

MINUTE ITEM
This Calendar Item No. C42 was approved as
Minute Item No. 42 by the California State Lands
Commission by a vote of 3 to 0 at its
2-21-03 meeting.

**CALENDAR ITEM
C42**

A 4 02/21/03
S 1 PRC 5580 WP 5580.9
B. Young

**TERMINATION OF RECREATIONAL PIER LEASE
AND ISSUANCE OF A NEW RECREATIONAL PIER LEASE**

LESSEE/APPLICANT:

Dill Corporation

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Tahoe City, Placer County.

AUTHORIZED USE:

Removal, relocation and reconstruction of an existing pier and one existing mooring buoy previously authorized by the Commission and placement of a new boat lift and retention of an additional existing mooring buoy as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning January 1, 2003.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$300,000.

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.

OTHER PERTINENT INFORMATION:

1. On September 3, 1999, the Commission authorized a Recreational Pier Lease to the Lessee for a pier and one mooring buoy. That lease will

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expire on October 24, 2008. Applicant submitted an application for the removal, relocation and reconstruction of the existing pier and one mooring buoy previously authorized by the Commission, and placement of a new boat lift and retention of an additional existing mooring buoy. Applicant qualifies for a Recreational Pier Lease because the Applicant is a non-profit corporation consisting of family members who are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling. Dill Corporation is now applying for a new Recreational Pier Lease.

2. **Termination of an Existing Lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

3. **Issuance of New Lease (Pier and Boat lift):** 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)(1).

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. **Existing Mooring Buoy:** 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

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Regulations, section 2905.

5. **Retention of an Additional Existing Buoy:** 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.

6. 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.

FURTHER APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency.

EXHIBIT:

- A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

March 30, 2003

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

TERMINATION OF EXISTING LEASE: FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE PROVISIONS OF THE CEQA BECAUSE IT IS NOT A "PROJECT" AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15060 (c)(3) AND 15378.

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ISSUANCE OF NEW LEASE (PIER AND BOAT LIFT):

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)(1).

EXISTING MOORING BUOY: 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).

RETENTION OF AN ADDITIONAL MOORING BUOY: 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 TERMINATION OF RECREATIONAL PIER LEASE NO. PRC 5580.9, ISSUED TO THE DILL CORPORATION, AND APPROVED BY THE COMMISSION ON SEPTEMBER 3, 1999.

