

MINUTE ITEM

This Calendar Item No. C30 was approved as Minute Item No. 30 by the California State Lands Commission by a vote of 3 to 0 at its 12-3-99 meeting.

**CALENDAR ITEM
C30**

A 4
S 1

12/03/99
PRC 8131.1 W 20781
J. Ludlow

GENERAL LEASE - RECREATIONAL USE

LESSEE:

Otis Russell Johnson, III, Forrest Lowell Jones, and Daniel George Volkmann, III, as Co-Trustees U/T/A DTD. December 20, 1984 and Virginia Volkmann Bosche, Trustee of the Virginia Volkmann Bosche Qualified Personal Residence Trust Dated October 30, 1995
143 Calvert Court
Oakland, CA 94611-3437

AREA, LAND TYPE, AND LOCATION:

0.135 acres, more or less, of sovereign lands in Lake Tahoe, near Brockway, Placer County.

AUTHORIZED USE:

Authorization for continued use of an existing joint use recreational pier, boathouse, two boat hoists, and retention of two existing mooring buoys, as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning October 1, 1999.

CONSIDERATION:

\$453 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:

Combine single limit coverage of \$500,000.

Other:

This lease is conditioned on Lessee's obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years from the effective date of the authorization of the buoys by the Commission.

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CALENDAR ITEM NO. C30 (CONT'D)

OTHER PERTINENT INFORMATION:

1. **Pier and Boathouse:** 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)(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.

2. **Boat hoists:** 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 14, California Code of Regulations, section 15303(e).

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

3. **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.

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.

CALENDAR ITEM NO. **C30** (CONT'D)

FURTHER APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency.

EXHIBIT:

A. Location and site map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER AND BOATHOUSE: 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)(2).

BOAT HOISTS: 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(e).

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.

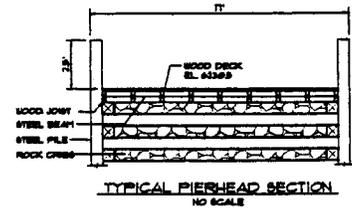
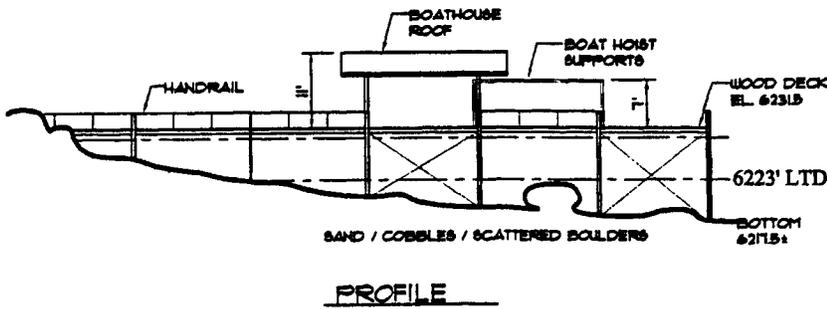
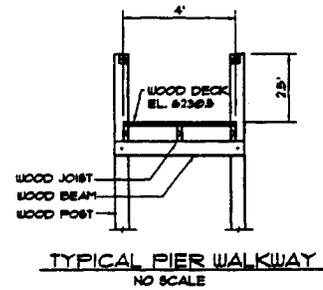
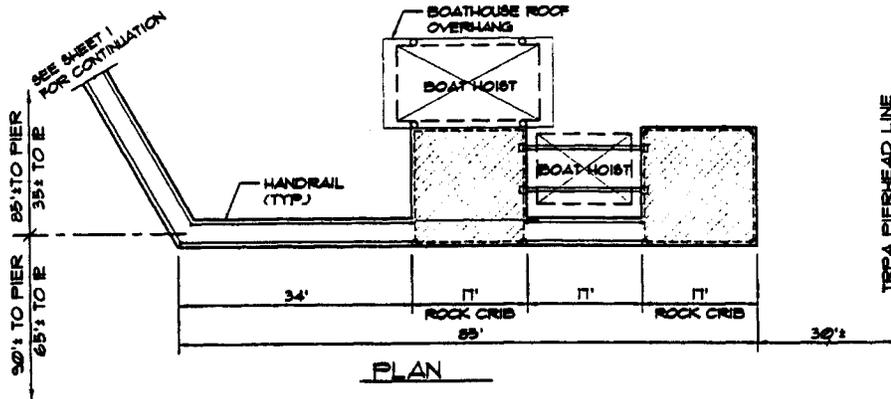
CALENDAR ITEM NO. **C30** (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO OTIS RUSSELL JOHNSON, III, FORREST LOWELL JONES, AND DANIEL GEORGE VOLKMANN, III, AS CO-TRUSTEES U/T/A DTD. DECEMBER 20, 1984, AND VIRGINIA VOLKMANN BOSCHE, TRUSTEE OF THE VIRGINIA VOLKMANN BOSCHE QUALIFIED PERSONAL RESIDENCE TRUST DATED OCTOBER 30, 1995, OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING OCTOBER 1, 1999, FOR A TERM OF TEN YEARS, FOR CONTINUED USE OF AN EXISTING JOINT USE RECREATIONAL PIER, BOATHOUSE, TWO BOAT HOISTS, AND RETENTION OF TWO EXISTING MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$453; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000.

