

MINUTE ITEM

This Calendar Item No. C09 was approved as Minute Item No. C09 by the California State Lands Commission by a vote of 3 to 0 at its 4-17-06 meeting.

CALENDAR ITEM

C09

A 4

PRC 4924

04/17/06

S 1

WP 4924.9

M. Hays

RECREATIONAL PIER LEASE

APPLICANTS:

Kent Stephen Daft and Jeffrey M. Daft and Patrick W. Higgins and Leah E. C. Higgins

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Homewood, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing joint use pier, boat lift, and two mooring buoys previously approved by the Commission as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning May 7, 2004.

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:

This lease is conditioned on the Applicants 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. Applicants own the upland property adjacent to the Lease Premises.

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2. On July 6, 1995, the Commission authorized a Recreational Pier Lease for a joint use pier, boat lift, and two mooring buoys with Kent Stephen Daft and Jeffrey M. Daft and Andrew J. Collins and Marion J. Collins, Trustees. That lease expired on May 6, 2004. The ownership of the Collins's upland property transferred to Patrick W. Higgins and Leah E. C. Higgins in 2002. Applicants are now applying for a new Recreational Pier Lease for the previously authorized existing joint use pier, boat lift, and two mooring buoys.
3. Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who have improved the littoral land with, and use the upland for, single-family dwellings.
4. 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.

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.

APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CALENDAR ITEM NO. C09 (CONT'D)

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

SIGNIFICANT LANDS INVENTORY FINDING:

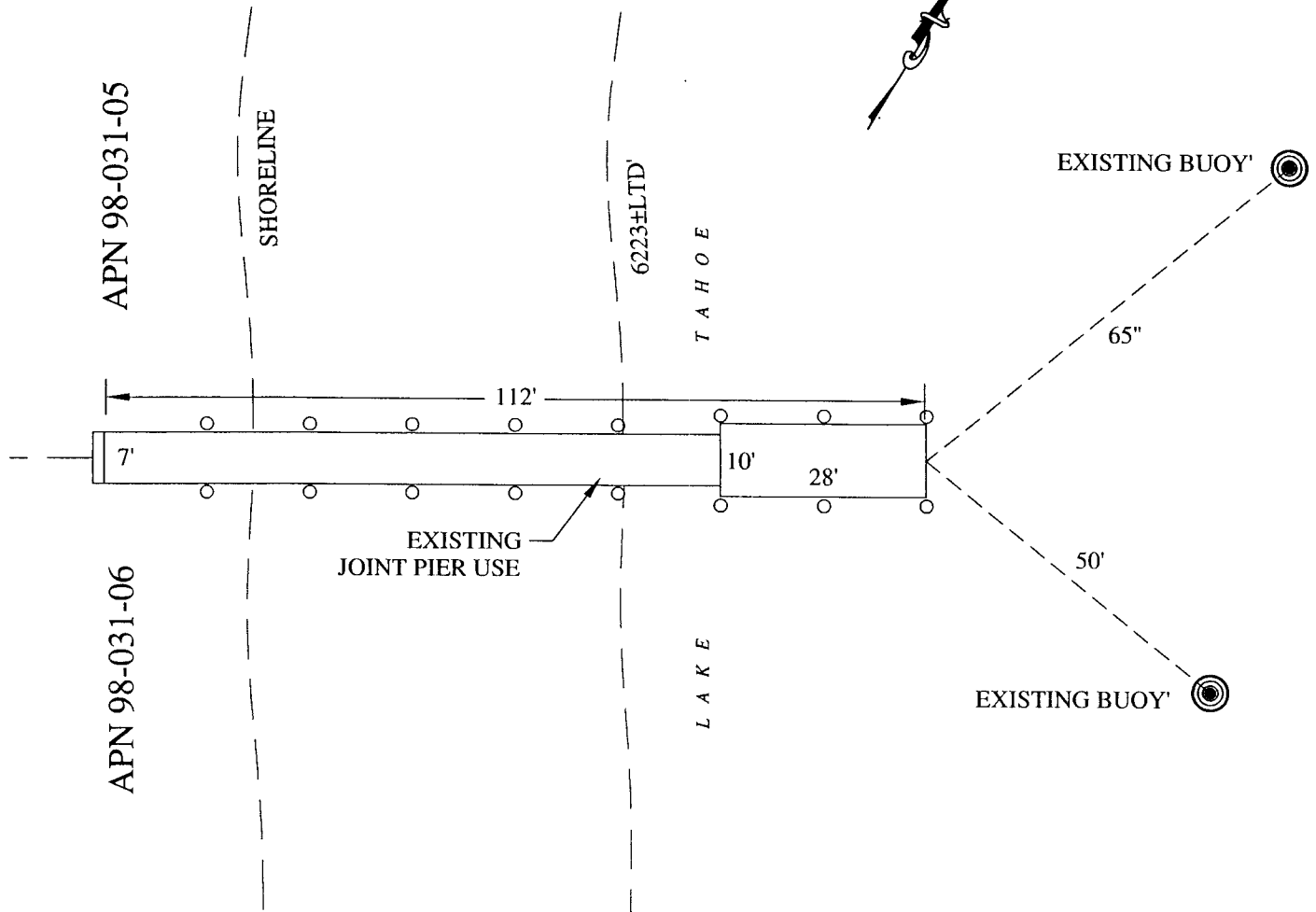
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO KENT STEPHEN DAFT AND JEFFREY M. DAFT AND PATRICK W. HIGGINS AND LEAH E.C. HIGGINS OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING MAY 7, 2004, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING JOINT USE PIER, BOATLIFT, AND TWO MOORING BUOYS PREVIOUSLY AUTHORIZED BY THE COMMISSION AS 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.

