MINUTE ITEM

This Calendar Item No. C44 was approved as Minute Item No. 44 by the California State Lands Commission by a vote of 2 to 0 at its 06/07/04 meeting.

CALENDAR ITEM
C44

A 4

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PRC 5623

06/07/04
WP 5623.9
B. Young

RECREATIONAL PIER LEASE

APPLICANTS:

Michael J. Homer and Kristina L. Homer, Trustees of the Homer Family Living Trust U/T/D dated December 6, 1999

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Rubicon Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and boathouse and retention of two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 8, 2000.

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 Applicant's 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 May 26, 1994, the Commission authorized a Recreational Pier Lease to Hoyt S. Pardee for a pier and boathouse. That lease expired on January 25, 1999. The Applicants subsequently purchased the upland property and are now applying for a new

Recreational Pier Lease. Applicants are natural persons and qualify for a rent-free lease.

2. **Pier, Boathouse, and 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 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:

PIER, BOATHOUSE, AND 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:

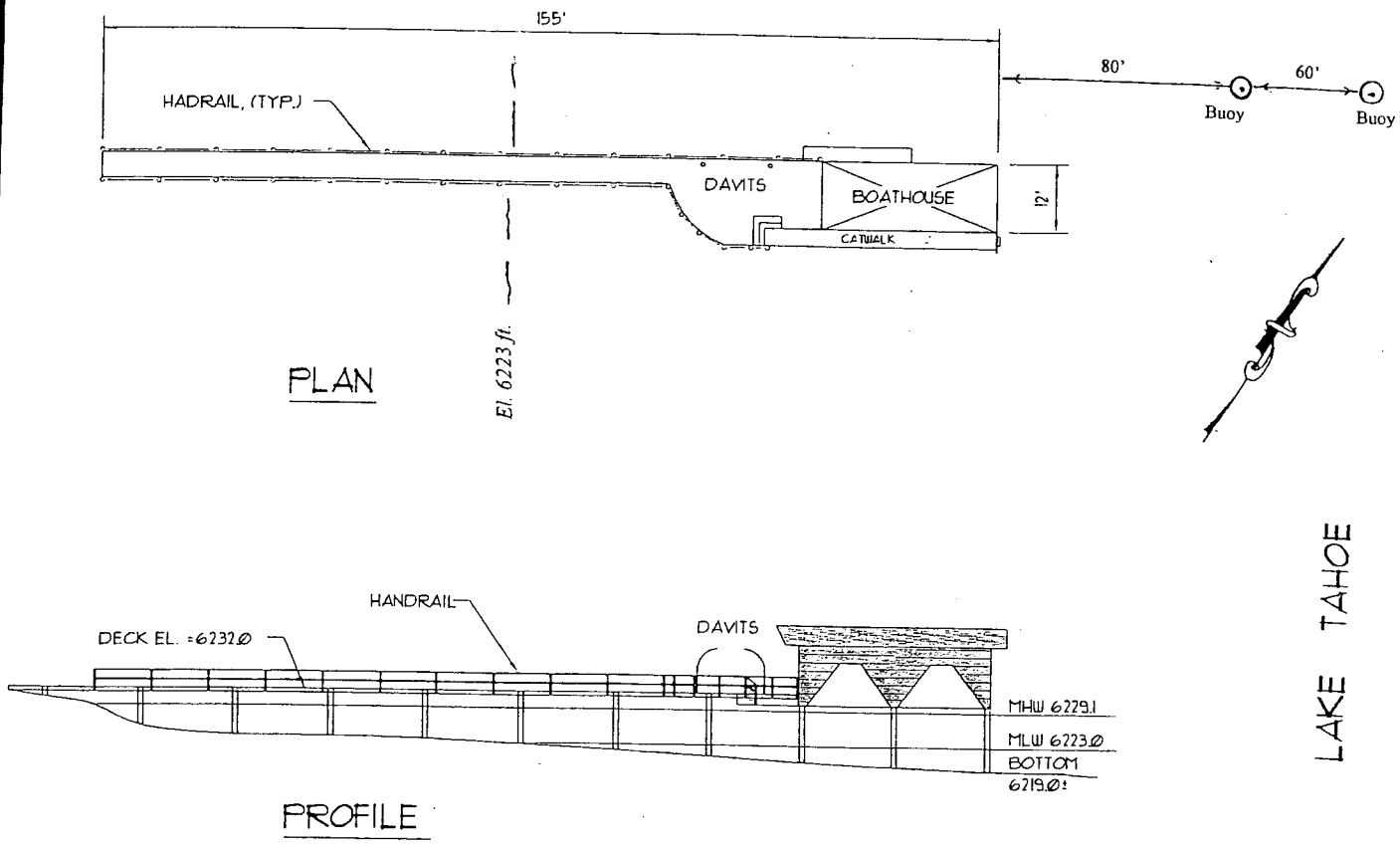
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO MICHAEL J. HOMER AND KRISTINA L. HOMER, TRUSTEES OF THE HOMER FAMILY LIVING TRUST U/T/D DATED DECEMBER 6, 1999, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 8, 2000, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOATHOUSE 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 WITH COMBINED SINGLE LIMIT COVERAGE OF $300,000.

NO SCALE

SITE MAP



8833 Rubicon Road

NO SCALE

LOCATION MAP

Lake Tahoe

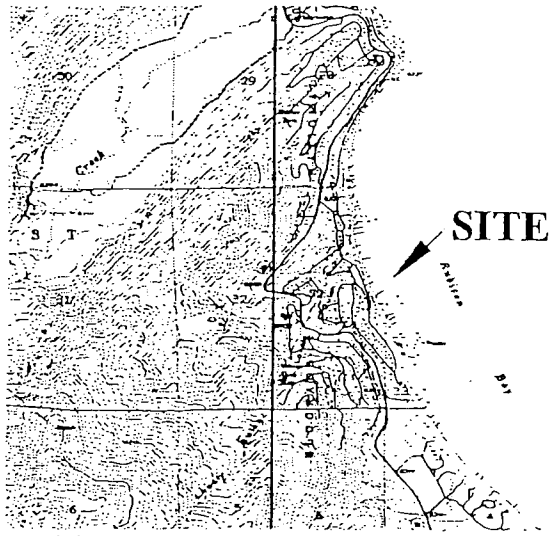
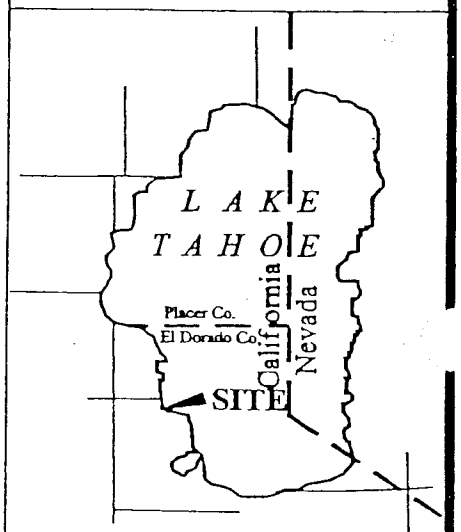


EXHIBIT A
PRC 5623.9
APN 016-221-151
Lake Tahoe
EL DORADO COUNTY



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 to as a waiver or limitation of any state interest in the subject or any other property.

CALENDAR PAGE
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BY 4/04