MINUTE ITEM

This Calendar Item No. C06 was approved as Minute Item No. 06 by the California State Lands Commission by a vote of 3 to 0 at its 4-26-05 meeting.

CALENDAR ITEM
C06

A 4

S 1

PRC 4320

04/26/05
WP 4320.9
R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

The Martin Family Trust - 1989, Merrill D. Martin and Lillian Z. Martin, Trustees, u/t/a dated September 25, 1989

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 as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning March 26, 2005

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. Applicants own the upland property adjoining the lease premises.

2. On May 3, 1995, the Commission authorized a Recreational Pier Lease with the Martin Family Trust. That lease expired on March 26, 2005. Applicants are now applying for a new Recreational Pier Lease. Applicants 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.

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:

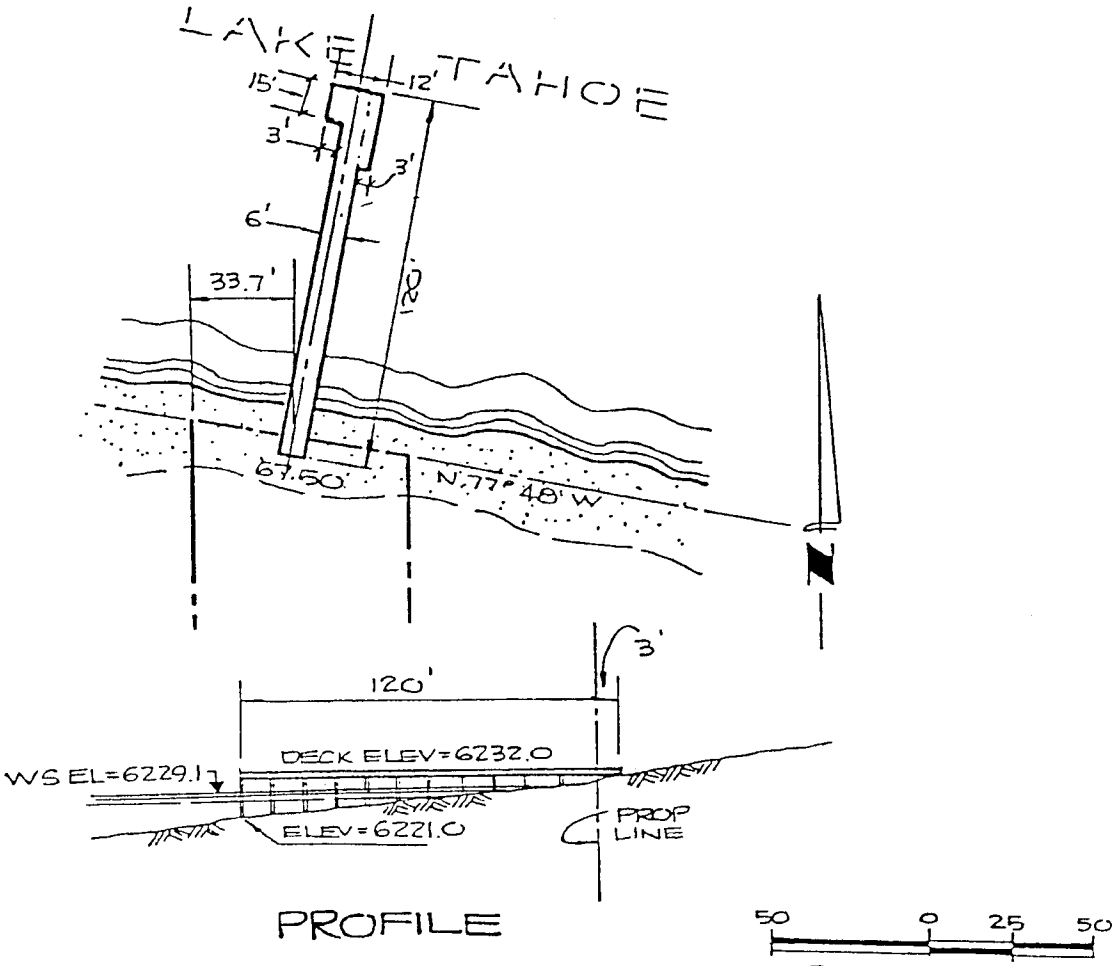
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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 MARTIN FAMILY TRUST – 1989, MERRILL D. MARTIN AND LILLIAN Z. MARTIN, TRUSTEES, U/T/A DATED SEPTEMBER 25, 1989, OF A RECREATIONAL PIER LEASE, BEGINNING MARCH 26, 2005, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER 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.



3083 Jameson Beach Road

LOCATION MAP

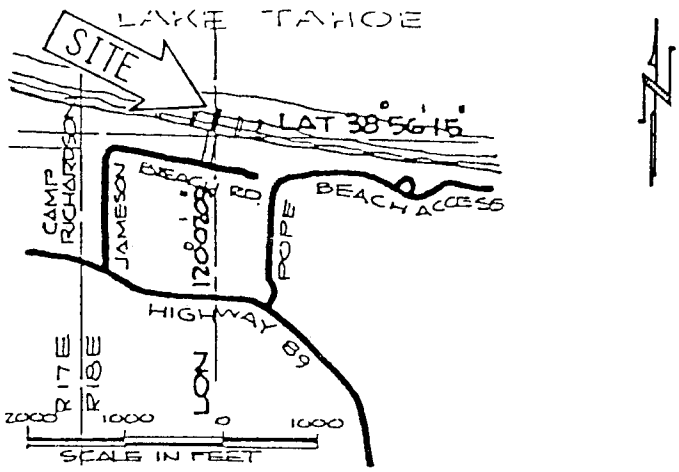
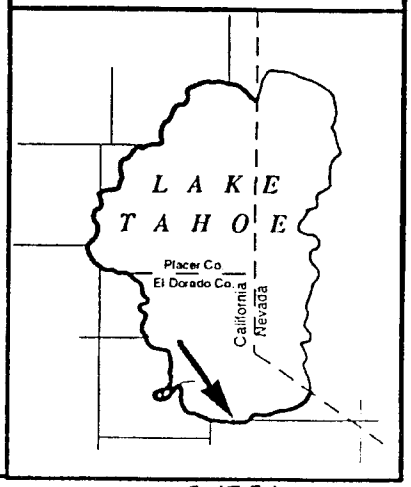


EXHIBIT "A"
PRC 4320
APN 032-120-191
Lake Tahoe
EL DORADO COUNTY



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