MINUTE ITEM

This Calendar Item No. C01 was approved as Minute Item No. 01 by the California State Lands Commission by a vote of 3 to 0 at its 12-9-04 meeting.

CALENDAR ITEM
C01

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PRC 4267

12/09/04
WP 4267.1
R. Barham

GENERAL LEASE- RECREATIONAL USE

APPLICANT:

Richard M. Lonergan and Mary Halsted Lonergan, Trustees of the Richard M. Lonergan and Mary Halsted Lonergan Trust Dated September 30, 1983

AREA, LAND TYPE, AND LOCATION:

0.01 acres, more or less, of sovereign lands in Lake Tahoe, near Tahoma, El Dorado County.

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning May 19, 2004.

CONSIDERATION:

$93 per year for the swim float; with the State reserving the right to fix a different rent periodically during the lease term. No monetary consideration for the pier and two mooring buoys pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than $500,000.

Other:

This lease is conditioned on the Applicants 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. Applicants own the uplands adjoining the lease premises.

2. Applicants qualify for a General Lease-Recreation Use because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling. On July 11, 1997, the Commission authorized a General Lease-Recreation Use to Richard and Mary Lonergan. On May 18, 2004 that lease expired. Applicants are now applying for a new lease.

3. 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. Site and Location 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

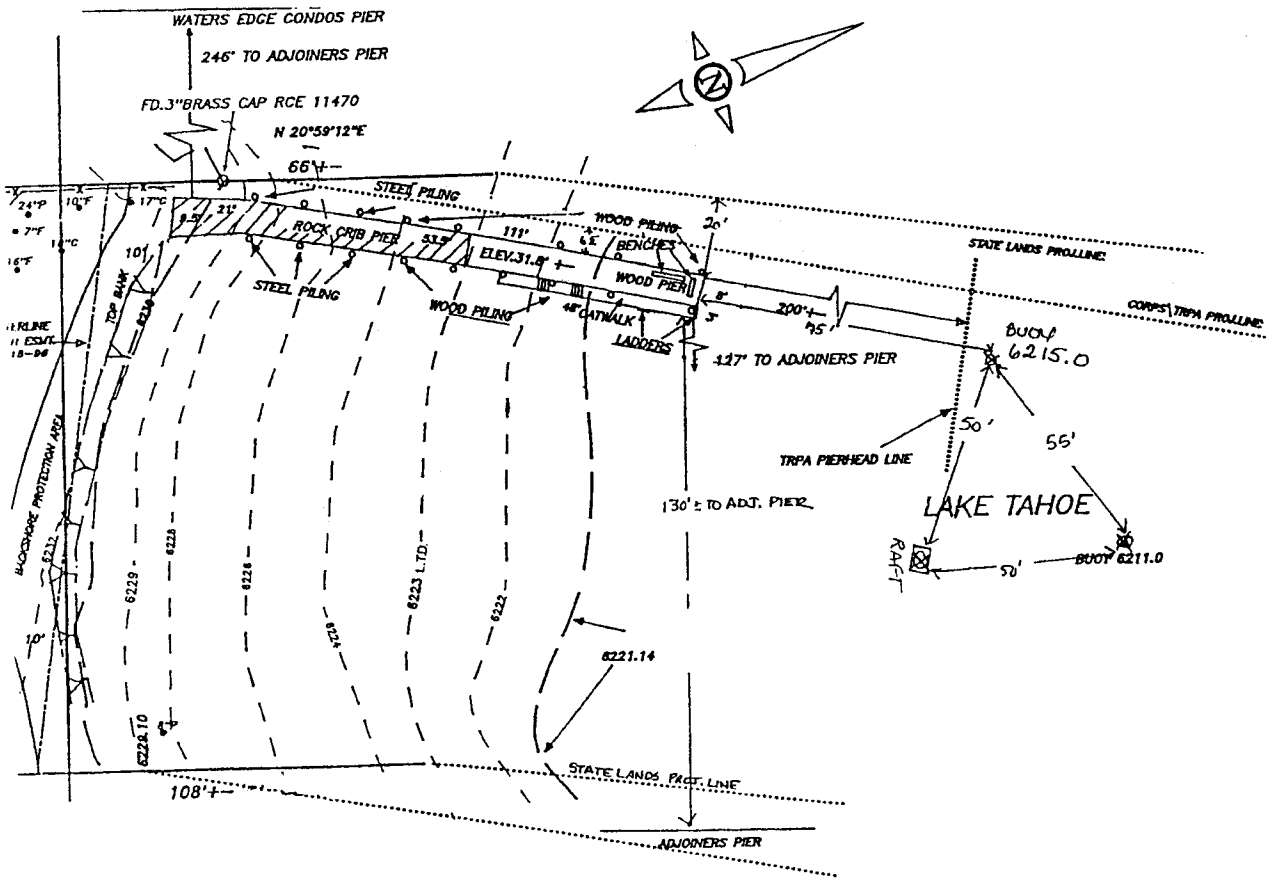
PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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:

