

MINUTE ITEM

This Calendar Item No. C46 was approved as Minute Item No. 46 by the California State Lands Commission by a vote of 3 to 0 at its 4-9-02 meeting.

CALENDAR ITEM

C46

A 4

04/09/02

PRC 4469

WP 4469

S 1

B. Young

TERMINATION AND ISSUANCE OF RECREATIONAL PIER LEASE

APPLICANTS:

George E. McCown and Karen Stone McCown, Trustees of the McCown Community Property Trust Agreement dated September 30, 1997

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing pier and boathouse, and retention of two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning March 1, 2002.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

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 PAGE 000244
MINUTE PAGE 000880

CALENDAR ITEM NO. C46 (CONT'D)

1. On July 6, 1995, the Commission authorized a Recreational Pier Lease to Karen Stone McCown and George E. McCown for a pier and boathouse. That lease will expire on June 24, 2005. Applicants submitted an application to include two existing mooring buoys. Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who have improved the littoral land with, and uses the upland for, a single-family dwelling. George E. McCown and Karen Stone McCown, Trustees of the McCown Community Property Trust Agreement dated September 30, 1997, are 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, sections 15060 (c)(3) and 15378.

3. **Issuance of new lease - Pier, boathouse, 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 Structures 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

CALENDAR ITEM NO. C46 (CONT'D)

Regulations, section 2905.

2. 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: 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 PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15060 (c)(3) AND 15378.

ISSUANCE OF NEW LEASE - PIER, BOATHOUSE, 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 STRUCTURES; 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

CALENDAR ITEM NO. C46 (CONT'D)

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

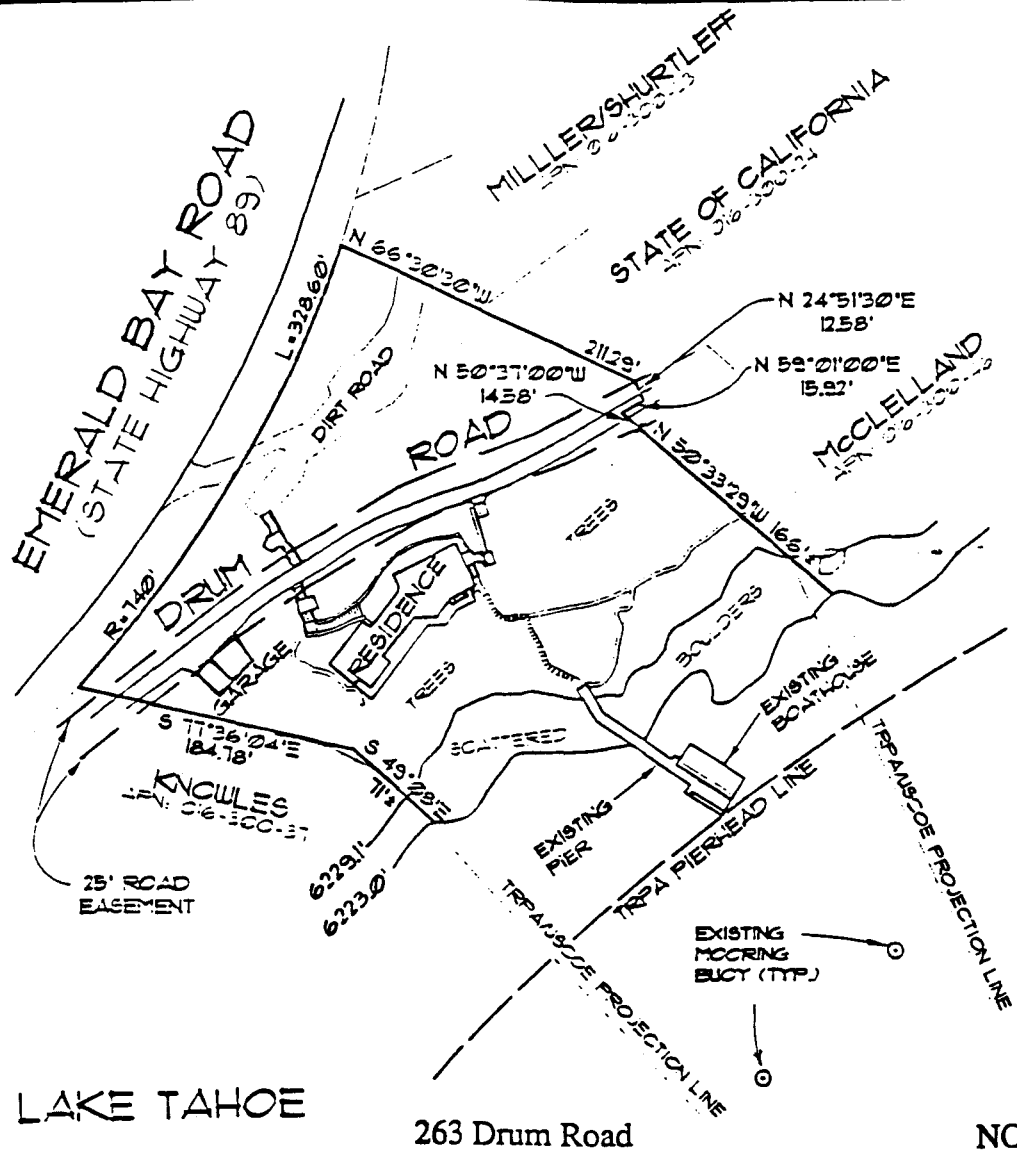
SIGNIFICANT LANDS INVENTORY FINDING:

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 TERMINATION OF RECREATIONAL PIER LEASE NO.
PRC 4469.9, EFFECTIVE JUNE 25, 1995, ISSUED TO KAREN STONE
MCCOWN AND GEORGE E. MCCOWN APPROVED BY THE
COMMISSION ON FEBRUARY 27, 1996.

