MINUTE ITEM
This Calendar Item No. C60
was approved as Minute Item
No. 60 by the State Lands
Commission by a vote of 3
to 0 at its 02-05-01
meeting

CALENDAR ITEM
C60

A 4

S 1

02/05/01
PRC 3674.9
B. Young

TERMINATION AND ISSUANCE OF RECREATIONAL PIER LEASE

APPLICANTS:

Philip D. Chapman and Sarah D. Chapman,
Trustees of the Chapman Family Living Trust
170 Camino Don Miguel
Orinda, CA 94563

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Carnelian Bay, Placer County.

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning December 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 after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

OTHER PERTINENT INFORMATION:

1. On May 9, 1996, the Commission authorized a Recreational Pier Lease to A. Hunter Land, II. That lease will expire on February 28, 2007. On April 14, 2000, A. Hunter Land, II, deeded the littoral land to Philip D. Chapman and Sarah D. Chapman, Trustees of the Chapman Family Living Trust. The Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling. Philip D Chapman and Sarah D. Chapman, Trustees of the Chapman Family Living Trust are now applying for a new Recreational Pier Lease. This Calendar Item will terminate a Recreational Pier Lease that was issued to A. Hunter Land, II, for a pier and boathouse and issue a new Recreational Pier Lease to Philip D Chapman and Sarah D. Chapman, Trustees of the Chapman Family Living Trust for a pier, boathouse, and two mooring buoys, effective December 1, 2000.

2. **Termination of existing lease:** 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 because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines.

   Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

3. **Issuance of new lease (pier and boathouse):** 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.

   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:

TERMINATION OF EXISTING LEASE: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

ISSUANCE OF NEW LEASE (PIER AND BOATHOUSE): 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).

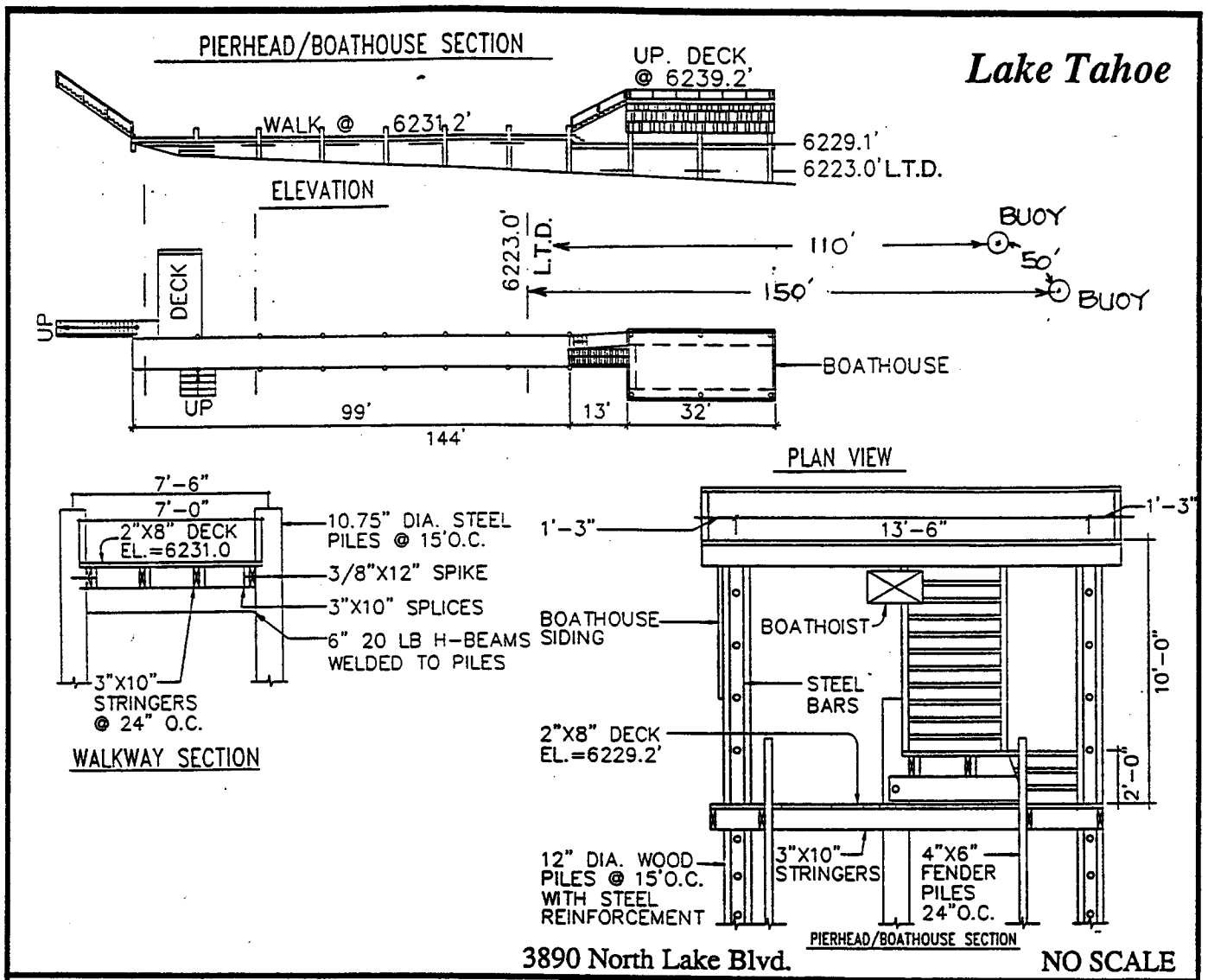
SIGNIFICANT LANDS INVENTORY FINDING:

