

**MINUTE ITEM**

This Calendar Item No. C02 was approved as Minute Item No. 02 by the California State Lands Commission by a vote of 3 to 1 at its 11-21-06 meeting.

**CALENDAR ITEM  
C02**

A 4  
S 1

11/21/06  
PRC 4328 WP 4328.9  
R. Barham

**RECREATIONAL PIER LEASE**

**APPLICANT:**

Lida Urbanek, Trustee of the Urbanek Rubicon Bay Trust Dated July 27, 2005

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

Sovereign lands in Lake Tahoe, near Rubicon Bay, El Dorado County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier, four remnant pier pilings, and the retention of two mooring buoys as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning August 4, 2005.

**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 Applicant obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys 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. Applicant owns the upland property adjoining the lease premises.
2. On June 19, 1998, the Commission authorized a Recreational Pier Lease with Louise H. Galli. That lease expired on October 1, 2004.

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3. On August 9, 2005, the littoral property was deeded to Lida Urbanek, Trustee of the Urbanek Rubicon Bay Trust Dated July 27, 2005. Applicant is now applying for a new lease for the existing pier, four remnant pier pilings, and the retention of two mooring buoys. The pilings are remnants of a portion of the original larger pier built in the 1960's.
4. Applicant qualifies for a Recreational Pier Lease because she is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.
5. **Pier and Four Remnant Pier Pilings:** 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).

6. **Mooring 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.

7. 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 person 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

CALENDAR ITEM NO. C02 (CONT'D)

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

**PIER AND FOUR REMNANT PIER PILINGS:** 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).

**MOORING 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:**

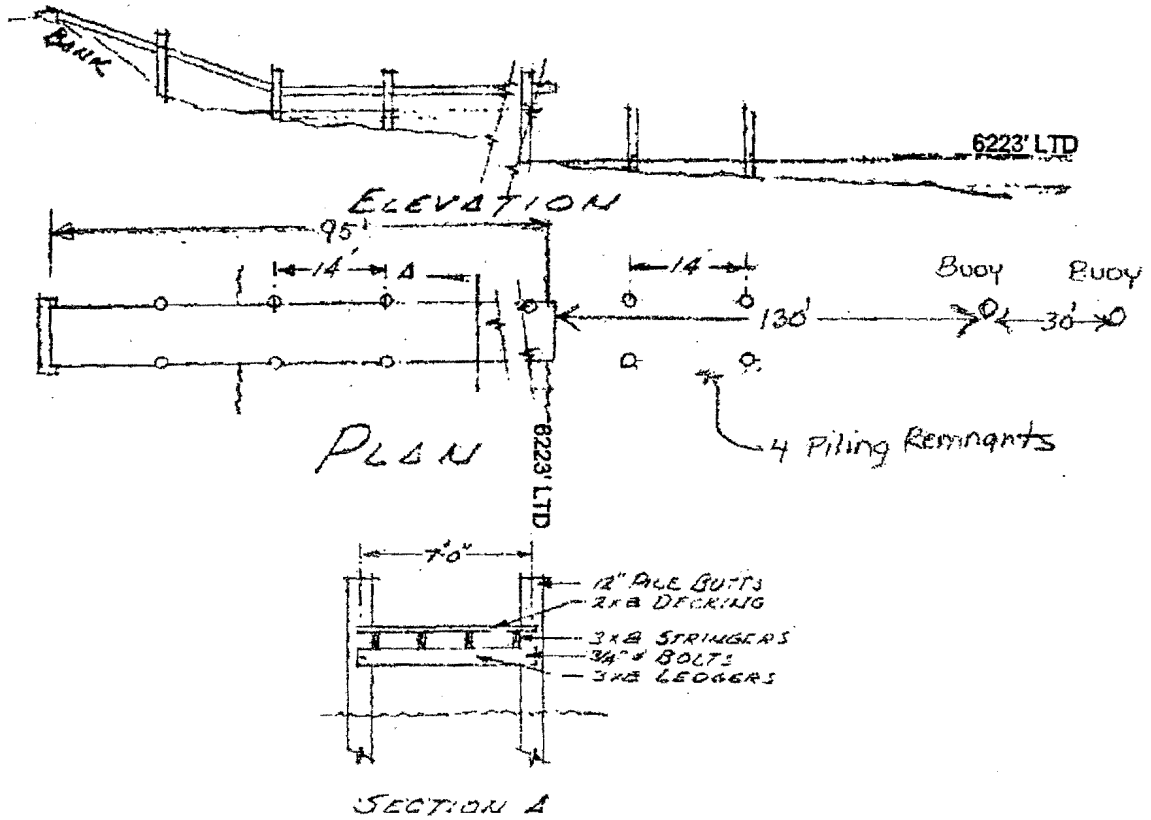
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO LIDA URBANEK, TRUSTEE OF THE URBANEK RUBICON BAY TRUST DATED JULY 27, 2005, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 4, 2005, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, FOUR REMNANT PIER PILINGS, AND THE RETENTION OF 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 MAP



8865 Rubicon

NO SCALE

# LOCATION MAP

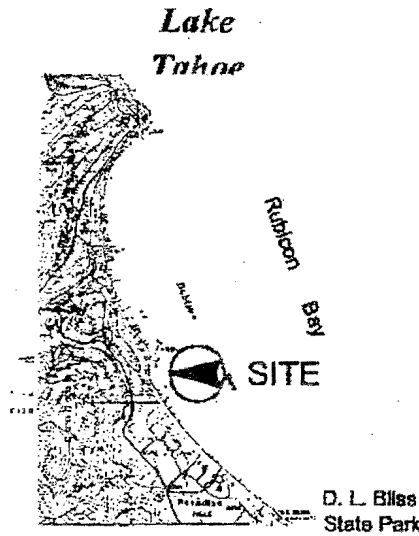
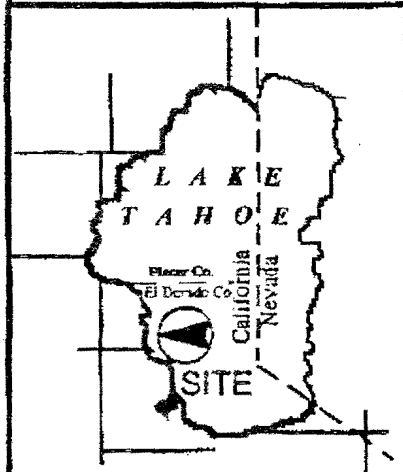


Exhibit A  
 PRC 4328  
 APN 016-251-051  
 Lake Tahoe  
 EL DORADO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, 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.

RWB 9/2006

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