

MINUTE ITEM

This Calendar Item No. C55 was approved as Minute Item No. 55 by the California State Lands Commission by a vote of 3 to 0 at its 4-24-01 meeting.

**CALENDAR ITEM
C55**

A 4
S 1

04/24/01
PRC 3546 WP 3546
N. Lee

RECREATIONAL PIER LEASE

APPLICANTS:

Brian Johnson Trust and Gary Steven Pleau and Vivian M. M. Pleau, Trustees under the Pleau Living Trust dated August 29, 1996, fbo Gary Steven Pleau and Vivian M. M. Pleau
P.O. Box 687
Homewood, CA 96141

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of a pier, two boat lifts and two existing mooring buoys and retention of two additional existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning April 1, 2001.

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 September 27, 1990, the Commission authorized a Recreational Pier Permit with Brian Johnson, Weyman I. Lundquist and Joan D. Lundquist covering a joint use pier and buoys. Brian Johnson subsequently deeded his littoral land, APN 97-164-05, to Brian Johnson Trust. The Lundquist's deeded their littoral land, APN 97-164-04, to Gary Steven Pleau and Vivian M. M. Pleau, Trustees under the Pleau Living Trust dated August 29, 1996, fbo Gary Steven Pleau and Vivian M. M. Pleau. 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. Brian Johnson Trust and Gary Steven Pleau and Vivian M. M. Pleau, Trustees under the Pleau Living Trust dated August 29, 1996, fbo Gary Steven Pleau and Vivian M. M. Pleau, are now applying for a new Recreational Pier Lease.

2. **Issuance of new lease (pier, boatlifts and 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. **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.

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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:

ISSUANCE OF NEW LEASE (PIER, BOAT LIFTS AND 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).

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.

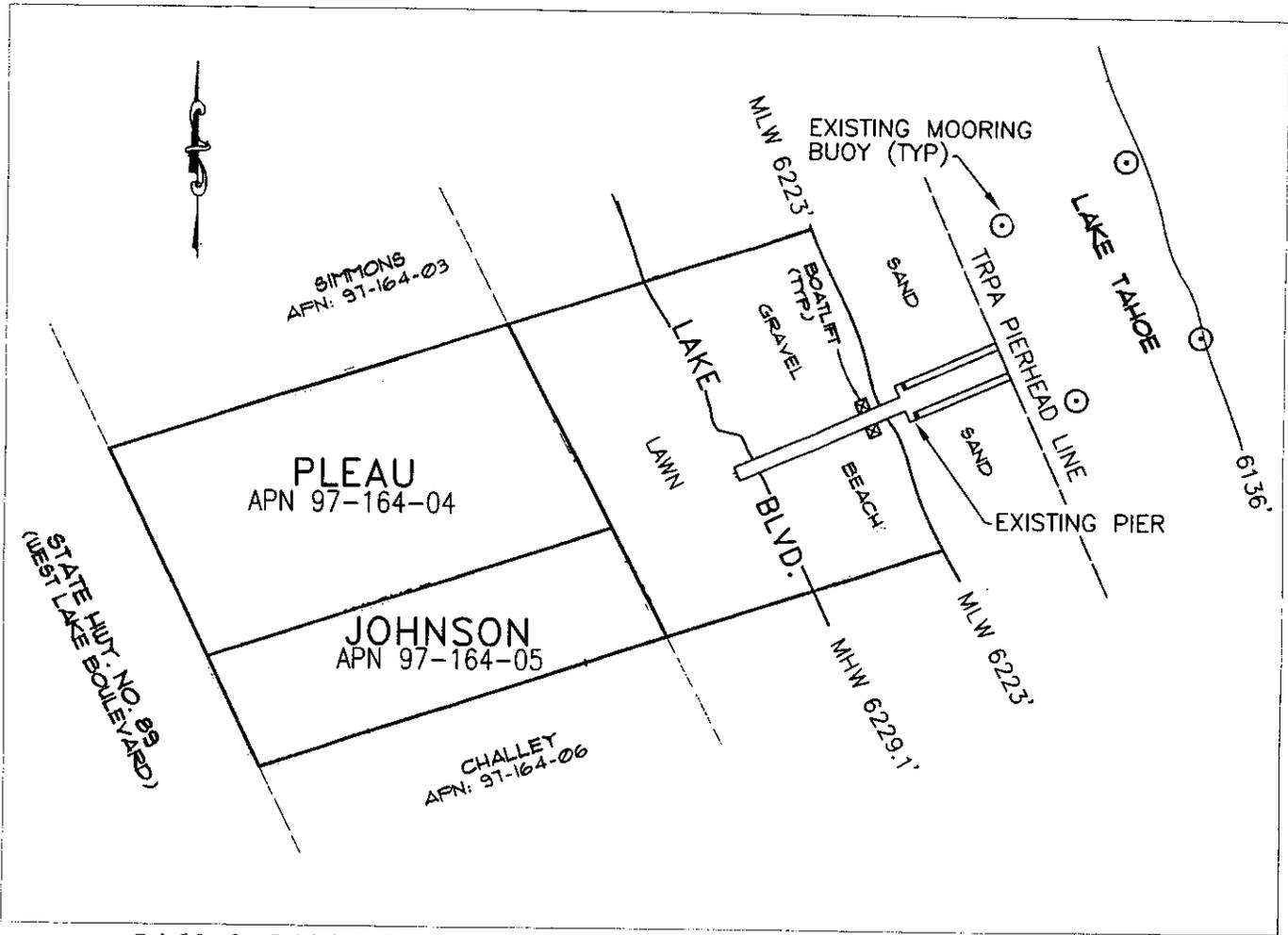
CALENDAR ITEM NO. C55 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO BRIAN JOHNSON TRUST AND GARY STEVEN PLEAU AND VIVIAN M. M. PLEAU, TRUSTEES UNDER THE PLEAU LIVING TRUST DATED AUGUST 29, 1996, FBO GARY STEVEN PLEAU AND VIVIAN M. M. PLEAU, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING APRIL 1, 2001, FOR CONTINUED USE AND MAINTENANCE OF A PIER, TWO BOAT LIFTS AND TWO EXISTING MOORING BUOYS AND RETENTION OF TWO ADDITIONAL 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.

