

MINUTE ITEM

This Calendar Item No. ~~C44~~ was approved as Minute Item No. 44 by the California State Lands Commission by a vote of 3 to 0 at its 4-24-01 meeting.

**CALENDAR ITEM
C44**

A 4
S 1

04/24/01
PRC 5664 WP 5664
N. Lee

**TERMINATION AND ISSUANCE OF
RECREATIONAL PIER LEASE**

APPLICANTS:

Kent B. Williams and Catherine E. Williams
6 Katrina Court
Orinda, CA 94563

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing pier and one mooring buoy and installation of a proposed boat lift and retention of an additional mooring buoy as shown on the attached Exhibit A.

LEASE TERM:

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

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OTHER PERTINENT INFORMATION:

1. On July 11, 1997, the Commission authorized a Recreational Pier Lease with Maxine A. Polzin, Trustee under Declaration of Trust dated August 27, 1993. That lease will expire on June 30, 2007. On October 27, 1999, Maxine A. Polzin, Trustee under Declaration of Trust dated August 27, 1993, deeded the littoral land to Kent B. Williams and Catherine E. Williams. 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. Kent B. Williams and Catherine E. Williams are now applying for a new Recreational Pier Lease.

2. 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. **Pier 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.

4. **Boat lift:** 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 14, California Code of Regulations, section 15303(e).

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

5. **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.

5. 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:

February 1, 2001

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

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.

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PIER 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).

BOAT LIFT: 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 STRUCTUES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15303(e).

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:

AUTHORIZE TERMINATION OF RECREATIONAL PIER LEASE NO. PRC 5664.9, EFFECTIVE JULY 1, 1997, ISSUED TO MAXINE A. POLZIN, TRUSTEE UNDER DECLARATION OF TRUST DATED AUGUST 27, 1993, AND APPROVED BY THE COMMISSION ON JULY 11, 1997.

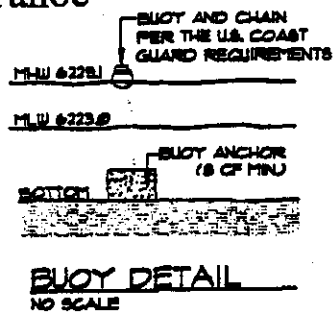
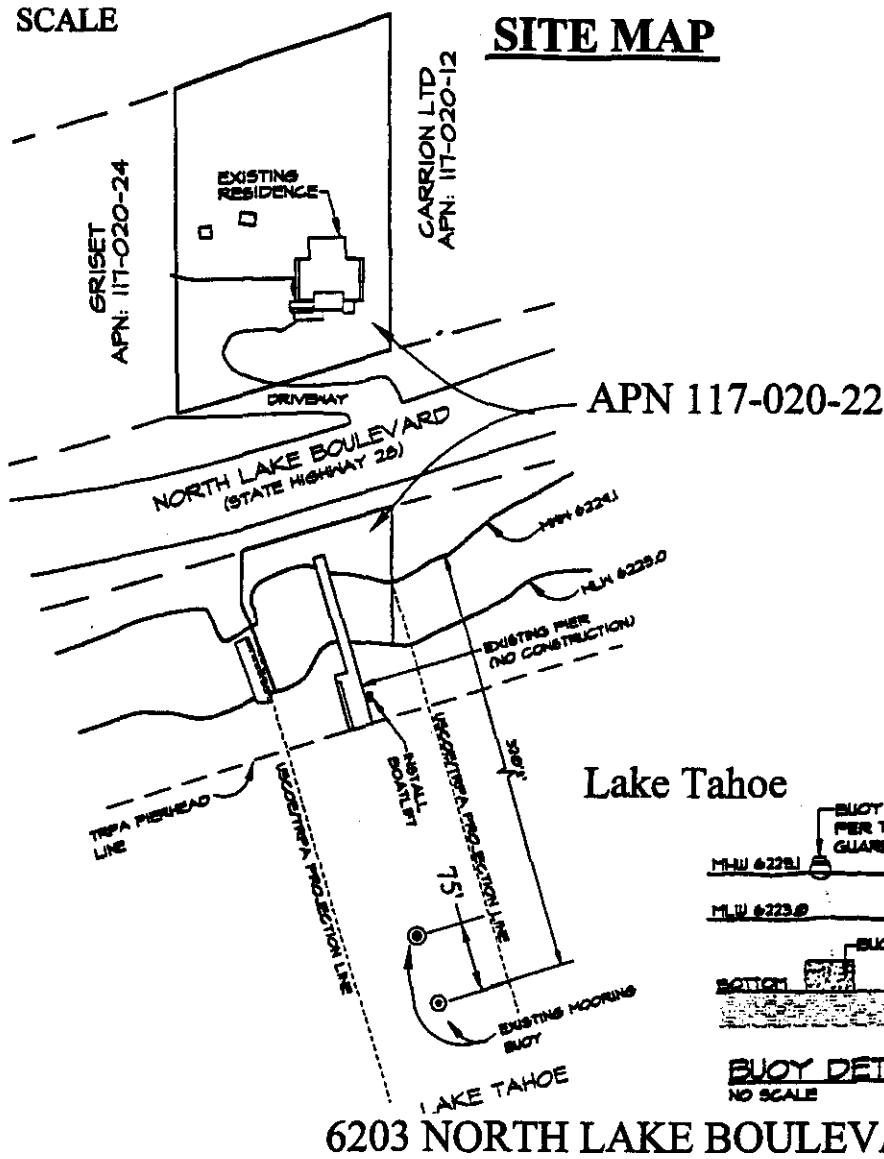
AUTHORIZE ISSUANCE TO KENT B. WILLIAMS AND CATHERINE E. WILLIAMS OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING OCTOBER 27, 1999, FOR A PIER AND ONE MOORING BUOY AND THE INSTALLATION OF A BOAT LIFT AND THE RETENTION OF AN ADDITIONAL MOORING BUOY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE

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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



LOCATION MAP NO SCALE

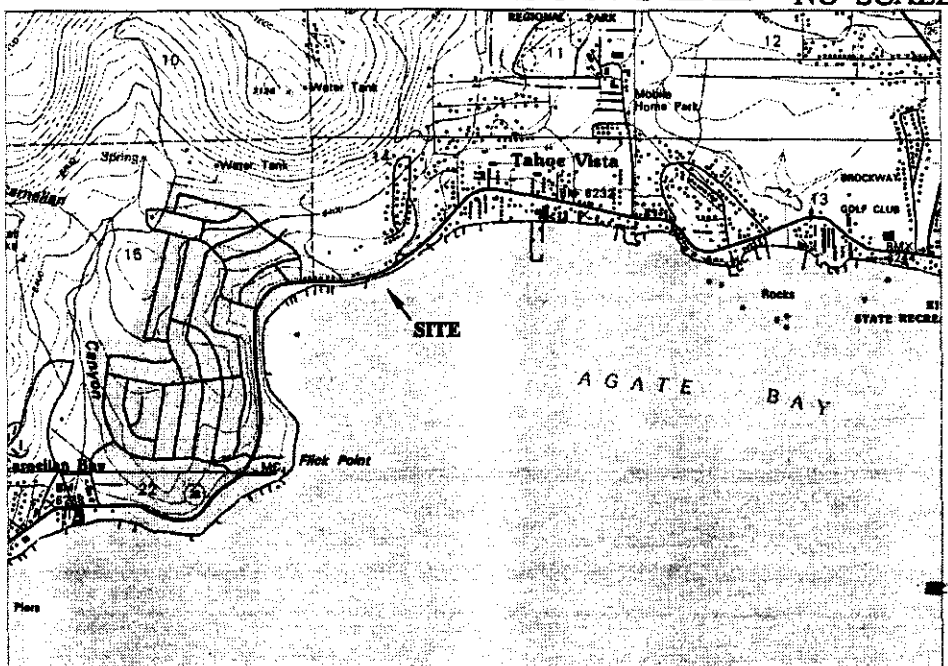
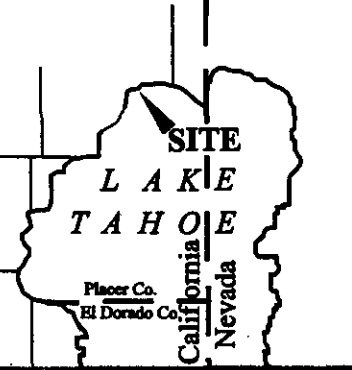


Exhibit A
 WP5664
 APN 117-020-022
 Lake Tahoe
 PLACER COUNTY



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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