

MINUTE ITEM
This Calendar Item No. C10 was approved as
Minute Item No. 10 by the California State Lands
Commission by a vote of 3 to 0 at its
04-07-03 meeting.

**CALENDAR ITEM
C10**

A 4
S 1

PRC 8451.9

04/07/03
W 25899
N. Lee

RECREATIONAL PIER LEASE

APPLICANTS:

Bruce A. Krater and Doris A. Krater, Trustees, or their successors in trust, under the Krater Living Trust, dated November 15, 2000, and John R. Strickley and Helen K. Strickley as Trustees U/T/A dated 5/20/88 known as the John R. Strickley and Helen K. Strickley Family Trust

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Retention of an existing pier and one existing mooring buoy.

LEASE TERM:

Ten years, beginning April 1, 2003.

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 Applicants obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy within two years after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Statement (EIS) and approval of the ordinances based on the EIS.

000050

CALENDAR PAGE

000440

MINUTE PAGE

CALENDAR ITEM NO. C10 (CONT'D)

OTHER PERTINENT INFORMATION:

1. The Applicants have submitted an application to the Commission for the retention of an existing pier and one existing mooring buoy, which are located adjacent to the Applicants' littoral parcel.
2. The Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.
3. **Pier:** 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. **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.

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.

FURTHER APPROVALS REQUIRED:

Buoy: Tahoe Regional Planning Agency.

CALENDAR ITEM NO. C10 (CONT'D)

EXHIBIT:

- A. Location and site map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER: 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).

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 ISSUANCE TO BRUCE A. KRATER AND DORIS A. KRATER, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE KRATER LIVING TRUST, DATED NOVEMBER 15, 2000, AND JOHN R. STRICKLEY AND HELEN K. STRICKLEY AS TRUSTEES U/T/A DATED 5/20/88 KNOWN AS THE JOHN R. STRICKLEY AND HELEN K. STRICKLEY FAMILY TRUST OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING APRIL 1, 2003, FOR THE RETENTION OF AN EXISTING PIER AND ONE EXISTING MOORING BUOY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE

CALENDAR ITEM NO. C10 (CONT'D)

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.

