MINUTE ITEM
This Calendar Item No. C12 was approved as Minute Item No. 12 by the California State Lands Commission by a vote of 3 to 0 at its 11/27/00 meeting.

CALENDAR ITEM
C12

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11/27/00
PRC 5357.9
N. Lee

RECREATIONAL PIER LEASE

APPLICANTS:

Jonathan Dow Garman and Lynne Gray Garman
890 Mora Drive
Los Altos, CA 94024

David R. Shelton and Jennifer L. Shelton
P. O. Box 6356
Tahoe City, CA 96145

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing joint-use pier, boathouse, two mooring buoys and the retention of two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning December 16, 1995.

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 March 6, 1991, the Commission authorized a Recreational Pier Permit with Thomas A. Dailey and R. Yvonne Dailey. That permit expired on December 15, 1995. Jonathan Dow Garman, Lynne Gray Garman, David R. Shelton and Jennifer L. Shelton are the current littoral landowners. The Applicants qualify for a rent-free Recreational Pier Lease because the Applicants are natural persons who have improved their littoral lands with, and use the upland for, a single-family dwelling. Jonathan Dow Garman, Lynne Gray Garman, David R. Shelton and Jennifer L. Shelton are now applying for a new Recreational Pier Lease.

2. **Pier, boathouse, and two 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 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. **Two additional 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

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 TWO 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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

TWO ADDITIONAL 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.

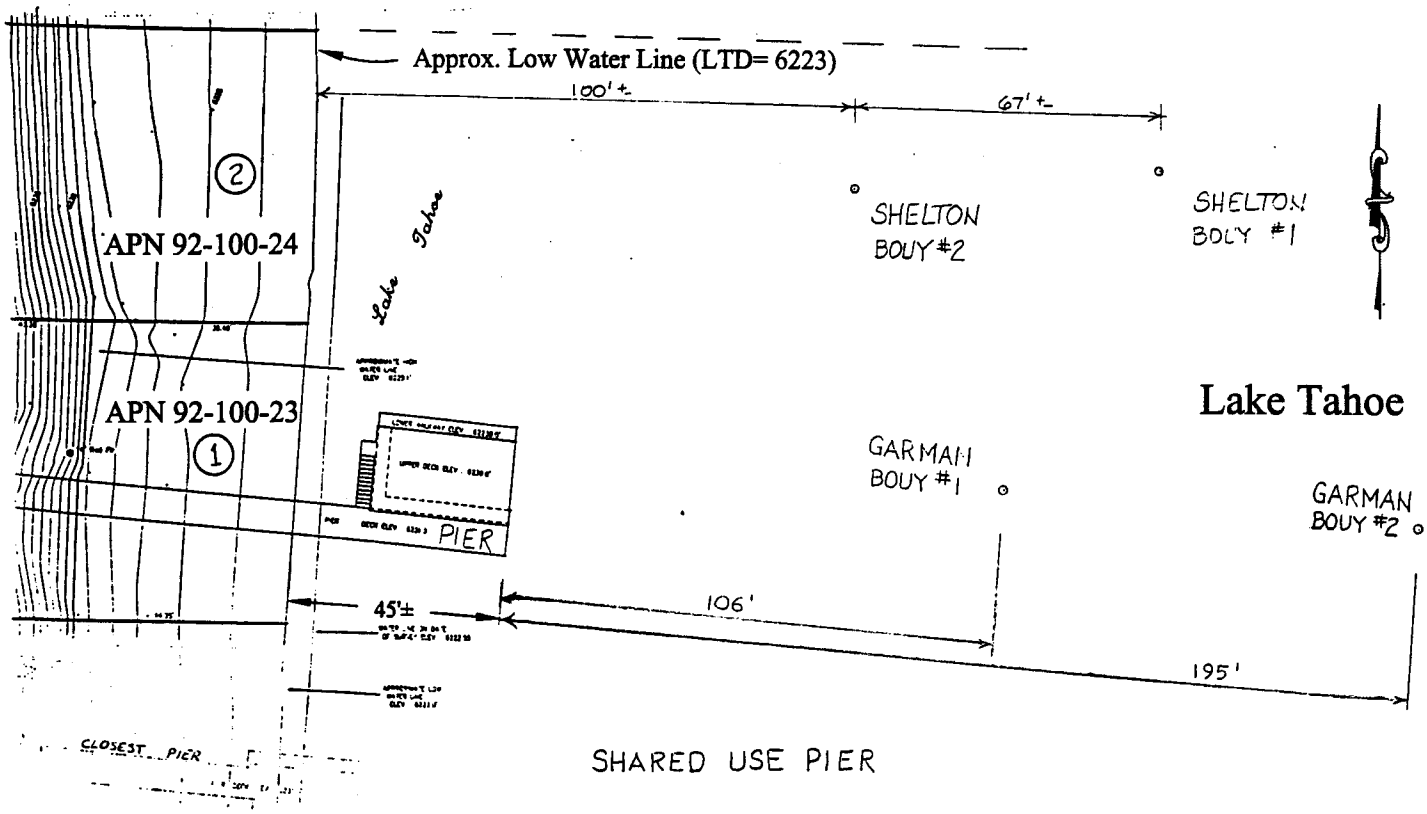
AUTHORIZATION:

