

MINUTE ITEM

This Calendar Item No. C10 was approved as Minute Item No. 10 by the California State Lands Commission by a vote of 3 to 0 at its 2/27/98 meeting.

**CALENDAR ITEM
C10**

A 4
S 1

02/27/98
PRC 6925.1
G. Cooper

**RECISION OF AUTHORIZATION FOR RECREATIONAL PIER LEASE
AND
ISSUANCE OF NEW GENERAL LEASE - RECREATIONAL USE**

LESSEE:

George Montgomery
150 Laura Lake Road, NE
Marietta, Georgia 30066

APPLICANT:

Wiedemann Ranch, Inc.
2303 Norris Canyon Road
San Ramon, California 94583

AREA, LAND TYPE, AND LOCATION:

.06 acre, more or less, of sovereign lands in Lake Tahoe, near Tahoe Pines, Placer County.

AUTHORIZED USE:

Continued use and maintenance of two mooring buoys, as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 27, 1997.

CONSIDERATION:

\$186 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

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SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$300,000.

Other:

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

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. The authorization for Recreational Pier Lease No. 6925.9, approved May 9, 1996, is being rescinded. Lessee has sold property. The lease was not executed by the applicant or the Commission.
3. Prior lease for this parcel was a "rent-free" lease. However, this applicant does not qualify for a "rent-free" lease as the deed for this parcel is held by a corporation and not a natural person as specified in Public Resources Code Section 6503.5.
4. As to the termination of the existing Recreational Pier Lease: 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 because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines. Authority: Public Resources Code 21065 and Title 14, California Code of Regulations, section 15378.

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5. As to the issuance of the new General Lease - Recreational Use:
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.

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.

FURTHER APPROVALS REQUIRED:

Tahoe Regional Planning Agency, U.S. Army Corps of Engineers

EXHIBIT:

A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

AS TO THE TERMINATION: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

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AS TO THE ISSUANCE: 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.

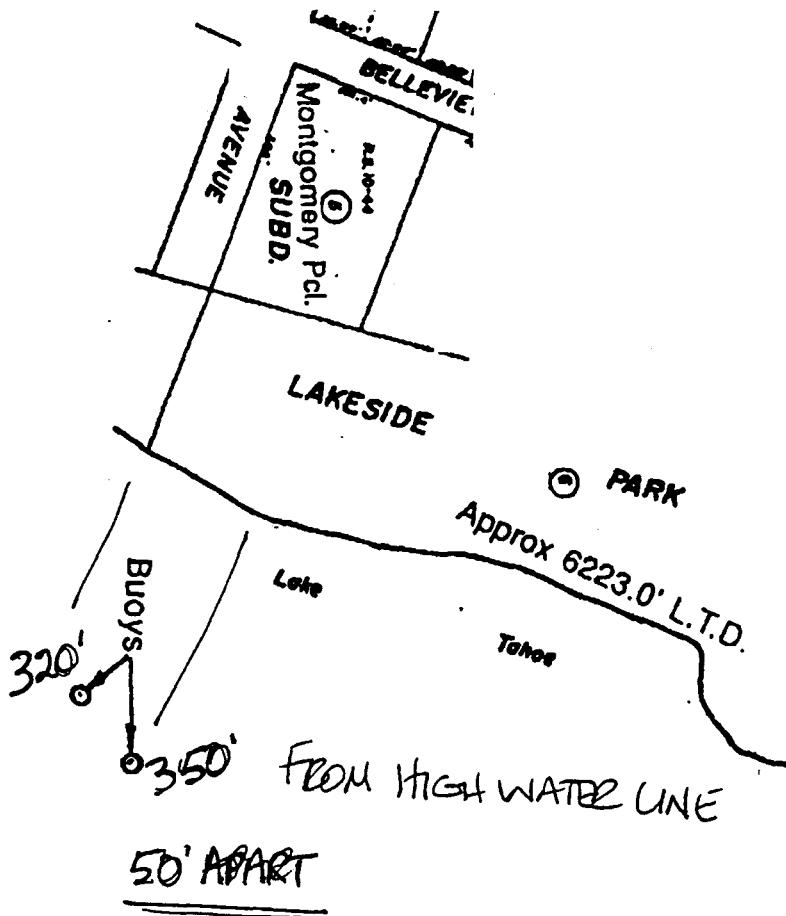
AUTHORIZATION:

AUTHORIZE THE RECISION OF LEASE NO. PRC 6925.9 ISSUED TO GEORGE MONTGOMERY AND APPROVED BY THE COMMISSION ON MAY 9, 1996, MINUTE ITEM 9.

AUTHORIZE ISSUANCE TO WIEDEMANN RANCH, INC. OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING AUGUST 27, 1997, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF TWO MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: \$186 PER YEAR 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 OF NO LESS THAN \$300,000.

NO SCALE

SITE MAP



3795 Bellevue Ave., Homewood

NO SCALE

LOCATION MAP

Lake Tahoe

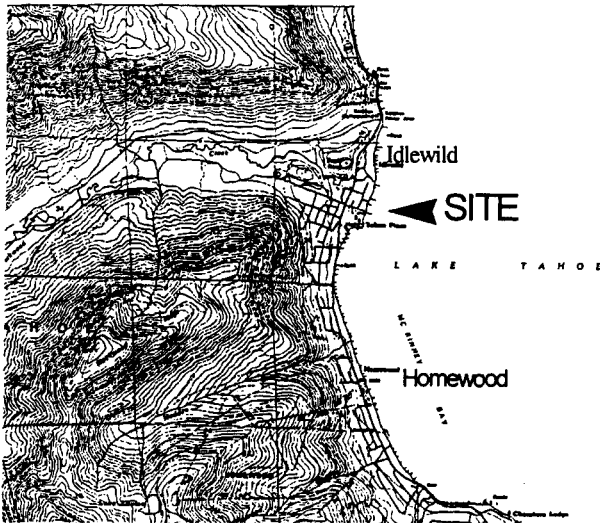
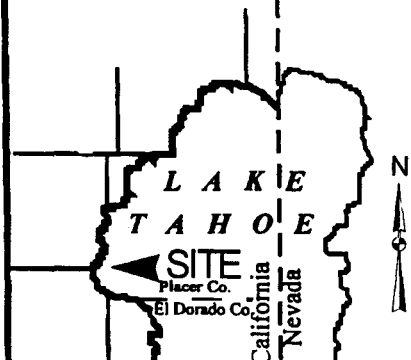


Exhibit A
PRC 6925.1
APN 085-202-005
Lake Tahoe
PLACER COUNTY



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.

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