

**MINUTE ITEM**  
This Calendar Item No C64 was approved as  
Minute Item No 04 by the California State Lands  
Commission by a vote of 3 to 4 at its  
12-03-07 meeting.

**CALENDAR ITEM**

**C04**

A 4

12/03/07

S 1

PRC 3241

WP 3241.9

M. Clark

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Lachlan M. Richards III; Stephen F. McCarl and Kim S. McCarl, as Trustees of The McCarl Family Trust (SPW), under Declaration of Trust dated November 1, 2001; and Wayne R. Rowlands, as trustee of The Separate Share Trust f/b/o Courtney E. Rowlands, created under the 1997 Rowlands Family Trust U/T/A dated April 24, 1997

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

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

**AUTHORIZED USE:**

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

**LEASE TERM:**

Ten years, beginning August 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 Applicants 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.

CALENDAR ITEM NO. C04 (CONT'D)

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland property adjoining the lease premises.
2. On August 26, 1997, the Commission authorized a ten-year Recreational Pier Lease to Jil Elizabeth Richards, Kim S. McCarl, and Lachlan M. Richards III. That lease expired on July 31, 2007. The upland property has since been deeded to Lachlan M. Richards III; Stephen F. McCarl and Kim S. McCarl, as Trustees of The McCarl Family Trust (SPW), under Declaration of Trust dated November 1, 2001; and Wayne R. Rowlands, as trustee of The Separate Share Trust f/b/o Courtney E. Rowlands, created under the 1997 Rowlands Family Trust U/T/A dated April 24, 1997. Applicants are now applying for a new Recreational Pier Lease.
3. Applicants qualify for a Recreational Pier Lease because they are natural persons who own the littoral land that is 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. C04 (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:**

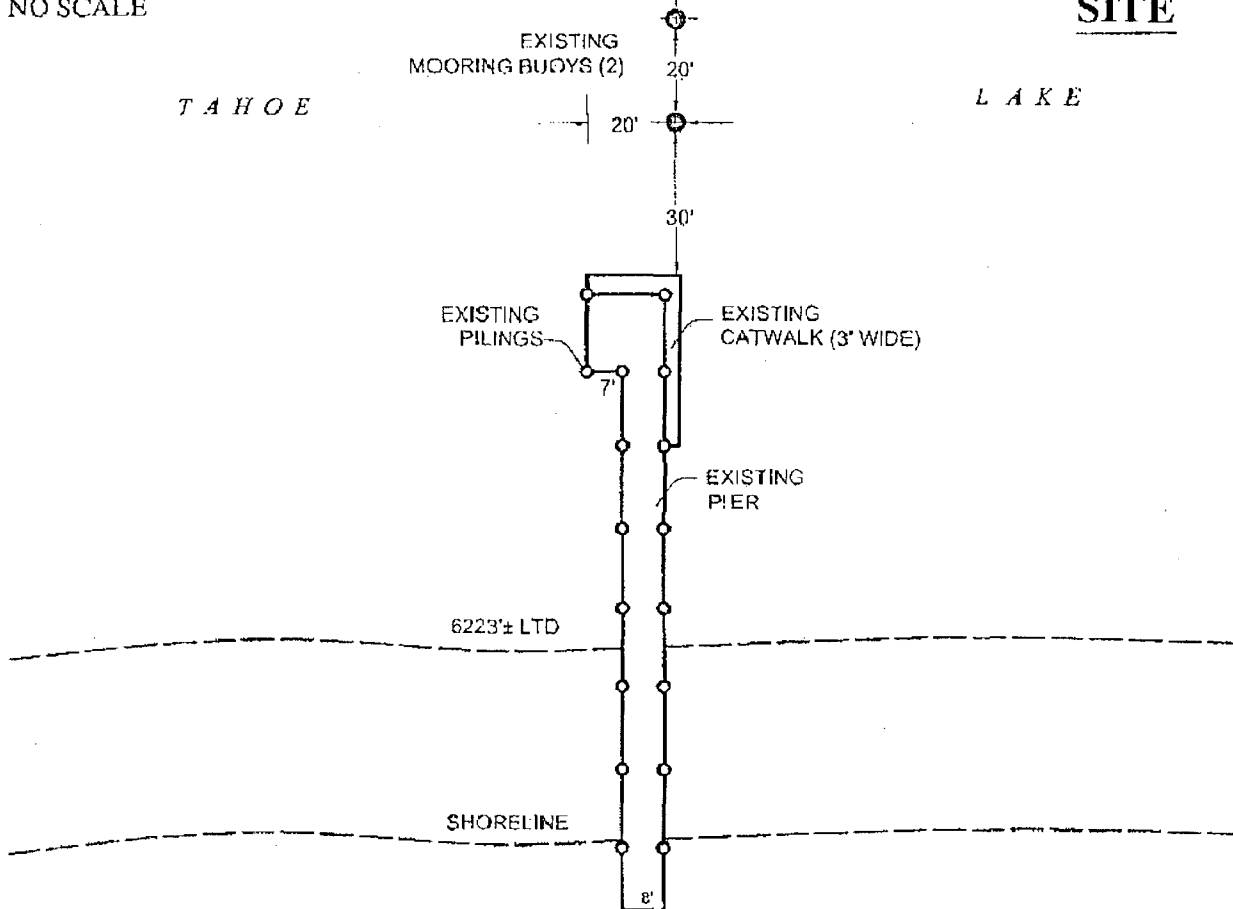
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO LACHLAN M. RICHARDS III; STEPHEN F. MCCARL AND KIM S. MCCARL, AS TRUSTEES OF THE MCCARL FAMILY TRUST (SPW), UNDER DECLARATION OF TRUST DATED NOVEMBER 1, 2001; AND WAYNE R. ROWLANDS, AS TRUSTEE OF THE SEPARATE SHARE TRUST F/B/O COURTNEY E. ROWLANDS, CREATED UNDER THE 1997 ROWLANDS FAMILY TRUST U/T/A DATED APRIL 24, 1997, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 1, 2007, FOR THE CONTINUED USE AND MAINTENANCE OF 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**

