

MINUTE ITEM

This Calendar Item No. C13 was approved as Minute Item No. 13 by the California State Lands Commission by a vote of 3 to 0 at its 11-21-06 meeting.

**CALENDAR ITEM
C13**

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S 1

11/21/06
PRC 7369 WP 7369.1
R. Barham

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

Donald E. Waits and Millicent F. Waits, Trustees of the Waits Family Trust, Dated December 3, 1996

AREA, LAND TYPE, AND LOCATION:

0.026 acres, more or less, of sovereign lands in Eagle Lake, near Susanville, Lassen County.

AUTHORIZED USE:

Continued use and maintenance of a portable seasonal dock as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning December 1, 2006.

CONSIDERATION:

\$87 per year; 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:

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

OTHER PERTINENT INFORMATION:

1. On January 17, 1990, the Commission authorized a General Lease – Recreational Use to Donald E. Waits and Millicent Waits. That lease expired on November 30, 1999. Since the lease has been in holdover status, the ownership has transferred to Donald E. Waits and Millicent F. Waits, Trustees of the Waits Family Trust, Dated December 3, 1996. The Applicants have paid the rent while the lease has been in holdover status and are now applying for a new lease.

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2. Applicants do not qualify for a rent-free lease because Applicants are not littoral owners. The upland property, known as the Eagle Nest Recreational Residence Tract, is owned by the U.S. Forest Service. Applicants have obtained a Special Use Permit from the U.S. Forest Service for the use of the upland property adjacent to the lease premises. The Applicants are required to have a valid special use permit during the term of the 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. Location and Site Map

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).

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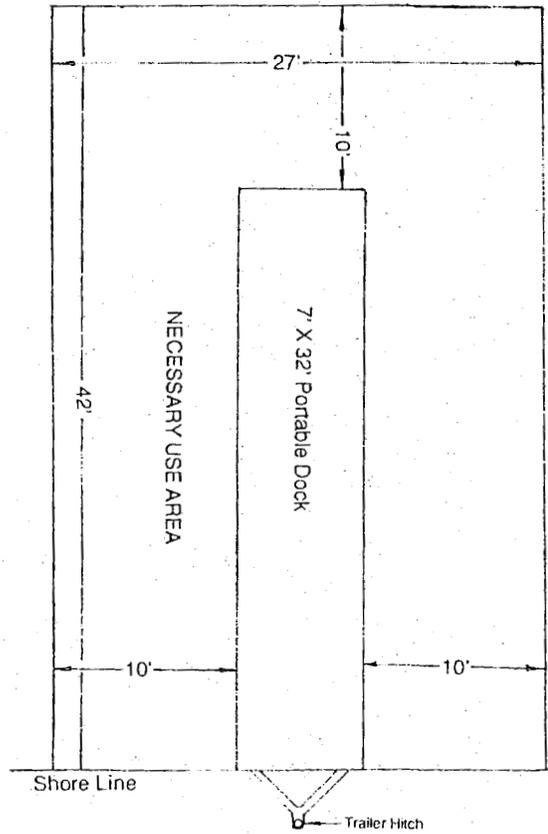
SIGNIFICANT LANDS INVENTORY FINDING:

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 E. WAITS AND MILLICENT F. WAITS, TRUSTEES OF THE WAITS FAMILY TRUST, DATED DECEMBER 3, 1996, OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING DECEMBER 1, 2006, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF A PORTABLE SEASONAL DOCK SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$87, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE COVERAGE OF NO LESS THAN \$500,000.

SITE EAGLE LAKE



NW 1/4 of the NW 1/4 of Section 4, T31N, R11E, MDM
NO SCALE

LOCATION



Exhibit A-1

WP 7369
WAITS
EAGLE LAKE, LASSEN COUNTY



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.

Map Source: USGS

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RWB 9/2006