MINUTE ITEM

This Calendar Item No. C30 was approved as Minute Item No. 30 by the California State Lands Commission by a vote of 3 to 0 at its 12-09-03 meeting.

CALENDAR ITEM
C30

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PRC 9673

12/09/03
WP 4859.9
B. Young

RECREATIONAL PIER LEASE

APPLICANT:
The Sol and Nettie Scherman Family Limited Partnership

AREA, LAND TYPE, AND LOCATION:
Sovereign lands in Lake Tahoe, Tahoe City, Placer County.

AUTHORIZED USE:
Continued use and maintenance of an existing pier, covered boathouse and two mooring buoys previously authorized by the Commission as shown on the attached Exhibit A.

LEASE TERM:
Ten years, beginning December 20, 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 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 December 7, 1995, the Commission authorized a Recreational Pier Lease to The Sol and Nettie Scherman Family Limited Partnership for an existing pier, covered boathouse and two mooring buoys. That lease with the effective date of

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December 20, 1993, will expire on December 19, 2003. Applicant qualify for a Recreational Pier Lease because the Applicant is a non-profit corporation and the members are all natural persons who have improved the littoral land with, and uses the upland for, a single-family dwelling. Applicant is now applying for a new Recreational Pier Lease.

2. 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. 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:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

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).

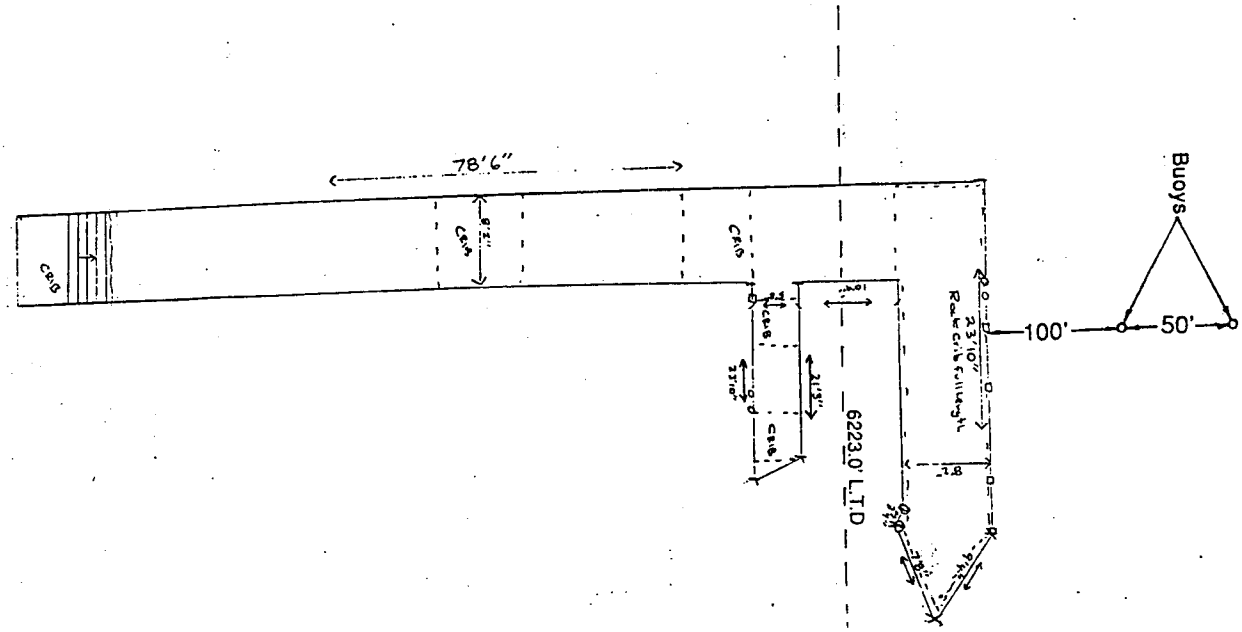
SIGNIFICANT LANDS INVENTORY FINDING:

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 THE SOL AND NETTIE SCHERMAN FAMILY LIMITED PARTNERSHIP, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 20, 2003, FOR AN EXISTING PIER, COVERED BOATHOUSE AND TWO 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 WITH COVERAGE OF NO LESS THAN $300,000.

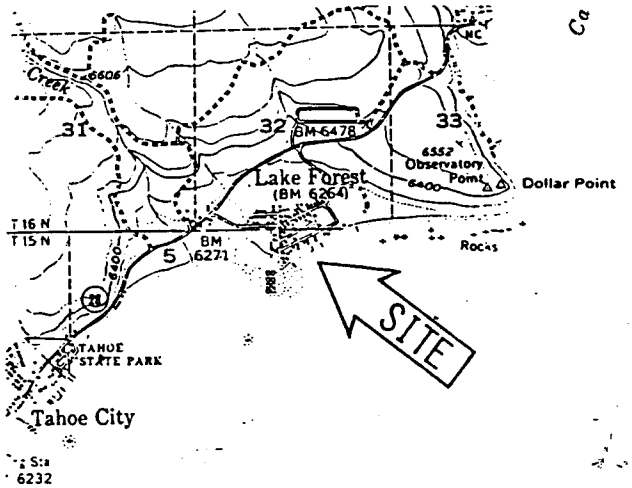
Lake Tahoe



2820 Lake Terrace Ave.

NO SCALE

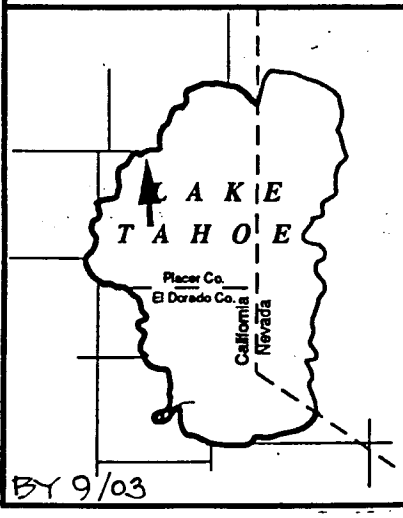
LOCATION MAP



Lake Tahoe

NO SCALE

EXHIBIT A
PRC 4859.9
APN 94-175-002
Lake Tahoe
PLACER COUNTY



BY 9/03

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 to as a waiver or limitation of any state interest in the subject or any other property.