NO SCALE

SITE MAP



9756 Pilot Circle & 9849 Lake Street, Brockway

NO SCALE

LOCATION MAP

Lake Tahoe

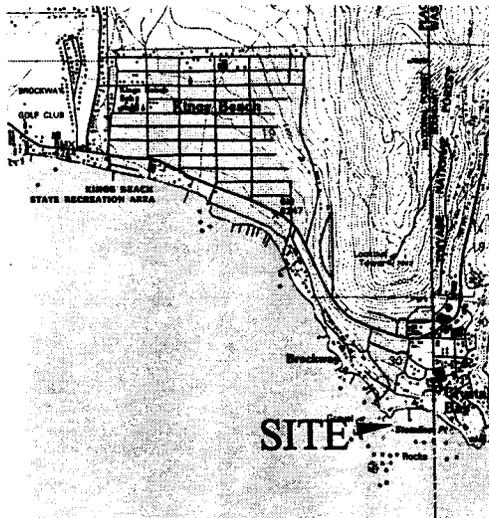
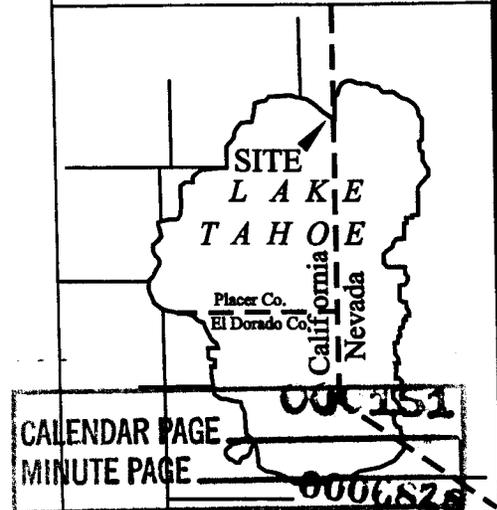


