of Small Structures; Title 14, California Code of Regulations, section 15303.

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

4. 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:

County of Mono, California Department of Health Services

EXHIBITS:

- A. Site Map
- B. Location Map

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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15303.

SIGNIFICANT LANDS INVENTORY FINDING:

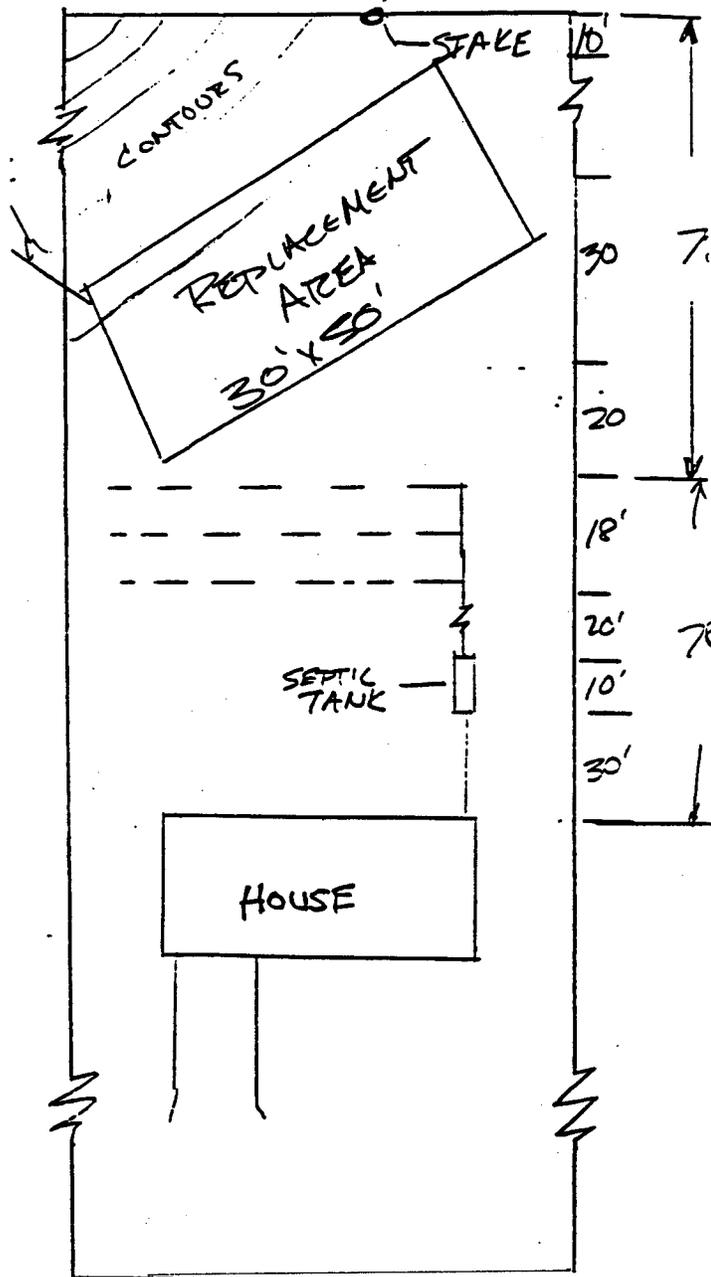
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

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AUTHORIZATION:

AUTHORIZE ISSUANCE TO TIMOTHY P. ALPERS AND PAMELA J. ALPERS OF A GENERAL LEASE – RIGHT OF WAY USE, BEGINNING SEPTEMBER 1, 1999, FOR A TERM OF 49 YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING RESIDENTIAL LEACH FIELD SYSTEM ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING \$200 PER YEAR; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE.

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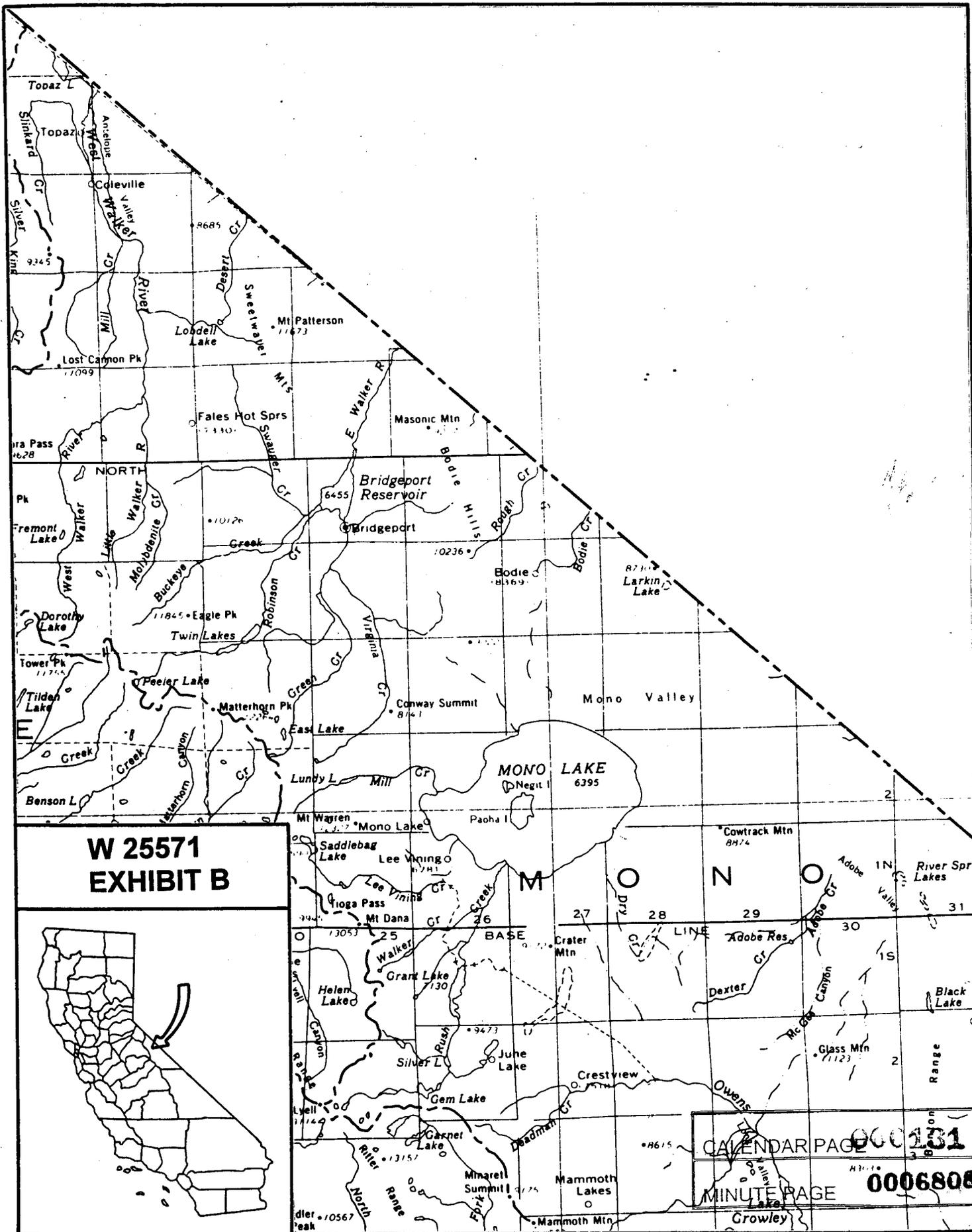
This exhibit is solely for purposes of generally defining the area to be leased, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

Exhibit A 130

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EXHIBIT B**



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