

**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 02-05-07 meeting.

**CALENDAR ITEM  
C04**

A 4  
S 1

02/05/07  
PRC 7459 WP 7459.9  
B. Terry

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Herbert L. Damner and Arville B. Damner, Trustees of the Herbert L. Damner and Arville B. Damner Revocable Trust U/D/T dated September 25, 1998

**AREA, LAND TYPE, AND LOCATION:**

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

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier and two mooring buoys as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning September 6, 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:

The lease contains a provision which requires the Applicants to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy 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 adjoining the lease premises.
2. On November 7, 1997, the Commission authorized a ten-year Recreational Pier Lease with Herbert L. Damner and Arville Damner. That

CALENDAR ITEM NO. C04 (CONT'D)

lease expired on September 5, 2006. Applicants are now applying for a new Recreational Pier Lease.

3. 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.
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.

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

CALENDAR ITEM NO. C04 (CONT'D)

**SIGNIFICANT LANDS INVENTORY FINDING:**

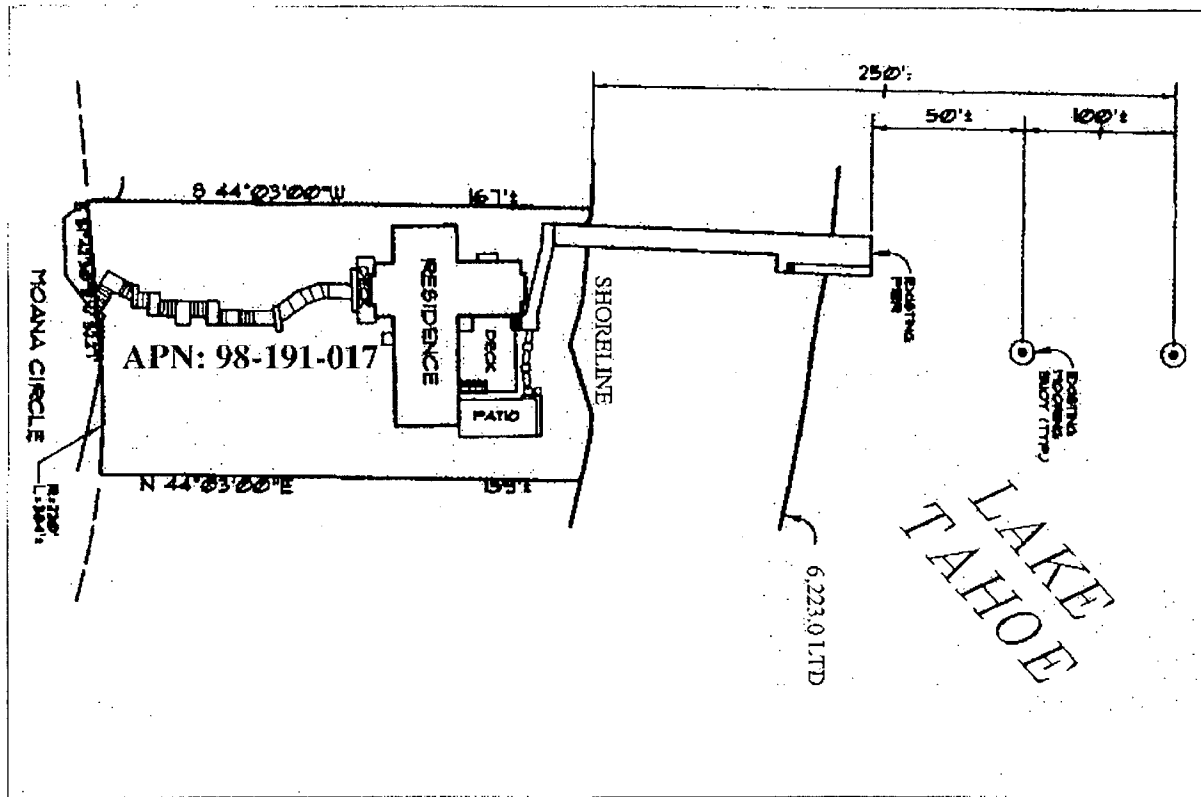
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO HERBERT L. DAMNER AND ARVILLE B. DAMNER, TRUSTEES OF THE HERBERT L. DAMNER AND ARVILLE B. DAMNER REVOCABLE TRUST U/D/T DATED SEPTEMBER 25, 1998, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING SEPTEMBER 6, 2006, FOR AN EXISTING PIER 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

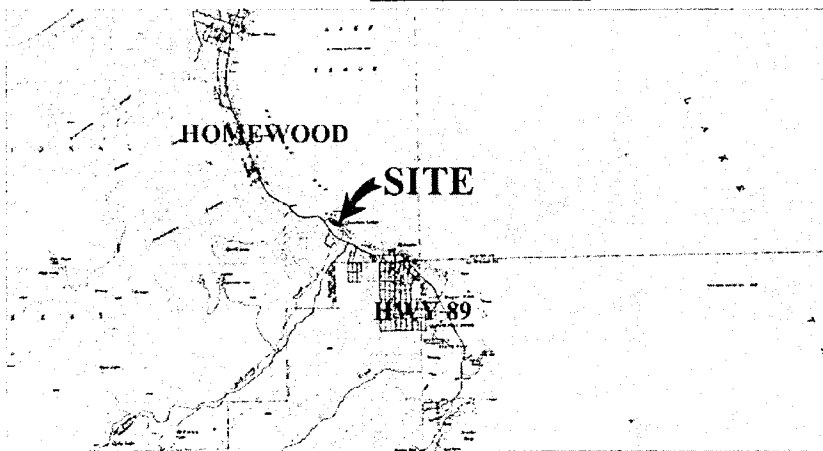
### SITE



36 MOANA CIRCLE, HOMEWOOD

NO SCALE

### LOCATION

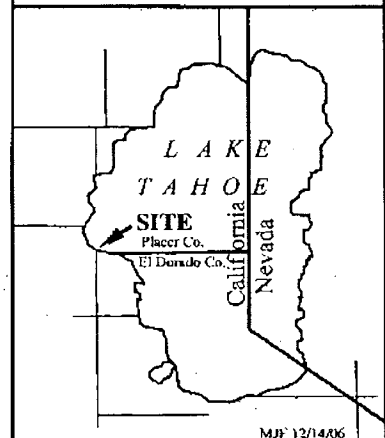


MAP SOURCE: USGS QUAD

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.

### Exhibit A

PRC 7459.9  
DAMNER  
APN: 98-191-017  
RECREATIONAL PIER LEASE  
PLACER COUNTY



MJF 12/14/06

000016

CALENDAR PAGE

000038

MINUTE PAGE