MINUTE ITEM
This Calendar Item No. C17 was approved as Minute Item No. 17 by the California State Lands Commission by a vote of 3 to 0 at its 10-01-02 meeting.

CALENDAR ITEM
C17

A 4

S 1

PRC 8421.9

10/01/02
W 25203
B. Dugal

RECREATIONAL PIER LEASE

APPLICANT:
Marion Cecile Mohr Fry Zimmerman, Trustee of the Fry Family Trust of 1999

AREA, LAND TYPE, AND LOCATION:
Sovereign lands in Lake Tahoe, near the city of South Lake Tahoe, El Dorado County.

AUTHORIZED USE:
Reconstruction of an existing pier, installation of a boat lift and the retention of four existing mooring buoys on two contiguous littoral parcels.

LEASE TERM:
Ten years, beginning October 1, 2002.

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 Applicant 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 Applicant has submitted an application to the Commission for the reconstruction of an existing pier, installation of a boatlift and the retention

of four existing mooring buoys, which are located adjacent to the applicant's two contiguous littoral properties.

2. The Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who has improved the littoral lands with, and uses the uplands for, a single-family dwelling.

3. **Pier and Boatlift**: 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 2, Replacement or Reconstruction; Title 2, California Code of Regulations, section 2905 b.

   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. **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.

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.

APPROVALS OBTAINED:

Pier - Tahoe Regional Planning Agency, Department of Fish and Game

FURTHER APPROVALS REQUIRED:

Pier - United States Army Corps of Engineers
Buoys - Tahoe Regional Planning Agency

EXHIBIT:

A. Site/Location Map

PERMIT STREAMLINING ACT DEADLINE:

October 8, 2002

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING: (PIER AND BOATLIFT)

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 2, REPLACEMENT OR RECONSTRUCTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 B.

(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.

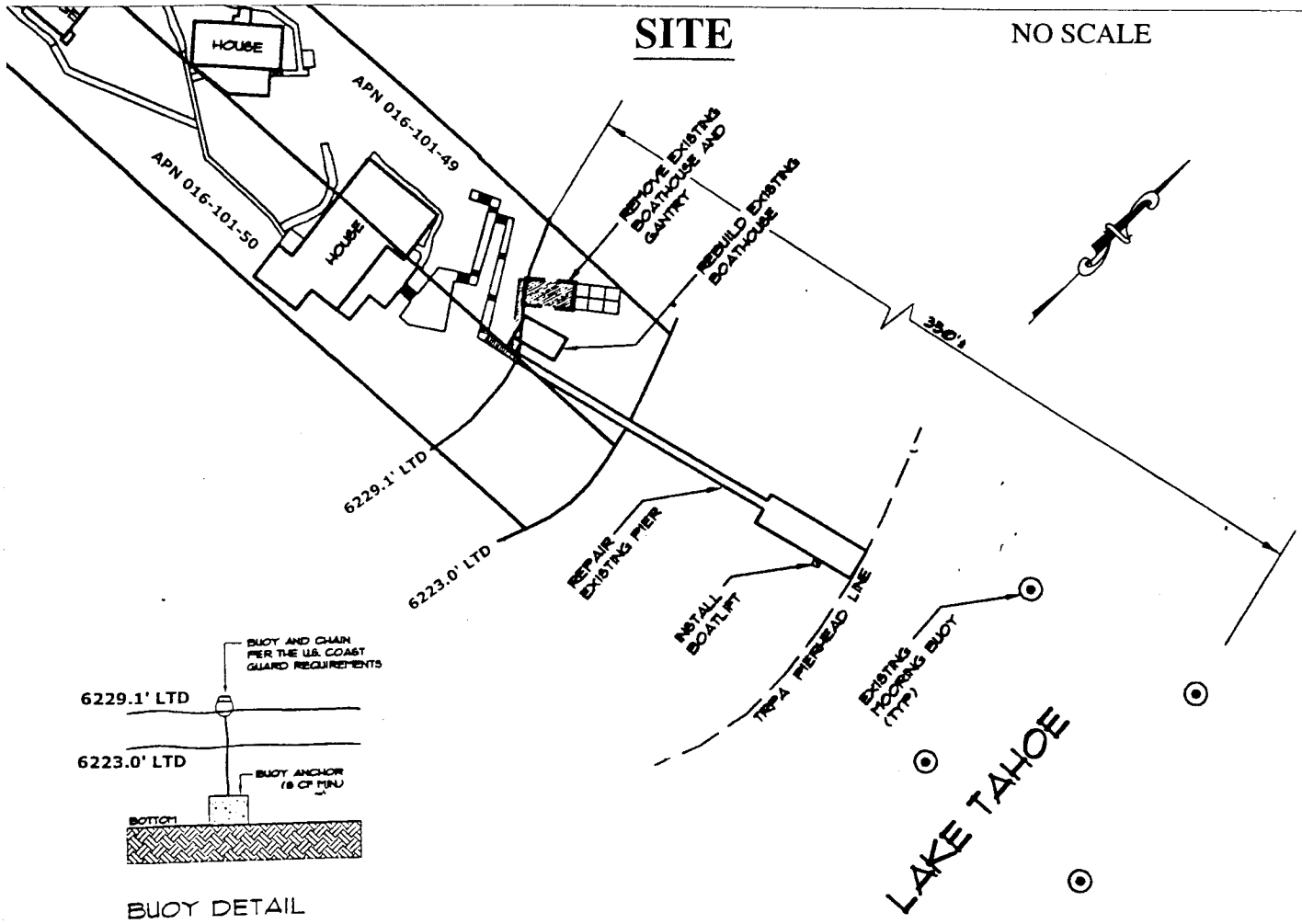
AUTHORIZATION:

