

MINUTE ITEM
This Calendar Item No. C45 was approved as
Minute Item No. 45 by the California State Lands
Commission by a vote of 3 to 0 at its
06/28/07 meeting.

**CALENDAR ITEM
C45**

A 4
S 1

06/28/07
PRC 5101 WP 5101.1
B. Terry

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Henry E. Bolton and Julie Bolton

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and retention of a boat lift as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning December 21, 2006.

CONSIDERATION:

\$2,976 per year; with the State reserving the right to fix a different rent periodically during the lease terms, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than 1,000,000.

Other:

Authorization for access has been obtained from the littoral property owner. In the event the authorization is terminated, then the Lease will also terminate.

OTHER PERTINENT INFORMATION:

1. Applicants have the right to use the littoral property adjoining the lease premises.
2. On May 12, 1997, the Commission authorized a ten-year General Lease – Recreational Use with Henry E. Bolton. That lease expired on December 20, 2006. The property ownership has since transferred to

CALENDAR ITEM NO. C45 (CONT'D)

Henry E. Bolton and Julie Bolton. Applicants are now applying for a new General Lease – Recreational Use for an existing pier and the retention of a boat lift.

3. Applicants do not qualify for a rent-free Recreational Pier Lease because Applicants are not the owners of the littoral property adjacent to the lease premises. Applicants have the permission of the Cedar Flat Improvement Association, the owner of the littoral property adjoining the lease premises, to use the Association's property to access the pier.
4. **Pier:** 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.

5. **Boat Lift:** 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 3, New Construction of Small Structures; Title 14, California Code of Regulations, section 15303.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

6. 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

CALENDAR ITEM NO. C45 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER: 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;

BOAT LIFT: 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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15303.

SIGNIFICANT LANDS INVENTORY FINDING:

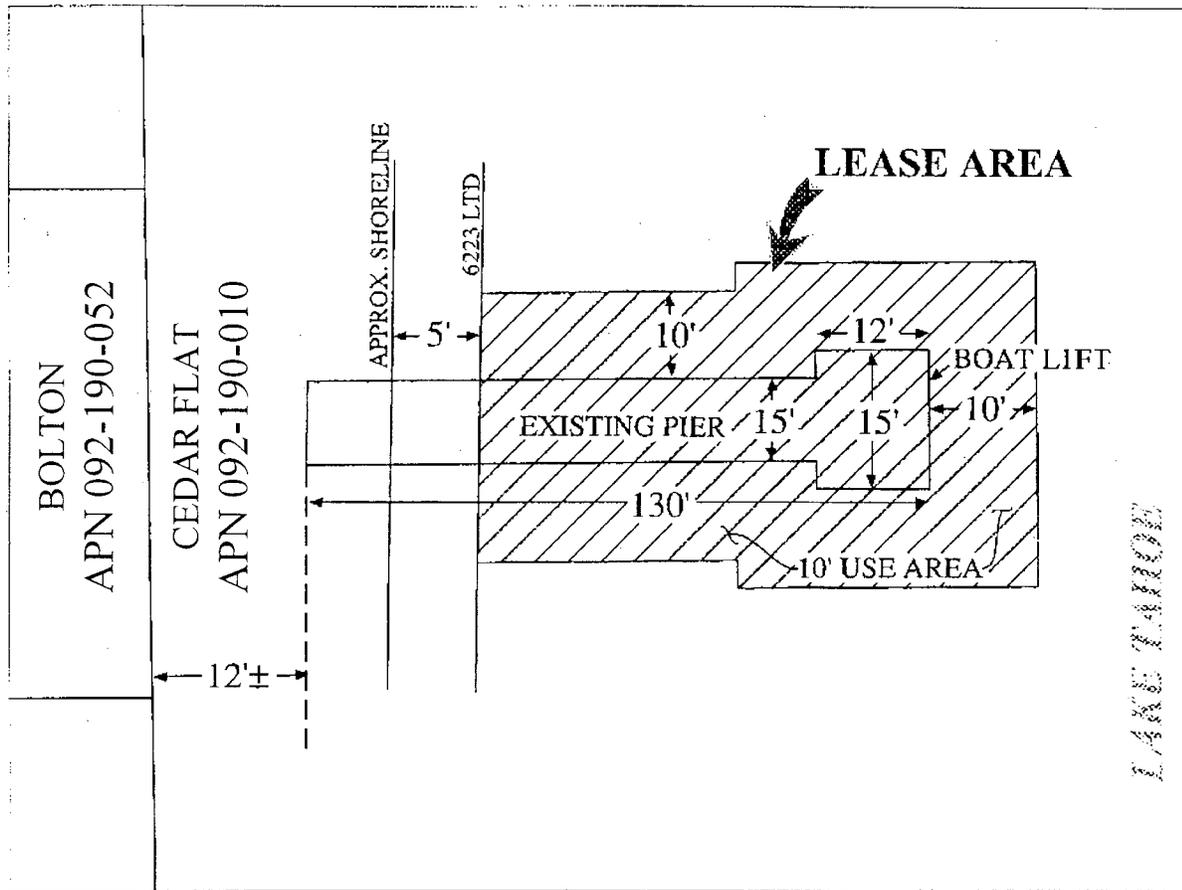
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO HENRY E. BOLTON AND JULIE BOLTON OF A GENERAL LEASE – RECREATIONAL USE, BEGINNING DECEMBER 21, 2006, FOR A TERM OF TEN YEARS FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND THE RETENTION OF AN EXISTING BOAT LIFT AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$2,976, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000.