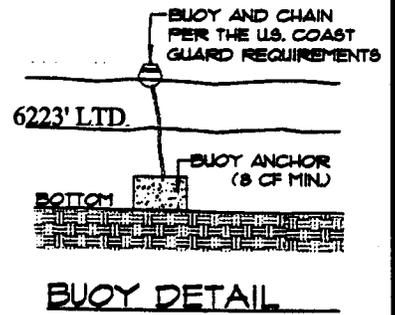
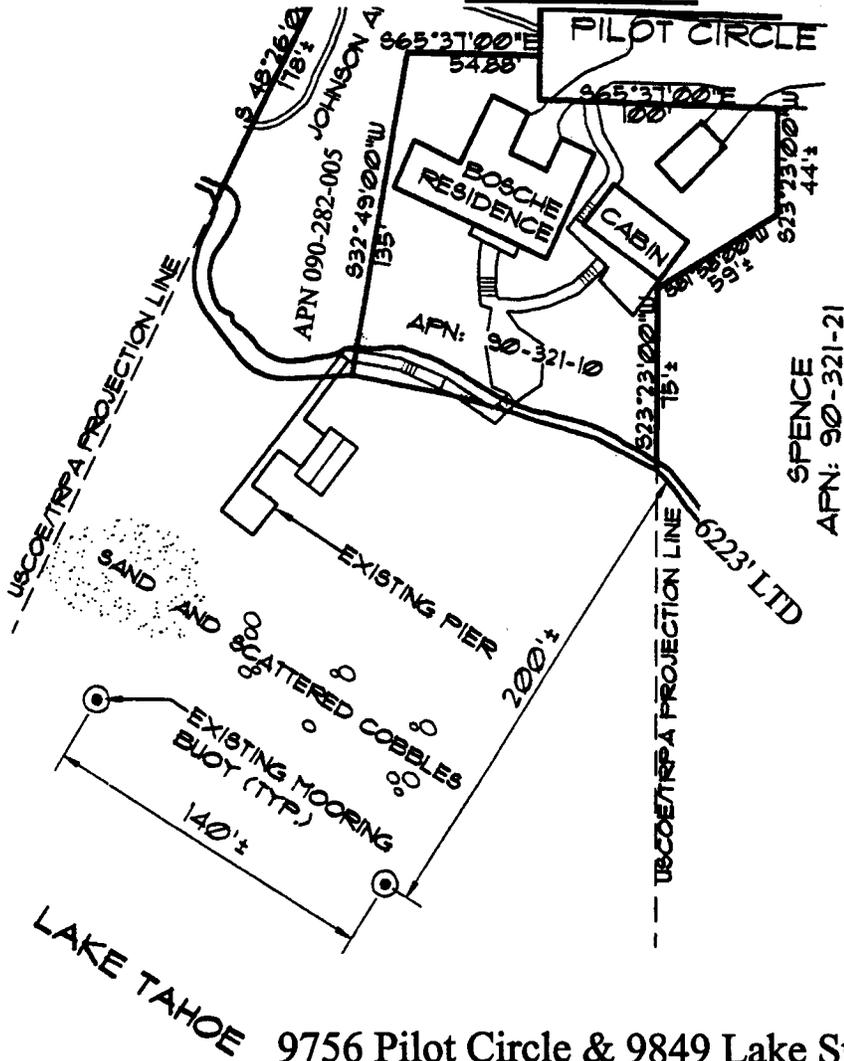
Exhibit A
W 20781
APN 090-321-010,
APN 090-282-005
Lake Tahoe
PLACER COUNTY
Sheet 1 of 2



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 of limitation of any state interest in the subject or any other property.

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SITE MAP



9756 Pilot Circle & 9849 Lake Street, Brockway

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Lake Tahoe

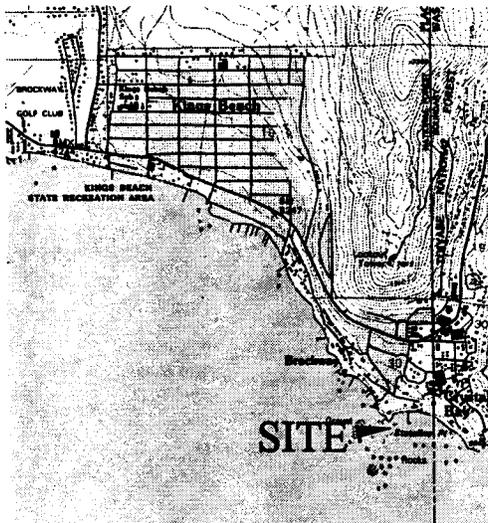
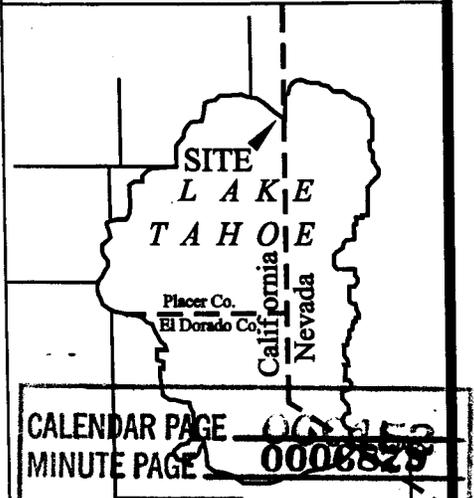


Exhibit A
 W 20781
 APN 090-321-010,
 APN 090-282-005
 Lake Tahoe
 PLACER COUNTY
 Sheet 2 of 2



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