MINUTE ITEM
This Calendar Item No. C45
was approved as Minute Item
No. 45 by the State Lands
Commission by a vote of 3
to 0 at its 10/28/96
meeting.

CALENDAR ITEM
C45

A 4

10/28/96
PRC4178 WP 4178
B. Young

S 1

TERMINATION OF GENERAL LEASE AND ISSUANCE OF RECREATIONAL PIER LEASE

APPLICANT:

Diosdado P. Banatao and Maria C. Banatao
86 Tallwood Court
Atherton, California 94027

LOCATION:

A parcel of submerged land located in the bed of Lake Tahoe near McKinney Bay, Placer County.

AUTHORIZED USE:

Use and maintenance of one existing pier, boat lift, and four existing mooring buoys, two of which were previously unauthorized.

TERM:

Ten-year lease beginning August 28, 1995.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code Section 6503.5.

EXHIBIT:

A. Site Map

AB 884:

01/27/97

OTHER PERTINENT INFORMATION:

On October 17, 1995, the Commission authorized General Lease - Recreational Use, Lease No. PRC 4178.1 to Tri Pacific, Inc., for a term of ten years commencing November 1, 1993. The property was sold to Diosdado P. Banatao and Maria C. Banatao, pursuant to deed recorded, on August 28, 1995. Therefore, staff recommends the following:

1. Authorize the acceptance of a Quitclaim Deed from Tri Pacific transferring its interest in the lease-hold back to the State of California effective August 28, 1995.

2. Terminate General Lease - Recreational Use, Lease No. PRC 4178.1 issued to Tri Pacific, Inc., for a term of ten-years commencing November 1, 1993, with an annual rent of $555.00.

3. Authorize issuance to Diosdado P. Banatao and Maria C. Banatao, of a ten-year Recreational Pier Lease, effective August 28, 1995, as reflected on the recorded Grant Deed to the Banataos.

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

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

(Pier, Boat Lift & Two Buoys)

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).

CEQA FINDING:

(Two Additional Buoys)

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES, 2 CAL. CODE REGS. 2905(c)(3).

SIGNIFICANT LANDS INVENTORY FINDING:

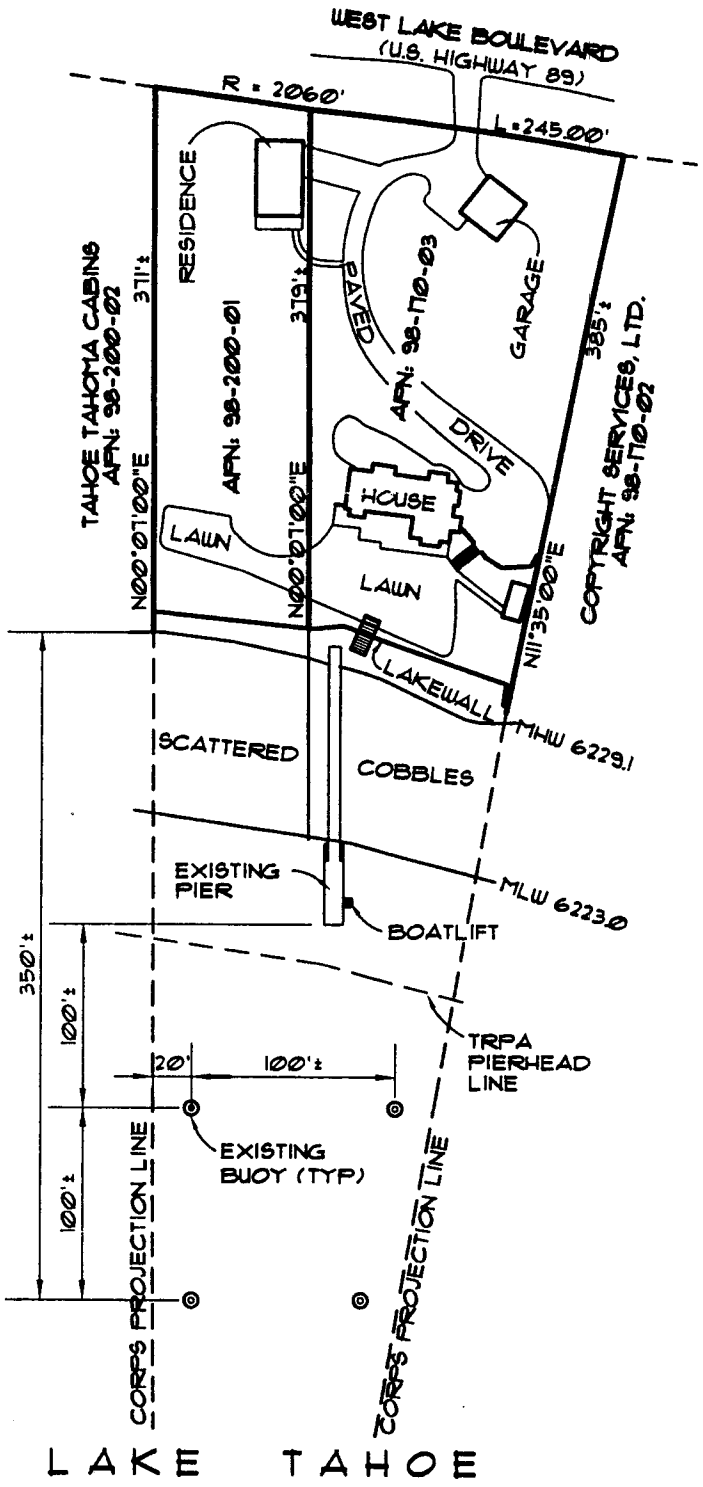
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

