

MINUTE ITEM

This Calendar Item No. C03 was approved as Minute Item No. 03 by the California State Lands Commission by a vote of 3 to 0 at its 06-28-07 meeting.

CALENDAR ITEM

C03

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06/28/07

S 1

PRC 5278.9

M. Clark

RECREATIONAL PIER LEASE

APPLICANTS:

Peter Alfons Mentges and Nina Maria Mentges, trustees of the Peter Alfons Mentges and Nina Maria Mentges 1984 Family Trust dated June 26, 1984

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, located near South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 21, 2007.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On July 11, 1997, the Commission authorized a ten-year Recreational Pier Lease to Peter Alfons Mentges, as Trustee of the Peter Alfons Mentges and Nina Maria Mentges 1984 Family Trust. That lease will expire on August 20, 2007. The upland property has since transferred to Peter Alfons Mentges and Nina Maria Mentges, trustees of the Peter Alfons Mentges and Nina Maria Mentges 1984 Family Trust dated June 26, 1984. Applicants are now applying for a new Recreational Pier Lease.

CALENDAR ITEM NO. C03 (CONT'D)

3. The Applicants qualify for a rent free 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.

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. C03 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO PETER ALFONS MENTGES AND NINA MARIA MENTGES, TRUSTEES OF THE PETER ALFONS MENTGES AND NINA MARIA MENTGES 1984 FAMILY TRUST DATED JUNE 26, 1984, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 21, 2007, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER 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.

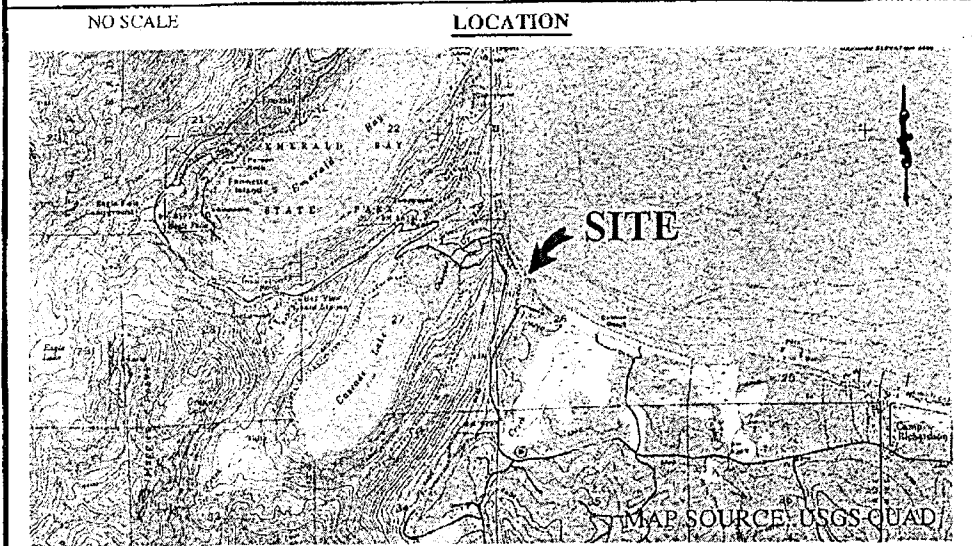
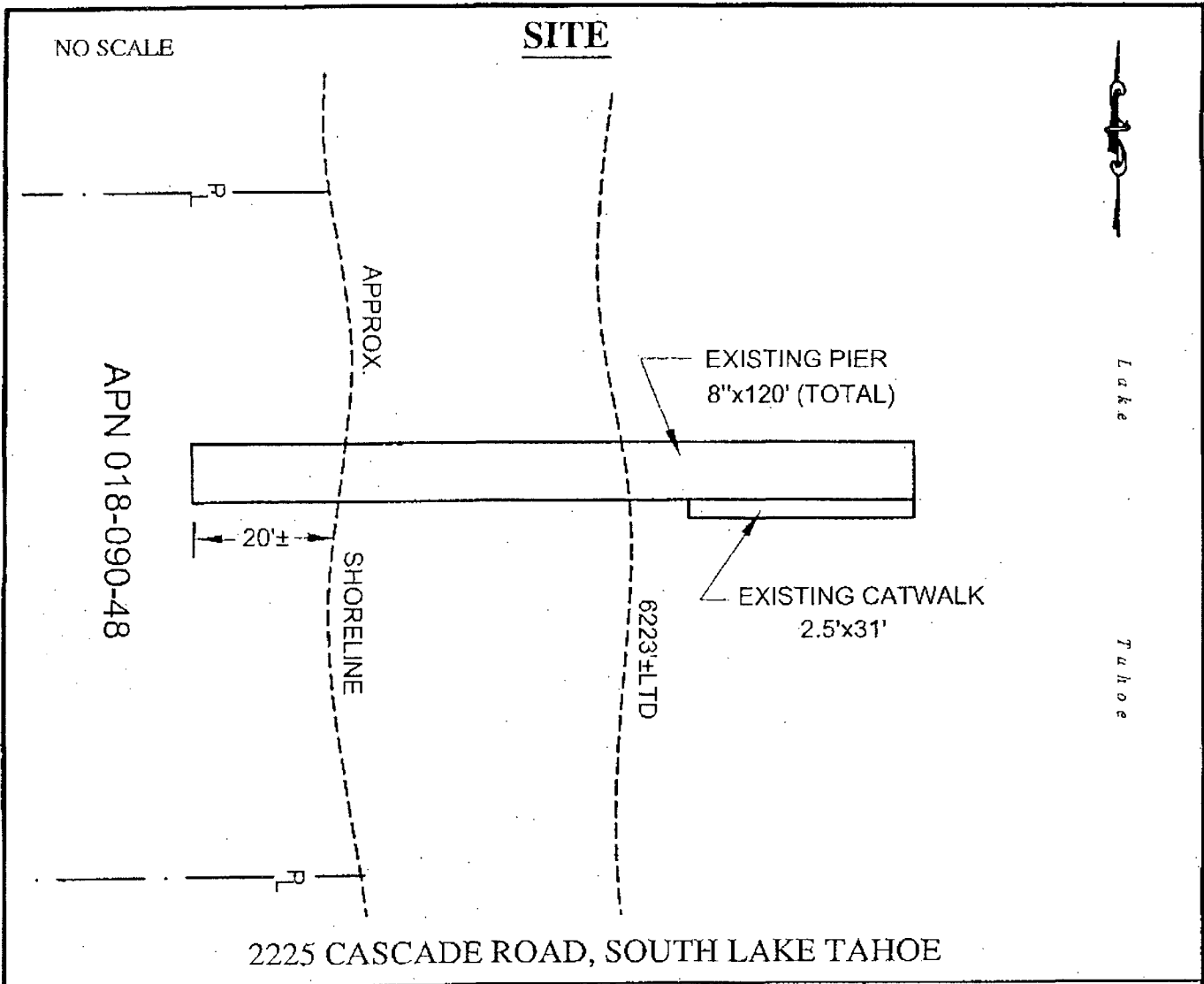


Exhibit A

WP 5278.9
 MENTGES
 APN 018-090-48
 RECREATIONAL PIER LEASE
 EL DORADO CO.



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.