

MINUTE ITEM

This Calendar Item No. CB was approved as Minute Item No. L3 by the California State Lands Commission by a vote of 2 to 0 at its 12-08-05 meeting.

CALENDAR ITEM  
**C13**

A 4  
S 1

12/08/05  
WP 7150.9  
M. Hays  
PRC 7150

RECREATIONAL PIER LEASE

**APPLICANTS:**

John G. Waterbury and Marcia L. Waterbury, Co-Trustees of the Waterbury Family 1993 Revocable Trust, J. Alex Waterbury, Samantha L. Duff and Natalie K. Waterbury

**AREA, LAND TYPE, AND LOCATION:**

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

**AUTHORIZED USE:**

Continued use and maintenance of two existing mooring buoys, as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning December 8, 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 adjoining the lease premises.

CALENDAR ITEM NO. C13 (CONT'D)

2. On January 21, 1988, the Commission authorized a Recreational Pier Lease to John G. Waterbury and Marcia L. Waterbury. That lease expired on January 20, 1998. Since the lease was last issued, the Lessees formed a family trust and have granted partial ownership to family members in the littoral property. The applicants have now submitted an application for a Recreational Pier Lease.
3. 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.
4. 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:**

Buoys: Tahoe Regional Planning Agency

**EXHIBIT:**

- A. Site And Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

CALENDAR ITEM NO. C13 (CONT'D)

