

MINUTE ITEM

This Calendar Item No. C47 was approved as Minute Item No. 47 by the California State Lands Commission by a vote of 2 to 0 at its 12-08-05 meeting.

CALENDAR ITEM
C47

A 04
S 01

12/08/05
PRC 5357 WP 5357.1
J. McComas

GENERAL LEASE-RECREATIONAL USE

APPLICANTS:

Donald Macleod and Mary L. Macleod, trustees of the Macleod Family Trust
Dated 1/31/05

David R. Shelton and Jennifer L. Shelton, Co-Trustees of the David and Jennifer Shelton Trust, U.D.T. dated June 6, 2003

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing unenclosed boathouse with joint-use sundeck, a joint-use pier, and four mooring buoys.

LEASE TERM:

Ten years, beginning December 16, 2005.

CONSIDERATION:

\$115 per annum for the joint-use sundeck; 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 unenclosed boathouse, joint-use pier and four mooring buoys pursuant to Public Resources Code section 6503.5

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage no less than \$1,000,000.

Other:

This lease is conditioned on Lessees obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years from the effective date of the authorization of the buoys by the Commission.

CALENDAR ITEM NO. C47 (CONT'D)

OTHER PERTINENT INFORMATION:

1. On November 27, 2000, the Commission authorized a Recreational Pier Lease with Jonathan Dow Garman, Lynne Gray Garman, David R. Shelton and Jennifer L. Shelton. That lease will expire on December 15, 2005. Jonathan Dow Garman and Lynne Gray Garman have transferred their interest in the littoral land located at 3800 North Lake Tahoe Blvd., Tahoe City, to Donald Macleod and Mary L. Macleod, trustees of the Macleod Family Trust dated 1/31/05. David R. Shelton and Jennifer L. Shelton have transferred their interest in the littoral land located at 3810 North Lake Tahoe Blvd., Tahoe City, to David R. Shelton and Jennifer L. Shelton, Co-trustees of the David and Jennifer Shelton Trust, U.D.T. dated June 6, 2003. The Applicants are now applying for a new General Lease-Recreational Use.

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 21094 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 OBTAINED:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

A. Site and Location Map

CALENDAR ITEM NO. C47 (CONT'D)

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:

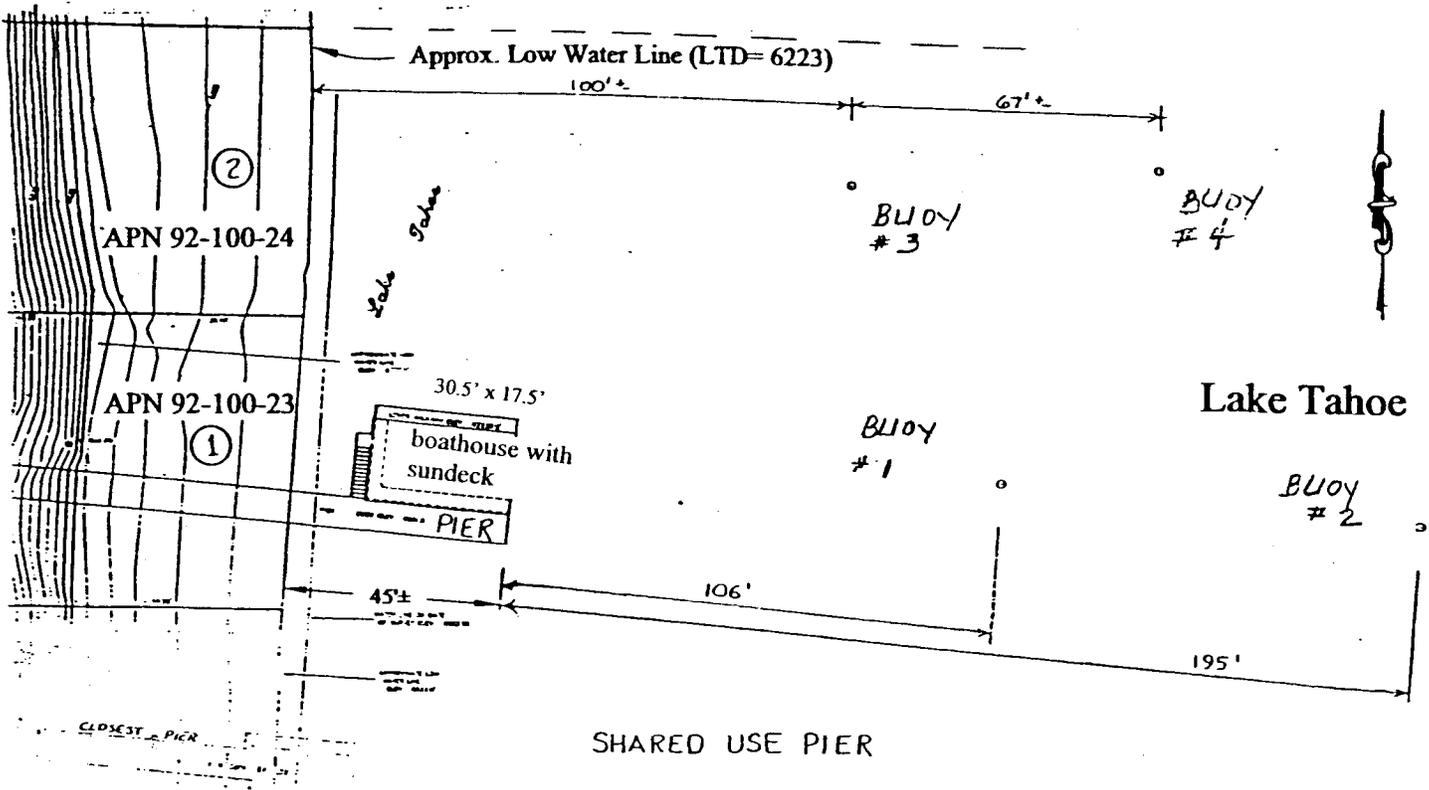
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO DONALD MACLEOD AND MARY L. MACLEOD, TRUSTEES OF THE MACLEOD FAMILY TRUST DATED 1/31/05, AND DAVID R. SHELTON AND JENNIFER L. SHELTON, CO-TRUSTEES OF THE DAVID AND JENNIFER SHELTON TRUST, U.D.T. DATED JUNE 6, 2003, OF A GENERAL LEASE-RECREATIONAL USE, BEGINNING DECEMBER 16, 2005, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING UNENCLOSED BOATHOUSE WITH JOINT-USE SUNDECK, JOINT-USE PIER, AND FOUR MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$115, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE NO LESS THAN \$1,000,000.

