

MINUTE ITEM
This Calendar Item No. C05 was approved as
Minute Item No. 05 by the California State Lands
Commission by a vote of 3 to 0 at its
12-03-07 meeting.

**CALENDAR ITEM
C05**

A 4
S 1

12/03/07
PRC 3680 WP 3680.9
C. Hudson

RECREATIONAL PIER LEASE

APPLICANTS:

Charlotte M. Hahn, Trustee under agreement dated December 30, 1980, as amended, and Michael P. Garton and Beverley J. Garton

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning June 1, 2007.

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:

The lease contains a provision which requires the Applicants to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of the amended ordinances based on the FEIS.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland property adjoining the lease premises.

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2. On July 11, 1997, the Commission authorized a Recreational Pier Lease with Woodrow A. Hahn and Charlotte M. Hahn, Trustees of the Woodrow A. Hahn and Charlotte M. Hahn 1977 Revocable Intervivos Trust, as Amended; and Michael P. Garton and Beverley J. Garton. The upland property has since transferred to Charlotte M. Hahn, Trustee under agreement dated December 30, 1980, as amended, and Michael P. Garton and Beverley J. Garton. That lease expired on May 31, 2007. The Applicants are now applying for a new Recreational Pier Lease.
3. Applicants qualify for a rent free Recreational Pier Lease because they are natural persons who own the littoral land that is improved with a single-family dwelling.
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

CALENDAR ITEM NO. C05 (CONT'D)

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

SIGNIFICANT LANDS INVENTORY FINDING:

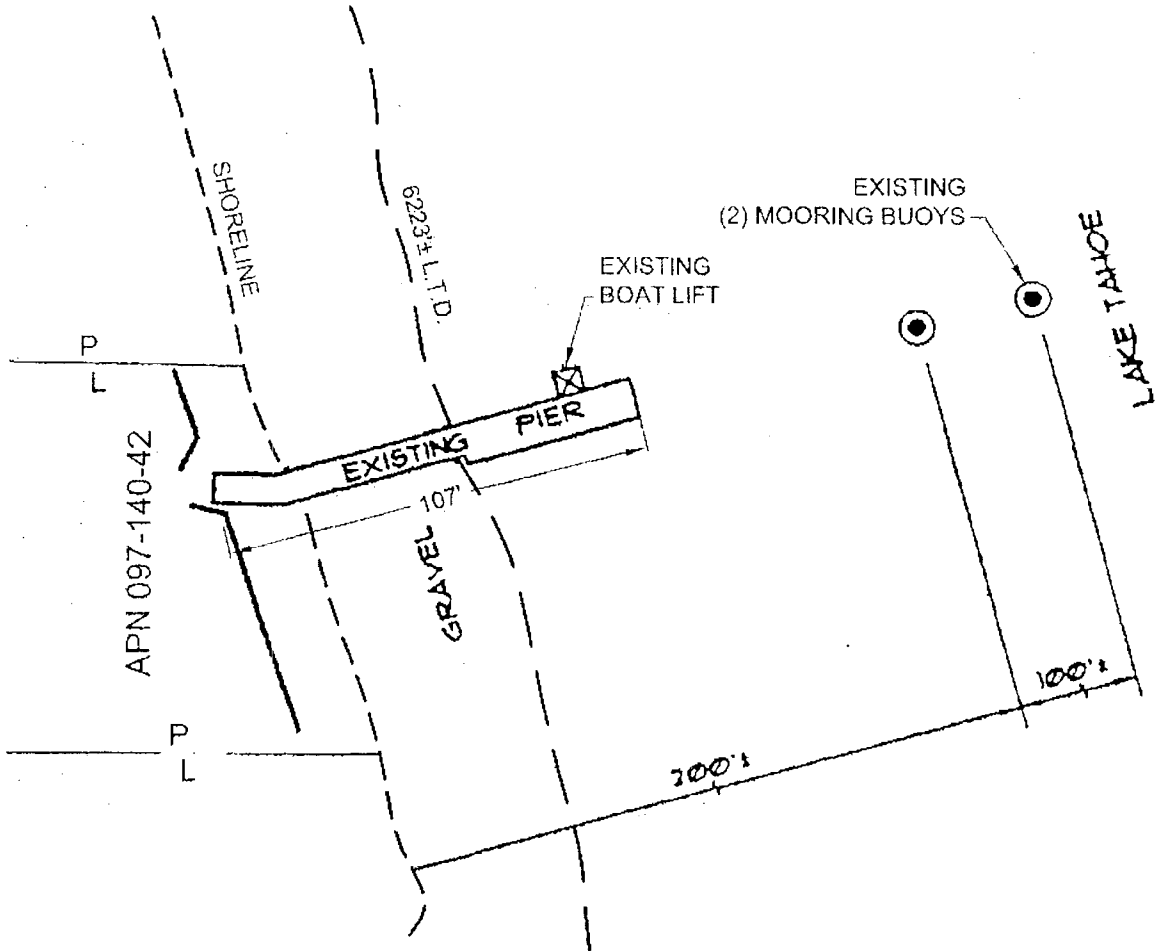
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO CHARLOTTE M. HAHN, TRUSTEE UNDER AGREEMENT DATED DECEMBER 30, 1980, AS AMENDED, AND MICHAEL P. GARTON AND BEVERLEY J. GARTON OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JUNE 1, 2007, FOR AN EXISTING PIER, BOAT LIFT, AND TWO MOORING BUOYS 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



5220 WEST LAKE BLVD., HOMEWOOD

NO SCALE

LOCATION

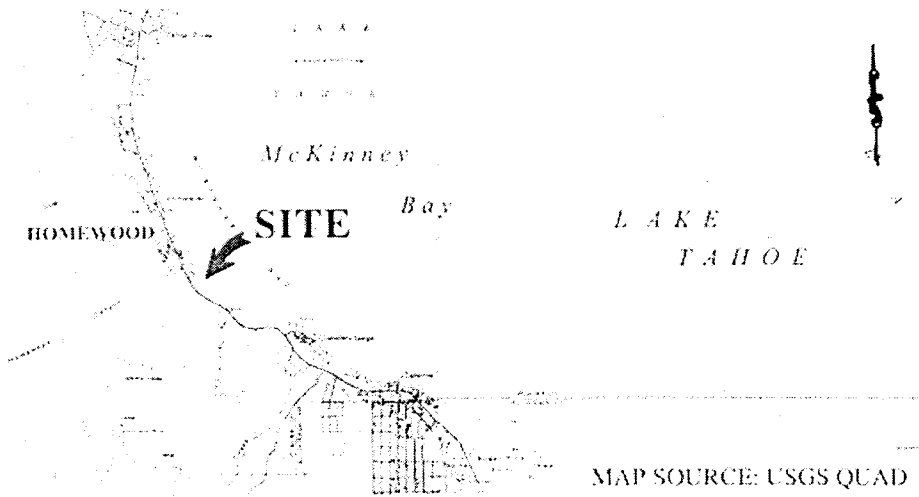
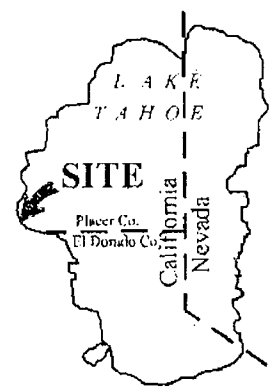


Exhibit A

WP 3680.9
 CHARLOTTE HAIN, TRUSTEE &
 GARTON
 APN 097-140-042
 RECREATIONAL PIER LEASE
 PLACER COUNTY



NO 09/07

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