

MINUTE ITEM

This Calendar Item No. C49 was approved as Minute Item No. 49 by the California State Lands Commission by a vote of 3 to 0 at its 2/27/98 meeting.

**CALENDAR ITEM
C49**

A 4
S 1

02/27/98
PRC 4063.1
J. Ludlow

GENERAL LEASE - RECREATIONAL USE

LESSEE:

Joe Massolo and Sons Trucking Company, Inc.
18765 Gould Road
Salinas, California 93908-9703

AREA, LAND TYPE, AND LOCATION:

0.15 acre, more or less, of sovereign lands in Lake Tahoe, at Rubicon Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and boathouse, and retention of two existing mooring buoys.

LEASE TERM:

Ten years, beginning June 24, 1997.

CONSIDERATION:

\$1030 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:

Combined single limit coverage of \$500,000.

Other:

This lease is conditioned on Lessee's 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 PAGE	312
MINUTE PAGE	002914

CALENDAR ITEM NO. C49 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. **PIER AND BOATHOUSE:** 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).

MOORING BUOYS: 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 2, California Code of Regulations, section 2905 (c)(3).

Authority: Public Resources Code section 21084 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.

FURTHER APPROVALS REQUIRED:

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

EXHIBIT:

- A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

February 6, 1998

CALENDAR PAGE	313
MINUTE PAGE	002915

CALENDAR ITEM NO. C49 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER AND BOATHOUSE: 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).

MOORING BUOYS: 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 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c) (3).

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 JOE MASSOLO AND SONS TRUCKING COMPANY, INC. OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING JUNE 24, 1997, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND BOATHOUSE, AND RETENTION OF TWO EXISTING MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A, ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$1030, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000.