NO SCALE

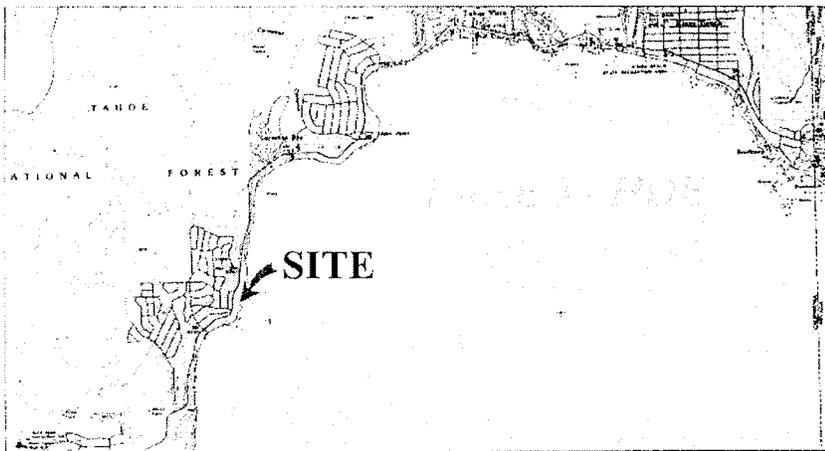
SITE



4250 NORTH LAKE BLVD.
CARNELIAN BAY

NO SCALE

LOCATION

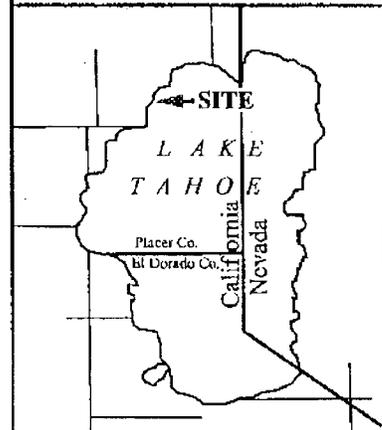


MAP SOURCE: USGS QUAD

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.

Exhibit A

PRC 5101.1
BOLTON
092-190-052
GENERAL LEASE
RECREATIONAL USE
PLACER COUNTY



HUSTEAD 4/23/2007

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