

MINUTE ITEM
This Calendar Item No. C63 was approved as
Minute Item No. 63 by the California State Lands
Commission by a vote of 3 to 0 at its
9/19/00 meeting.

**CALENDAR ITEM
C63**

A 4
S 1

09/19/00
PRC 7315.9
B. Young

RECREATIONAL PIER LEASE

APPLICANTS:

Emile L. Labadie and
Jean L. Labadie
183 Indian Road
Piedmont, CA 94610

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Meeks Bay Vista, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, boat hoist, and retention of two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 1, 2000.

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.

OTHER PERTINENT INFORMATION:

1. On May 3, 1995, the Commission authorized a Recreational Pier Lease with Emile L. Labadie and Jean L. Labadie. That lease will expire on

CALENDAR ITEM NO. C63 (CONT'D)

July 9, 2004. The Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who have improved the littoral land with, and only use the upland for, a single-family dwelling. Emile L. Labadie and Jean L. Labadie are now applying for a new Recreational Pier Lease. This calendar item will terminate a Recreation Pier Lease for the original pier and issue a new Recreation Pier Lease for a pier, boat lift, boat hoist, and two mooring buoys, effective August 1, 2000.

2. **Pier, Boat Lift and Boat Hoist:** 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.

3. **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.

4. 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

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EXHIBIT:

A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER, BOAT LIFT AND BOAT HOIST: 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).

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:

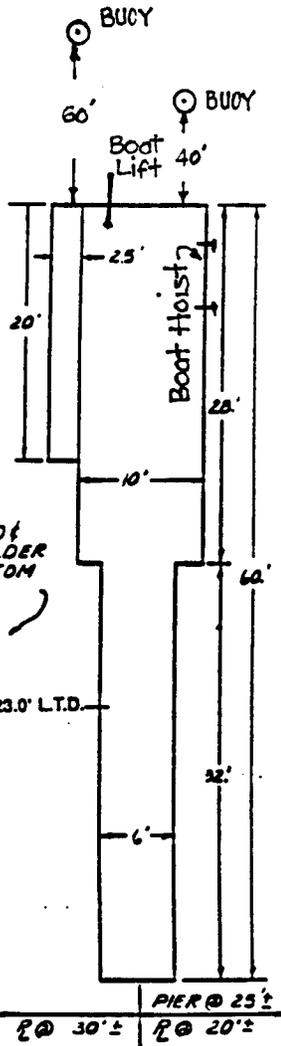
AUTHORIZE ISSUANCE TO EMILE L. LABADIE AND JEAN L. LABADIE OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 1, 2000, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOAT LIFT, BOAT HOIST, AND RETENTION OF TWO EXISTING MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$300,000.

L a k e

T a h o e

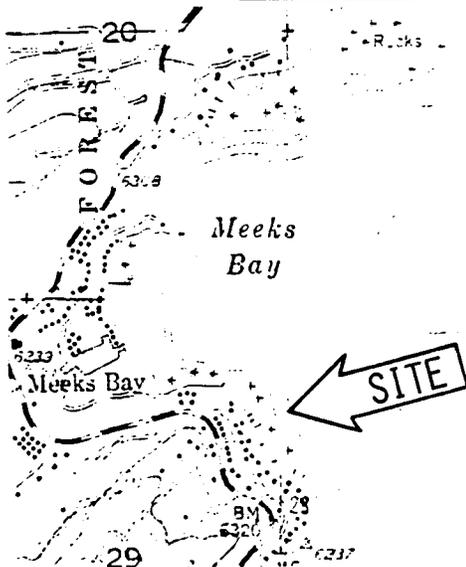


NORTH



8227 Meeks Bay Ave.

LOCATION MAP



Lake Tahoe

NO SCALE

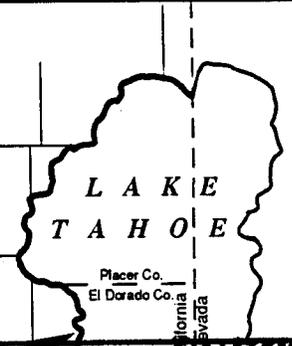
EXHIBIT A

PRC 7315.9

APN 016-051-511

Lake Tahoe

EL DORADO 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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