

MINUTE ITEM

This Calendar Item No. C04 was approved as Minute Item No. 04 by the California State Lands Commission by a vote of 3 to 0 at its 10/06/04 meeting.

**CALENDAR ITEM
C04**

A 4
S 1

10/06/04
PRC 5489 WP 5489.9
R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

Leo H. Winters and Marilyn B. Winters, Trustees, Leo H. Winters and Marilyn B. Winters Revocable 1989 Trust.

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Carnelian Bay, Placer County.

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning May 1, 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 PERTINENT INFORMATION:

1. Applicants own the upland property adjoining the lease premises.
2. The Commission previously authorized the issuance of a Recreational Pier Lease to the Applicants. That lease has expired and the Applicant's are now applying for a new lease for the existing pier and buoy.

Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.

CALENDAR ITEM NO. C04 (CONT'D)

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.

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 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.

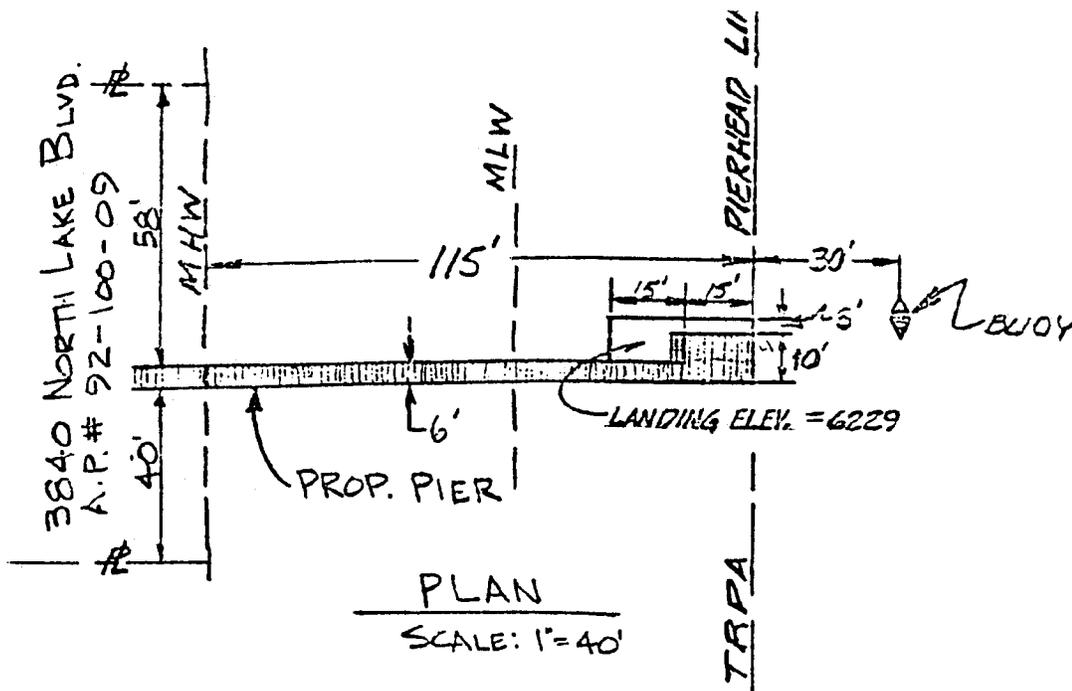
CALENDAR ITEM NO. C04 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO LEO H. WINTERS AND MARILYN B. WINTERS, TRUSTEES, LEO H. WINTERS AND MARILYN B. WINTERS REVOCABLE 1989 TRUST, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING MAY 1, 2004, FOR THE CONTINUED USE AND MAINTENANCE OF A PREVIOUSLY AUTHORIZED PIER, AND ONE MOORING BUOY AS REPRESENTED 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.

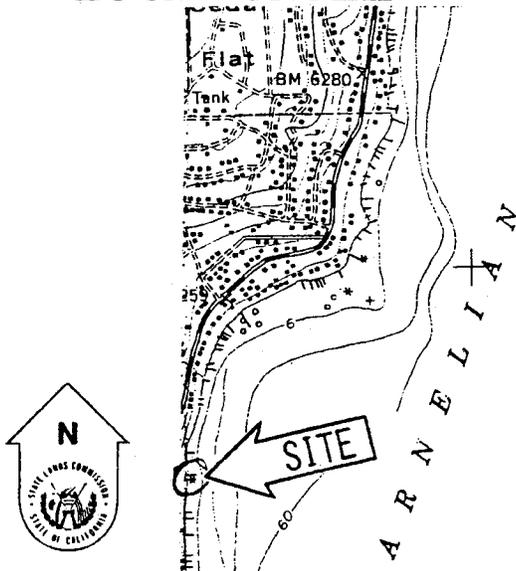
NO SCALE

SITE MAP



USGS
RWB (9/10/04)

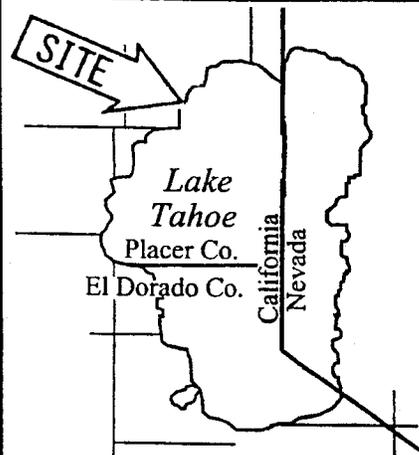
LOCATION MAP



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

Exhibit A WP 5489.9

Leo and Marilyn Winters
Placer County



000017

CALENDAR PAGE

001573

MINUTE PAGE