MINUTE ITEM

This Calendar Item No. C01 was approved as Minute Item No. 01 by the California State Lands Commission by a vote of 3 to 0 at its 2-17-05 meeting.

CALENDAR ITEM
C01

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02/17/05
PRC 4311 WP 4311.9
R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

Frances B. Nelson, David D. Bohannon, II and Robert Webster, Trustees of the David D. Bohannon and Ophelia E. Bohannon Revocable Living Trusts dated February 3, 1972 and amended and restated on October 22, 1988

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Tahoe Pines, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing previously authorized pier as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 10, 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 PERTINENT INFORMATION:

1. Applicants own the upland property adjoining the lease premises.

2. The Commission previously authorized the issuance of a Recreational Pier Lease to the Applicants. That lease has expired and the Applicants are now applying for a new lease for the existing pier. 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.

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.

EXHIBIT:

A. Site and Location Map

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).

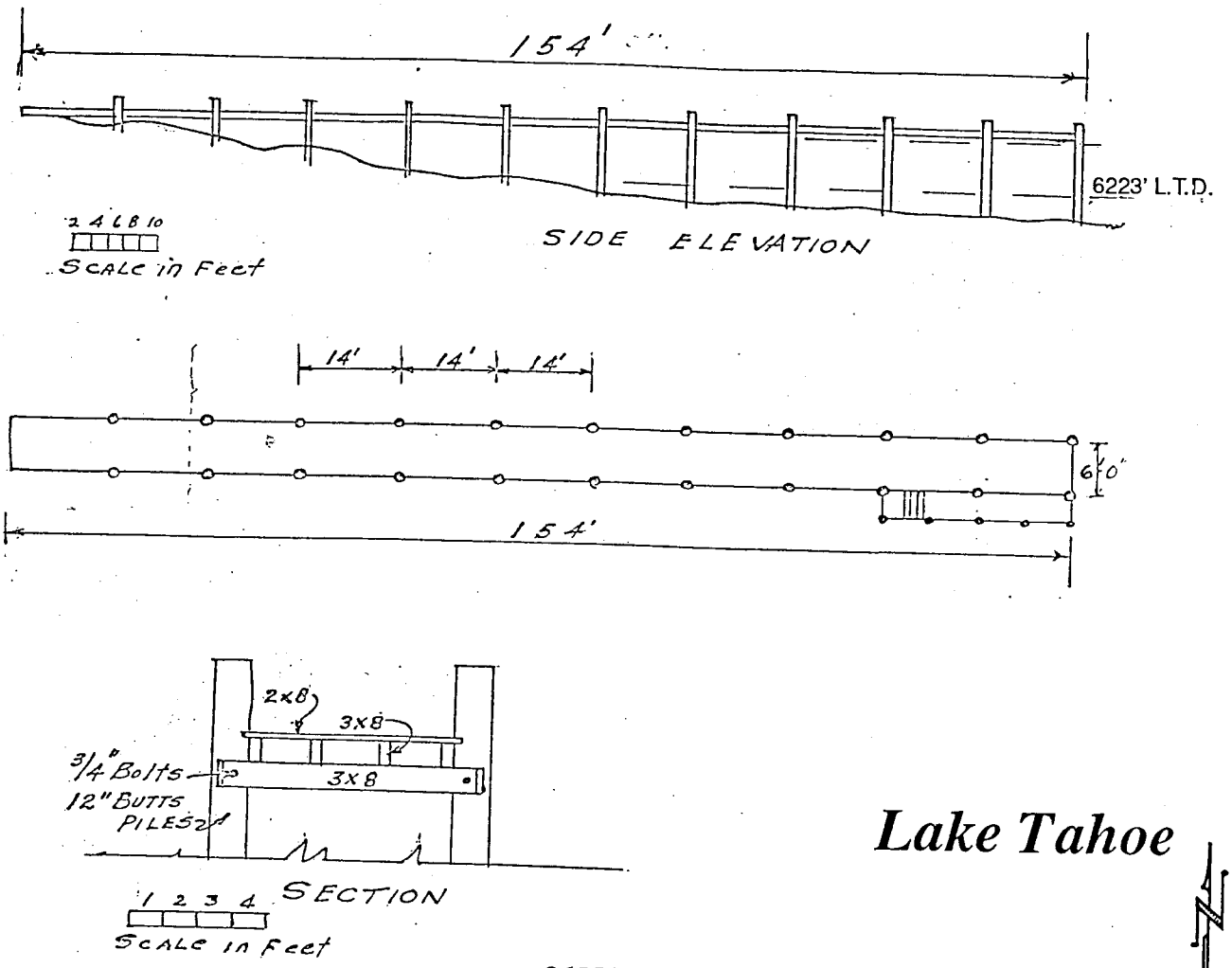
SIGNIFICANT LANDS INVENTORY FINDING:

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:

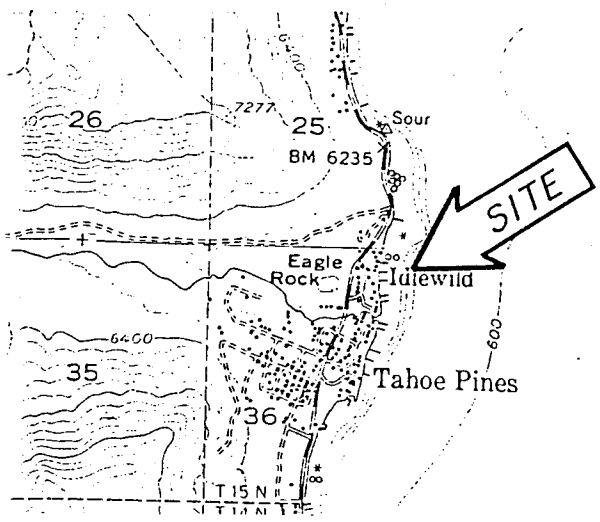
AUTHORIZE ISSUANCE TO FRANCES B. NELSON, DAVID D. BOHANNON, II AND ROBERT WEBSTER, TRUSTEES OF THE DAVID D. BOHANNON AND OPHELIA E. BOHANNON REVOCABLE LIVING

TRUSTS DATED FEBRUARY 3, 1972 AND AMENDED AND RESTATED ON OCTOBER 22, 1988, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 10, 2004, FOR THE CONTINUED USE AND MAINTENANCE OF A PREVIOUSLY AUTHORIZED PIER 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.



3655 Idlewild Way

LOCATION MAP

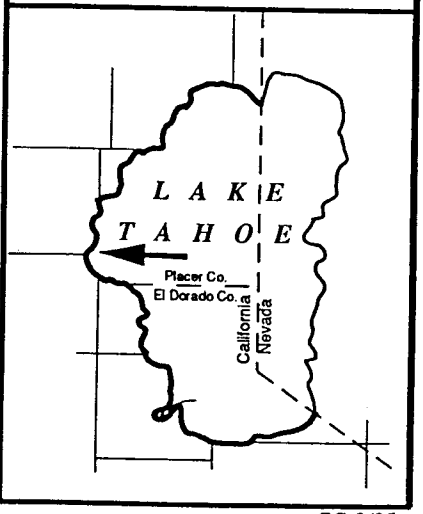


Lake Tahoe

NO SCALE

This Exhibit is solely for purposes of generally defining the lease premises, 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"
PRC 4311.9
APN 85 - 190 - 001
Lake Tahoe
PLACER COUNTY



CG 8/95