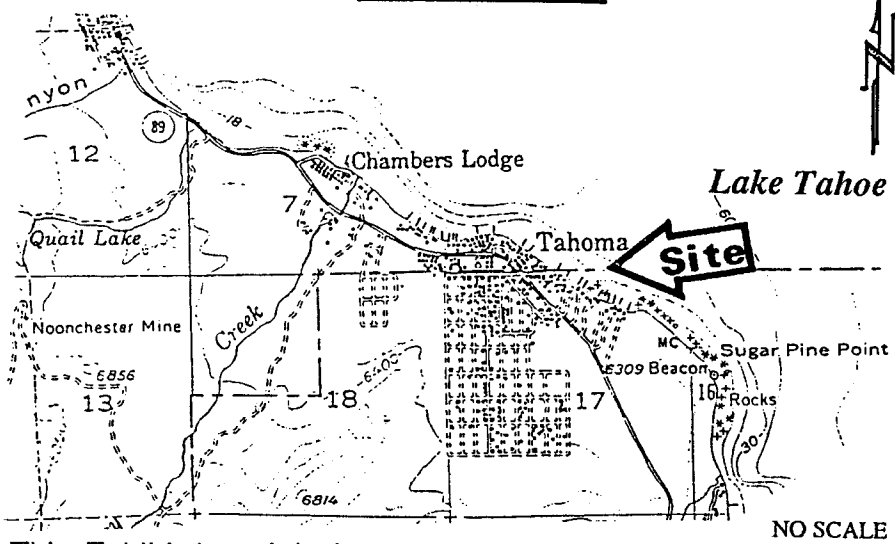
AUTHORIZE ISSUANCE TO RICHARD M. LONERGAN AND MARY HALSTAD LONERGAN, TRUSTEES OF THE RICHARD M. LONERGAN AND MARY HALSTED LONERGAN TRUST DATED SEPTEMBER 30, 1983, OF A GENERAL LEASE-RECREATIONAL USE, BEGINNING MAY 19, 2004, FOR A TERM OF TEN YEARS, FOR AN EXISTING PIER, TWO MOORING BUOYS AND A SWIM FLOAT ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF $93 (SWIM FLOAT), WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; NO MONETARY CONSIDERATION FOR THE PIER AND TWO MOORING BUOYS PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; AND LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN $500,000.



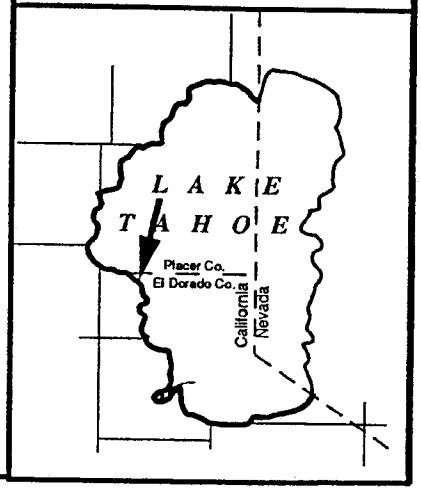
7078 West Lake Blvd.

NO SCALE

LOCATION MAP



NO SCALE

This Exhibit is solely for purposes of generally defining the lease premises, 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.

SECTION 3
PRC 4267.1
APN 15 - 340 - 15
Lake Tahoe
EL DORADO COUNTY