

**MINUTE ITEM**  
This Calendar Item No. C58  
was approved as Minute Item  
No. 58 by the State Lands  
Commission by a vote of 3  
to 0 at its 11-26-01  
meeting.

**CALENDAR ITEM**  
**C58**

A 4  
S 1

11/26/01  
PRC 7451 WP 7451.9  
B. Young

**TERMINATION AND ISSUANCE  
OF RECREATIONAL PIER LEASE**

**APPLICANT:**

Burton W. Hancock  
1660 Hamilton Ave., Suite 201  
San Jose, CA 95125

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

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

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier, boat lift, and placement of two new mooring buoys as shown on the attached Exhibit A.

**LEASE TERM:**

Ten years, beginning August 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.

**OTHER PERTINENT INFORMATION:**

CALENDAR ITEM NO. **C58** (CONT'D)

1. On February 12, 1997, the Commission authorized a Recreational Pier Lease to Burton Hancock for a pier and boat lift. That lease will expire on September 26, 2005. On September 14, 2000, Applicant submitted an application to include the placement of two new mooring buoys to the existing lease. Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who has improved the littoral land with, and use the upland for, a single-family dwelling. Burton W. Hancock is now applying for a new Recreational Pier Lease.

2. **Termination of existing lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15060(c)(3) and 15378.

3. **Issuance of new lease - 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.

4. **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, 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.

CALENDAR ITEM NO. **C58** (CONT'D)

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.

**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:**

**TERMINATION OF EXISTING LEASE:** FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

**ISSUANCE OF NEW LEASE - 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).

CALENDAR ITEM NO. **C58** (CONT'D)