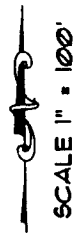
AUTHORIZATION:

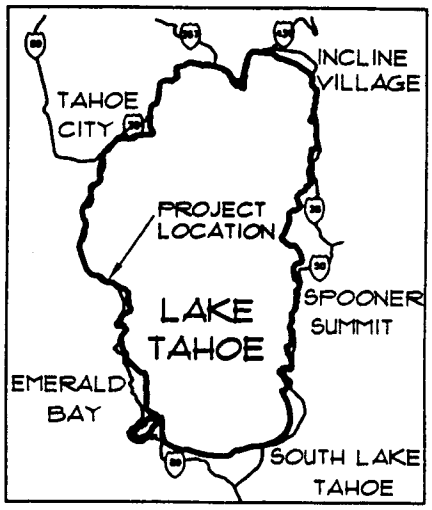
AUTHORIZE THE ACCEPTANCE OF A QUITCLAIM DEED FROM TRI PACIFIC, INC. TRANSFERRING ITS INTEREST IN THE LEASEHOLD BACK TO THE STATE OF CALIFORNIA, EFFECTIVE AUGUST 28, 1995.

AUTHORIZE THE TERMINATION OF GENERAL LEASE - RECREATIONAL USE LEASE NO. PRC 4178.1, ISSUED TO TRI PACIFIC, INC. FOR A TERM OF TEN YEARS COMMENCING NOVEMBER 1, 1993, AUTHORIZED BY THE COMMISSION ON OCTOBER 17, 1995, WITH AN ANNUAL RENT OF $555.00.

AUTHORIZE ISSUANCE TO DIOSDADO P. BANATAO AND MARIA C. BANATAO OF A TEN-YEAR RECREATIONAL PIER LEASE ON FILE IN THE COMMISSION'S OFFICE FOR ALL OF THE STATE'S SOVEREIGN LANDS BELOW THE ELEVATION OF 6223 FEET LAKE TAHOE DATUM UNDER APPLICANT'S PIER, BOAT LIFT AND FOUR MOORING BUOYS AS DEPICTED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, BEGINNING AUGUST 28, 1995; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5.





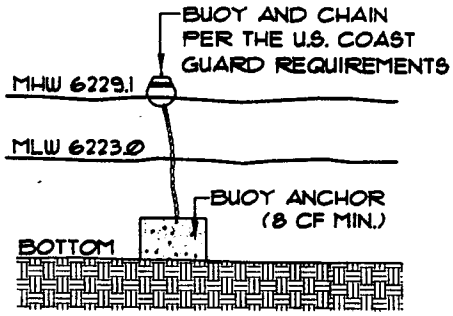


VICINITY MAP

NO SCALE

NOTE

NO CONSTRUCTION IS PROPOSED WITH THE EXCEPTION OF ORDINARY MAINTENANCE AND REPAIR OF THE PIER, BOATLIFT, AND BUOYS.



