

MINUTE ITEM

This Calendar Item No. C43 was approved as Minute Item No. 43 by the California State Lands Commission by a vote of 3 to 0 at its 10/20/03 meeting.

CALENDAR ITEM

C43

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10/20/03
PRC 3868 WP 3868.9
B. Young

RECREATIONAL PIER LEASE

APPLICANTS:

Thomas H. Bredt and Polly Walker Bredt as Co-Trustees of the Bredt 1993 Living Trust

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boathouse and one mooring buoy previously authorized by the Commission and retention of one additional existing mooring buoy as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning November 27, 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 Applicant's 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 March 1, 1995, the Commission authorized a Recreational Pier Permit to Thomas H. Bredt and Polly W. Bredt for an existing pier, boathouse and one mooring buoy. That lease will expire on

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November 26, 2003. Applicants are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling. Applicants are now applying for a new Recreational Pier Lease and for the retention of an additional existing mooring buoy.

2. **Pier, Boathouse and 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 Regulations, section 2905

3. **Additional 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.

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.

APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency.

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EXHIBIT:

A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER, BOATHOUSE AND 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).

ADDITIONAL 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:

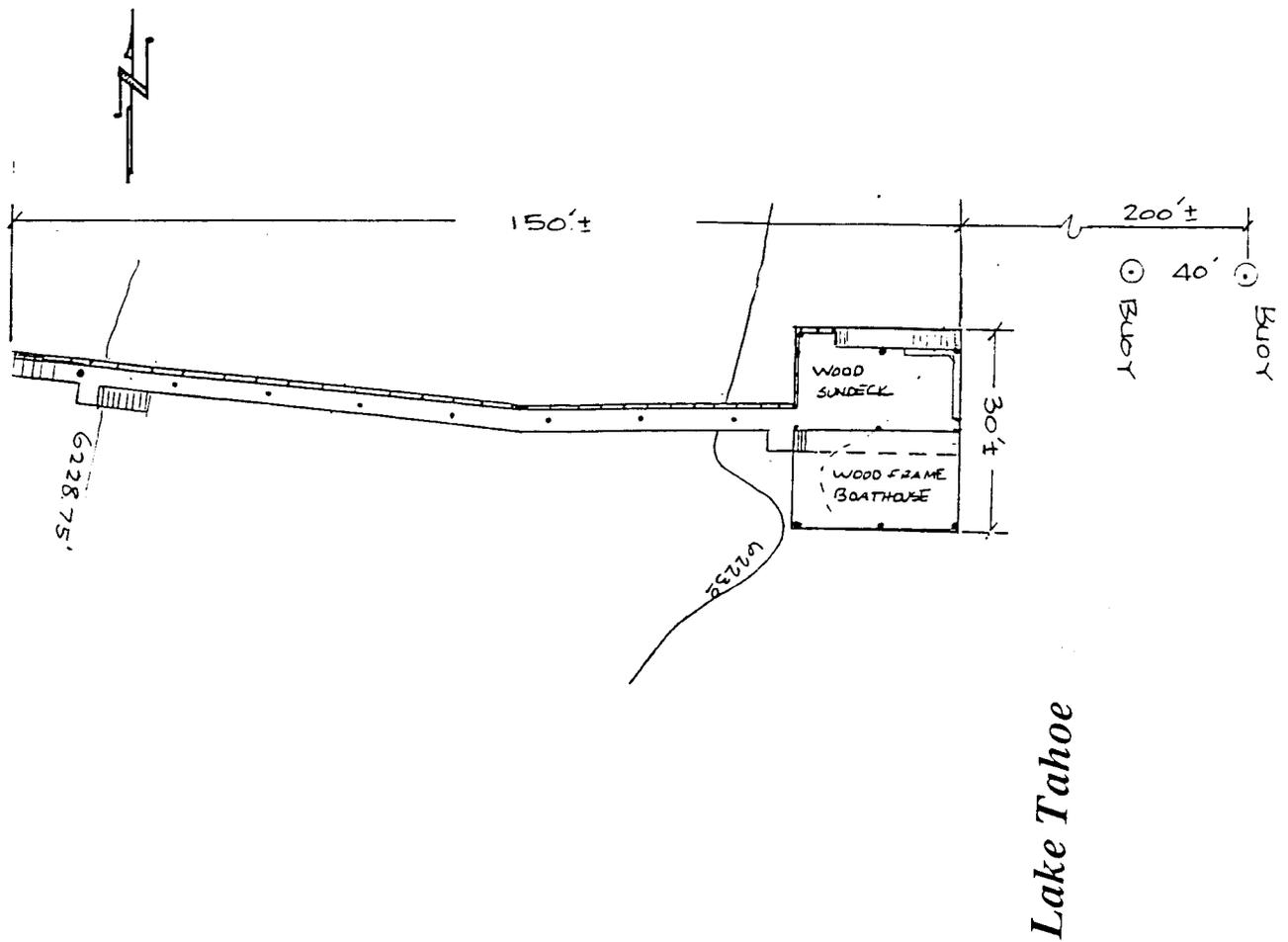
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THOMAS H. BREDT AND POLLY WALKER BREDT AS CO-TRUSTEES OF THE BREDT 1993 LIVING TRUST, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING NOVEMBER 27, 2003, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOATHOUSE AND 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

