MINUTE ITEM

This Calendar Item No. C34 was approved as Minute Item No. 34 by the California State Lands Commission by a vote of 3 to 0 at its 4-5-04 meeting.

CALENDAR ITEM
C34

A 4

S 1

PRC 3709

04/05/04
WP 3709.9
B. Young

RECREATIONAL PIER LEASE

APPLICANTS:

Warren Lewis Simmons, Jr. and Nancy Gale Simmons of the Warren Lewis Simmons, Jr. and Nancy Gale Simmons Trust, dated March 21, 1988

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift and two mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning October 4, 2003.

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 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. On October 26, 1996, the Commission authorized a Recreational Pier Lease to Warren Lewis Simmons, Jr. and Nancy Gale Simmons of the Warren Lewis Simmons, Jr. and Nancy Gale Simmons Trust dated March 21, 1988, for an existing pier, boat lift and two mooring buoys. That

lease expired on October 3, 2003. Warren Lewis Simmons, Jr. and Nancy Gale Simmons of the Warren Lewis Simmons, Jr. and Nancy Gale Simmons Trust dated March 21, 1988 have applied for a new lease. 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.

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 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. 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:

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:

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).

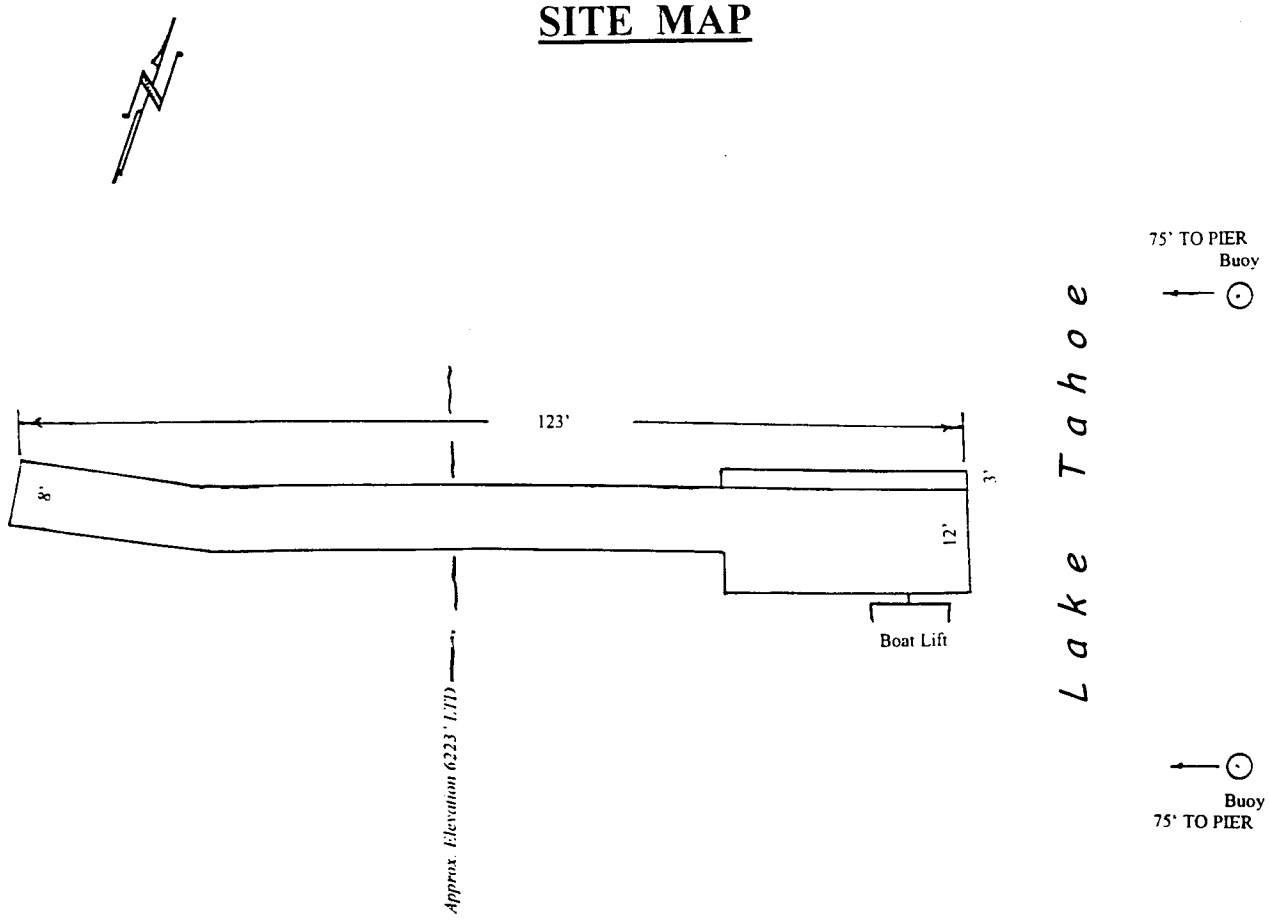
SIGNIFICANT LANDS INVENTORY FINDING:

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 ISSUANCE TO WARREN LEWIS SIMMONS, JR. AND NANCY GALE SIMMONS OF THE WARREN LEWIS SIMMONS, JR. AND NANCY GALE SIMMONS TRUST, DATED MARCH 21, 1988, OF A RECREATIONAL PIER LEASE, BEGINNING OCTOBER 4, 2003, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOAT LIFT AND TWO 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 COMBINED SINGLE LIMIT COVERAGE OF $300,000.

SITE MAP

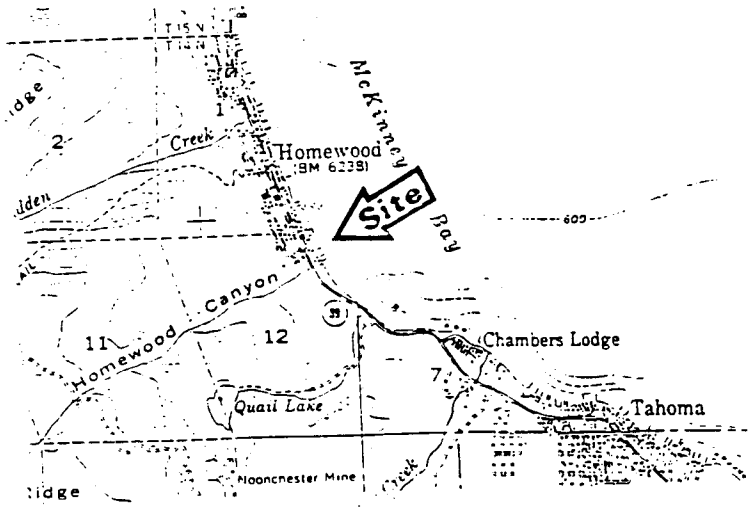


5450 West Lake Blvd.

NO SCALE

LOCATION MAP

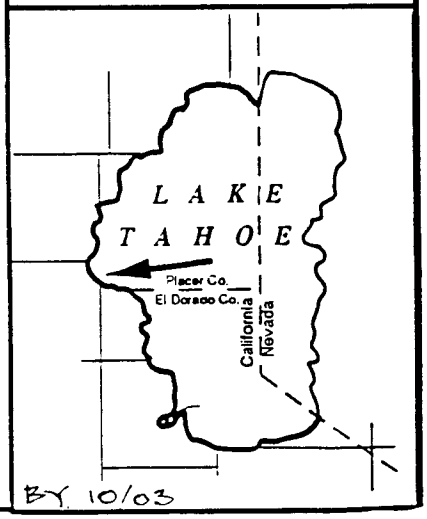
Lake Tahoe



NO SCALE

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.

EXHIBIT A
PRC 3709.9
APN 97 - 164 - 03
Lake Tahoe
PLACER COUNTY



BY 10/03