

MINUTE ITEM

This Calendar Item No. C06 was approved as Minute Item No. 06 by the California State Lands Commission by a vote of 2 to 0 at its 10-30-07 meeting.

**CALENDAR ITEM
C06**

A 4
S 1

PRC 7567

10/30/07
WP 7567.9
M. Clark

RECREATIONAL PIER LEASE

APPLICANTS:

William Allan Dale and Betty Ann Dale, Trustees of the William Allan and Betty Ann Dale Revocable Living Trust Agreement dated April 28, 1989

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing mooring buoy as shown on Exhibit A.

LEASE TERM:

Ten years, beginning July 1, 2007.

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 Applicant(s) to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of the amended ordinances based on the FEIS.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.

CALENDAR ITEM NO. C06 (CONT'D)

2. On July 11, 1997, the Commission issued a ten-year Recreational Pier Lease to James J. Dale Jr., Trustee of the F. and J. Dale Marital Trust dated November 3, 1989, for an existing pier and mooring buoy. That lease expired on June 30, 2007. The upland was subsequently transferred to William Allan Dale and Betty Ann Dale, Trustees of the William Allan Dale and Betty Ann Dale Revocable Living Trust Agreement dated April 28, 1989, who are now applying for a new Recreational Pier Lease. Staff has determined that the previously authorized pier does not extend below elevation 6,223' Lake Tahoe Datum and is therefore not under the Commission's leasing jurisdiction. The mooring buoy will be the only improvement to come under lease.
3. Applicants qualify for the rent free use of the mooring buoy because they are natural persons who own the littoral land improved with 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

CALENDAR ITEM NO. C06 (CONT'D)

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.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO WILLIAM ALLAN DALE AND BETTY ANN DALE, TRUSTEES OF THE WILLIAM ALLAN DALE AND BETTY ANN DALE REVOCABLE LIVING TRUST AGREEMENT DATED APRIL 28, 1989, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JULY 1, 2007, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING MOORING BUOY 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

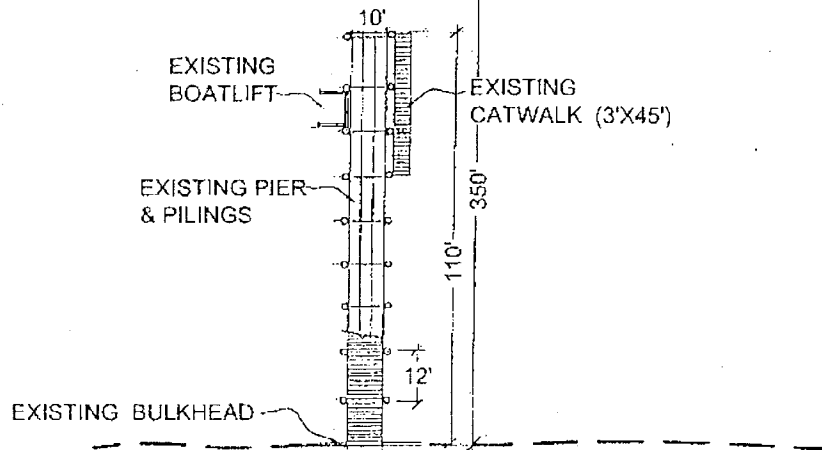
SITE

EXISTING MOORING BUOY WITH CONCRETE ANCHOR

APPROX. 6223'±LTD

LAKE

TAHOE



APN 026-021-09

731 LAKEVIEW AVENUE, SOUTH LAKE TAHOE

NO SCALE

LOCATION

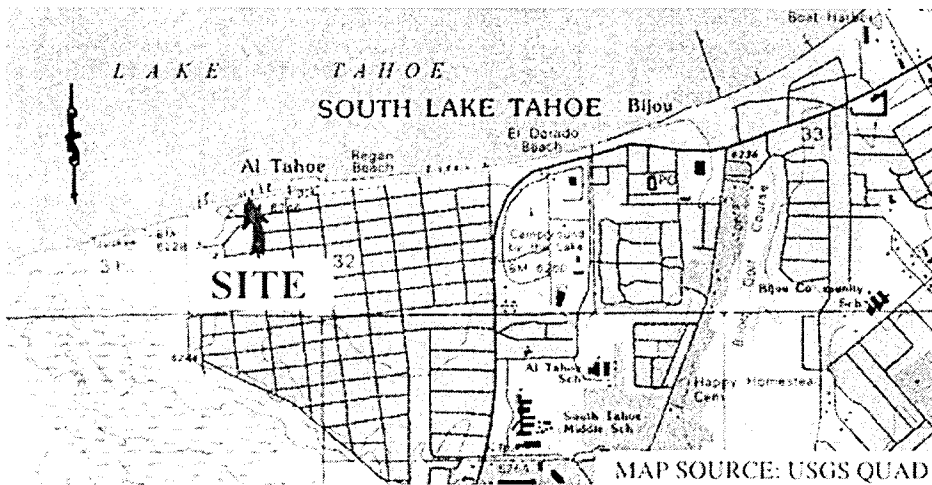


Exhibit A

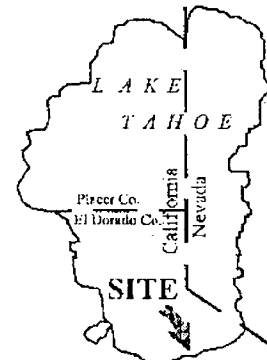
WP 7567.9

DALE

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RECREATIONAL PIER LEASE

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CALENDAR PAGE

000073

MINUTE PAGE