

MINUTE ITEM
This Calendar Item No. C16
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 3
to 0 at its 12/3/99
meeting.

CALENDAR ITEM
C16

A 4
S 1

PRC 3132.9

12/03/99
WP 3132.9
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**RECISSION OF EXISTING LEASE
ISSUANCE OF RECREATIONAL PIER LEASE**

APPLICANTS:

Sam H. Nigh, Jr., Trustee for the
Sam H. Nigh and Audrey I. Nigh
Revocable Living Trust Dated April 28, 1988
7 Moraga Via
Orinda, CA 94563

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Homewood, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boathouse, and mooring buoy and retention of a mooring buoy, as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning June 27, 1999.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$300,000.

Other:

This lease is conditioned on Lessee 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.

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CALENDAR ITEM NO. **C16** (CONT'D)

OTHER PERTINENT INFORMATION:

1. On September 3, 1999, the Commission authorized a Recreational Pier Lease to the applicants for continued use and maintenance of an existing pier, boathouse, and one mooring buoy. Subsequently, it came to staff's attention that the applicant had a second buoy at the site. The applicant has requested approval of the additional buoy. Therefore, staff is recommending rescission of the existing lease and issuance of a new lease authorizing the pier, boathouse, and two mooring buoys.

2. **Pier, Boathouse, and Buoy:** 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.

Buoy: 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.

CALENDAR ITEM NO. C16 (CONT'D)

FURTHER APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

A. Location and site map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER, BOATHOUSE, AND BUOY: 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).

BUOY: 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:

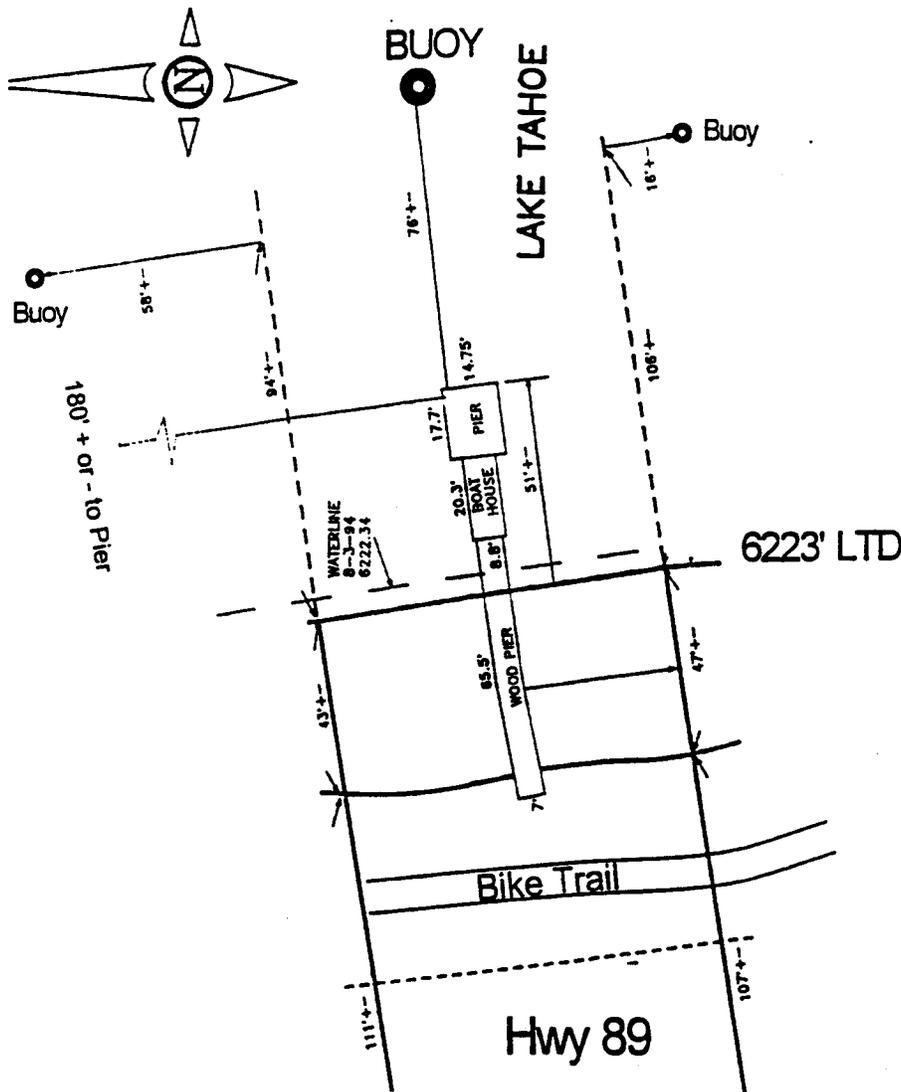
1. AUTHORIZE THE RECISSION OF THE EXISTING RECREATIONAL PIER LEASE NO. PRC 3132.9 EFFECTIVE JUNE 26, 1999.

CALENDAR ITEM NO. C16 (CONT'D)

2. AUTHORIZE ISSUANCE TO SAM H. NIGH, JR., TRUSTEE FOR THE SAM H. NIGH AND AUDREY I. NIGH REVOCABLE LIVING TRUST DATED APRIL 28, 1988, OF A NEW TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JUNE 27, 1999, FOR CONTINUED USE AND MAINTENANCE OF A PIER, BOATHOUSE, AND MOORING BUOY AND RETENTION OF A BUOY 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 WITH COVERAGE OF NO LESS THAN \$300,000.

NO SCALE

SITE MAP



2895 W. Lake Blvd.

NO SCALE

LOCATION MAP

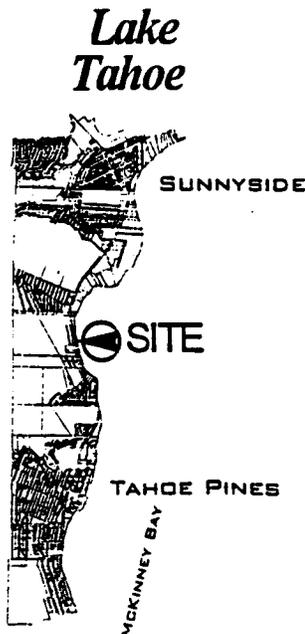
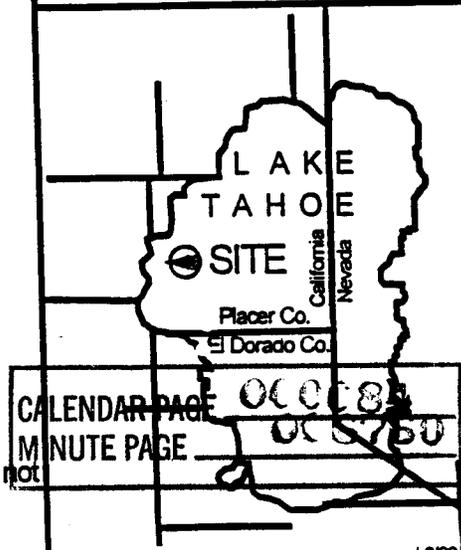


Exhibit A
 WP 3132
 APN 085-040-028
 LAKE TAHOE
 Placer County



CALENDAR PAGE 000084
 MINUTE PAGE 000084

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 of limitation of any state interest in the subject or any other property.