

MINUTE ITEM
This Calendar Item No. C41
was approved as Minute Item
No. 41 by the State Lands
Commission by a vote of 3
to 0 at its 11-26-01
meeting.

CALENDAR ITEM
C41

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11/26/01
PRC 3653 WP 3653
N. Lee

RECREATIONAL PIER LEASE

APPLICANT:

Gabrielle W. Bradley as Trustee of the Anne Bradley Donahoe Qualified
Personal Residence Trust, under trust agreement dated September 17, 1997.
711 Hayne Road
Hillsborough, CA 94010

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Rubicon, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of a pier and boat lift and retention of three
mooring piles and two mooring buoys.

LEASE TERM:

Ten years, beginning July 1, 2001.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$300,000.

Other:

This lease is conditioned on Lessee 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.

CALENDAR ITEM NO. **C41** (CONT'D)

OTHER PERTINENT INFORMATION:

1. The Commission had previously authorized a Recreational Pier Permit with John L. Bradley and Gabrielle W. Bradley. That permit has expired. The littoral land was subsequently deeded to Gabrielle W. Bradley as Trustee of the Anne Bradley Donahoe Qualified Personal Residence Trust, under trust agreement dated September 17, 1997. Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling. Gabrielle W. Bradley as Trustee of the Anne Bradley Donahoe Qualified Personal Residence Trust, under trust agreement dated September 17, 1997, is now applying for a new Recreational Pier Lease.
2. **Pier and Boat Lift:** 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.

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.

Mooring Piles: 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 because it involves an "ongoing project" as defined by the CEQA and the State CEQA Guidelines.

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MOORING PILES: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 PUBLIC RESOURCES CODE SECTION 21169 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15261, AN ACTIVITY INVOLVING AN ONGOING PROJECT.

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 GABRIELLE W. BRADLEY AS TRUSTEE OF THE ANNE BRADLEY DONAHOE QUALIFIED PERSONAL RESIDENCE TRUST, UNDER TRUST AGREEMENT DATED SEPTEMBER 17, 1997, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JULY 1, 2001, FOR THE CONTINUED USE AND MAINTENANCE OF A PIER AND BOAT LIFT AND RETENTION OF THREE MOORING PILES AND TWO 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 WITH COVERAGE OF NO LESS THAN \$300,000.

CALENDAR ITEM NO. **C41** (CONT'D)

Authority: Public Resources Code section 21169 and Title 14, California Code of Regulations, section 15261.

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:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

