

MINUTE ITEM

This Calendar Item No. C70 was approved as Minute Item No. 70 by the California State Lands Commission by a vote of 3 to 0 at its 12/16/98 meeting.

**CALENDAR ITEM
C70**

A 4
S 1

12/16/98
PRC 3676.9
J. Ludlow

RECREATIONAL PIER LEASE

APPLICANTS:

Warren Fallat and Duncan Fallat, co-trustees of Trusts A, B, and C
P.O. Box 2084
Mill Valley, CA 94949

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Tahoe Pines, Placer County.

AUTHORIZED USE:

Pier replacement and modification and retention of two existing mooring buoys, as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning September 1, 1998.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

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

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.

OTHER PERTINENT INFORMATION:

1. **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 2, Replacement or Reconstruction; Title 2,

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CALENDAR ITEM NO. C70 (CONT'D)

California Code of Regulations, section 2905 (b).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

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.

2. 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

EXHIBIT:

- A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

January 16, 1999

CALENDAR ITEM NO. C70 (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 2, REPLACEMENT OR RECONSTRUCTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (b).

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:

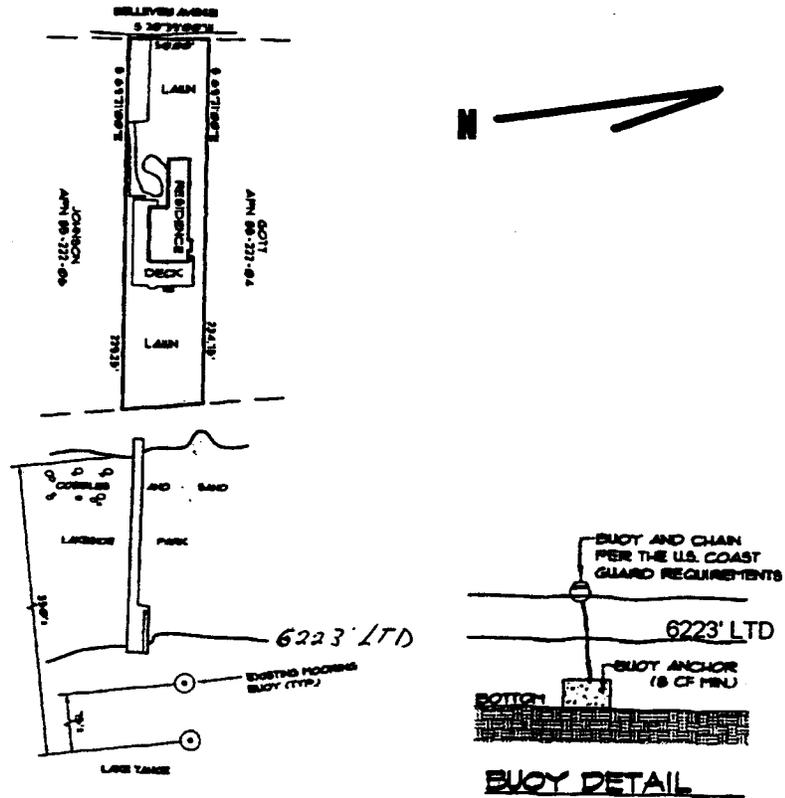
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO WARREN FALLAT AND DUNCAN FALLAT, CO-TRUSTEES OF TRUSTS A, B & C OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING SEPTEMBER 1, 1998, FOR THE REPAIR AND MODIFICATION OF A PIER AND RETENTION OF TWO EXISTING MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A, ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.

