

MINUTE ITEM
This Calendar Item No. C43 was approved as
Minute Item No. 43 by the California State Lands
Commission by a vote of 3 to 0 at its
06/28/07 meeting.

**CALENDAR ITEM
C43**

A 4
S 1

PRC 3527

06/28/07
WP 3527.1
B. Terry

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

James W. Cameron, Jr.

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat hoist and one mooring buoy and the retention of an existing sundeck as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning May 1, 2007.

CONSIDERATION:

\$338 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$1,000,000.

Other:

The lease contains a provision which requires the Applicant to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments-Final Environmental Impact Statement (FEIS) and approval of the ordinances based on the FEIS.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

CALENDAR ITEM NO. C43 (CONT'D)

2. On May 12, 1997, the Commission authorized a ten-year Recreational Pier Lease with James W. Cameron, Jr. That lease expired on April 30, 2007. The Applicant is now applying for a new General Lease - Recreational Use.
3. The Applicant is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling. Therefore, the pier, boat hoist and one mooring buoy qualify for rent free status pursuant to Public Resource Code Section 6503.5. The sundeck, which was approved as part of the pier by the U.S. Army Corps of Engineers in 1955, is not used for the mooring and docking of boats and therefore is subject to rent.
4. **Pier, Boat Hoist and One Mooring 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 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. **Sundeck:** 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 14, California Code of Regulations, section 15303.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

6. 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.

CALENDAR ITEM NO. C43 (CONT'D)

APPROVAL REQUIRED:

Buoy: Tahoe Regional Planning Agency

EXHIBIT:

A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER, BOAT HOIST AND ONE MOORING 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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SUNDECK: 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 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15303.

SIGNIFICANT LANDS INVENTORY FINDING:

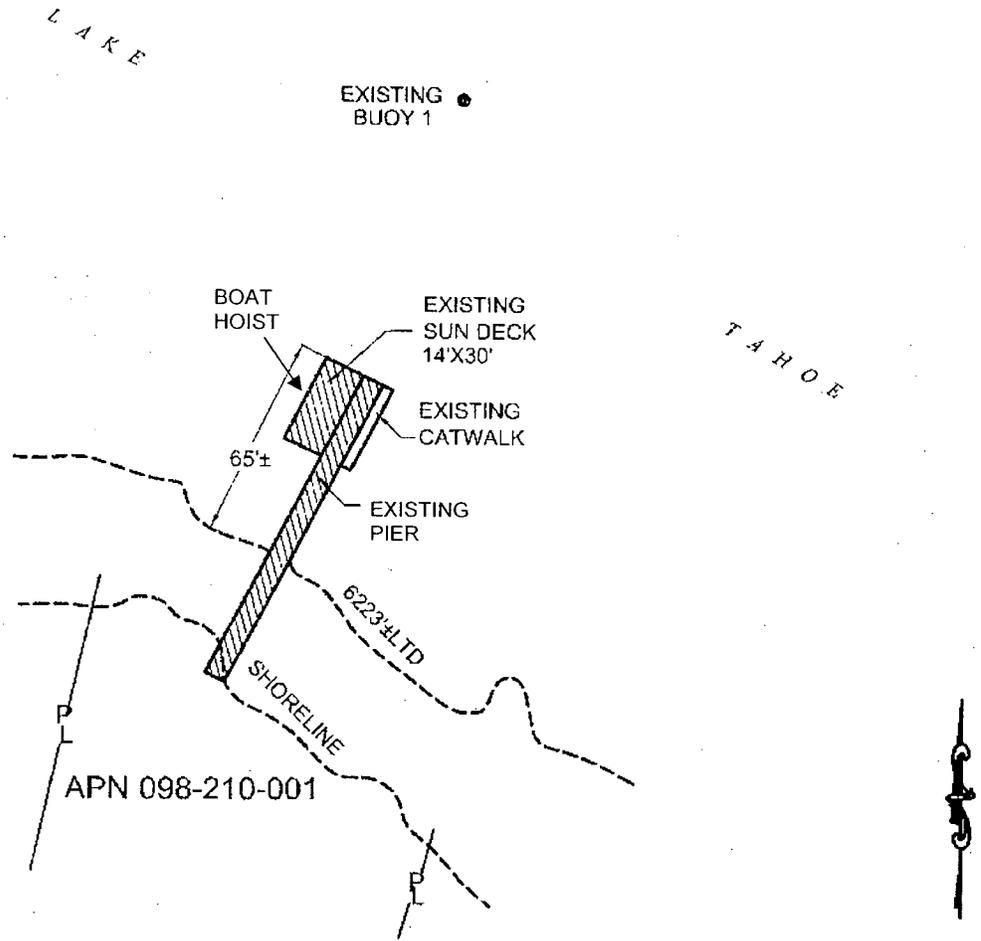
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO JAMES W. CAMERON, JR., OF A GENERAL LEASE – RECREATIONAL USE, BEGINNING MAY 1, 2007, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOAT HOIST AND ONE MOORING BUOY AND THE RETENTION OF AN EXISTING SUNDECK AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$338, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN

NO SCALE

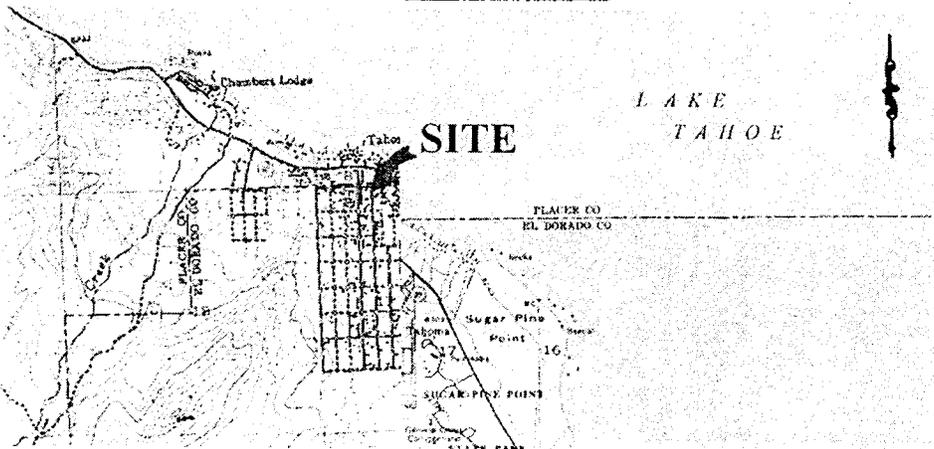
SITE



6940 POMIN AVENUE, NEAR TAHOMA

NO SCALE

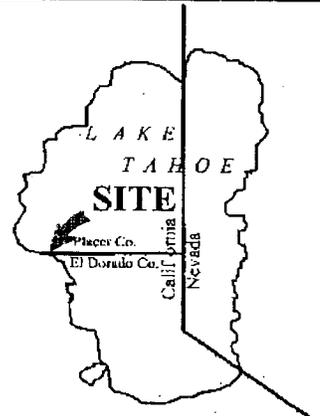
LOCATION



MAP SOURCE: USGS QUAD

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.

Exhibit A
 PRC 3527.1
 CAMERON
 GENERAL LEASE
 RECREATIONAL USE
 APN 098-210-001
 PLACER COUNTY



MJ 04/07

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