

MINUTE ITEM

This Calendar Item No. C20 was approved as Minute Item No. 20 by the California State Lands Commission by a vote of 2 to 0 at its 12/08/05 meeting.

**CALENDAR ITEM
C20**

A 4
S 1

12/08/05
PRC 7380 WP 7380.9
S. Young

RECREATIONAL PIER LEASE

APPLICANT:

John H. Scully, Trustee of the John H. Scully Living Trust, Dated October 1, 2003

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, and two mooring buoys, previously authorized by the Commission.

LEASE TERM:

Ten year years, beginning June 25, 2005.

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 Combined Single Limit.

Other:

This lease is conditioned on the Applicant 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:

1. Applicant owns the upland adjoining the lease premises.
2. On July 6, 1995, the Commission authorized a ten-year Recreational Pier Lease effective June 25, 1995, to John and Irene Scully, for the use and

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maintenance of a pier, boat lift and two existing mooring buoys. On April 9, 2004, the littoral land was granted to John H. Scully, as Trustee of the John H. Scully Living Trust, dated October 1, 2003 (Applicant). 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. Applicant is now applying for a Recreational Pier Lease for the continued use and maintenance of the existing pier, existing boat lift, and two mooring buoys, 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 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. 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:

Buoys: Tahoe Regional Planning Agency

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 REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT

CALENDAR ITEM NO. C20 (CONT'D)

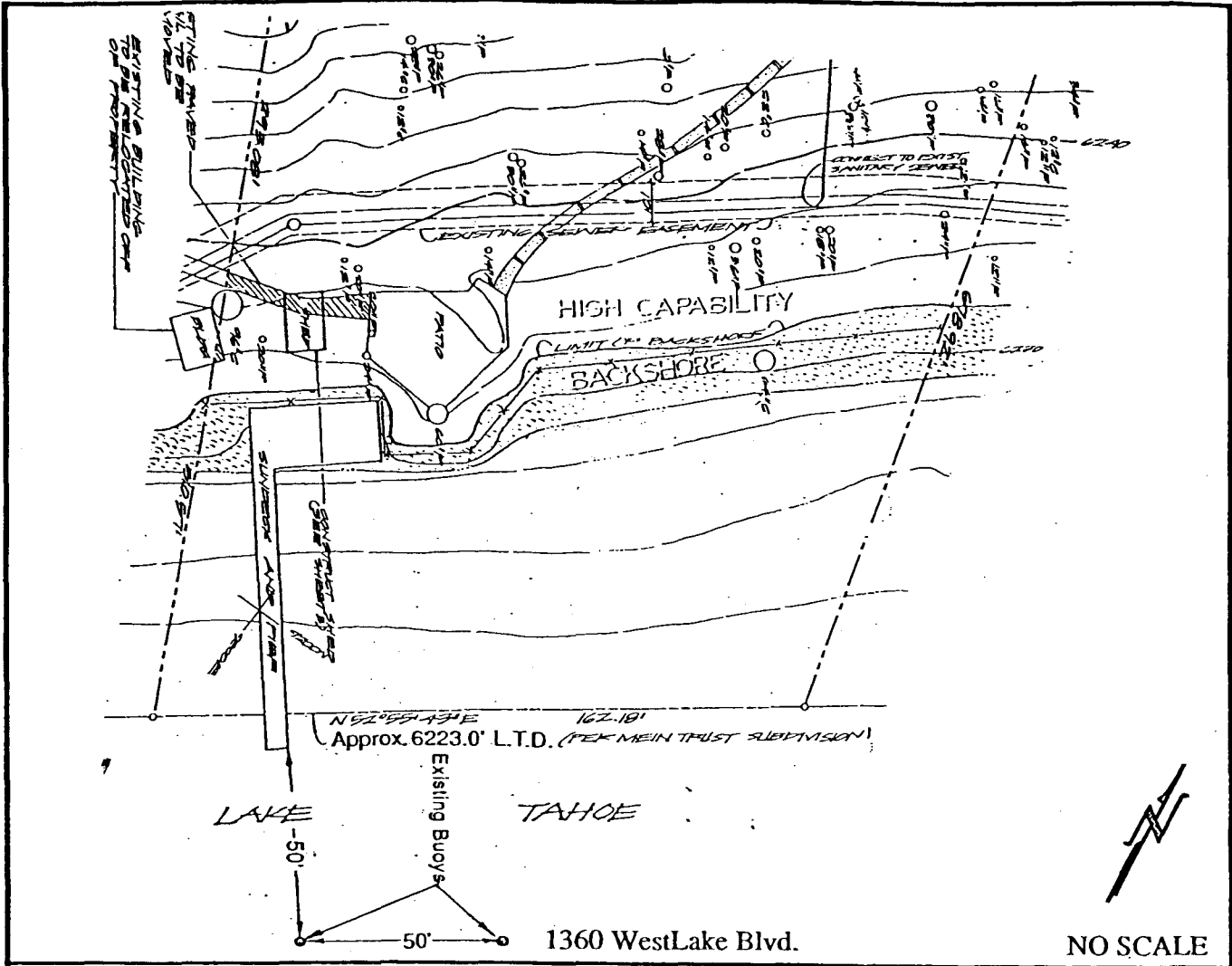
PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA
CODE OF REGULATIONS, SECTION 2905 (a)(2).

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 JOHN H. SCULLY, TRUSTEE OF THE
JOHN H. SCULLY LIVING TRUST, DATED OCTOBER 1, 2003, OF A
TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JUNE 25, 2005,
FOR AN EXISTING PIER, EXISTING BOAT LIFT 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 IN THE AMOUNT OF NO
LESS THAN \$300,000 COMBINED SINGLE LIMIT.



LOCATION MAP

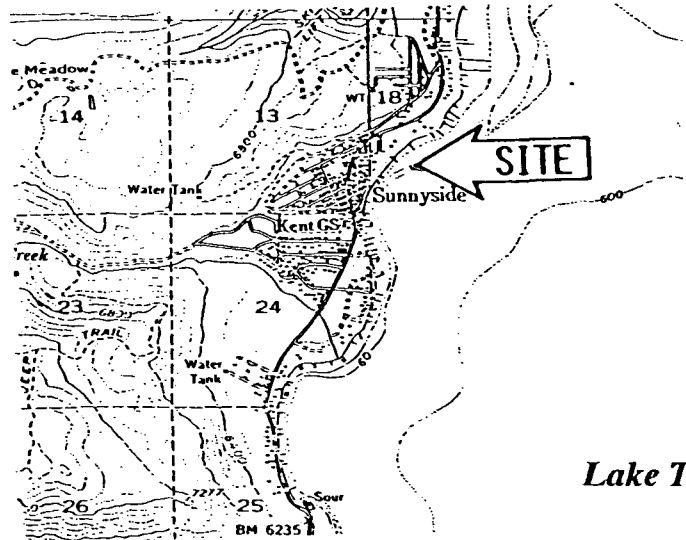
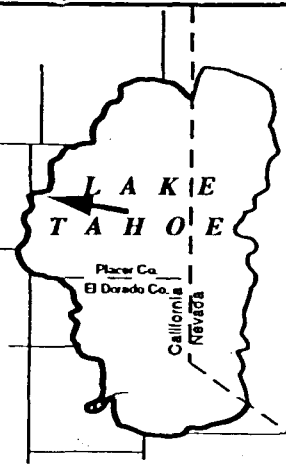


EXHIBIT "A"
 PRC 7380.9
 APN 83 - 162 - 31
 Lake Tahoe
 PLACER COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, 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.