**CEQA FINDING:**

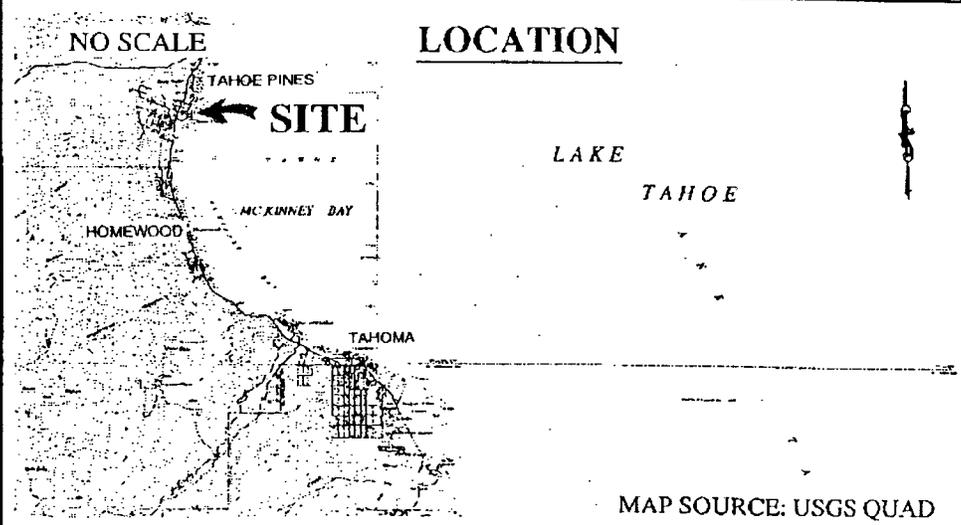
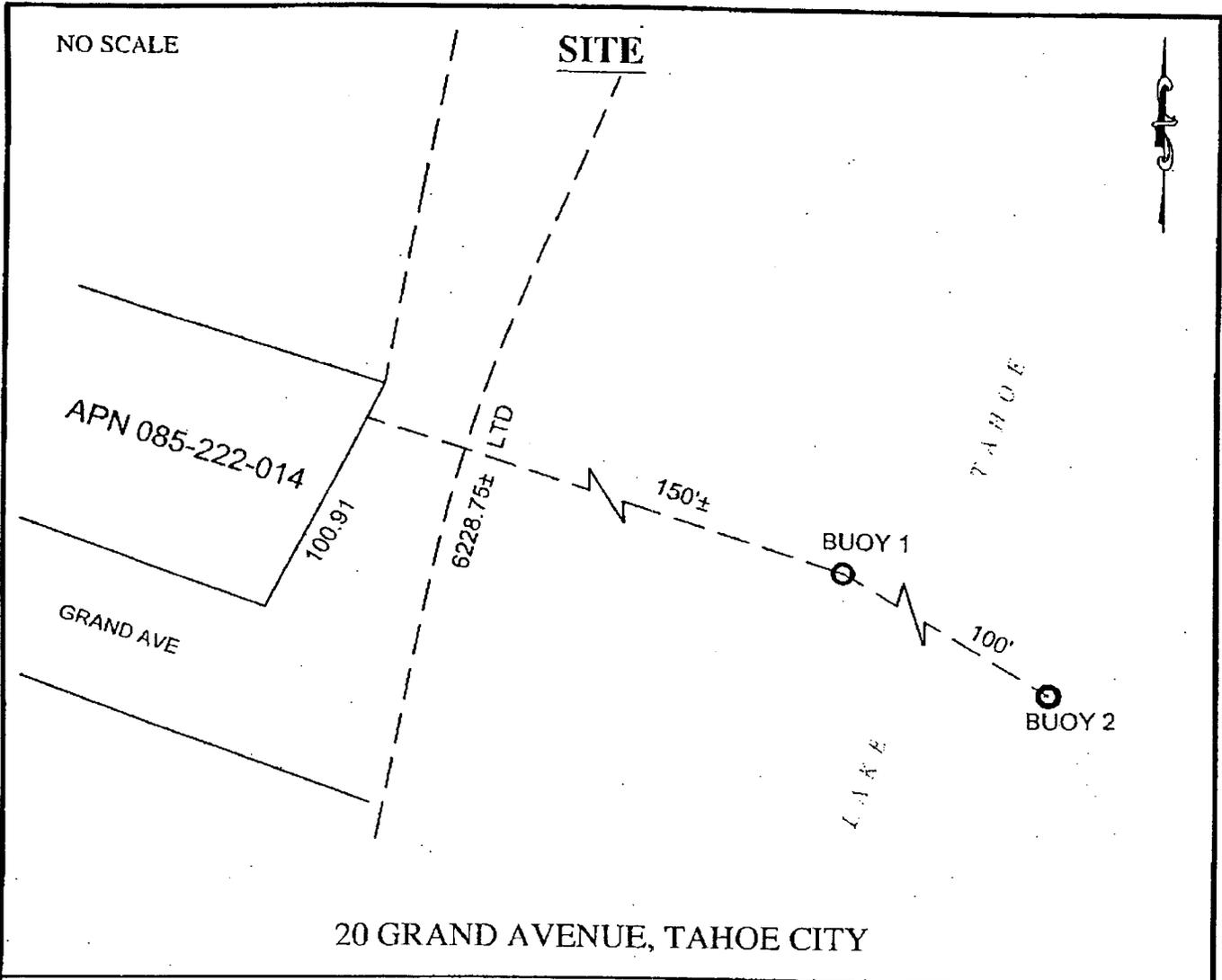
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

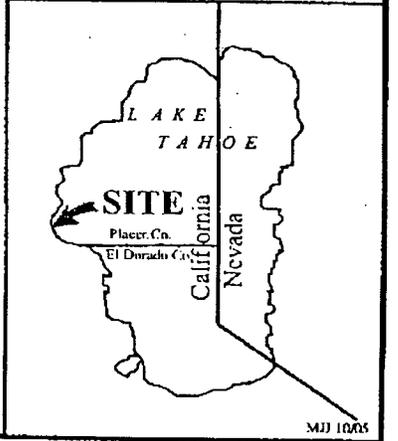
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO JOHN G. WATERBURY AND MARCIA L. WATERBURY, CO-TRUSTEES OF THE WATERBURY FAMILY 1993 REVOCABLE TRUST, J. ALEX WATERBURY, SAMANTHA L. DUFF AND NATALIE K. WATERBURY OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 8, 2005, FOR THE CONTINUED USE AND MAINTENANCE OF TWO EXISTING, PREVIOUSLY AUTHORIZED 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 IN THE AMOUNT OF NO LESS THAN \$300,000.



**Exhibit A**  
 WP 7150.9  
 WATERBURY  
 APN 085-222-014  
 RECREATIONAL PIER LEASE  
 PLACER COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.

MJJ 10/05