MINUTE ITEM

This Calendar Item No. C35 was approved as Minute Item No. 35 by the California State Lands Commission by a vote of 3 to 0 at its 04-05-04 meeting.

CALENDAR ITEM
C35

A 4

S 1

PRC 5152

04/05/04
WP 5152.9
B. Young

RECREATIONAL PIER LEASE

APPLICANTS:
Louis A. Basile and Christine A. Basile

AREA, LAND TYPE, AND LOCATION:
Sovereign lands in Lake Tahoe, Carnelian 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 April 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 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 Februaray 27, 1996, the Commission authorized a Recreational Pier Lease to Kenneth R. and Wauneta M. Arnbrister for an existing pier, boat lift and two mooring buoys. That lease expired on January 19, 2003. On July 12, 2002, the Arnbristers deeded the littoral land to Louise A. and Christine A. Basile.

2. The Applicants are now applying for a new Recreational Pier Lease. The Applicants qualify for a rent-free 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 have purchased the upland property and are now applying for a new Recreational Pier Lease.

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 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.

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 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:

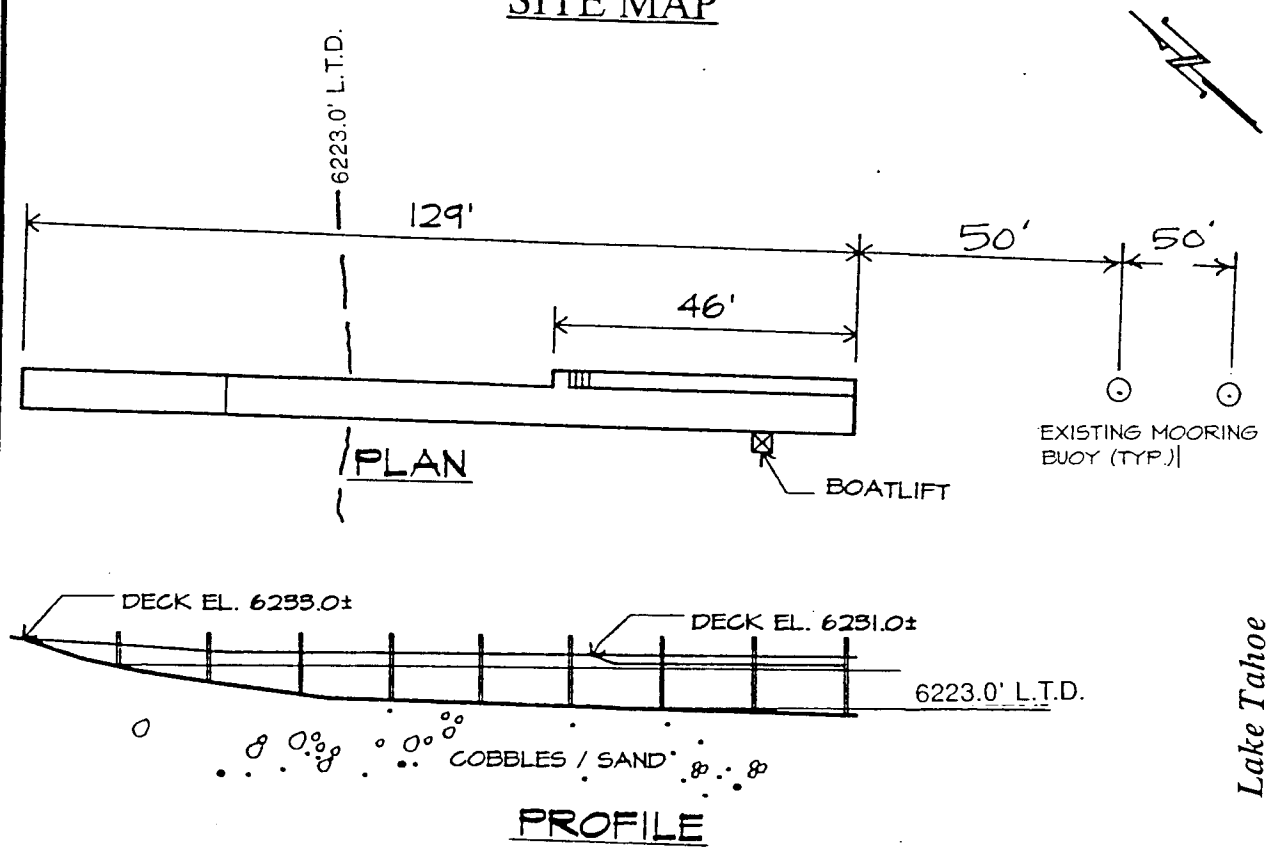
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO LOUIS A. BASILE AND CHRISTINE A. BASILE, OF A RECREATIONAL PIER LEASE, BEGINNING APRIL 1, 2004, 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 NO LESS THAN $300,000.

NO SCALE

SITE MAP



4970 N. Lake Blvd.

NO SCALE

LOCATION MAP

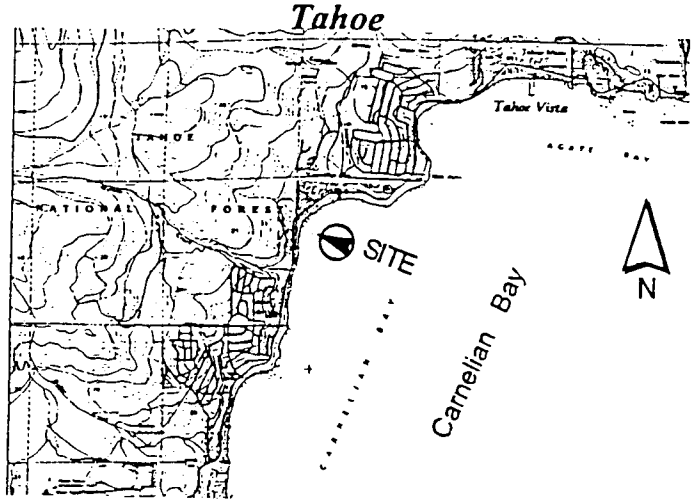
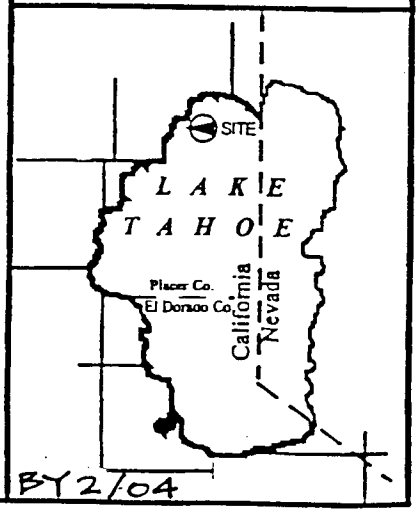


EXHIBIT A
PRC 5152.9
APN 115-050-032
Lake Tahoe
PLACER COUNTY



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.