

MINUTE ITEM
This Calendar Item No. C16 was approved as
Minute Item No. 16 by the California State Lands
Commission by a vote of 3 to 2 at its
8-19-03 meeting.

**CALENDAR ITEM
C16**

A) 4
S) 1

PRC 8471

08/19/03
W 24806
B. Dugal

RECREATIONAL PIER LEASE

APPLICANTS:

Rick L. Antle and Karen A. Antle, Rick L. Antle and Karen A. Antle, as Guardians of the Estate of Brian R. Antle, Rick L. Antle and Karen A. Antle, as Guardians of the Estate of Jeffrey Lester Antle, Stan Pura and Jane Pura, Trustees of the Pura Revocable Trust Dated June 8, 1994, and Michael D. Cling and Mary Jean Cling

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

The construction, use and maintenance of a pier and boat lift and the retention, use and maintenance of two existing mooring buoys.

LEASE TERM:

Ten years, beginning April 18, 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 PERTINENT INFORMATION:

1. The Applicants are the owners of the upland property that adjoins the sovereign lands in Lake Tahoe and qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.

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2. The Tahoe Yellow Cress (TYC) is listed under the provisions of the California Endangered Species Act as an endangered plant species subject to special protection. On October 1, 2002, the Commission authorized the Executive Officer on their behalf to sign a Memorandum of Understanding to implement the "Conservation Strategy For Tahoe Yellow Cress (*Rorippa subumbellata*) in conjunction with the Tahoe Regional Planning Agency, the U.S. Fish and Wildlife Service, the U.S. Forest Service, the Nevada Division of Forestry, the Nevada Division of State Lands, the Nevada Division of State Parks, the Nevada Natural Heritage Program, the California Department of Fish and Game, the California Department of Parks and Recreation, the California Tahoe Conservancy, the Tahoe Lakefront Owners' Association and the League To Save Lake Tahoe.
3. The proposed project is located in suitable TYC habitat. The project site was surveyed for the presence of TYC by staff of the Commission on June 19, 2003 and the project site does not presently contain TYC.
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. **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 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.

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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.

APPROVALS OBTAINED:

Pier and Boat Lift: The United States Army Corps of Engineers, California Department of Fish and Game, and the Tahoe Regional Planning Agency

APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

- A. Site/Location Map

PERMIT STREAMLINING ACT DEADLINE:

August 18, 2003

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).

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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

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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 RICK L. ANTLE AND KAREN A. ANTLE, RICK L. ANTLE AND KAREN A. ANTLE, AS GUARDIANS OF THE ESTATE OF BRIAN R. ANTLE, RICK L. ANTLE AND KAREN A. ANTLE, AS GUARDIANS OF THE ESTATE OF JEFFREY LESTER ANTLE, STAN PURA AND JANE PURA, TRUSTEES OF THE PURA REVOCABLE TRUST DATED JUNE 8, 1994, AND MICHAEL D. CLING AND MARY JEAN CLING OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING APRIL 18, 2003, FOR THE CONSTRUCTION, USE AND MAINTENANCE OF A PIER AND BOAT LIFT AND THE RETENTION, USE AND MAINTENANCE OF TWO EXISTING MOORING BUOYS ON THE 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.

