MINUTE ITEM
This Calendar Item No. C05 was approved as Minute Item No. 05 by the California State Lands Commission by a vote of 3 to 0 at its 10-20-05 meeting.

CALENDAR ITEM
C05

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PRC 6713

10/20/05
WP 6713.9
R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

Hugh W. Harris as Trustee of the HWH Trust U/D/T 3/6/02 and Muriel M. Harris as Trustee of the MMH Revocable Trust

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Retention of two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning July 10, 2005.

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 own the upland property adjoining the lease premises.

2. On July 6, 1995, the Commission authorized a Recreational Pier Lease with Hugh W. Harris and Muriel M. Harris. That lease expired on July 9, 2005. The property ownership has since transferred to Hugh W.

Harris as Trustee of the HWH Trust U/D/T 3/6/02 and Muriel M. Harris as Trustee of the MMH Revocable Trust. Applicants are now applying for a new recreational pier 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.

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. Location and Site 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).

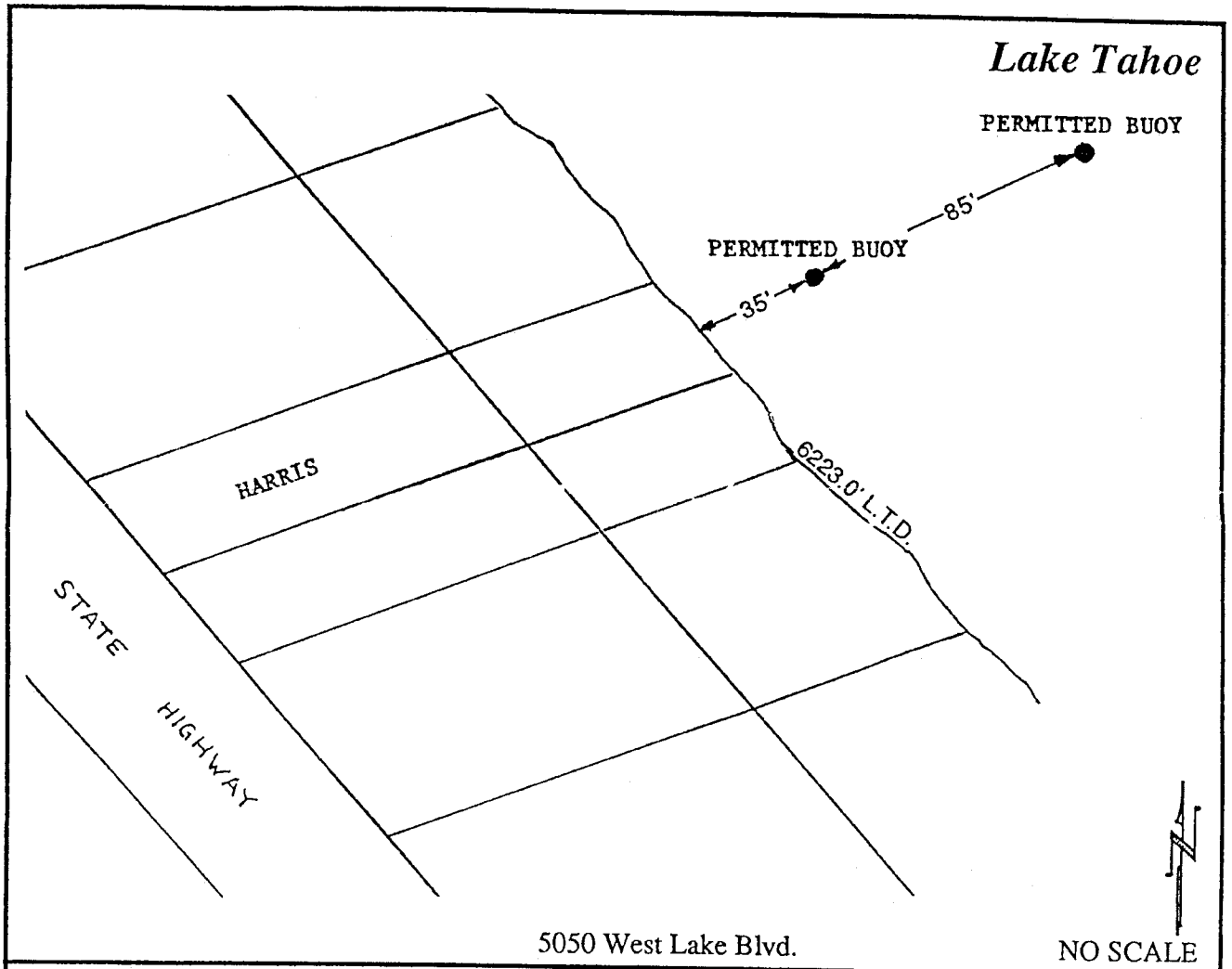
SIGNIFICANT LANDS INVENTORY FINDING:

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 HUGH W. HARRIS AS TRUSTEE OF THE HWH TRUST U/D/T 3/6/02 AND MURIEL M. HARRIS AS TRUSTEE OF THE MMH REVOCABLE TRUST, OF A RECREATIONAL PIER LEASE, BEGINNING JULY 10, 2005, FOR A TERM OF TEN YEARS, FOR THE RETENTION 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 WITH COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN $300,000.



LOCATION MAP

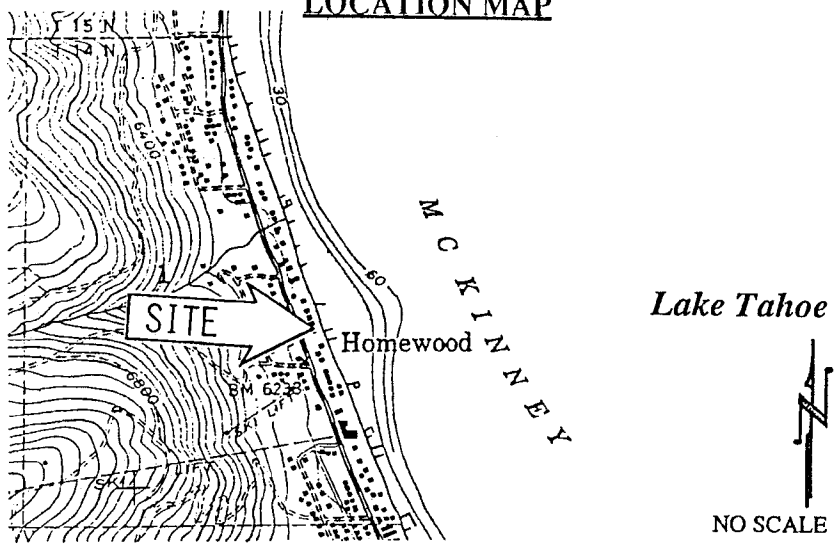
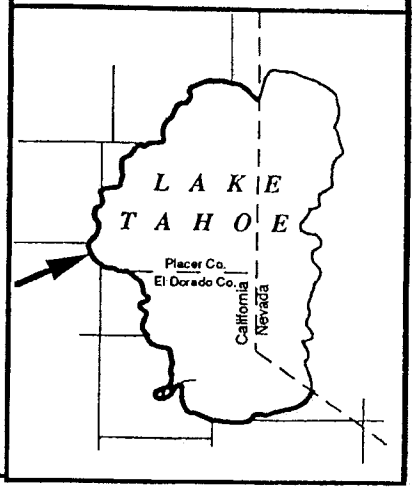


EXHIBIT "A"
PRC 6713
APN 97 - 122 - 18
Lake Tahoe
PLACER COUNTY



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.

RWB 8/05