NO SCALE

SITE MAP



3965 Bellevue Ave.

NO SCALE

LOCATION MAP

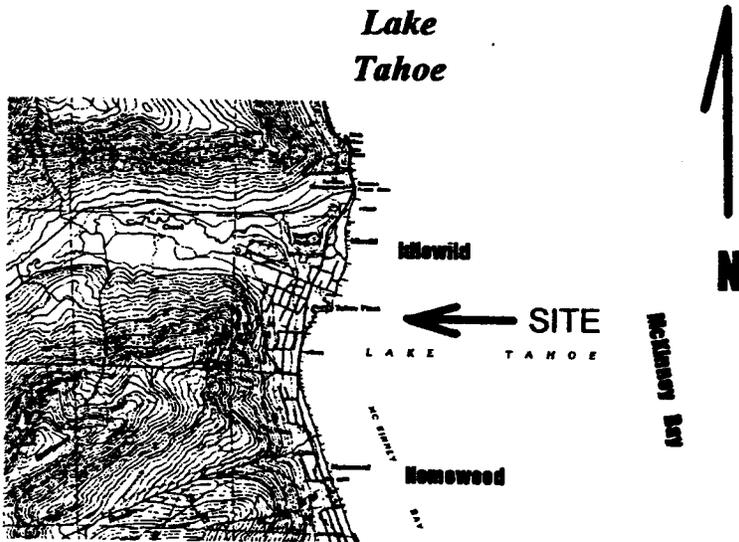
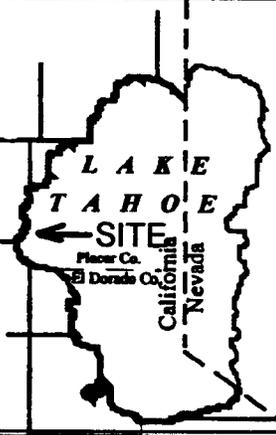


Exhibit A
 PRC 3676
 APN 085-222-005
 Lake Tahoe
 PLACER COUNTY
 Sheet 1 of 2



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.

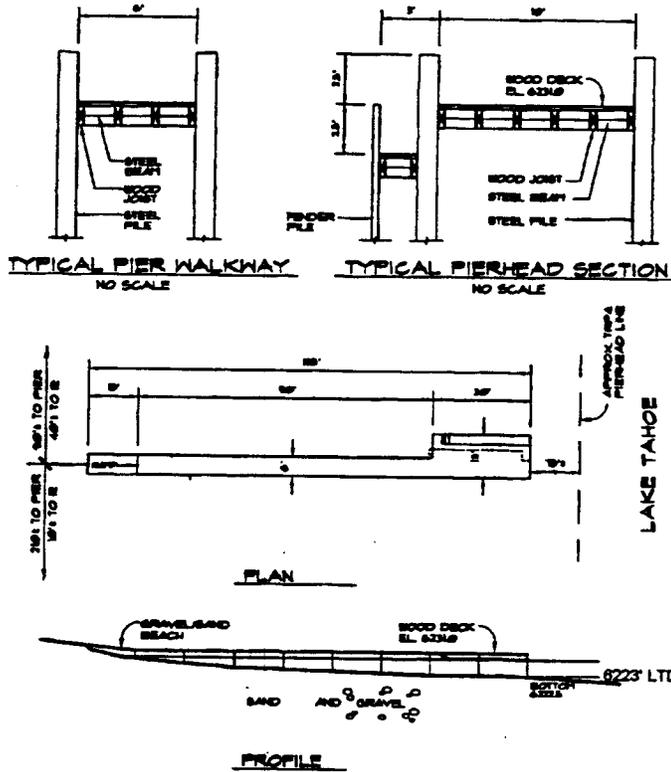
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NO SCALE

SITE MAP



3965 Bellevue Ave.

NO SCALE

LOCATION MAP

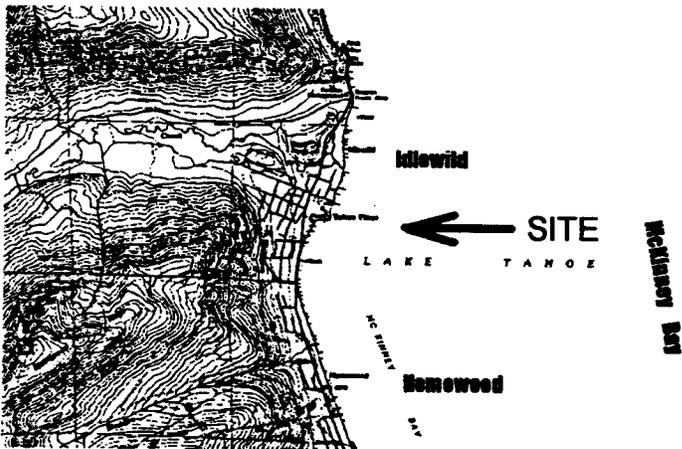
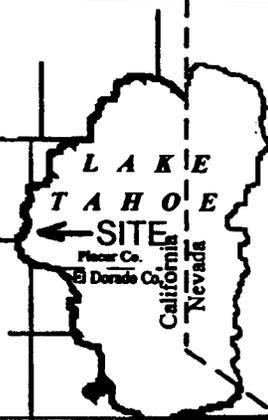


Exhibit A
 PRC 3676
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 Sheet 2 of 2



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