MINUTE ITEM
This Calendar Item No. C08 was approved as Minute Item No. 08 by the California State Lands Commission by a vote of 2 to 0 at its 10-20-05 meeting.

CALENDAR ITEM
C08

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10/20/05
PRC 5787 WP 5787.9
R. Barham

RECREATIONAL PIER LEASE

APPLICANT:

Evelyn H. Hyatt, Trustee of the Albert M. Hyatt Credit Shelter Trust Dated July 10, 1997

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Meeks Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of a pier and one mooring buoy previously authorized by the Commission as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning January 24, 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 Applicant 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. Applicant owns the upland property adjoining the lease premises.

2. On October 17, 1995, the Commission authorized a Recreational Pier Lease with Albert M. Hyatt and Evelyn H. Hyatt. That lease expired on

January 23, 2005. The property ownership has since transferred to Evelyn H. Hyatt, Trustee of the Albert M. Hyatt Credit Shelter Trust Dated July 10, 1997, who is now applying for a new Recreational Pier Lease. Applicant qualifies for a Recreational Pier Lease because she is a natural person who has improved the littoral land with, and uses 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.

5. 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:

Buoy: Tahoe Regional Planning Agency

EXHIBIT:

A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

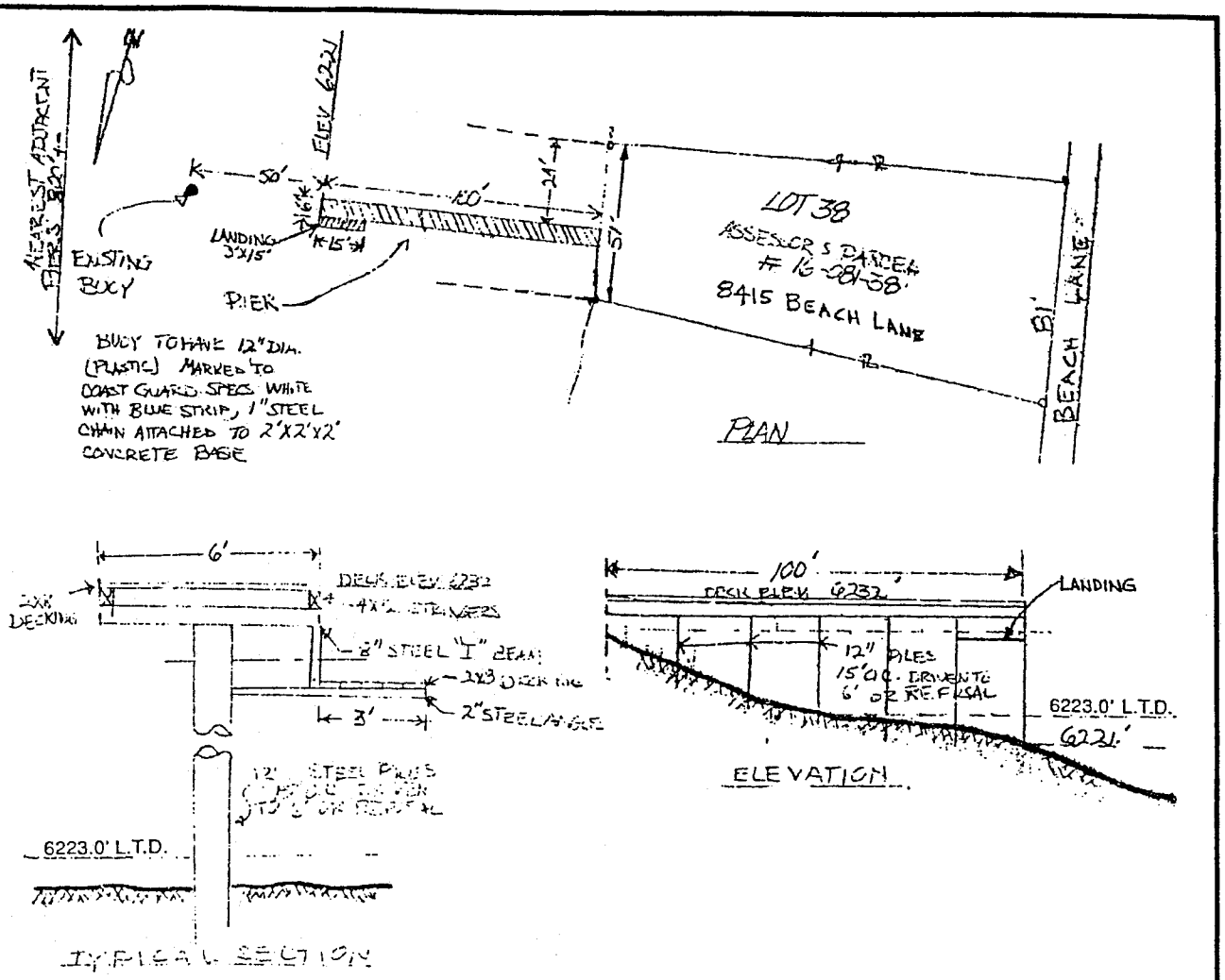
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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:

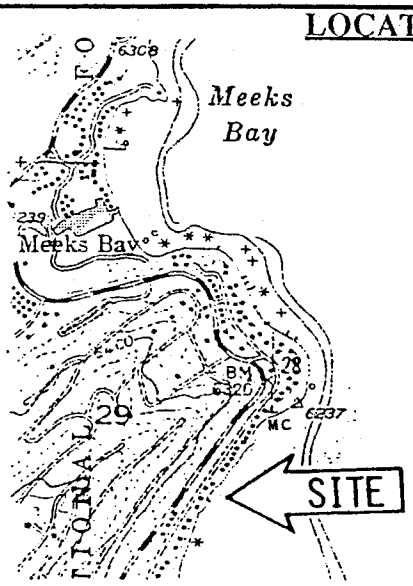
AUTHORIZE ISSUANCE TO EVELYN H. HYATT, TRUSTEE OF THE ALBERT M. HYATT CREDIT SHELTER TRUST DATED JULY 10, 1997, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JANUARY 24, 2005, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND ONE MOORING BUOY PREVIOUSLY AUTHORIZED BY THE COMMISSION ON 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.



8415 Beach Lane

NO SCALE

LOCATION MAP



Lake Tahoe

NO SCALE

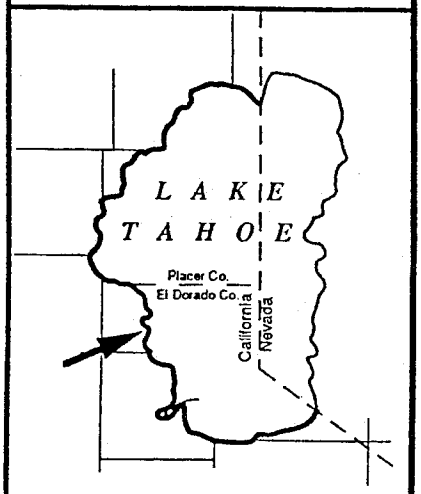
EXHIBIT "A"

PRC 5787.9

APN 16 - 081 - 38

Lake Tahoe

EL DORADO 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