MINUTE ITEM
This Calendar Item No. C40 was approved as Minute Item No. 40 by the California State Lands Commission by a vote of 3 to 0 at its 10-06-04 meeting.

CALENDAR ITEM
C40

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10/06/04
PRC 7806 WP 7806.1
B. Young

GENERAL LEASE - RECREATIONAL USE

APPLICANT:
Sweetbriar, Inc.
P.O. Box 1146
Kings Beach, CA 96143

AREA, LAND TYPE, AND LOCATION:
0.06 acres, more or less, of sovereign lands in Lake Tahoe, Kings Beach, Placer County.

AUTHORIZED USE:
Continued use and maintenance of two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:
Ten years, beginning November 15, 2004.

CONSIDERATION:
$186 per annum; 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:
Combined single limit coverage of $1,000,000.
Other:
This lease is conditioned on Applicant's 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 November 15, 1994, the Commission authorized a General Lease - Recreational Use to Sweetbriar, Inc. for two existing mooring buoys. That lease expired on November 14, 1999. Lessee has paid all hold over rent. Applicant has submitted an application for a new General Lease – Recreational Use. Applicant does not qualify for a rent-free lease pursuant to the Public Resources Code section 6503.5 because the Applicant is not a natural person.

2. 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.

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.

APPROVALS REQUIRED:

Tahoe Regional Planning Agency

EXHIBIT:

A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

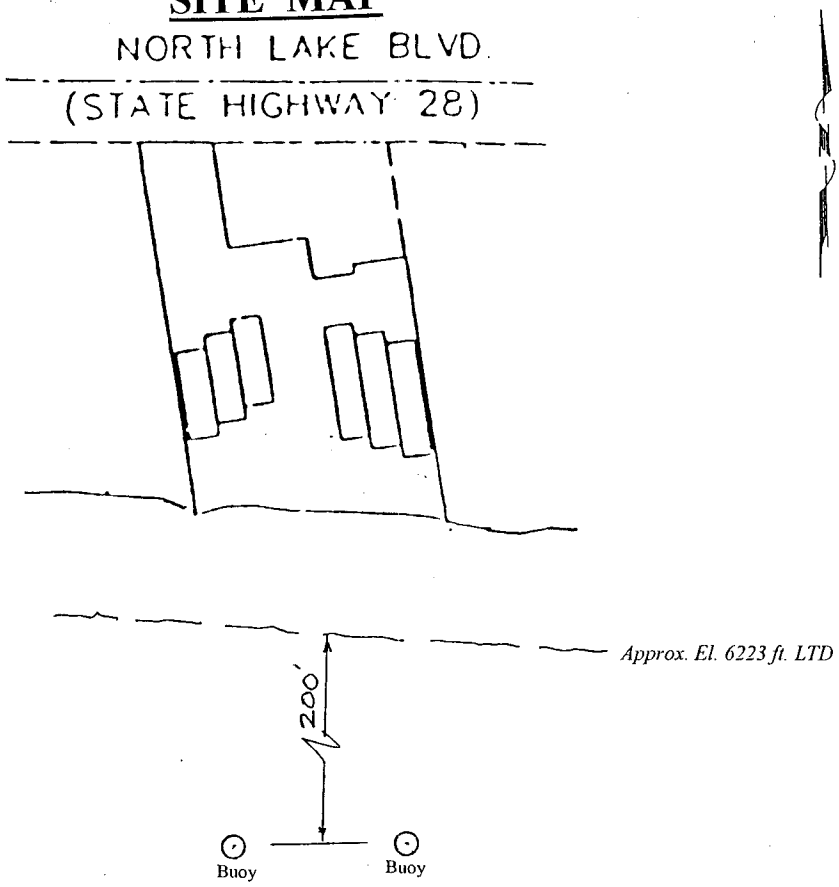
RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:
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 ISSUANCE TO SWEETBRIAR, INC., OF A TEN-YEAR GENERAL LEASE - RECREATIONAL USE, BEGINNING NOVEMBER 15, 2004, FOR THE CONTINUED USE AND MAINTENANCE OF TWO EXISTING MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING $186 PER ANNUM; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COMBINED SINGLE LIMIT COVERAGE OF $1,000,000.

SITE MAP



Lake Tahoe 8000 North Lake Blvd. NO SCALE

LOCATION MAP

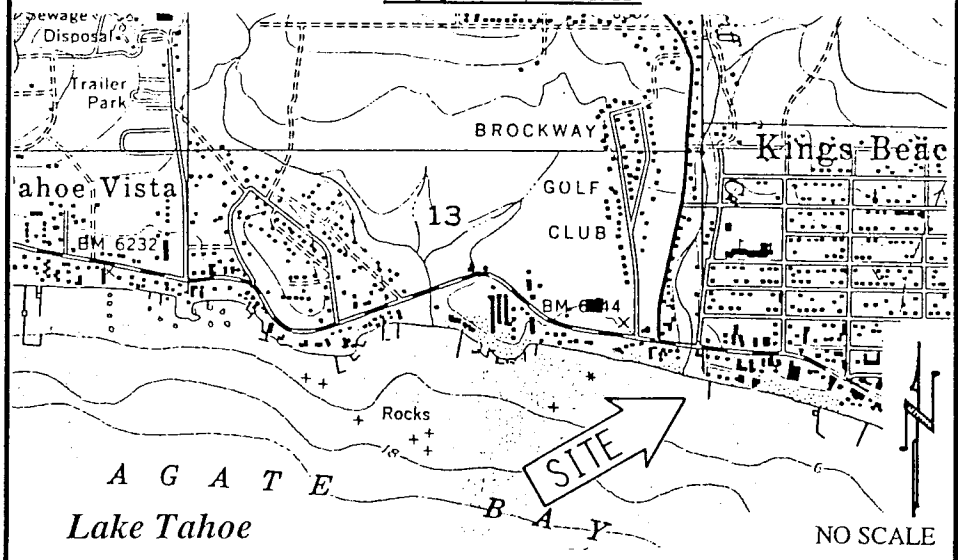
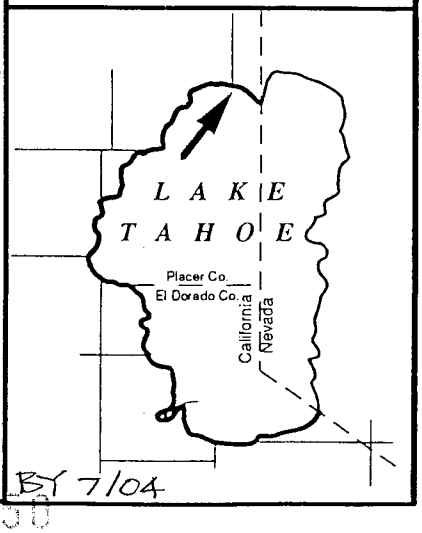


EXHIBIT A
PRC 7806.1
APN 117-180-052
Lake Tahoe
PLACER COUNTY



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 7/04