

MINUTE ITEM

This Calendar Item No. 32 was approved as Minute Item No. 32 by the California State Lands Commission by a vote of 3 to 0 at its 12-09-03 meeting.

**CALENDAR ITEM
C32**

A 4
S 1

12/09/03
PRC 5751 WP 5751.9
B. Young

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

LESSEES:

Edwin E. Wright and Judith A. Wright

APPLICANTS:

Edwin E. Wright and Judith A. Wright, Trustees, or their successors in trust, under the Wright Trust, dated November 22, 1983, as amended and restated on June 10, 1988

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Proposed extension of an existing previously authorized pier, relocation of a boat lift and two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning January 1, 2004.

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.

CALENDAR ITEM NO. C32 (CONT'D)

OTHER PERTINENT INFORMATION:

1. On July 6, 1995, the Commission authorized a Recreational Pier Lease to the Lessees for an existing pier and two mooring buoys. That lease will expire on April 25, 2004. Applicants submitted an application for the proposed pier extension, the relocation of a boat lift and two existing buoys. Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling. Applicants are now applying for a new Recreational Pier Lease.

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 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.

3. **Issuance of New Lease - Pier Extention:** 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. **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

CALENDAR ITEM NO. C32 (CONT'D)

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.

APPROVALS OBTAINED:

Pier and Boat Lift: California Department of Fish and Game and the California Regional Water Quality Control Board, Lahontan Region.

FURTHER APPROVALS REQUIRED:

Pier: Tahoe Regional Planning Agency and U.S. Army Corps of Engineers
Buys: Tahoe Regional Planning Agency

EXHIBIT:

- A. Location and Site map

PERMIT STREAMLINING ACT DEADLINE:

March 2, 2003

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

TERMINATION OF EXISTING LEASE: FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE PROVISIONS OF THE CEQA BECAUSE IT IS NOT A "PROJECT" AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15060 (c)(3) AND 15378.

ISSUANCE OF NEW LEASE -- PIER EXTENTION: 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).

CALENDAR ITEM NO. C32 (CONT'D)

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).

SIGNIFICANT LANDS INVENTORY FINDING:

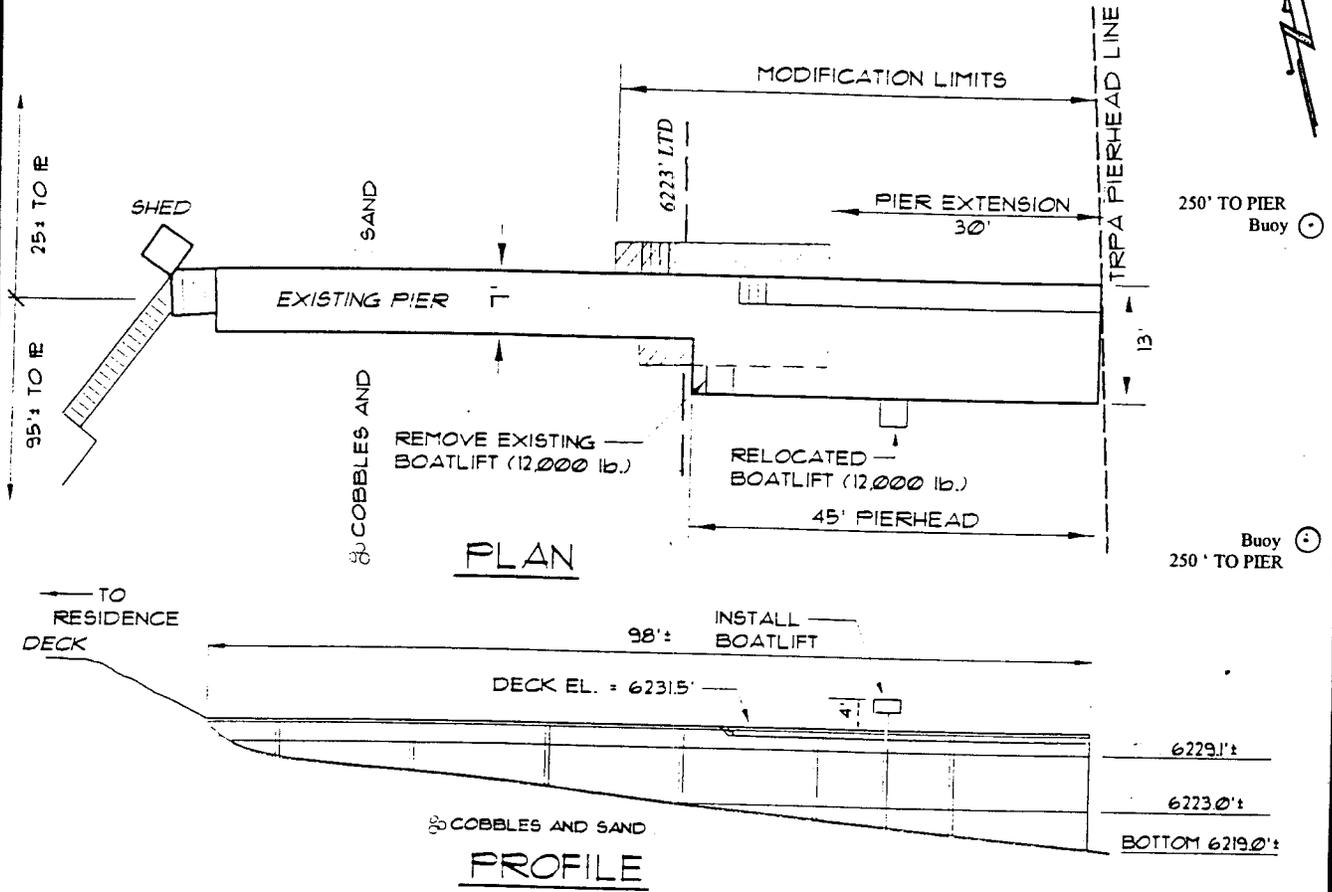
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE TERMINATION OF RECREATIONAL PIER LEASE NO. PRC 5751.9, ISSUED TO EDWIN E. WRIGHT AND JUDITH A. WRIGHT, AND APPROVED BY THE COMMISSION ON JULY 6, 1995.

