MINUTE ITEM
This Calendar Item No. C05 was approved as Minute Item No. 05 by the California State Lands Commission by a vote of 3 to 0 at its 12-16-02 meeting.

CALENDAR ITEM
C05

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PRC6190

12/16/02
WP 6190.9
M. Hays

TERMINATION AND ISSUANCE OF A GENERAL LEASE - PUBLIC AGENCY USE

APPLICANTS:

The Regents of the University of California at Davis
Attn: Rhonda Howard
Office of Admininstration
University of California at Davis
One Shields Avenue
Davis, CA 95616

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Placer and El Dorado Counties

AUTHORIZED USE:

Relocation and retention of five existing scientific research buoys

LEASE TERM:

Ten years, beginning December 1, 2002

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. On October 28, 1996, the Commission authorized a ten-year General Lease-Public Agency Use to the Regents of the University of California, Davis Campus, for three research buoys. On June 19, 1998, the Commission authorized an amendment to the lease for the installation of an additional research buoy. Lessee is now applying for the relocation and retention of the four existing research buoys and the retention of one additional research buoy, not previously authorized. Staff is

recommending termination of the existing lease and approval of a new lease.

2. The five scientific research buoy facilities are operated and maintained by the Tahoe Research Group and Civil and Environmental Engineering Department of the University of California at Davis for the collection of scientific data related to atmospheric contributions, weather and temperature data. The research data is designed to document long-term changes at Lake Tahoe caused by natural events and the influences of man and provide information for restoration and protection. The data collected and observed is also used by other state and federal agencies, university and research groups, and the general boating public.

3. **Termination of existing lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15060(c)(3)), 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.

   Issuance of new lease: 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 6, Information Collection; Title 2, California Code of Regulations, section 2905 (e)(5).

   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.

APPROVALS OBTAINED:
Tahoe Regional Planning Agency

FURTHER APPROVALS REQUIRED:
United States Army Corps of Engineers
United States Coast Guard

EXHIBIT:
A. Location and Site Map

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

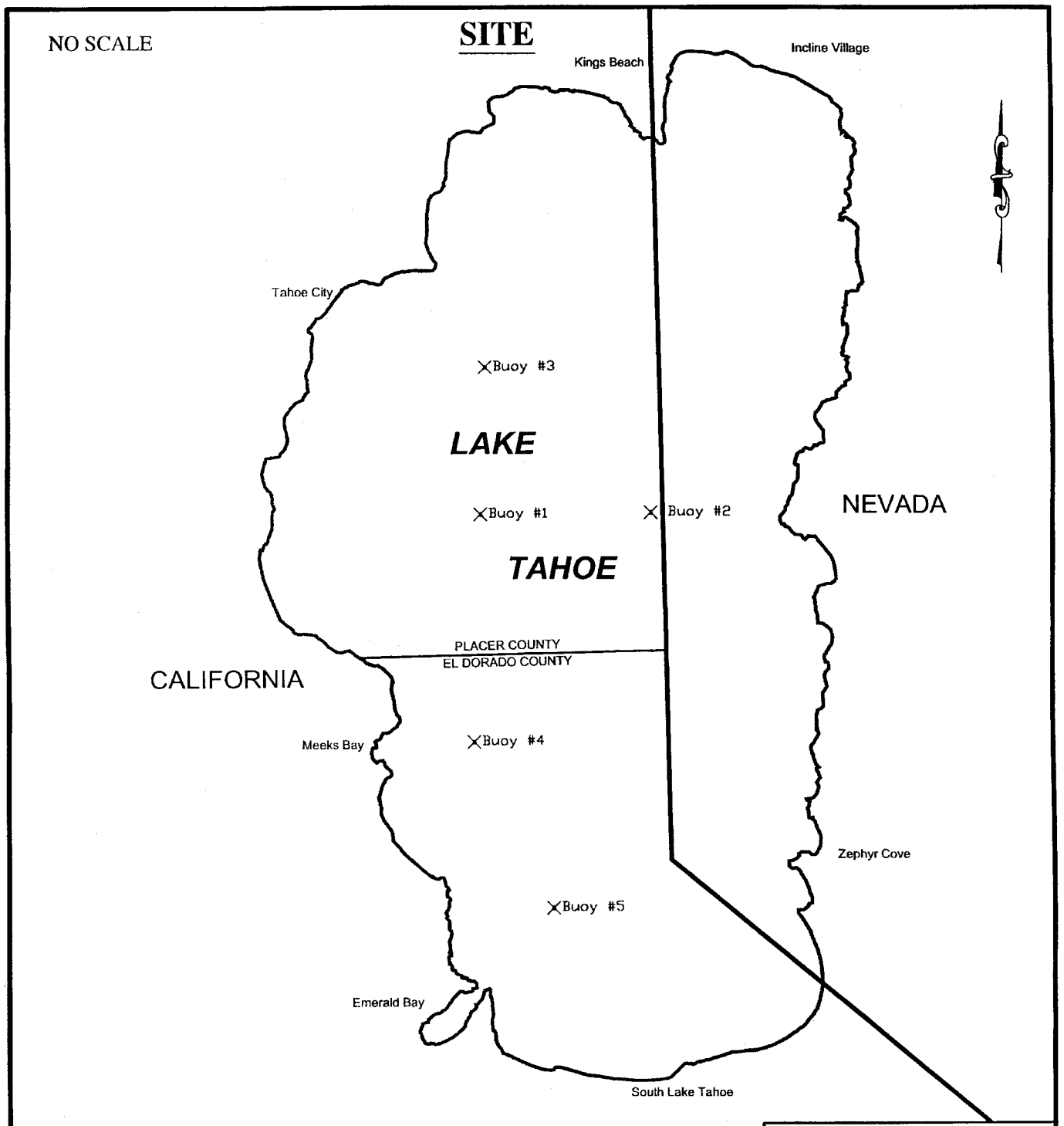
TERMINATION OF EXISTING LEASE: FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

NEW LEASE: 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 6, INFORMATION COLLECTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (e)(5).

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 THE TERMINATION OF GENERAL LEASE-PUBLIC AGENCY USE NO. PRC 6190.9 AUTHORIZED OCTOBER 28, 1996 AND AMENDED ON JUNE 19, 1998.

AUTHORIZE ISSUANCE TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA AT DAVIS, OF A GENERAL LEASE – PUBLIC AGENCY USE, BEGINNING DECEMBER 1, 2002, FOR A TERM OF TEN YEARS, FOR THE RECLOCATION AND RETENTION OF FIVE EXISTING RESEARCH BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATES BEST INTEREST.



UNIVERSITY OF CALIFORNIA AT DAVIS,
TAHOE RESEARCH GROUP,
SCIENTIFIC RESEARCH BUOYS

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the 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.

Exhibit A

WP 6190.9
GENERAL LEASE
PUBLIC AGENCY USE
LAKE TAHOE
PLACER/EL DORADO
COUNTY

JAK 11/02