BUOY DETAIL

NO SCALE

BANATAO PIER, BOATLIFT, AND BUOYS

6790 / 6810 WEST LAKE BOULEVARD, HOMEWOOD, CALIFORNIA

PLACER COUNTY APN: 98-170-03 / 98-200-01

THIS DRAWING IS FOR PERMIT PURPOSES ONLY

KEVIN M. AGAN
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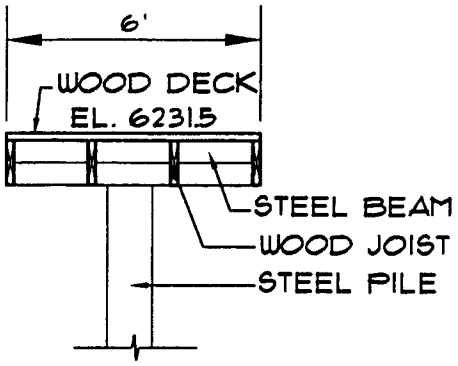
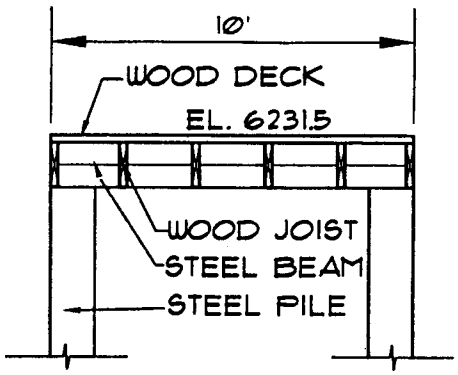
Tahoe City, California 96145
916.581.1640 Fax 916.581.1641

JUNE 1996

SHEET 1 OF 2



WALKWAY SECTION
NO SCALE



PIERHEAD SECTION
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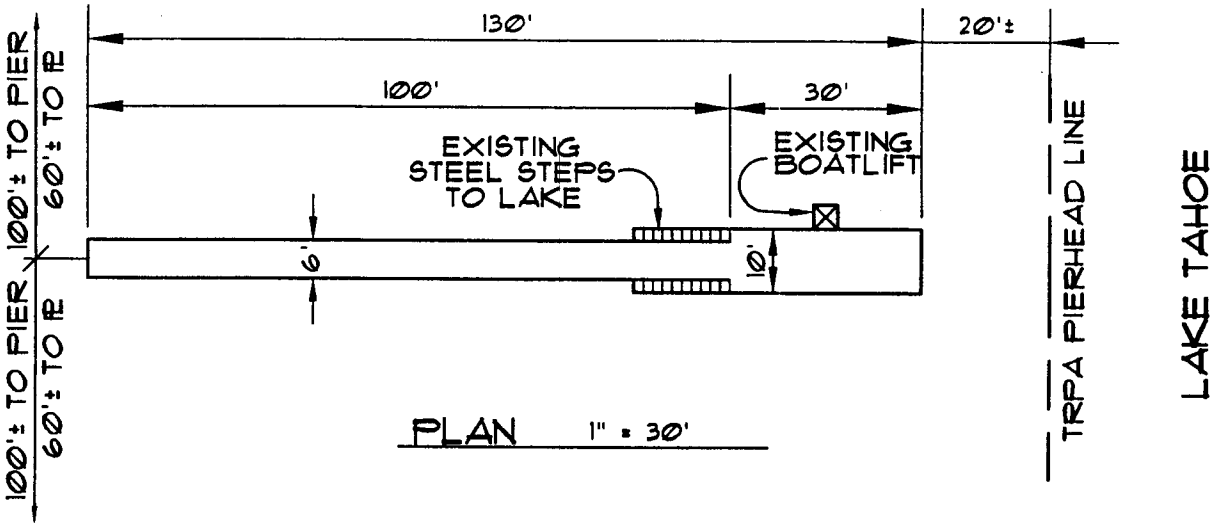
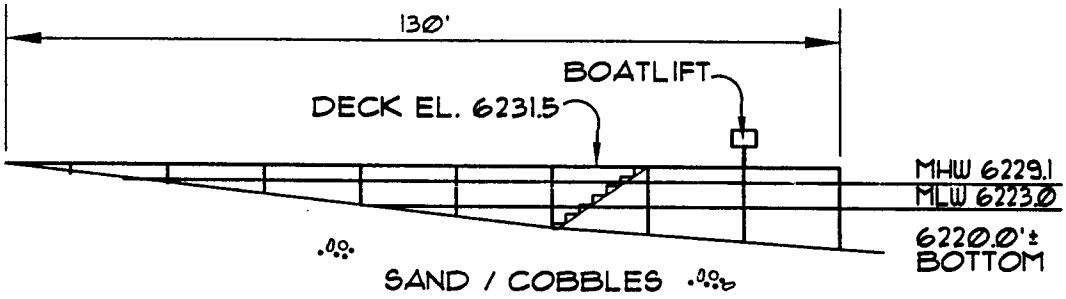


PLAN 1" = 30'



PROFILE 1" = 30'

BANATAO PIER, BOATLIFT AND BUOYS

6790 / 6810 WEST LAKE BOULEVARD, HOMEWOOD, CALIFORNIA
PLACER COUNTY APN: 98-170-03 / 98-200-01

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SHEET 2 OF 2