AUTHORIZE ISSUANCE TO EDWIN E. WRIGHT AND JUDITH A. WRIGHT, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE WRIGHT TRUST, DATED NOVEMBER 22, 1983, AS AMENDED AND RESTATED ON JUNE 10, 1988, OF A RECREATIONAL PIER LEASE, BEGINNING JANUARY 1, 2004, FOR A TERM OF TEN YEARS, FOR THE PROPOSED EXTENSION OF AN EXISTING PIER, RELOCATION OF A BOAT LIFT AND 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 FOR COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN \$300,000.

SITE MAP



3780 North Lake Blvd.

NO SCALE

LOCATION MAP

NO SCALE

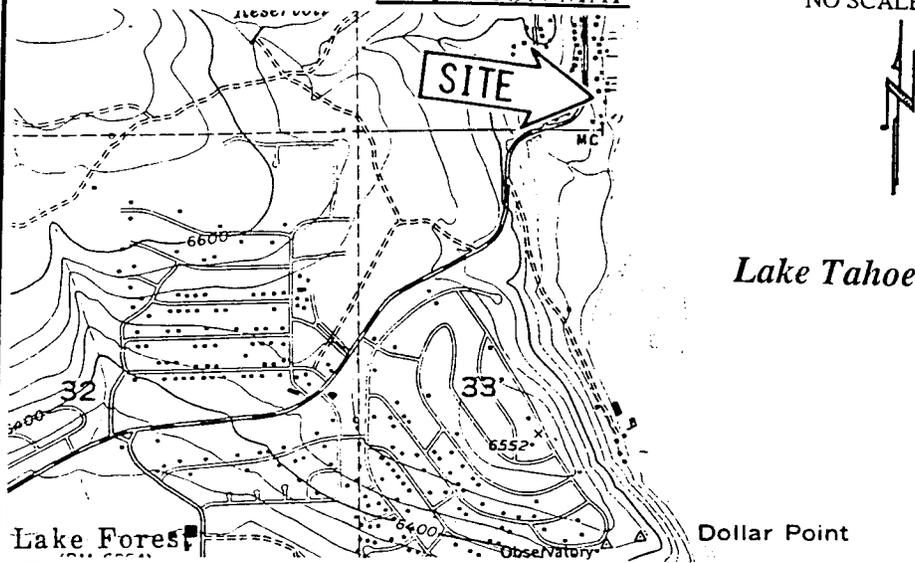
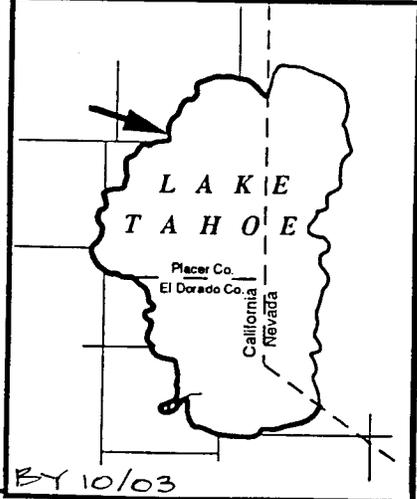


EXHIBIT A
PRC 5751.9
APN 092-110-028
Lake Tahoe
PLACER COUNTY



This exhibit is solely for the purposes of generally defining the lease premises, is based on unverified information provided by lessee or other parties, and is not intended to be, or construed as a waiver or limitation of any state interest in the subject or any other property.

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BY 10/03