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CODE SECTION 6503.5; LIABILITY INSURANCE WITH COVERAGE OF
NO LESS THAN \$300,000.



8625 Beach Lane

NO SCALE

LOCATION MAP

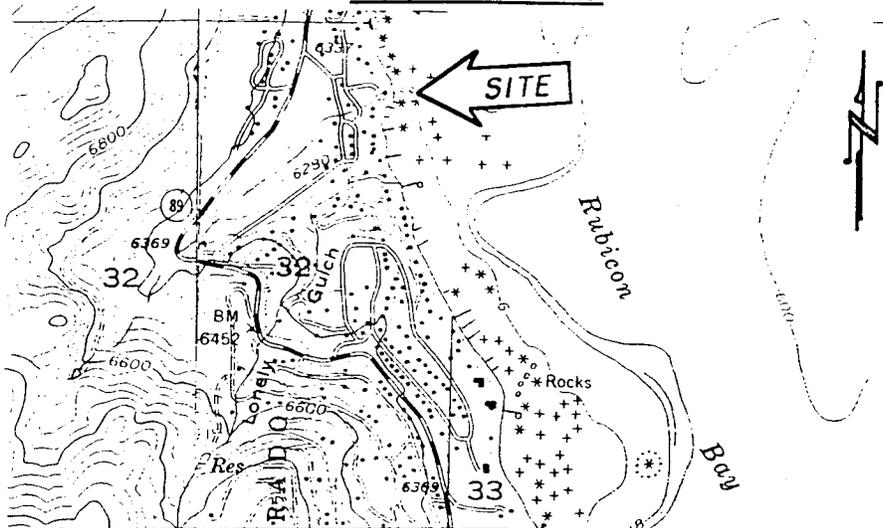
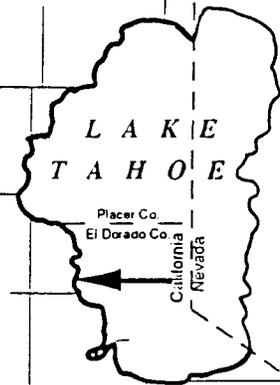


EXHIBIT A
PRC 3868.9
APN 016-142-291
Lake Tahoe
EL DORADO COUNTY



This exhibit is solely for the purposes of generally defining the lease premises, is based on unverified information provided by lessee or other parties, and is not intended to be, or construed as a waiver or limitation of any state interest in the subject or any other property.

BY 9/03

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