AUTHORIZE ISSUANCE TO JONATHAN DOW GARMAN, LYNNE GRAY GARMAN, DAVID R. SHELTON AND JENNIFER L. SHELTON OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 16, 1995, FOR CONTINUED USE AND MAINTENANCE

OF AN EXISTING JOINT-USE PIER, BOATHOUSE, TWO EXISTING, PREVIOUSLY AUTHORIZED MOORING BUOYS AND THE RETENTION OF TWO 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.

NO SCALE

SITE MAP



3800 &3810 NORTH LAKE BLVD.

LOCATION MAP

NO SCALE

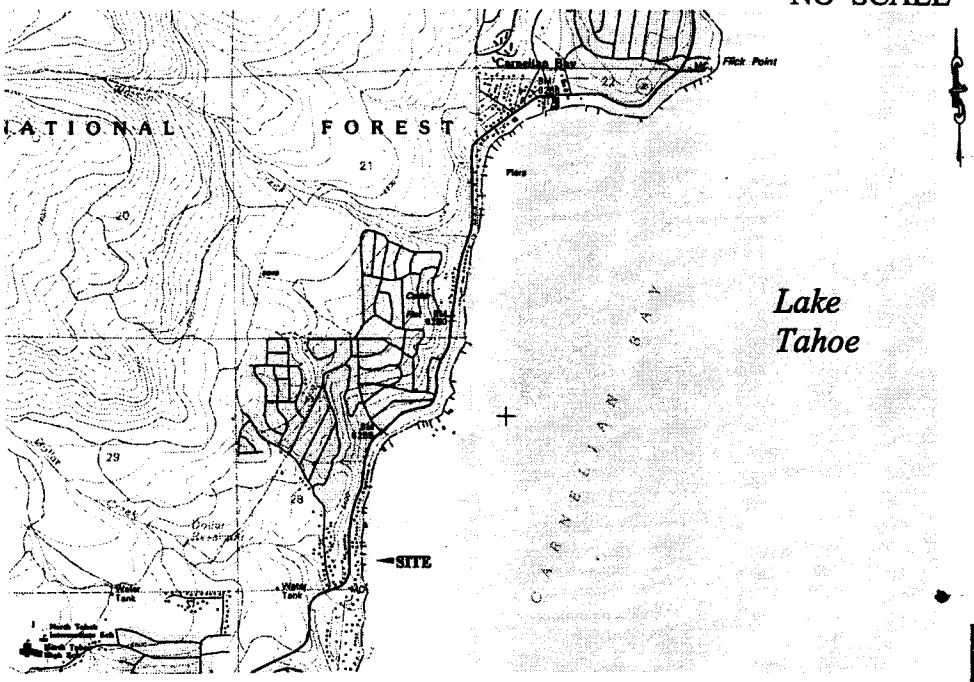
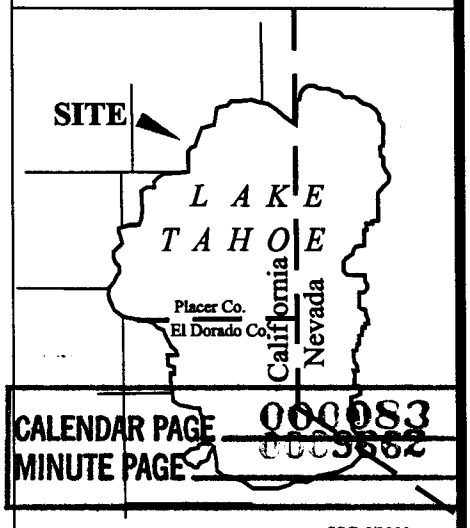


Exhibit A
WP5357
APN 092-100-23 & -24
Lake Tahoe
PLACER COUNTY



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

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SSG 6/2000