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 TERMINATION OF RECREATIONAL PIER LEASE NO. PRC 3674.9, EFFECTIVE MARCH 1, 1997, ISSUED TO A. HUNTER LAND, II AND APPROVED BY THE COMMISSION ON MAY 9, 1996.

AUTHORIZE ISSUANCE TO PHILIP D. CHAPMAN AND SARAH D. CHAPMAN, TRUSTEES OF THE CHAPMAN FAMILY LIVING TRUST, OF A TEN-YEAR RECREATIONAL PIER LEASE, PRC 3674.9, BEGINNING DECEMBER 1, 2000, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOATHOUSE, AND THE 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.



LOCATION MAP

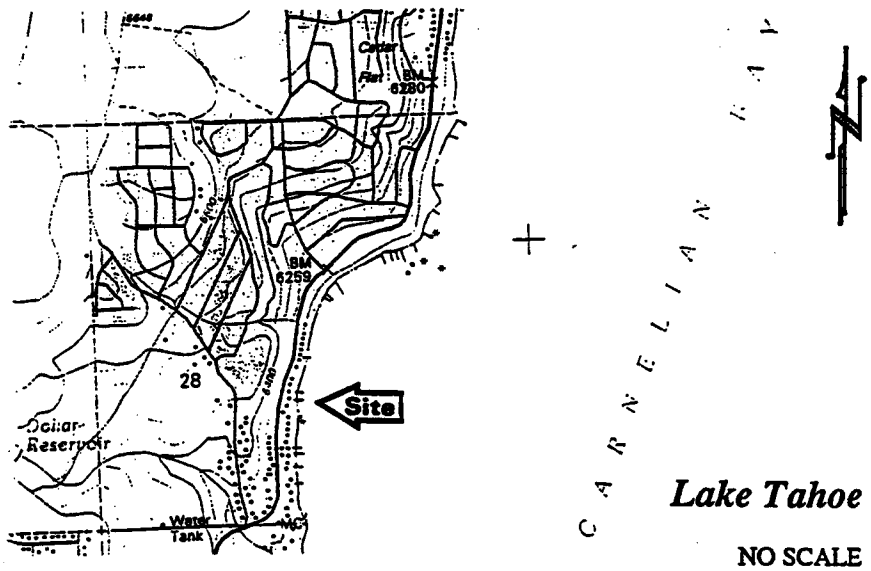


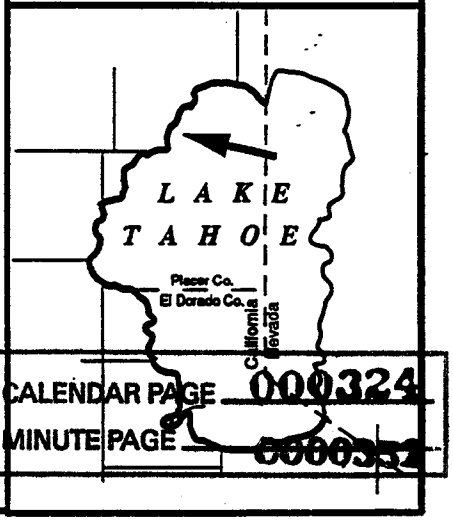
EXHIBIT A

PRC 3674.9

APN 092 - 130 - 05

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

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