

**CALENDAR ITEM
C06**

A 4
S 1

12/16/02
WP 5843.9
M. Hays

RECREATIONAL PIER LEASE

APPLICANTS:

West Lake Investors, A Family Trust

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

The modification and relocation of an existing pier and retention of two mooring buoys previously authorized by the Commission, as shown on Exhibit A.

LEASE TERM:

Ten years, beginning December 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 PERTINENT INFORMATION:

1. On May 26, 1986, the Commission approved a Recreational Pier Lease for two mooring buoys. That lease expired on February 5, 1996. 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. Westlake Investors, A Family Trust, are now applying for a new Recreational Pier Lease.
2. The proposed project is located in an area identified as Tahoe Yellow Cress (TYC) habitat. The TYC is an endangered plant species statutorily protected by the California Endangered Species Act. No TYC was found during the

CALENDAR ITEM NO. **C06** (CONT'D)

site-specific survey performed during the 2002 growing season. Should the demolition, construction or continuation of construction on the site extend into a subsequent growing season, the Applicant is required to contact the California State Lands Commission to conduct a site-specific survey (survey conducted between June 15-September 30) for the presence of Tahoe Yellow Cress.

3. 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 under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

Authority: Title 14, California Code of Regulations, section 15061(b)(3).

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.

APPROVALS OBTAINED:

Buoys: Tahoe Regional Planning Agency

FURTHER APPROVALS REQUIRED:

Tahoe Regional Planning Agency
Lahontan Regional Water Quality Control Board
California Department of Fish and Game
United States Army Corps of Engineers

EXHIBIT:

- A. Site and Location

PERMIT STREAMLINING ACT DEADLINE:

December 28, 2002

CALENDAR ITEM NO. **C06** (CONT'D)

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 THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b)(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 WESTLAKE INVESTORS, A FAMILY TRUST, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 1, 2002, FOR THE MODIFICATION AND RELOCATION OF AN EXISTING PIER 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.