

**MINUTE ITEM**  
This Calendar Item No. C50 was approved as  
Minute Item No. 50 by the California State Lands  
Commission by a vote of 3 to 0 at its  
10-01-02 meeting.

**CALENDAR ITEM  
C50**

A 4

10/01/02

S 1

PRC 5528.1

WP 5528.1

B. Young

**GENERAL LEASE-RECREATIONAL USE**

**APPLICANTS:**

Craig Miller and Beverly Jo Miller

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

0.002 acres, more or less, of sovereign lands in Lake Tahoe near Lake Forest,  
Placer County.

**AUTHORIZED USE:**

Retention of two existing mooring buoys and a swim float as shown on the  
attached Exhibit A.

**LEASE TERM:**

Ten years, beginning August 1, 2002.

**CONSIDERATION:**

\$93 per annum for the swim float; with the State reserving the right to fix a  
different rent periodically during the lease term, as provided in the lease. No  
monetary consideration for the two mooring buoys pursuant to Public Resources  
Code Section 6503.5.

**SPECIFIC LEASE PROVISIONS:**

Combined single limit coverage of \$1,000,000.

Other:

This lease is conditioned on Lessee 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.

CALENDAR ITEM NO. C50 (CONT'D)

**OTHER PERTINENT INFORMATION:**

1. On August 31, 1978, the Commission authorized a Recreational Pier Permit to Drew R. and Patricia A. Lance, and William and Susan T. Whalen for a pier and two mooring buoys. However, the U.S. Army Corps of Engineers denied the permit on March 20, 1979, and the pier was never constructed. The Whalens sold their property to Craig Miller and Beverly Jo Miller. Applicants are littoral owners who have improved the littoral land with, and use the upland for, a single-family dwelling. However, they do not qualify for a rent-free lease because of the swim float. Craig Miller and Beverly Jo Miller are now applying for a new General Lease - Recreational Use.

2. **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.

3. **SWIM FLOAT:** 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)(4).

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. 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.

CALENDAR ITEM NO. C50 (CONT'D)

**EXHIBIT:**

- A. Location and site map

**PERMIT STREAMLINING ACT DEADLINE:**

N/A

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

**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).

**SWIM FLOAT:** 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)(4).

**SIGNIFICANT LANDS INVENTORY FINDING:**

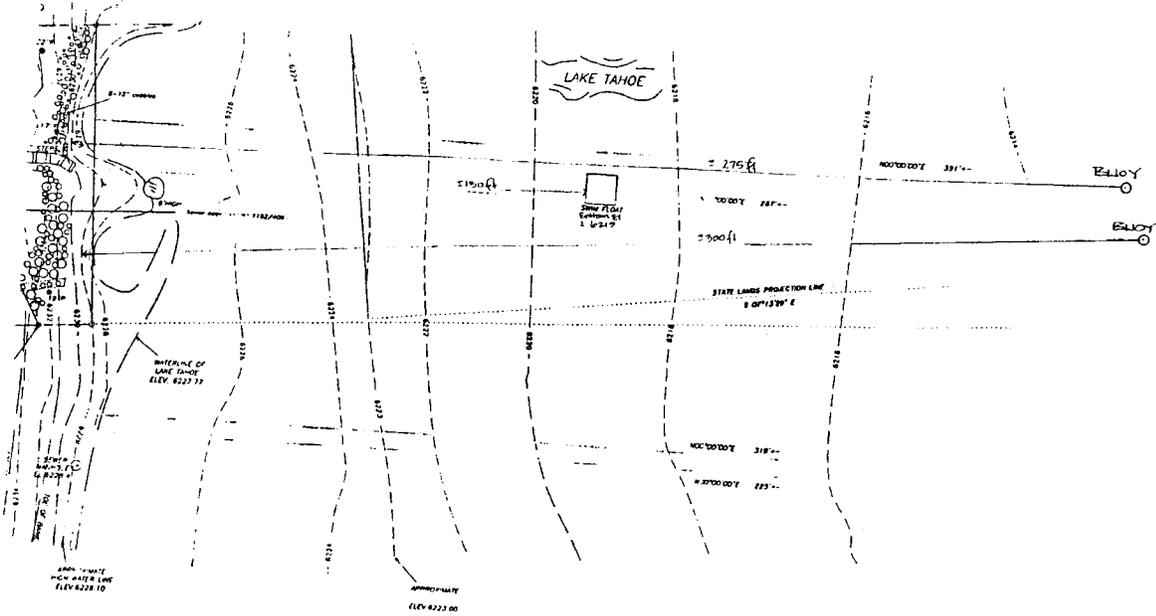
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO CRAIG MILLER AND BEVERLY JO MILLER OF A GENERAL LEASE-RECREATIONAL USE, BEGINNING AUGUST 1, 2002, FOR A TERM OF TEN YEARS, FOR THE RETENTION OF TWO EXISTING BUOYS AND A SWIM FLOAT ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; \$93 PER ANNUM WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.

NO SCALE

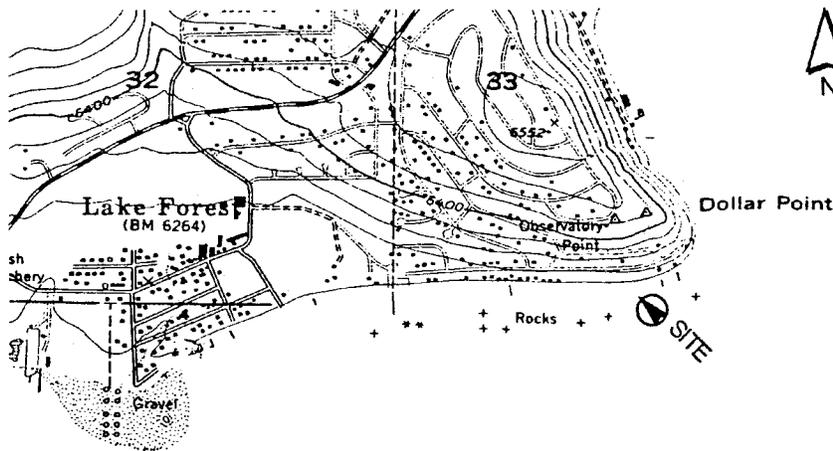
# SITE MAP



3356 Edgewater Drive

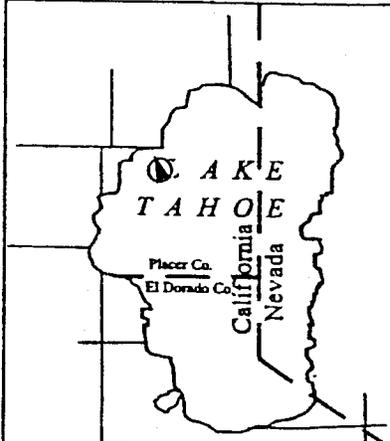
NO SCALE

# LOCATION MAP



## EXHIBIT A

PRC 5528.1  
 APN 93-083-041  
 Lake Tahoe  
 Placer County



This Exhibit is solely for purposes of generally defining the lease premises,  
 is based on unverified information provided by 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.

EX 6/02

000236

CALENDAR PAGE

001935

MINUTE PAGE