MINUTE ITEM

This Calendar Item No. C38 was approved as Minute Item No. 38 by the California State Lands Commission by a vote of 3 to 0 at its 2/2/04 meeting.

CALENDAR ITEM
C38

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PRC8512

02/02/04
W 25958
S. Young

RECREATIONAL PIER LEASE

APPLICANTS:
David W. Yancey and Michael H. Yancey

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

AUTHORIZED USE:
Retention, use and maintenance of two existing mooring buoys.

LEASE TERM:
Ten years, beginning February 2, 2004.

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 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. Applicants are now applying for a new Recreational Pier Lease for two existing mooring buoys not previously authorized by the Commission.

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 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.

3. 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 REQUIRED:

United States Army Corps of Engineers, Tahoe Regional Planning Agency

EXHIBIT:

A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

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 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

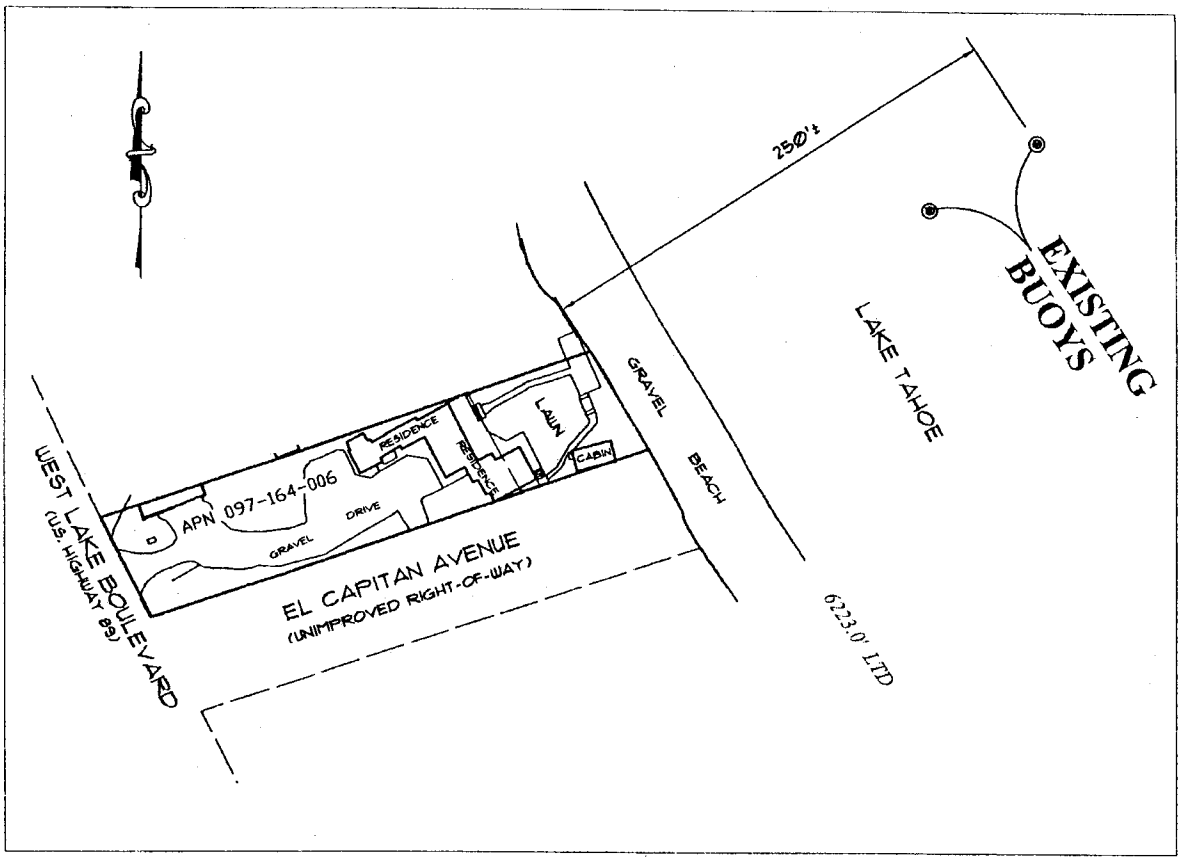
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO DAVID W. YANCEY AND MICHAEL H. YANCEY OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING FEBRUARY 2, 2004, FOR THE RETENTION, USE AND MAINTENANCE 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

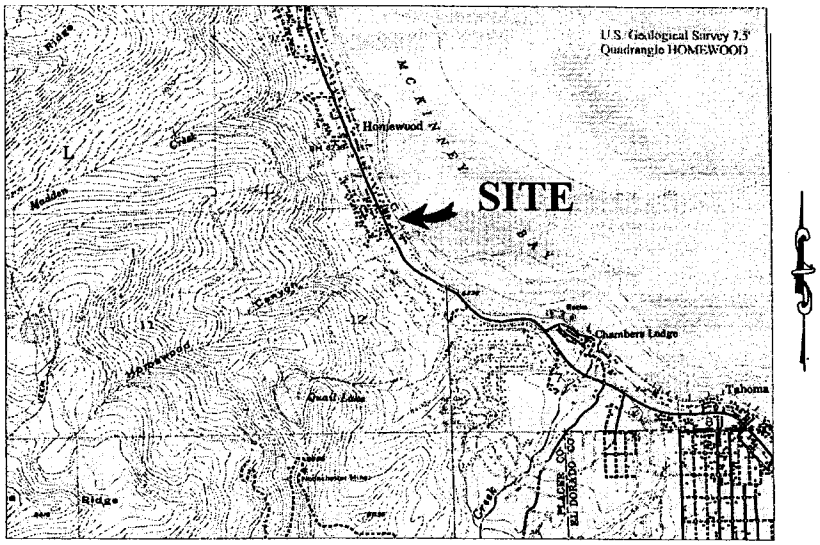
SITE MAP



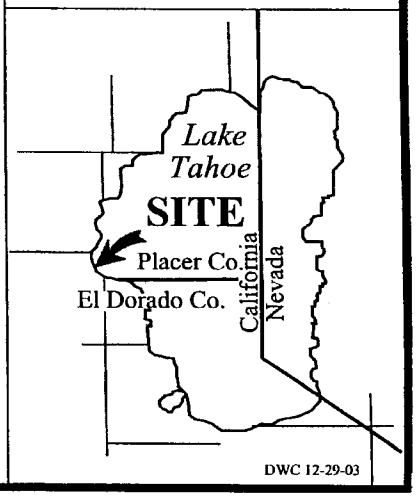
5490 West Lake Boulevard, Homewood, CA

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

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RPL - Yancey
APN 097-164-006
PLACER COUNTY