AUTHORIZE ISSUANCE TO MARION CECILE MOHR FRY ZIMMERMAN, TRUSTEE OF THE FRY FAMILY TRUST OF 1999, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING OCTOBER 1, 2002, FOR THE RECONSTRUCTION OF AN EXISTING PIER, THE INSTALLATION OF A BOATLIFT AND THE RETENTION OF FOUR EXISTING MOORING BUOYS ON TWO CONTIGUOUS LITTORAL PARCELS OF 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.

SITE

NO SCALE



8507/8511 Meeks Bay Ave, Rubicon Bay, Lake Tahoe

NO SCALE

LOCATION

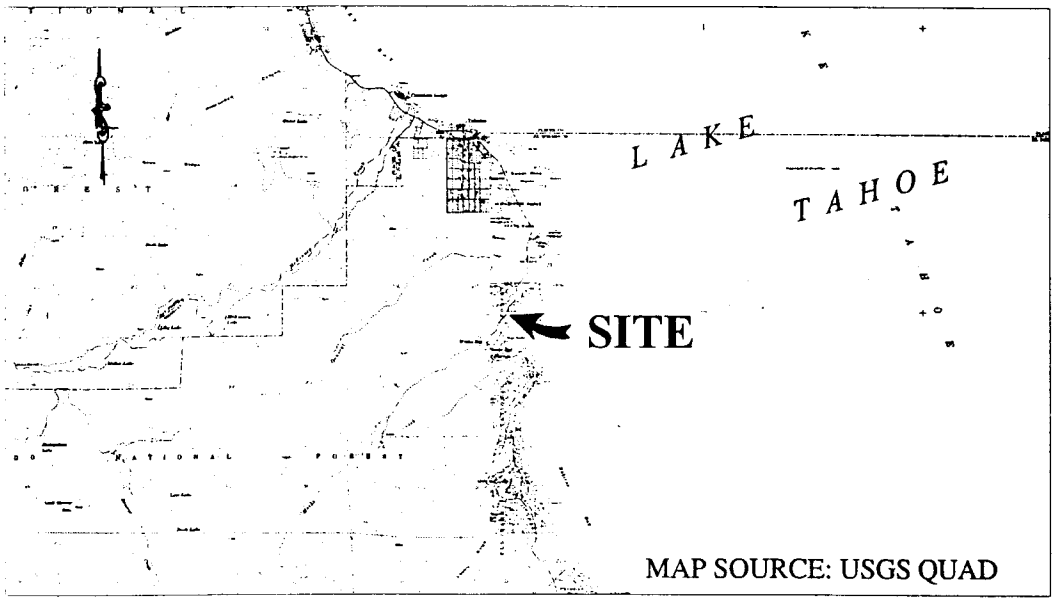


Exhibit A

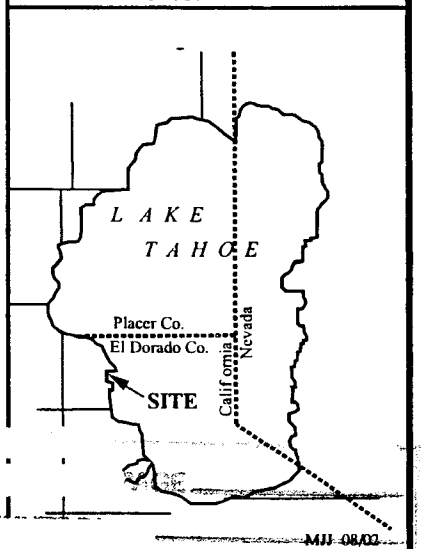
W25203

Mohr-Fry Pier

APNS 016-101-49&50

El Dorado County

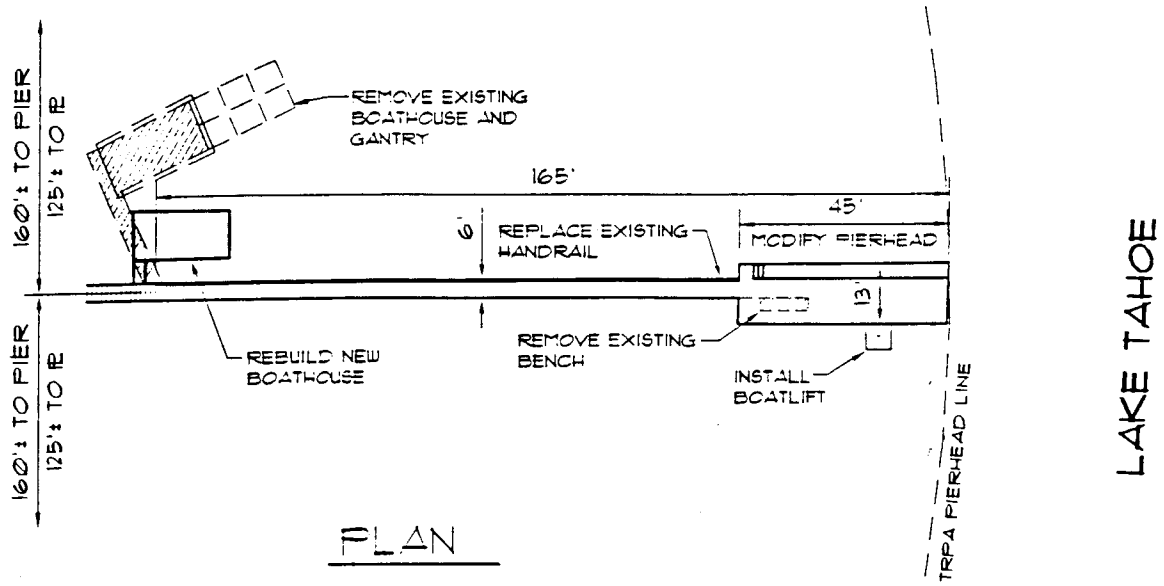
Sheet 1 of 2



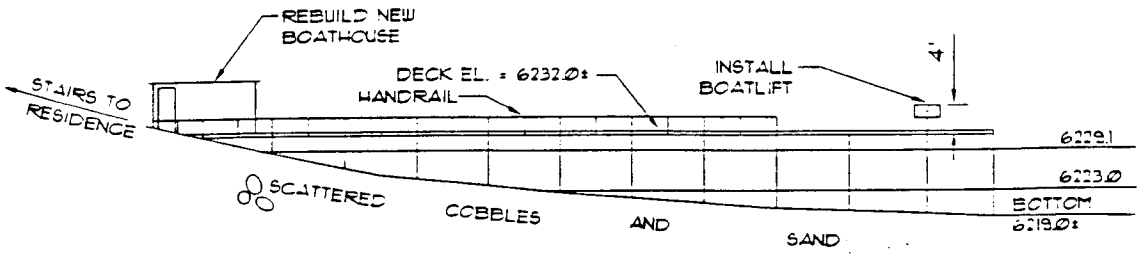
This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

