MINUTE ITEM

This Calendar Item No. C32 was approved as Minute Item No. 32 by the California State Lands Commission by a vote of 3 to 0 at its 2/2/04 meeting.

CALENDAR ITEM
C32

A 4

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02/02/04
PRC 3401 WP 3401.9
B. Young

TERMINATION OF GENERAL LEASE - RECREATIONAL USE AND ISSUANCE OF NEW RECREATIONAL PIER LEASE

LESSEE:
Barbie J. Barrett, M.D., INC., Money Purchase Pension Plan and Trust Agreement

APPLICANT:
Stuart Corvin

AREA, LAND TYPE, AND LOCATION:
Sovereign lands in Lake Tahoe, Carnelian Bay, Placer County.

AUTHORIZED USE:
Continued use and maintenance of an existing pier, boat lift and one mooring buoy as shown on the attached Exhibit A.

LEASE TERM:
Ten years, beginning January 1, 2004.

CONSIDERATION:
No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than $300,000.

Other:

This lease is conditioned on Applicant's obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy 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 December 16, 1998, the Commission authorized a General Lease - Recreational Use to Barbie J. Barrett, M.D., INC., Money Purchase Pension Plan and Trust Agreement, the Lessee, for an existing pier, boat lift and one mooring buoy. That lease will expire on January 29, 2008. A change of ownership occurred between the Lessee and Stuart Corvin, the Applicant, who is now applying for a new Recreational Pier Lease.

2. **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 not subject to the provisions of the CEQA because it 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, sections 15060 (c)(3) and 15378.

3. **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 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.

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.

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 NOT SUBJECT TO THE PROVISIONS OF THE CEQA BECAUSE IT IS NOT A "PROJECT" AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15060 (c)(3) AND 15378.

ISSUANCE OF 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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

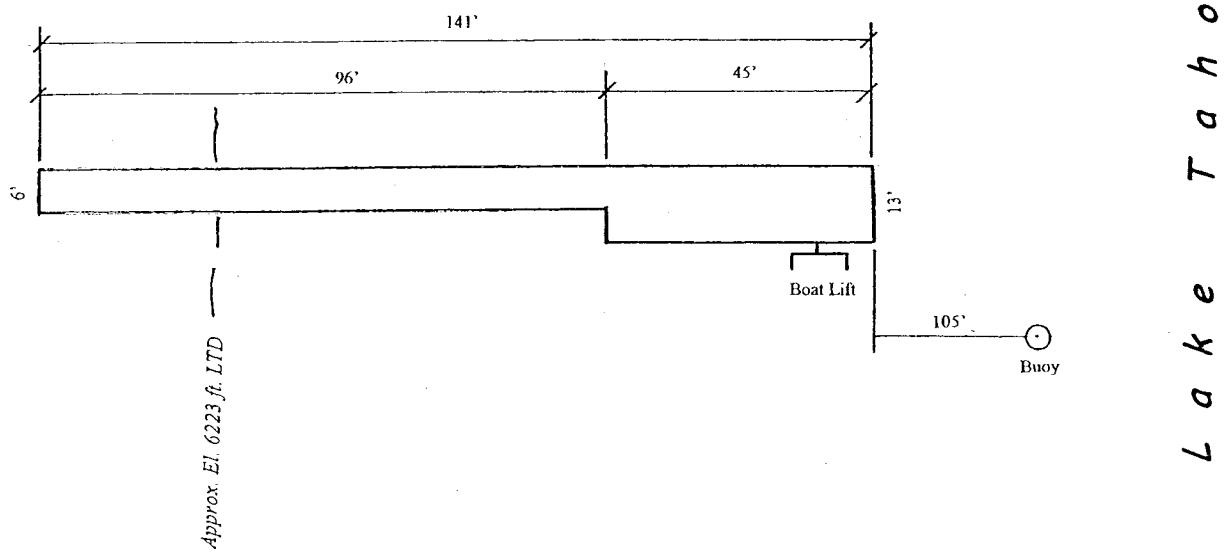
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE TERMINATION OF GENERAL LEASE - RECREATIONAL USE ISSUED TO BARBIE J. BARRETT, M.D., INC., MONEY PURCHASE PENSION PLAN AND TRUST AGREEMENT, AND APPROVED BY THE COMMISSION ON DECEMBER 16, 1998.

AUTHORIZE ISSUANCE TO STUART CORVIN, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JANUARY 1, 2004, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOAT LIFT AND ONE MOORING BUOY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN $300,000.

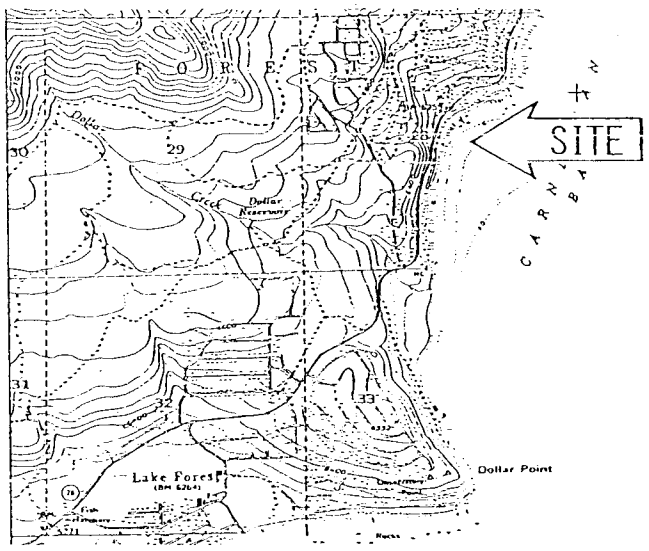
SITE MAP



3920 North Lake Blvd.

NO SCALE

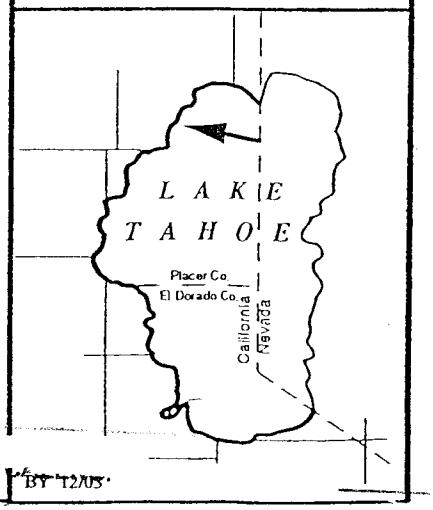
LOCATION MAP



Lake Tahoe

NO SCALE

EXHIBIT A
PRC 3401.9
APN 092-142-001
Lake Tahoe
PLACER COUNTY



This exhibit is solely for the purposes of generally defining the lease premises, is based on unverified information provided by lessee or other parties, and is not intended to be, or construed as a waiver or limitation of any state interest in the subject or any other property.

BY 12/05