

MINUTE ITEM

This Calendar Item No. C58 was approved as Minute Item No. 58 by the California State Lands Commission by a vote of 3 to 0 at its 4-24-01 meeting.

**CALENDAR ITEM
C58**

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S 1

04/24/01
PRC 6609 WP 6609
N. Lee

ISSUANCE OF GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Lindsey Family Enterprises, LP,
A California Limited Partnership
P.O. Box 134
Tahoe City, CA 96145

AREA, LAND TYPE, AND LOCATION:

0.089 acres, more or less, of sovereign lands in Lake Tahoe, near Agate Bay, Placer County.

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning April 1, 2001.

CONSIDERATION:

\$482 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.

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OTHER PERTINENT INFORMATION:

1. The Commission had previously authorized a Recreational Pier Lease with Laurence L. Lindsey, Jr. and Rosemary R. Lindsey. The littoral land was subsequently deeded to Lindsey Family Enterprises, LP, A California Limited Partnership. Applicant does not qualify for a rent-free Recreational Pier Lease because the applicant is not a natural person and, therefore, does not meet the qualifications pursuant to Public Resources Code section 6503.5. Lindsey Family Enterprises, LP, A California Limited Partnership is now applying for a new General Lease - Recreational Use.

2. **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.

Mooring Piles: 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 it involves an "ongoing project" as defined by the CEQA and the State CEQA Guidelines.

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Authority: Public Resources Code section 21169 and Title 14, California Code of Regulations, section 15261.

3. 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:

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).

MOORING PILES: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 PUBLIC RESOURCES CODE SECTION 21169 AND TITLE 14, CALIFORNIA

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CODE OF REGULATIONS, SECTION 15261, AN ACTIVITY INVOLVING AN ONGOING PROJECT.

SIGNIFICANT LANDS INVENTORY FINDING:

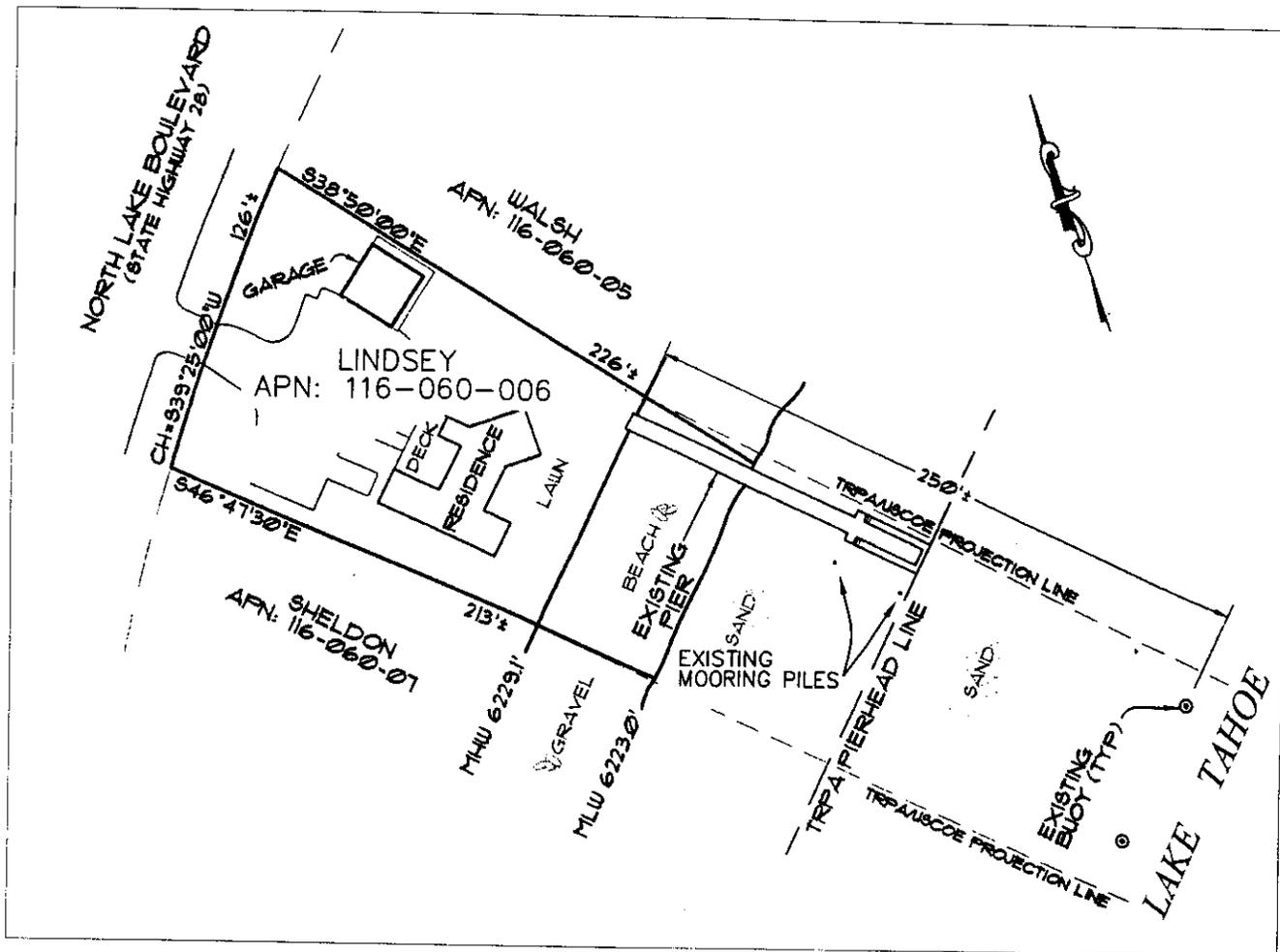
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO LINDSEY FAMILY ENTERPRISES, LP, A CALIFORNIA LIMITED PARTNERSHIP OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING APRIL 1, 2001, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF A PIER AND THE RETENTION OF TWO EXISTING MOORING PILES AND 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 \$482, 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