MJ 08/02

NO SCALE



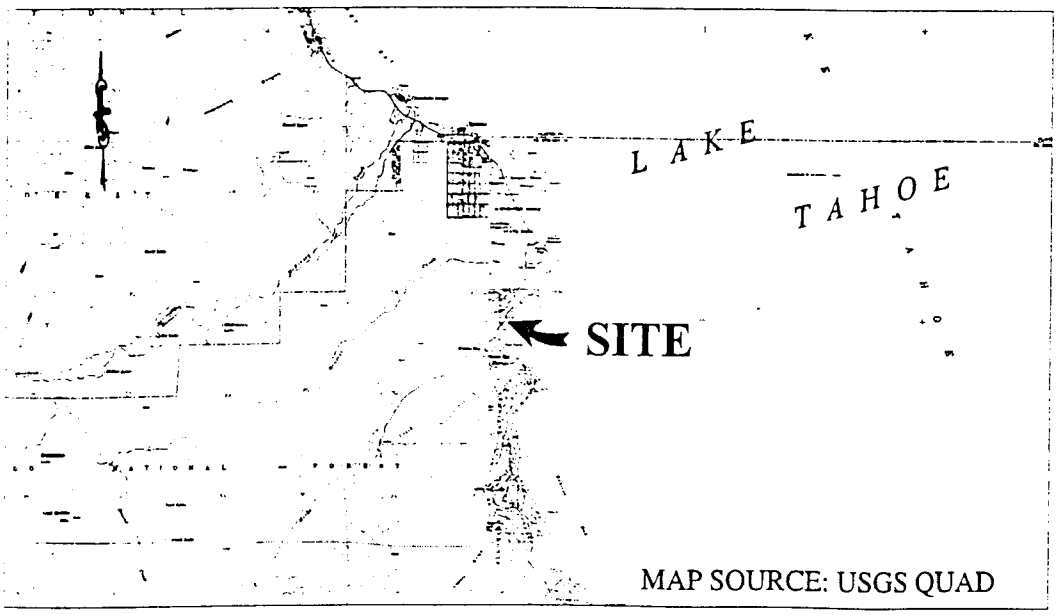
PLAN



PROFILE

NO SCALE

LOCATION



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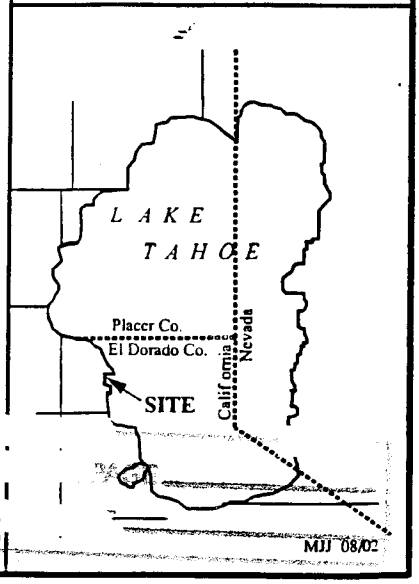
W25203

Mohr-Fry Pier

APNS 016-101-49&50

El Dorado County

Sheet 2 of 2



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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