

MINUTE ITEM

This Calendar Item No. 36 was approved as Minute Item No. 36 by the California State Lands Commission by a vote of 3 to 0 at its 8/26/97 meeting.

CALENDAR ITEM

C36

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08/26/97
PRC7984 W 1124.110
J. Ludlow

RECREATIONAL PIER LEASE

APPLICANT:

John L. Stevenson
% Michael P. Walsh, Executor, Stevenson Properties
Fitzgerald, Abbot & Beardsley LLP
1221 Broadway, 21st Floor
Oakland, California 94612

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Agate Bay, Placer County.

AUTHORIZED USE:

Retention and repair of an existing pier, and retention of an existing mooring buoy, as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning September 1, 1997.

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:

The lease is conditioned on lessee obtaining authorization from the Tahoe Regional Planning Agency for the buoy within two years from the effective date of the authorization of the buoy by the Commission.

OTHER PERTINENT INFORMATION:

1. **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

CALENDAR PAGE	170
MINUTE PAGE	001844

CALENDAR ITEM NO. C36 (CONT'D)

is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c) (1). Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

2. **Buoys:** 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.
3. 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.

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers, California Department of Fish and Game,
California State Lands Commission, Tahoe Regional Planning Agency

EXHIBIT:

- A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

October 14, 1997

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

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

CALENDAR ITEM NO. C36 (CONT'D)

CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c) (1).

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 THE ESTATE OF JOHN L. STEVENSON, % MICHAEL P. WALSH, EXECUTOR, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING SEPTEMBER 1, 1997 FOR RETENTION AND REPAIR OF AN EXISTING PIER AND RETENTION OF AN 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.

