MINUTE ITEM

This Calendar Item No. C02 was approved as Minute Item No. 02 by the California State Lands Commission by a vote of 2 to Ø at its 12-08-05 meeting.

CALENDAR ITEM
C02

A 4

S 1

PRC 4357

12/08/05
WP 4357.9
R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:
Faye D. Heldoorn and Sandra S. Loewen and Delores J. Scott

AREA, LAND TYPE, AND LOCATION:
Sovereign lands in Lake Tahoe, near Tahoma, Placer County.

AUTHORIZED USE:
Continued use and maintenance of an existing pier, and the retention of one existing mooring buoy as shown on the attached Exhibit A.

LEASE TERM:
Ten years, beginning November 14, 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:

This lease is conditioned on the Applicants obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy 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. October 17, 1995, the Commission authorized a Recreational Pier Lease with Delbert E. Loewan and Faye D. Heldoorn. That lease expired on

November 13, 2004. The property ownership has since transferred to Faye D. Heldoorn and Sandra S. Loewen and Delores J. Scott. 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. **Existing Pier:** 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. **Existing Buoy:** 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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 Title (c)(3).

   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:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

A. Site and Location Map

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

EXISTING PIER: 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).

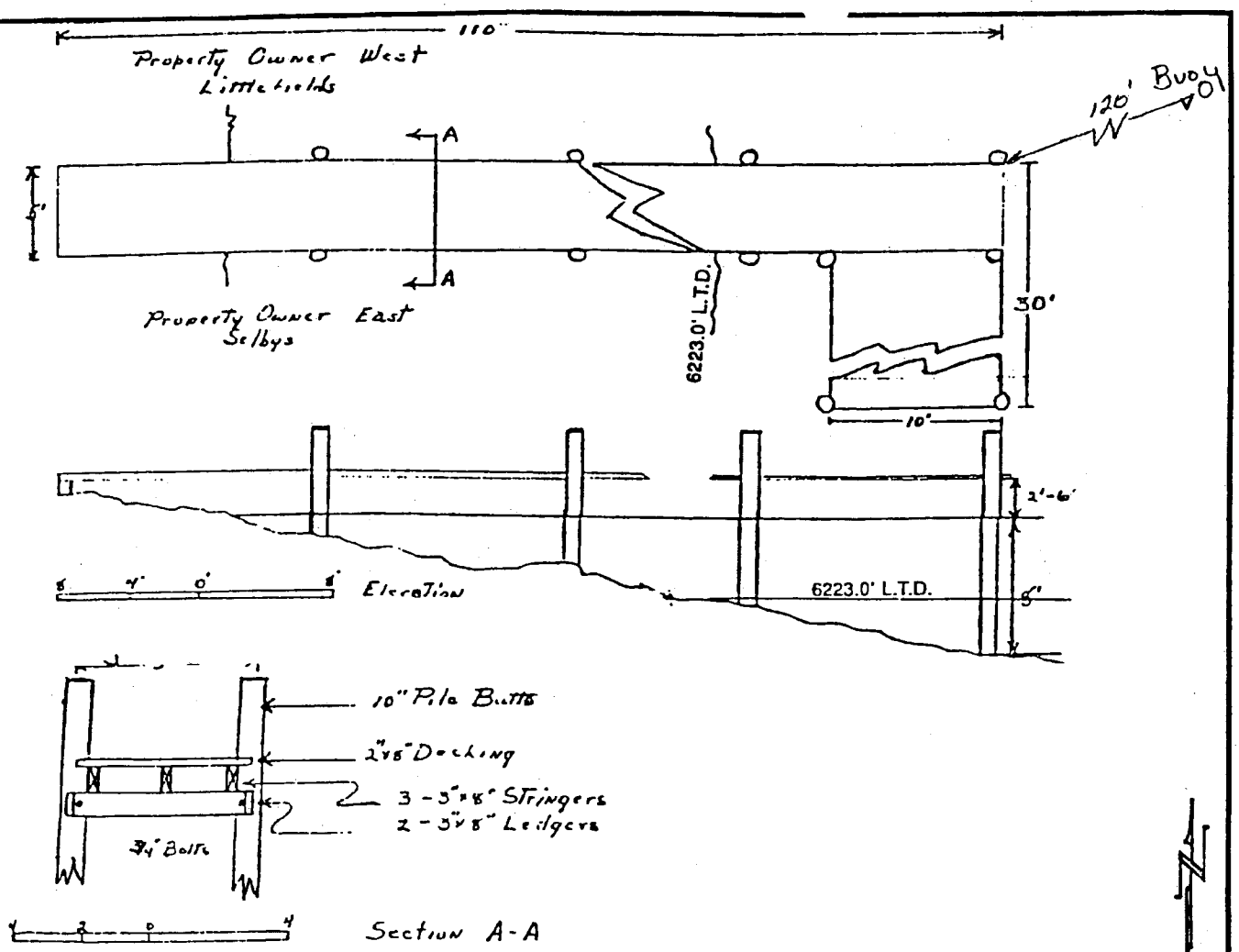
EXISTING BUOY: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(3).