AUTHORIZE ISSUANCE TO GEORGE E. MCCOWN AND KAREN
STONE MCCOWN, TRUSTEES OF THE MCCOWN COMMUNITY
PROPERTY TRUST AGREEMENT DATED SEPTEMBER 30, 1997, OF A
TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING
MARCH 1, 2002, FOR THE CONTINUED USE AND MAINTENANCE OF
AN EXISTING PIER AND BOATHOUSE, AND RETENTION OF 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.

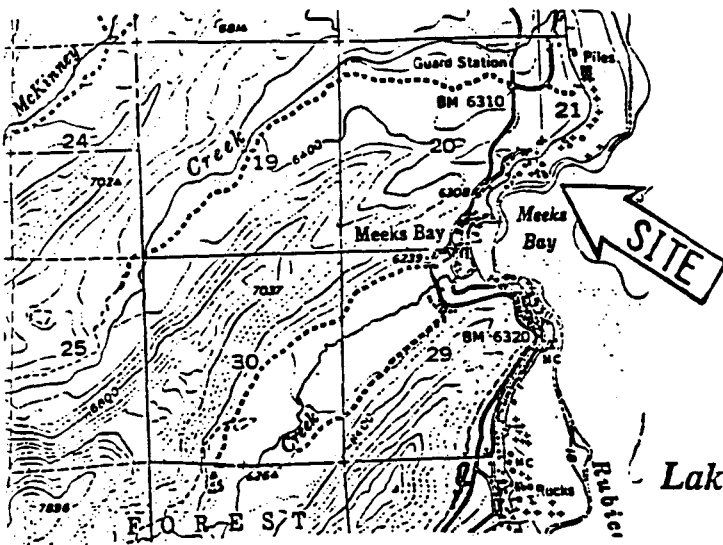


LAKE TAHOE

263 Drum Road

NO SCALE

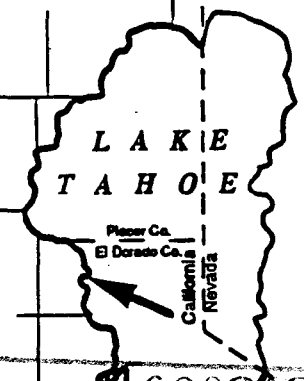
LOCATION MAP



Lake Tahoe

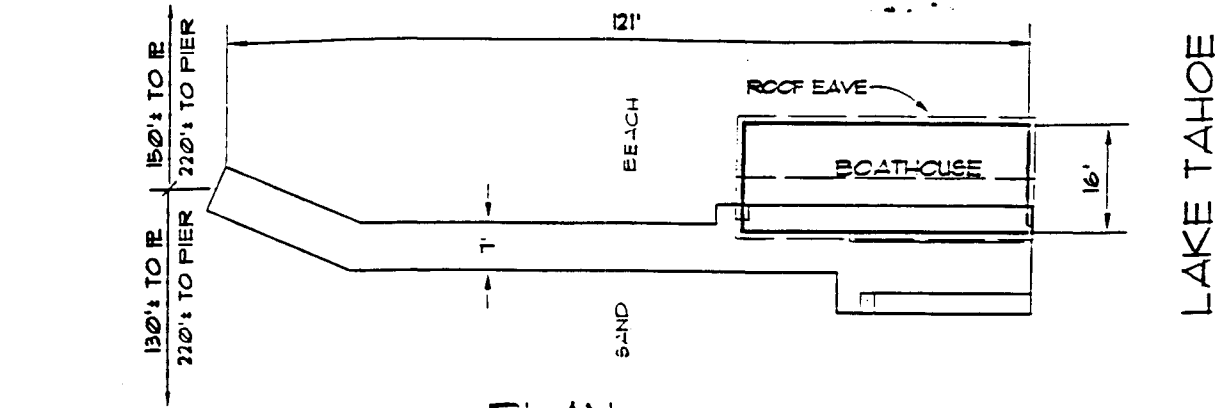
NO SCALE

EXHIBIT A
 PRC 4469.9
 APN 016-300-21
 Lake Tahoe
 El Dorado County
 Sheet 1 of 2

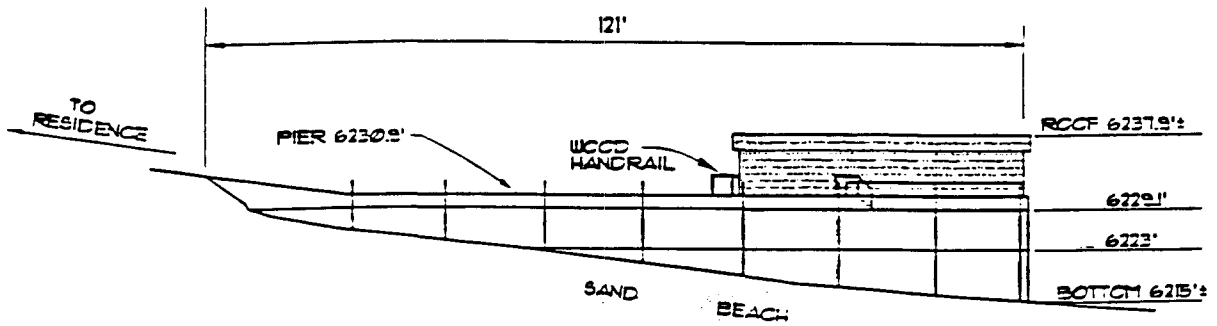


This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject or any other property.

CALENDAR PAGE 0002481
 MINUTE PAGE 00854



PLAN SCALE 1"=30'



PROFILE SCALE 1"=30'



263 Drum Road

NO SCALE

LOCATION MAP