NO SCALE

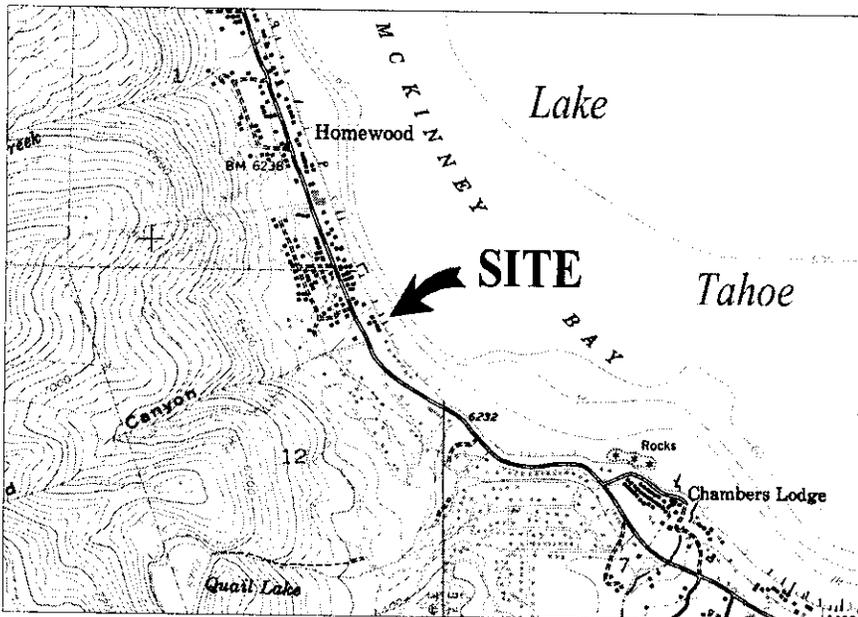
SITE MAP



5460 & 5480 West Lake Boulevard, Homewood, Lake Tahoe

NO SCALE

LOCATION MAP



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, 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.

Exhibit A

WP 3546
APN's 97-164-04 & 05
Lake Tahoe
PLACER COUNTY

