

MINUTE ITEM

This Calendar Item No. C07 was approved as Minute Item No. 07 by the California State Lands Commission by a vote of 3 to 0 at its 04-07-03 meeting.

**CALENDAR ITEM
C07**

A 4
S 1

PRC 2666

04/07/03
WP 2666
N. Lee

RECREATIONAL PIER LEASE

APPLICANTS:

Steven Merrill and Jacqueline Merrill

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing pier and boathouse and the retention of one existing mooring pile and two existing mooring buoys.

LEASE TERM:

Ten years, beginning February 1, 2003.

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 proposed lease is conditioned on the Applicants obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy(s) 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. The Commission had previously authorized a Recreational Pier Permit with The Bank of California, N.A., Trustee for the Estate of John Merrill. That lease has now expired. The littoral land was subsequently deeded to Steven Merrill and Jacqueline Merrill. Applicants qualify for a Recreational

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Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling. Steven Merrill and Jacqueline Merrill are now applying for a new Recreational Pier Lease.

2. **Pier, Boatlift and Mooring Pile:** 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.

3. **Buoys:** 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.

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.

FURTHER APPROVALS REQUIRED:

Buoys – Tahoe Regional Planning Agency.

EXHIBIT:

- A. Location and site map

CALENDAR ITEM NO. C07 (CONT'D)

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER, BOATLIFT AND MOORING PILE: 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).

BUOYS: 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 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 STEVEN MERRILL AND JACQUELINE MERRILL OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING FEBRUARY 1, 2003, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND BOATHOUSE AND THE RETENTION OF ONE EXISTING MOORING PILE AND TWO EXISTING MOORING BUOYS 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

APN 094-160-018, 019, & 094-140-007

EL. 6223 LTD.

MOORING PILE

50'±

BOAT HOUSE

250'±

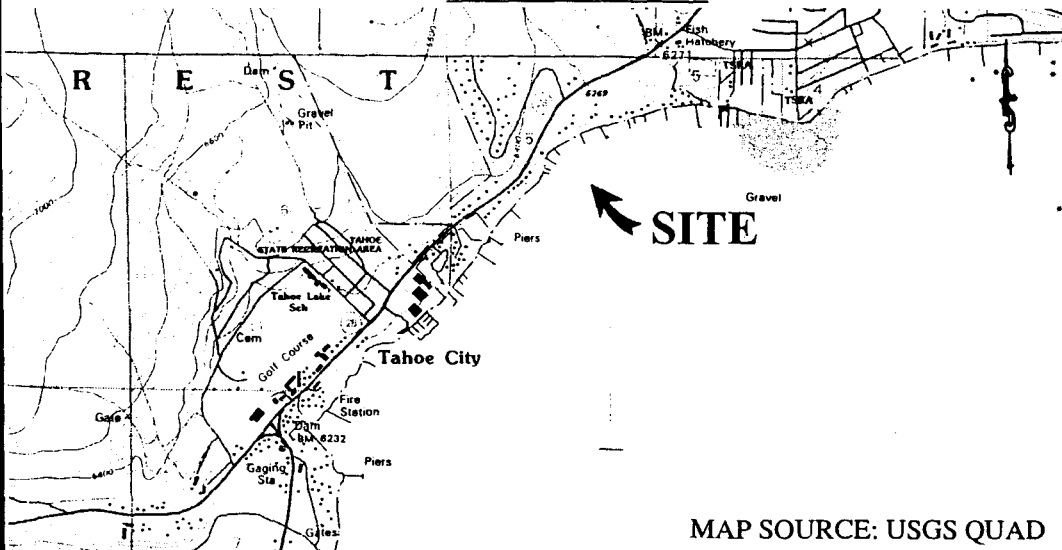
BUOY

BUOY

2000 NORTH LAKE BLVD.

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

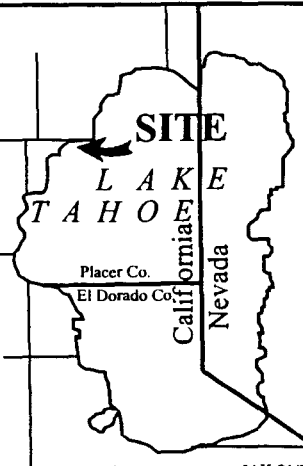
WP 2666

S & J MERRILL

RPL COVERING A PIER,
BOATHOUSE, 2 BUOYS,

1 MOORING PILE

PLACER COUNTY



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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