- A. Location and site map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

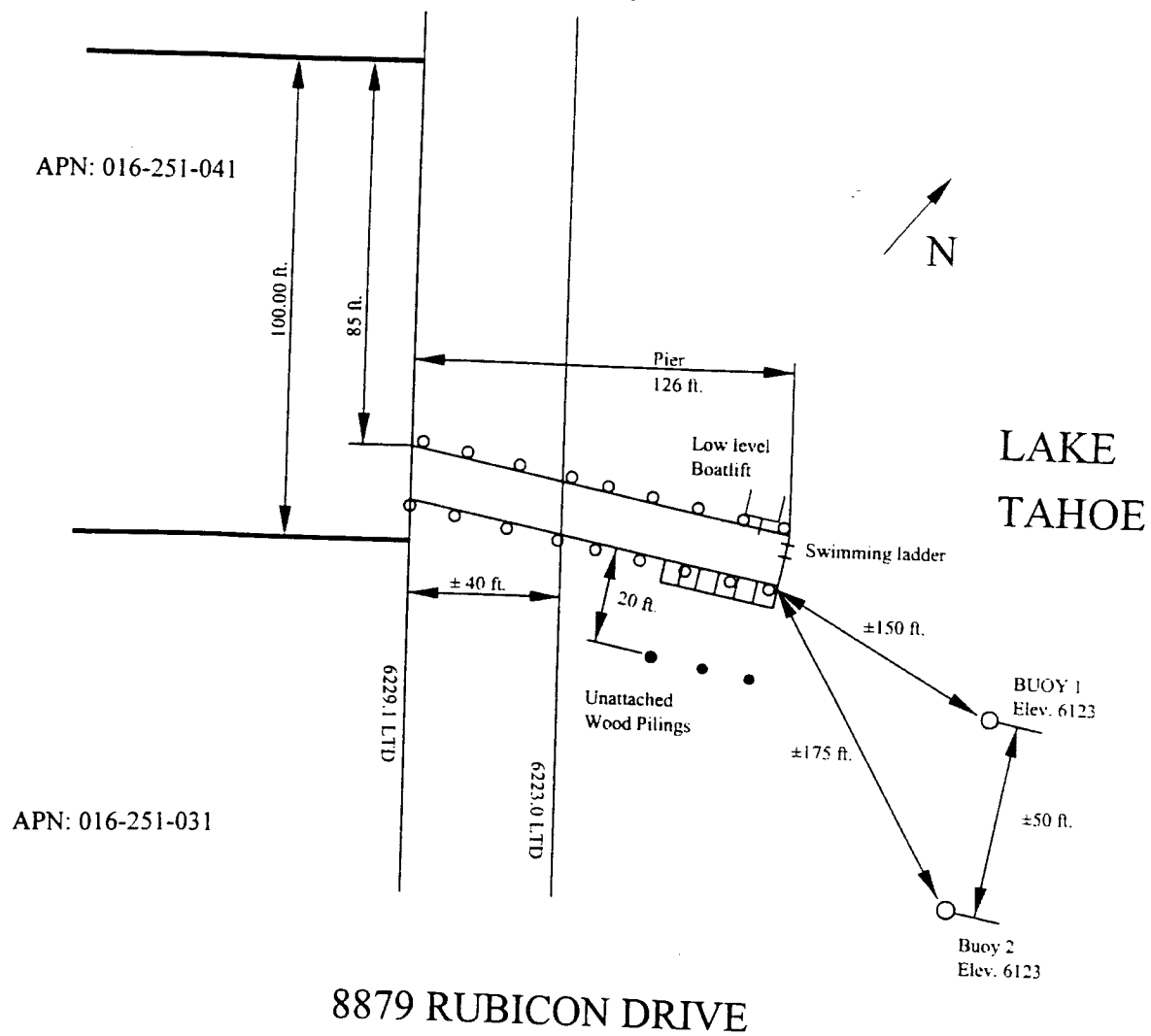
CEQA FINDING:

PIER AND BOAT LIFT: 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).

BUOYS: 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).

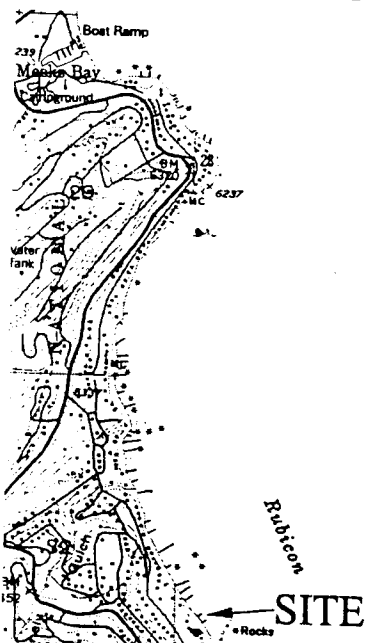
NO SCALE

SITE MAP



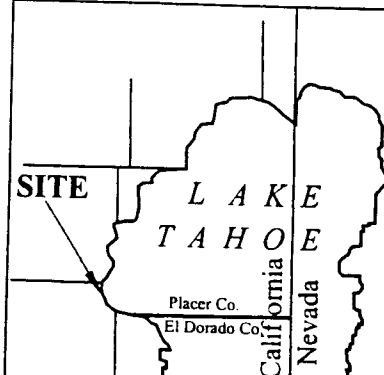
LOCATION MAP

NO SCALE



LAKE TAHOE

Exhibit A
WP 3653
016-251-031 & -041
Lake Tahoe
EL DORADO COUNTY



CALENDAR PAGE
MINUTE PAGE

00310

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.