

MINUTE ITEM

This Calendar Item No. C09 was approved as Minute Item No. 09 by the California State Lands Commission by a vote of 3 to 0 at its 02-09-06 meeting.

CALENDAR ITEM
C09

A	4		02/09/06
		PRC 8657.9	W 26095
S	1		M. Hays

RECREATIONAL PIER LEASE

APPLICANTS:

Claude G. Davis and Christine S. Davis, as trustees of the Davis Family Trust, under agreement dated 03-10-00

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Kings Beach, Placer County.

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning February 9, 2006.

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:

- Applicants assert ownership of the upland property adjoining the lease premises and have entered into a settlement agreement to resolve any uncertainty that may exist between Placer County and the Applicants concerning ownership of the littoral lands adjoining the lease premises. The Commission is not a party to that proceeding and this lease is

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recommended without prejudice to future positions the Commission may make as to ownership. The recommended action is not a finding as to upland ownership.

2. 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. Applicants are now applying for a new Recreational Pier Lease for two existing mooring buoys, not previously authorized by the Commission.
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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (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.

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.

APPROVALS REQUIRED:

Tahoe Regional Planning Agency
U. S. Army Corps of Engineers

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

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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:

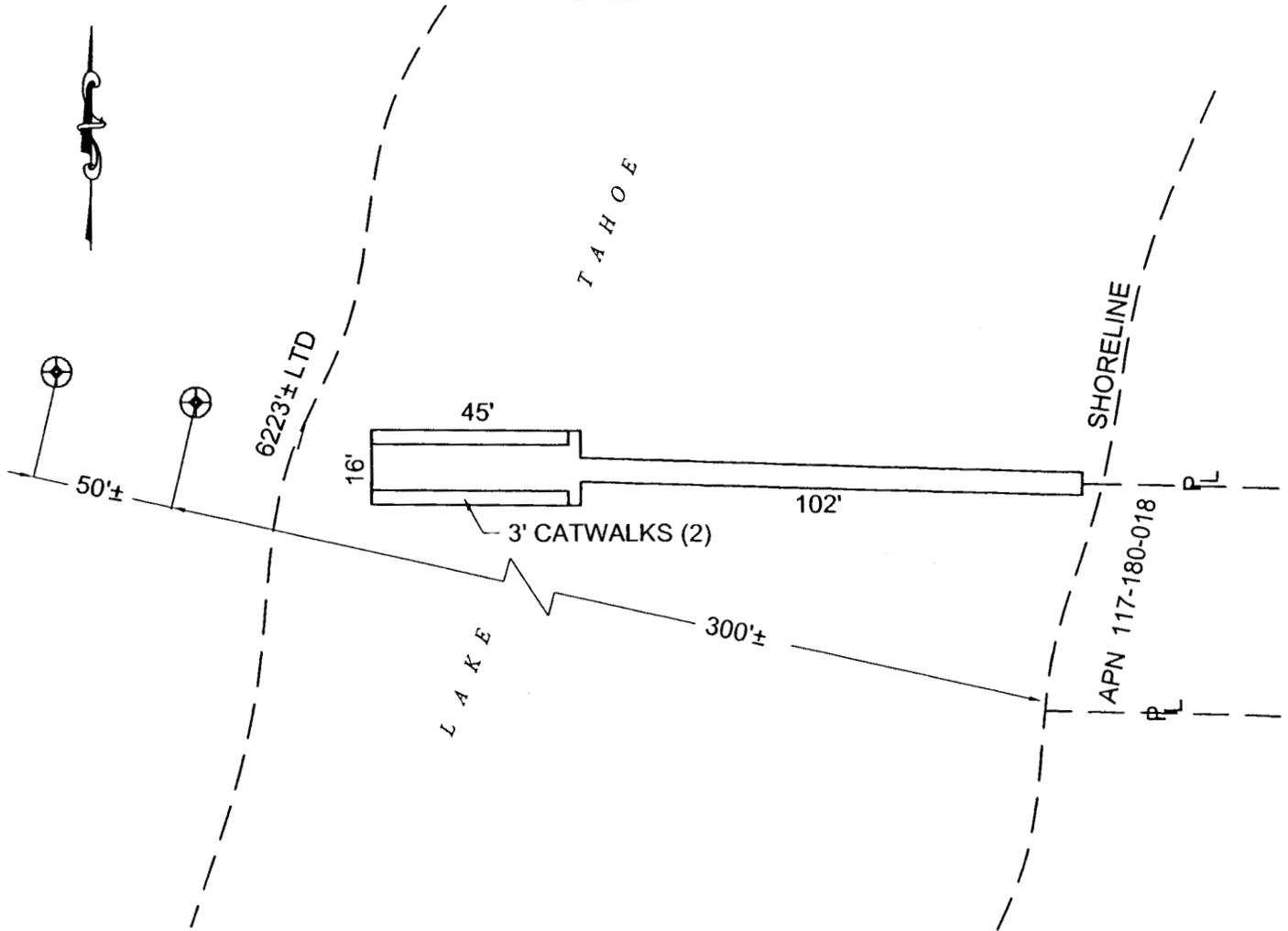
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO CLAUDE G. DAVIS AND CHRISTINE S. DAVIS, AS TRUSTEES OF THE DAVIS FAMILY TRUST UNDER AGREEMENT DATED 03-10-00, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING FEBRUARY 9, 2006, FOR THE RETENTION OF TWO EXISTING MOORING BUOYS, NOT PREVIOUSLY AUTHORIZED BY THE COMMISSION, AS 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.