NO SCALE

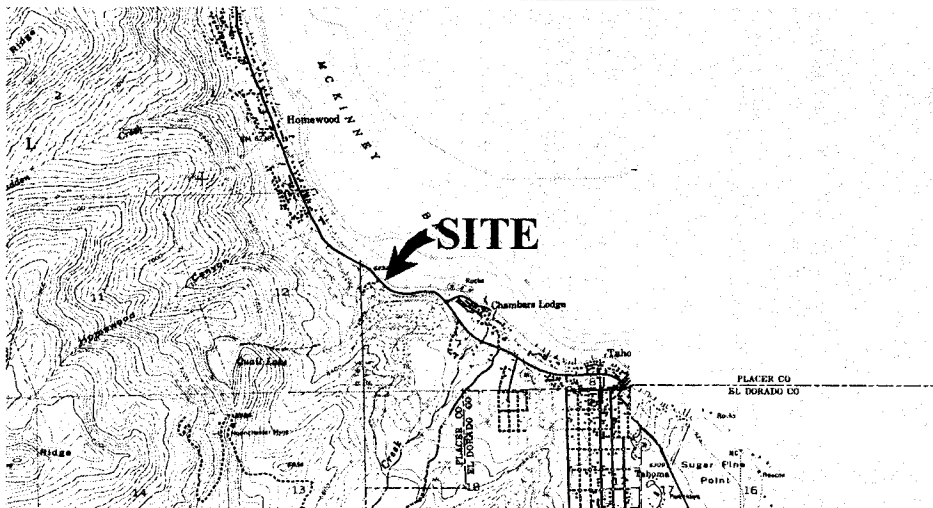
SITE



6160 & 6190 WEST LAKE BLVD., TAHOMA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

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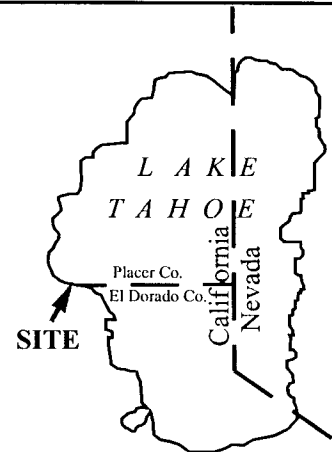
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CALENDAR PAGE

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Exhibit A

WP 4924
HIGGINS/DAFT
APN 98-031-05 & 06
RECREATIONAL PIER LEASE
PLACER COUNTY



MJJ/03/06