NO SCALE

SITE MAP



3800 & 3810 NORTH LAKE BLVD.

LOCATION MAP

NO SCALE

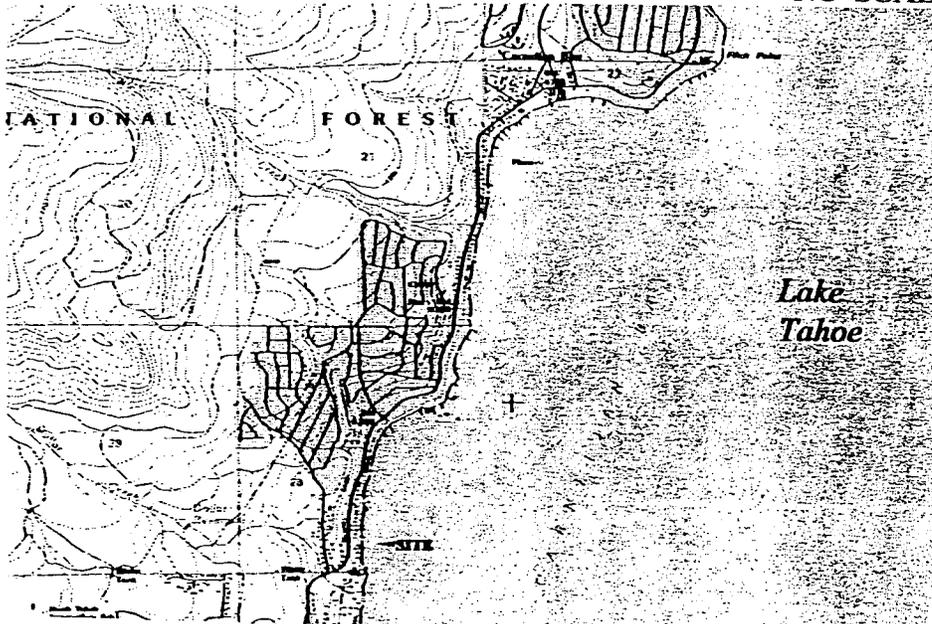


Exhibit A
 WP5357
 APN 092-100-23 & -24
 Lake Tahoe
 PLACER COUNTY

SITE

LAKE TAHOE

Placer Co.
El Dorado Co.

California
Nevada

This Exhibit is solely for the purpose 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 of any State Interest in the subject or any other property.

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