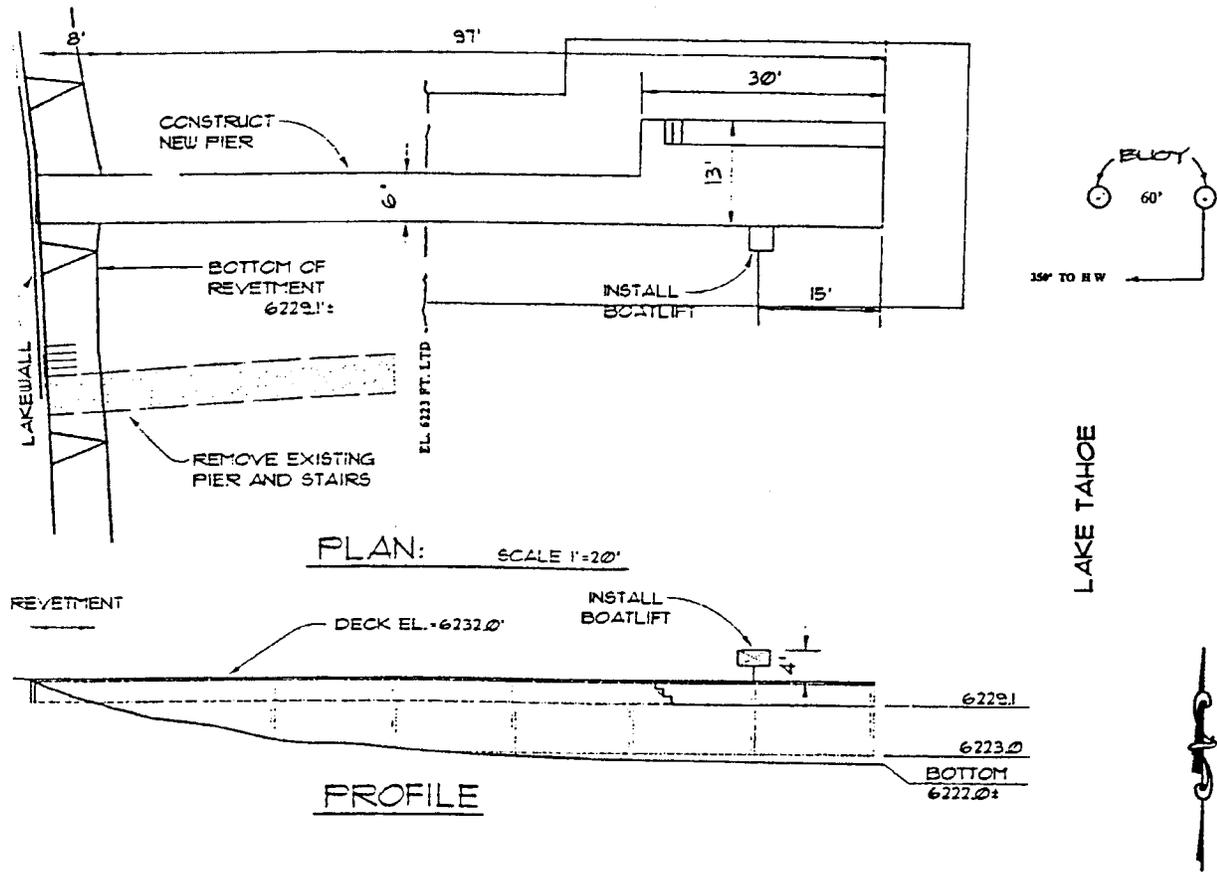
AUTHORIZE ISSUANCE TO THE DILL CORPORATION, OF A RECREATIONAL PIER LEASE, BEGINNING JANUARY 1, 2003, FOR A TERM OF TEN YEARS, FOR THE REMOVAL, RELOCATION AND RECONSTRUCTION OF AN EXISTING PIER AND ONE MOORING BUOY PREVIOUSLY AUTHORIZED BY THE COMMISSION AND THE PLACEMENT OF A NEW BOAT LIFT AND RETENTION OF AN ADDITIONAL EXISTING MOORING BUOY ON THE LAND SHOWN ON

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EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART
HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC
RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE WITH
COVERAGE OF NO LESS THAN \$300,000.

NO SCALE

SITE MAP



652 Olympic Drive

LOCATION MAP

NO SCALE

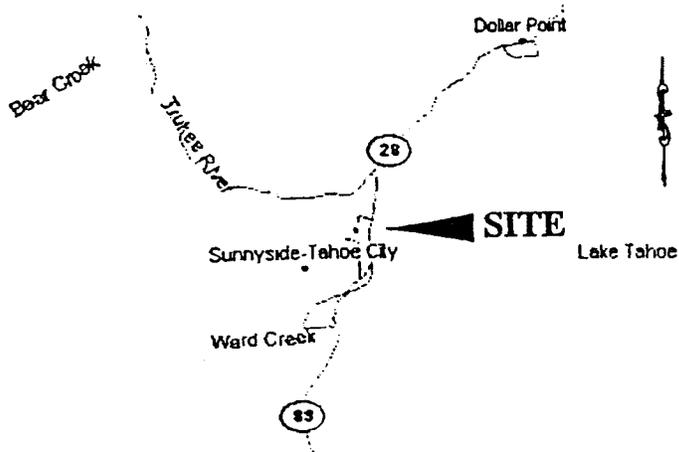
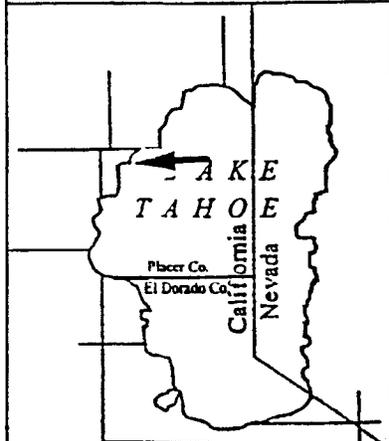


EXHIBIT A
 PRC 5580.1
 APN 094-263- 002
 Lake Tahoe
 Placer County



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.

BY 12/02

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