

This Calendar Item No. C02 was approved as Minute Item No. 02 by the California State Lands Commission by a vote of 3 to 0 at its 4-26-05 meeting.

**CALENDAR ITEM  
C02**

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S 1

04/26/05  
PRC 4147 WP 4147.9  
R. Barham

**RECREATIONAL PIER LEASE**

**APPLICANT:**

Ronald Schwartz, as Trustee of the Ronald Schwartz Revocable Living Trust Agreement dated July 7, 1993, as restated and amended.

**AREA, LAND TYPE, AND LOCATION:**

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

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier and two existing mooring buoys as shown on the attached Exhibit A.

**LEASE TERM:**

Ten years, beginning November 21, 2004.

**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:

This lease is conditioned on the Applicants 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. Applicant owns the upland property adjoining the lease premises.
2. On August 21, 1996, the Commission authorized a Recreational Pier Lease with Ronald Schwartz and Eleanor Schwartz. That lease expired

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on November 20, 2004. The property ownership has since transferred to Ronald Schwartz, as Trustee of the Ronald Schwartz Revocable Living Trust Agreement dated July 7, 1993, as restated and amended. Applicant is now applying for a new recreational pier lease. Applicant qualifies for a Recreational Pier Lease because he is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.

3. 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.

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.

**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).

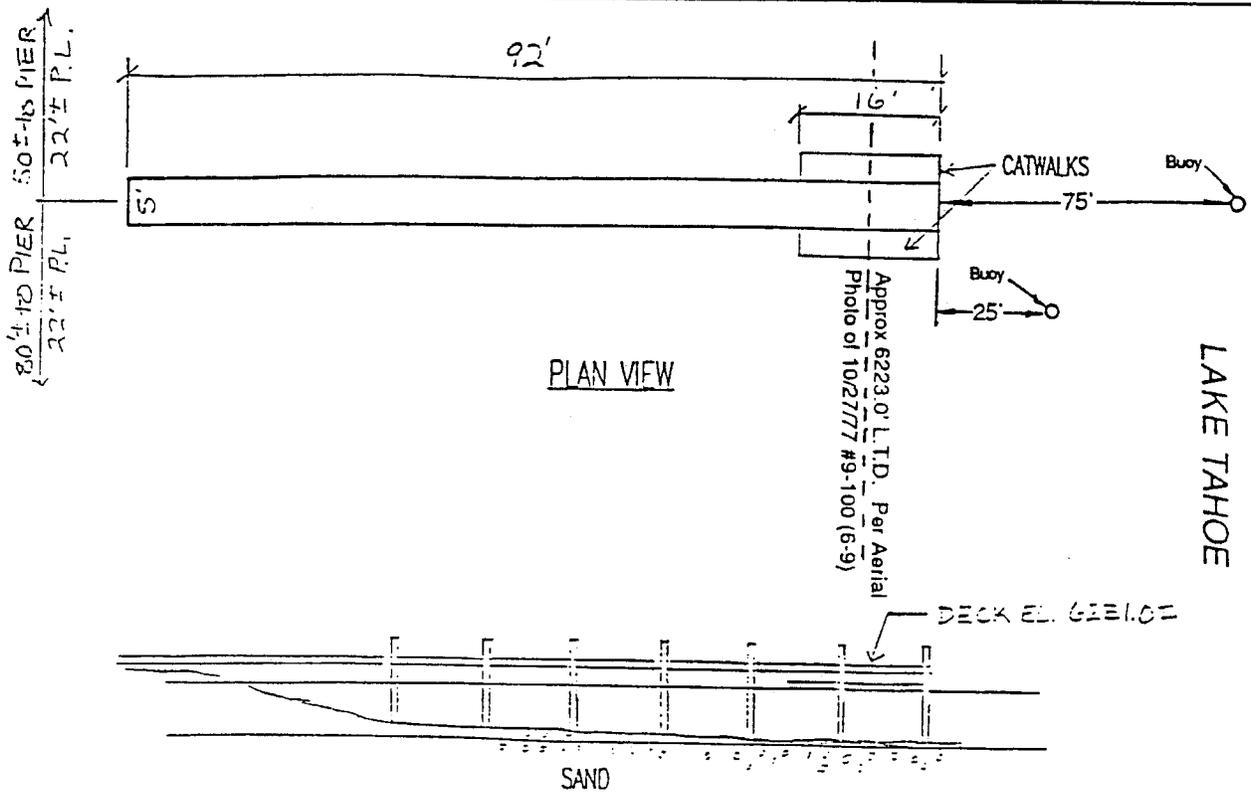
CALENDAR ITEM NO. C02 (CONT'D)

**SIGNIFICANT LANDS INVENTORY FINDING:**

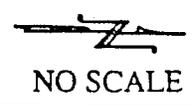
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

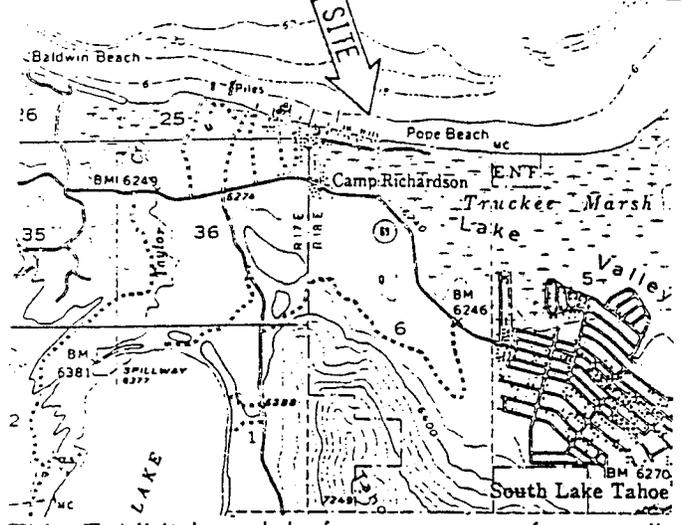
AUTHORIZE ISSUANCE TO RONALD SCHWARTZ, AS TRUSTEE OF THE RONALD SCHWARTZ REVOCABLE LIVING TRUST AGREEMENT DATED JULY 7, 1993, AS RESTATED AND AMENDED, OF A RECREATIONAL PIER LEASE, BEGINNING NOVEMBER 21, 2004, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND TWO 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 COMBINED SINGLE LIMIT COVERAGE OF \$300,000.



3990 Jameson Beach Rd.

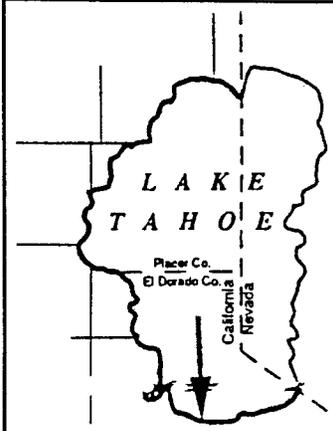


**LOCATION MAP**



**EXHIBIT "A"**

PRC 4147.9  
 APN 032 - 120 - 251  
 Lake Tahoe  
 EL DORADO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, 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.

RWB 3/05