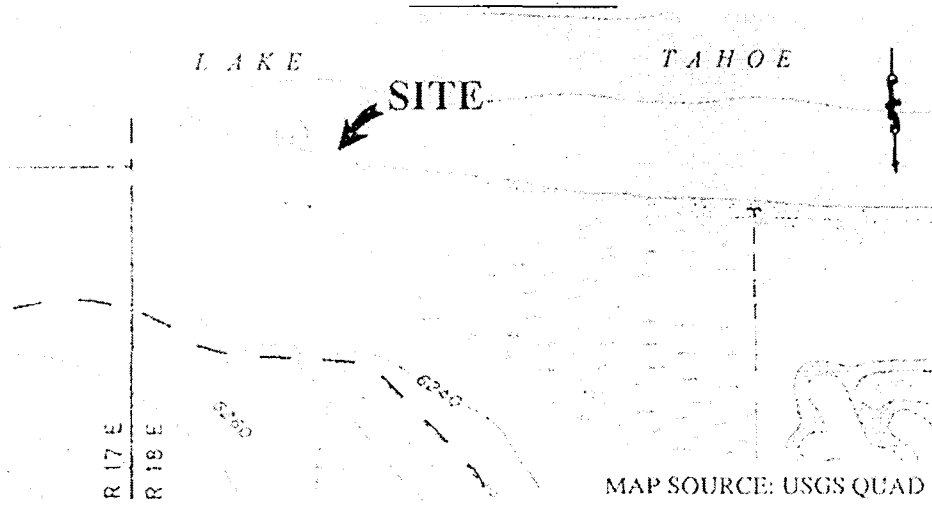


APN 032-120-021

3071 JAMESON BEACH RD, NEAR CAMP RICHARDSON

NO SCALE

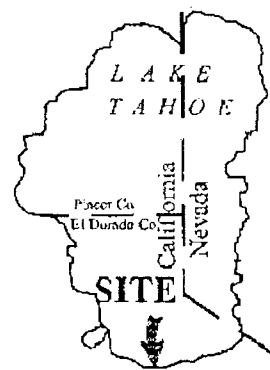
**LOCATION**



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**  
 WP 3241  
 RICHARDS, McCARL  
 & ROWLANDS  
 APN 032-120-021  
 GENERAL LEASE  
 RECREATIONAL PIER LEASE  
 EL DORADO CO.



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