5850 N. Lake Boulevard, Carnelian Bay, Lake Tahoe

NO SCALE

LOCATION MAP

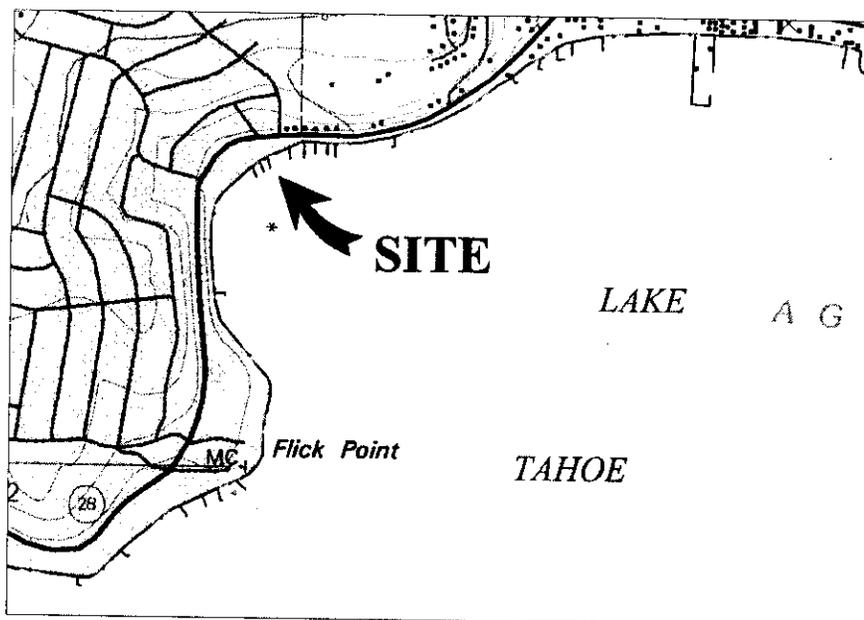
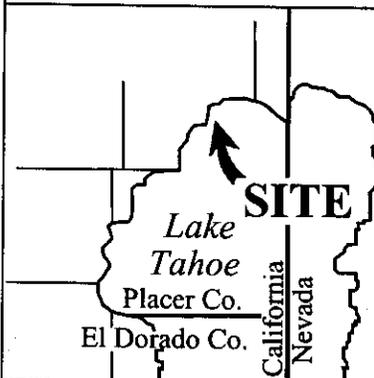


EXHIBIT A

WP 6609
 APN 116-060-006
 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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