**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.

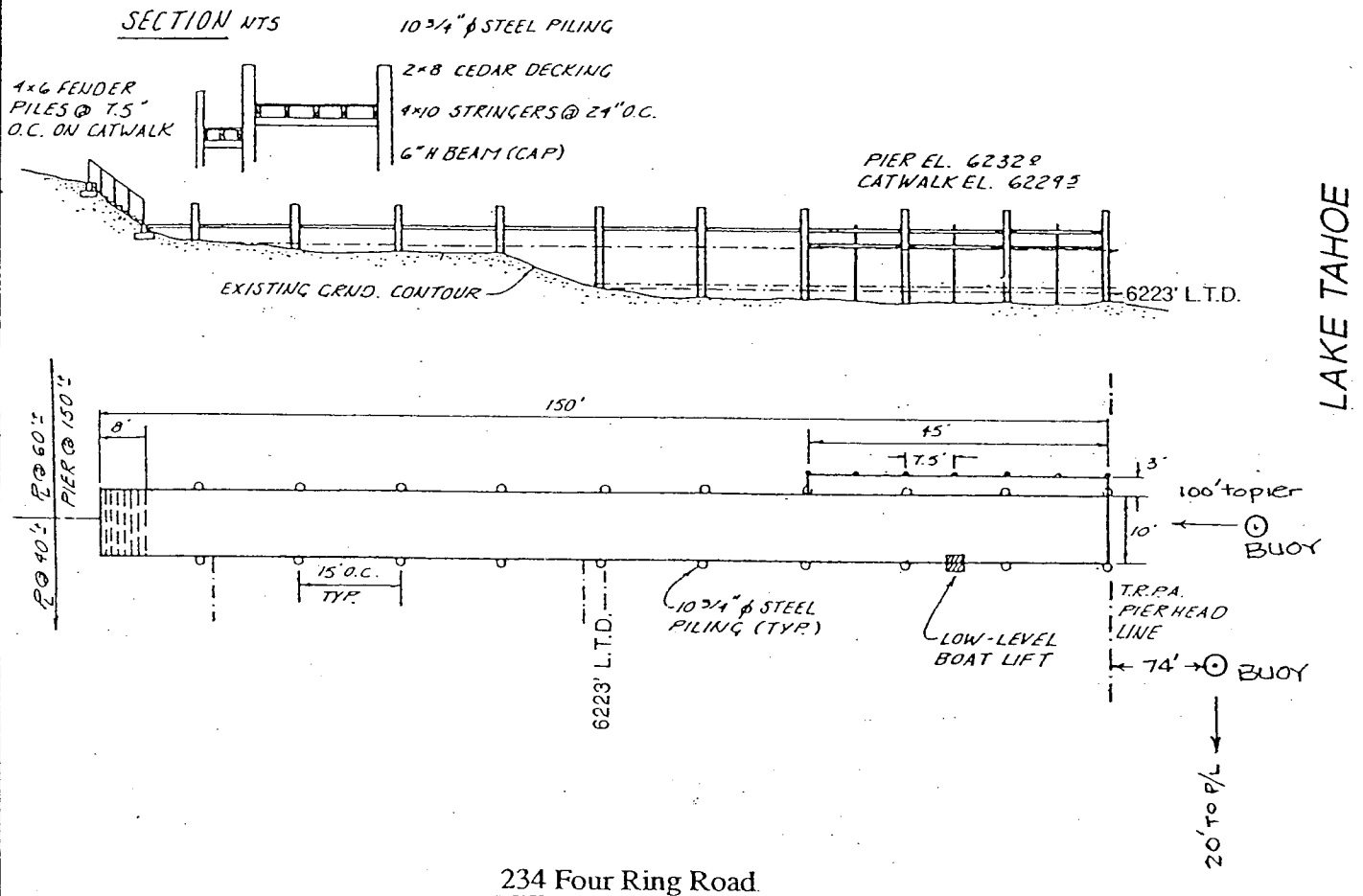
**AUTHORIZATION:**

AUTHORIZE TERMINATION OF RECREATIONAL PIER LEASE NO. PRC 7451.9, EFFECTIVE SEPTEMBER 27, 1995, ISSUED TO BURTON HANCOCK AND APPROVED BY THE COMMISSION ON FEBRUARY 12, 1997.

AUTHORIZE ISSUANCE TO BURTON W. HANCOCK OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 1, 2001, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOAT LIFT, AND THE PLACEMENT OF TWO NEW 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.

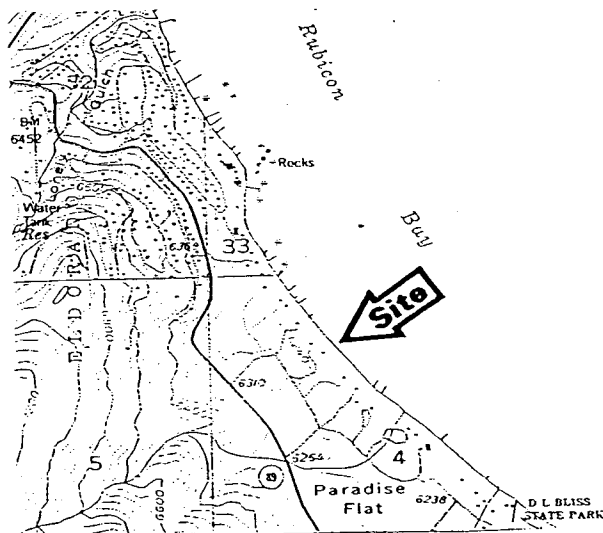
NO SCALE

## SITE MAP



NO SCALE

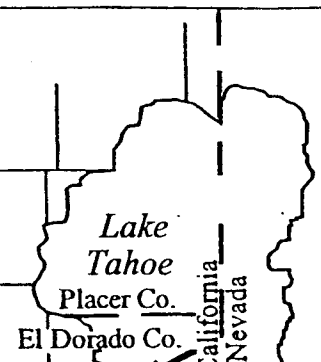
## LOCATION MAP



## EXHIBIT A

PRC 7451.9  
APN 017-021-181  
Lake Tahoe

EL DORADO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises and is based on unverified information provided by 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.

CALENDAR PAGE  
MINUTE PAGE

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