

MINUTE ITEM
This Calendar Item No. C12 was approved as
Minute Item No. 12 by the California State Lands
Commission by a vote of 3 to 4 at its
8/24/06 meeting.

**CALENDAR ITEM
C12**

A 4
S 1

08/24/06
PRC 4389 WP 4389.9
B. Terry

RECREATIONAL PIER LEASE

APPLICANTS:

Ronald J. Guerra and/or Russey J. Guerra

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Agate Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, one mooring buoy, the retention of an existing boatlift, and one additional existing mooring buoy as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning September 23, 2006.

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 Amendements-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On August 26, 1997, the Commission authorized issuance of a Recreational Pier Lease to Ronald J. Guerra and Russey J. Guerra. That

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lease will expire on September 22, 2006. 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 a single-family dwelling. Applicants are now applying for a new Recreational Pier Lease.

3. **Pier and One Mooring Buoy:** 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 (a)(2).

4. **Boatlift and One Mooring Buoy:** 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 (c)(3).

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.

APPROVAL REQUIRED:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

- A. Site and Location Map

CALENDAR ITEM NO. C12 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER AND ONE MOORING BUOY: 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).

BOATLIFT AND ONEMOORING BUOY: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(3) AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(3).

SIGNIFICANT LANDS INVENTORY FINDING:

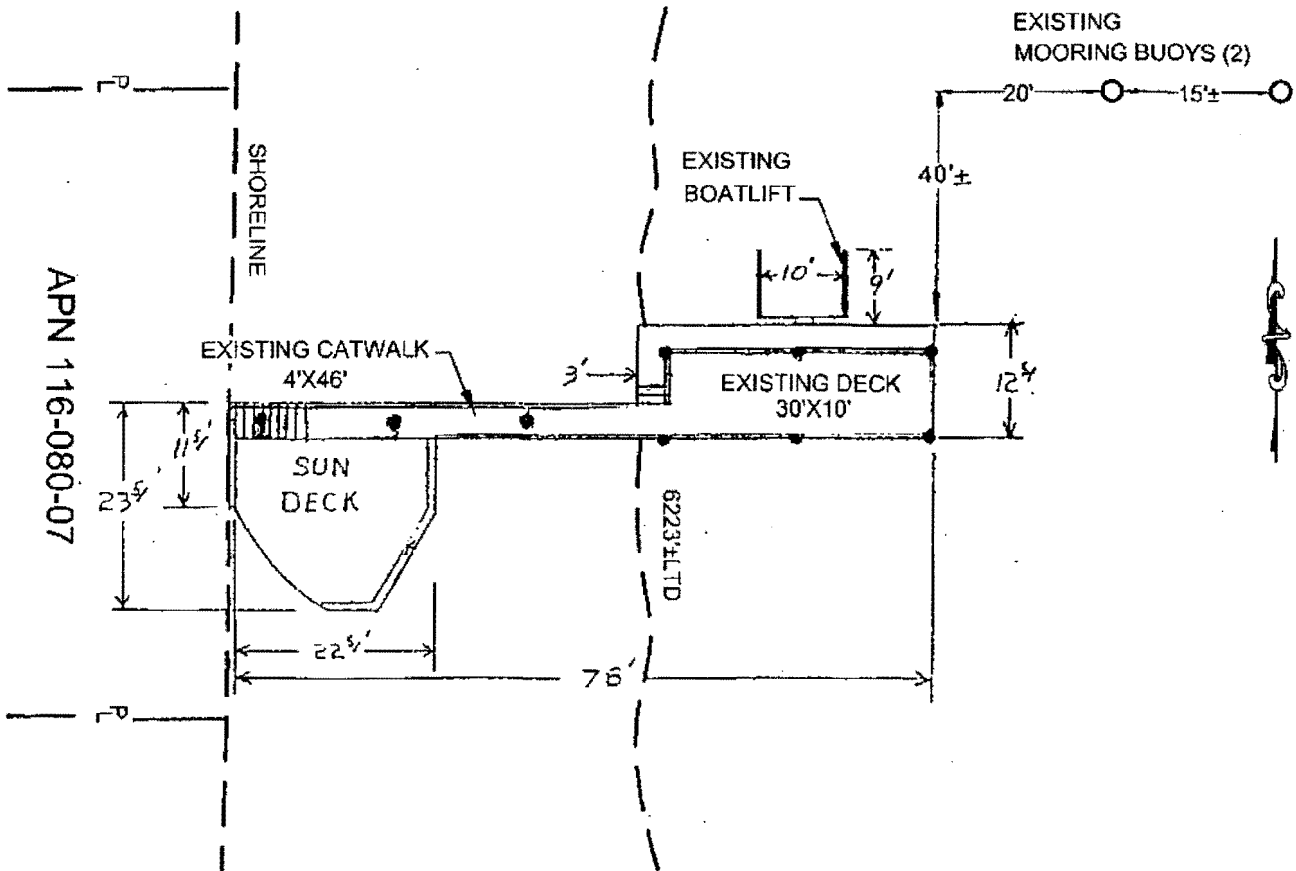
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO RONALD J. GUERRA AND/OR RUSSEY J. GUERRA OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING SEPTEMBER 23, 2006, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, ONE MOORING BUOY, THE RETENTION OF AN EXISTING BOATLIFT, AND ONE ADDITIONAL EXISTING MOORING BUOY 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



5718 NORTH LAKE BLVD., AGATE BAY

NO SCALE

LOCATION

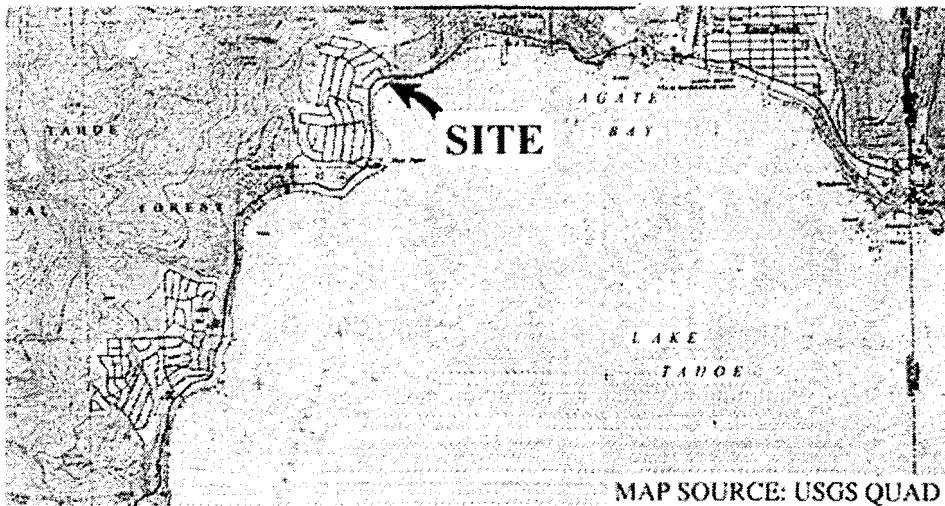
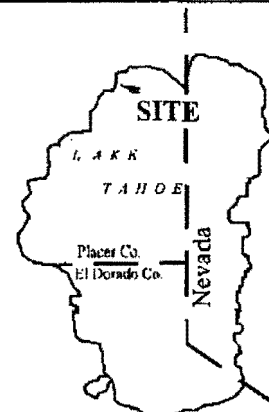


Exhibit A

WP 4389.9
 GUERRA
 RECREATIONAL PIER LEASE
 APN 116-080-07
 PLACER COUNTY



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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.