NO SCALE

SITE



7780 NORTH LAKE BLVD., TAHOE VISTA

NO SCALE

LOCATION

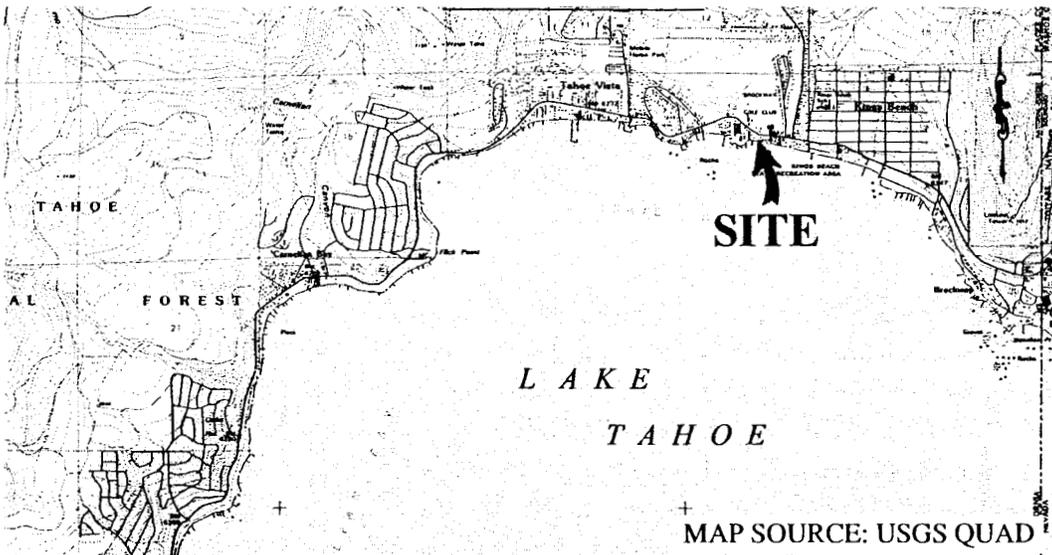
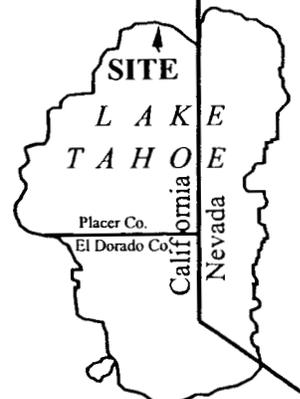


Exhibit A

W26095
 DAVIS
 APN 094-273-010
 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.

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