MINUTE ITEM
This Calendar Item No. C53 was approved as Minute Item No. 53 by the California State Lands Commission by a vote of 3 to Ø at its 4-24-01 meeting.

CALENDAR ITEM
C53

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PRC 4177

04/24/01
WP 4177
N. Lee

TERMINATION OF GENERAL PERMIT - RECREATIONAL USE AND ISSUANCE OF GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

Bruce W. Olson and Molly J. Olson
P.O. Box 1518
Tahoe City, CA 96145

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing pier and retention of two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning January 1, 2001.

CONSIDERATION:

$485 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: Combined single limit coverage of $500,000.

Other:

This lease is conditioned on Lessee obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

OTHER PERTINENT INFORMATION:

1. On August 10, 1988, the Commission authorized a General Permit - Recreational Use with Paul D. Stanley, Marolyn J. Stanley, Robert M. Hoffman, Joanne Hoffman, H.P. Parks and L.M. Parks. On September 9, 1993, the Commission authorized an assignment of the permit to Bruce W. Olson and Molly J. Olson. That permit will expire on December 31, 2003. Applicants do not qualify for a rent-free Recreational Pier Lease because their land is considered non-littoral and, therefore, does not meet the qualifications pursuant to Public Resources Code section 6503.5. Bruce W. Olson and Molly J. Olson are now applying for a new General Lease - Recreational Use. This Calendar Item will terminate a General Permit - Recreational Use for a pier and issue a new General Lease - Recreational Use to Bruce W. Olson and Molly J. Olson for a pier and the retention of two existing mooring buoys.

2. **Termination of existing permit:** 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 because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines.

   Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

3. **Issuance of new lease (pier):** 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 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.

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.

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:

TERMINATION OF EXISTING LEASE: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

ISSUANCE OF NEW LEASE (PIER): 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 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.

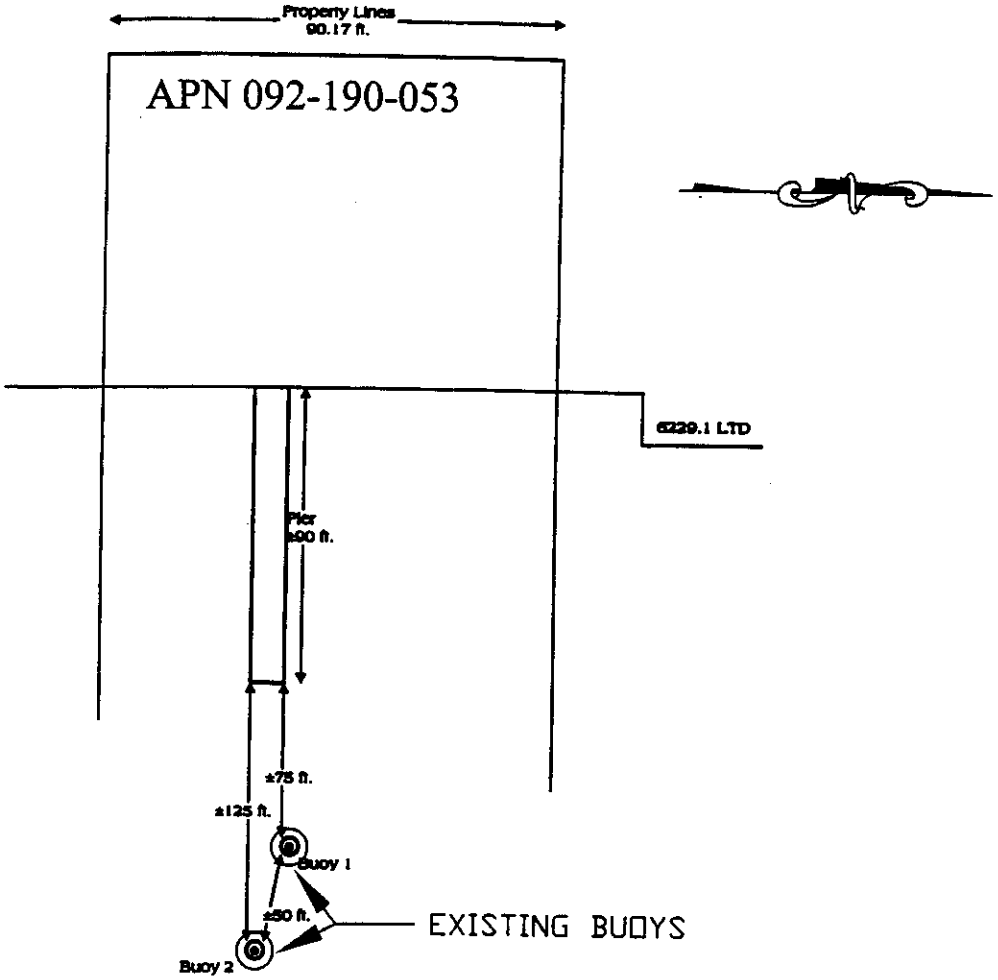
AUTHORIZATION:

AUTHORIZE TERMINATION OF GENERAL PERMIT - RECREATIONAL USE NO. PRC 4177.1, EFFECTIVE JANUARY 1, 1989, ISSUED TO BRUCE W. OLSON AND MOLLY J. OLSON, AND APPROVED BY THE COMMISSION ON AUGUST 10, 1988.

AUTHORIZE ISSUANCE TO BRUCE W. OLSON AND MOLLY J. OLSON OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING JANUARY 1, 2001, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF A PIER AND THE 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 $485, 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



4246 NORTH LAKE BLVD.

NO SCALE

LOCATION MAP

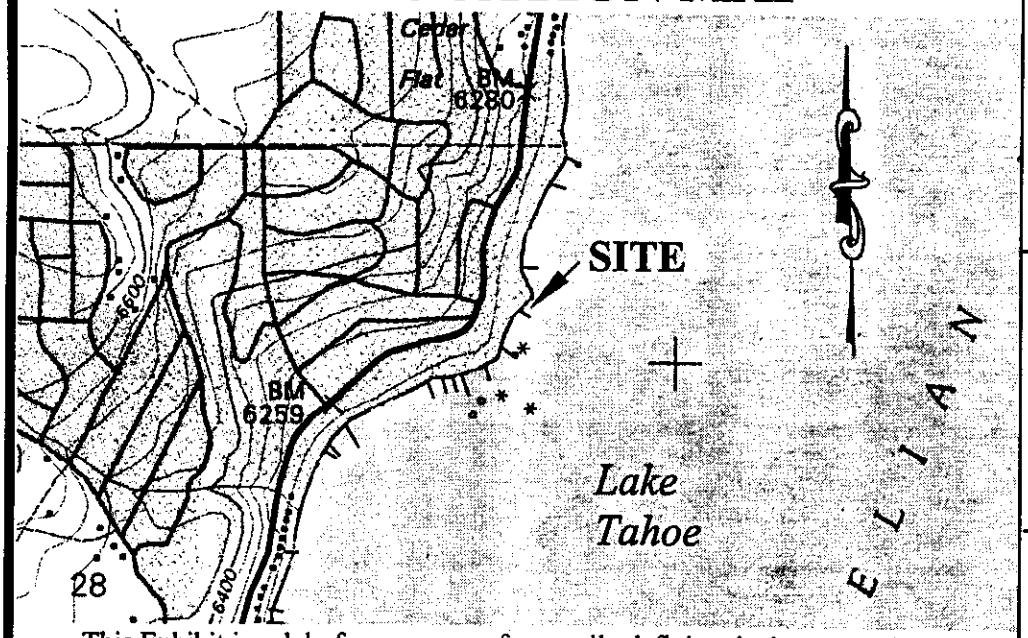
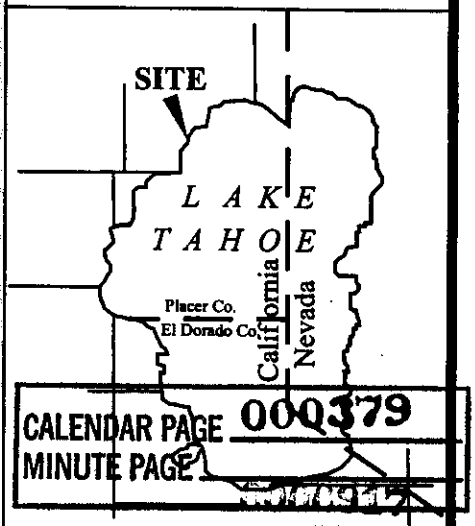


Exhibit A
WP4177
APN 092-190-053
Lake Tahoe
PLACER COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, *is based on unverified information provided by Lessee or other parties,* 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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