MINUTE ITEM
This Calendar Item No. C06 was approved as Minute Item No. 06 by the California State Lands Commission by a vote of 3 to Ø at its 4-9-02 meeting.

CALENDAR ITEM
C06

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PRC 5301.9

04/09/02
WP 5301.9
B. Dugal

TERMINATION OF A RECREATIONAL PIER LEASE AND THE ISSUANCE OF A NEW RECREATIONAL PIER LEASE

LESSEE:
C. Bruce Mace, Trustee of the Anna Lee Mace 1993 Revocable Trust

APPLICANTS:
C. Bruce Mace and Janice Mace Remely

AREA, LAND TYPE, AND LOCATION:
Sovereign lands in Lake Tahoe, located near Homewood, Placer County.

PROPOSED AUTHORIZED USE:
Continued use and maintenance of an existing pier and the retention of two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:
Ten years, beginning April 1, 2002.

CONSIDERATION:
No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:
Insurance:
Liability insurance in the amount of no less than $300,000.
Other:
This lease is conditioned on the Applicants 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. Applicants own the uplands.

2. On February 8, 2000, the Commission authorized the issuance of a Recreational Pier Lease to the Lessee for the existing pier. Commission staff was subsequently notified that the Lessee had granted its interest in the adjacent upland property to the Applicants. The Applicants have now applied for a new Recreational Pier Lease for the continued use and maintenance of the existing pier and the retention of two existing mooring buoys.

3. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral lands with, and use the uplands for, single-family dwellings.

4. **Termination of Existing Lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it 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, sections 15060 (c)(3) and 15378.

5. **Existing Pier:** 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.

6. **Retention of Two Existing Mooring 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.

7. 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.

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 NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) 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: 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).

RETENTION OF TWO EXISTING MOORING 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.

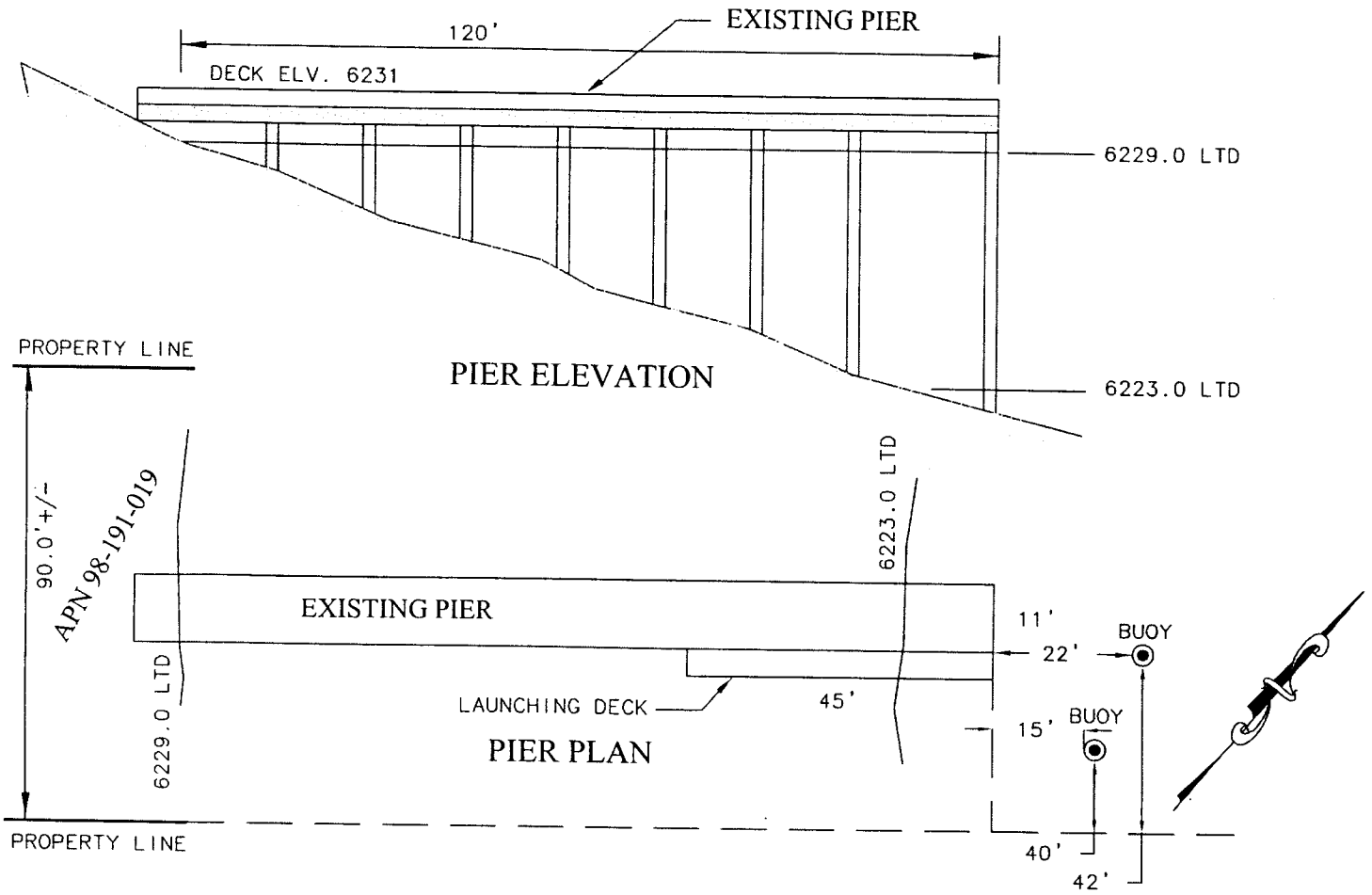
AUTHORIZATION:

TERMINATE, EFFECTIVE MARCH 31, 2002, RECREATIONAL PIER LEASE NO. PRC 5301.9, ISSUED TO C. BRUCE MACE, TRUSTEE OF THE ANNA LEE MACE 1993 REVOCABLE TRUST.

AUTHORIZE THE ISSUANCE TO C. BRUCE MACE AND JANICE MACE REMELY OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING APRIL 1, 2002, FOR AN EXISTING PIER PREVIOUSLY AUTHORIZED BY THE COMMISSION 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 IN THE AMOUNT OF NO LESS THAN $300,000.

NO SCALE

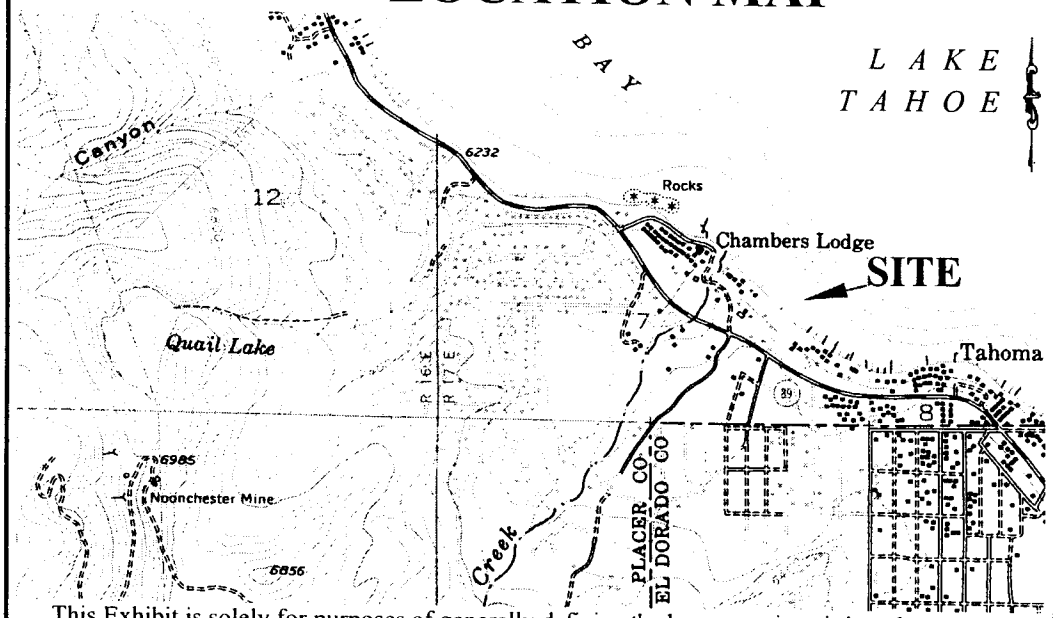
SITE MAP



28 MOANA CIRCLE, HOMEWOOD, CA
APN 098-191-019

NO SCALE

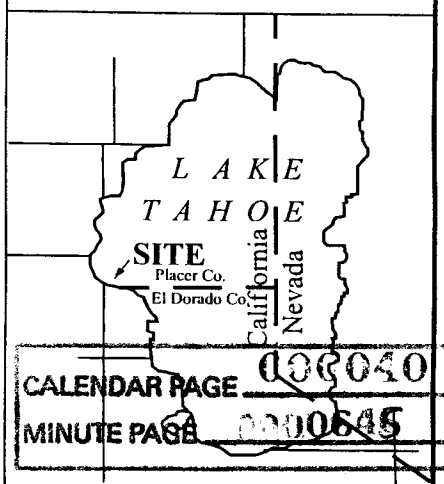
LOCATION MAP



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the 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 5301
C. BRUCE MACE
RPL, EXISTING PIER,
2 MOORING BUOYS
PLACER COUNTY



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JK 2/02