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:

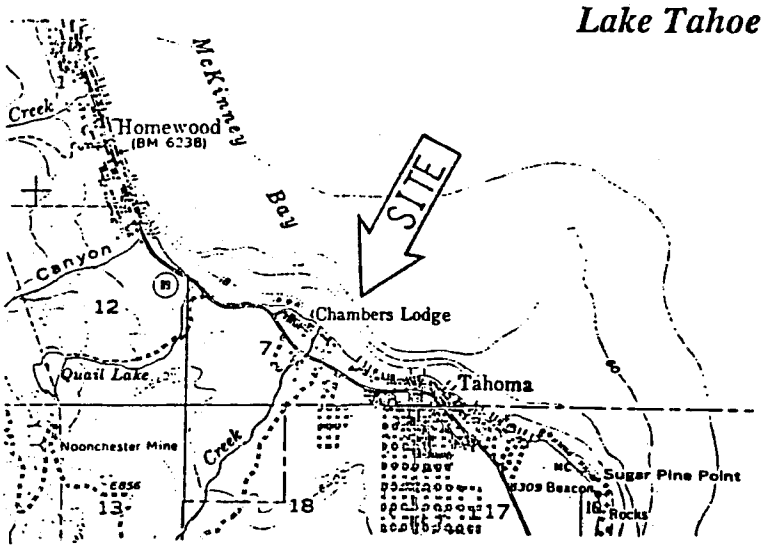
AUTHORIZE ISSUANCE TO FAYE D. HELDOORN AND SANDRA S. LOEWEN AND DELORES J. SCOTT OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING NOVEMBER 14, 2004, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND THE RETENTION OF ONE EXISTING MOORING BUOY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY 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.



6740 Powder Horn Lane

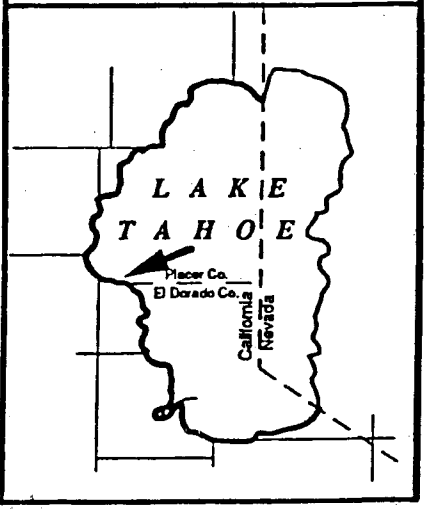
LOCATION MAP

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 4357.9
APN 98 - 180 - 025
Lake Tahoe
PLACER COUNTY



RWB 10/05