

**MINUTE ITEM**

This Calendar Item No C08 was approved as Minute Item No. 08 by the California State Lands Commission by a vote of 3 to 2 at its 11-21-06 meeting.

**CALENDAR ITEM**

**C08**

A 4

11/21/06

PRC 7450

WP 7450.9

S 1

B. Terry

**RECREATIONAL PIER LEASE**

**APPLICANT:**

John Mozart, Trustee of the John Mozart Revocable Trust created as of January 3, 1995

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

Sovereign lands in Lake Tahoe, near Homewood, Placer County.

**AUTHORIZED USE:**

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

**LEASE TERM:**

Ten years, beginning September 6, 2006.

**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 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. Applicant owns the upland adjoining the lease premises.
2. On February 27, 1998, the Commission authorized a Recreational Pier Lease with John Mozart, Trustee. That lease expired on

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September 5, 2006. Applicant is now applying for a new Recreational Pier Lease. Applicant qualifies for a Recreational Pier Lease because the Applicant 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 person 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

**EXHIBIT:**

A. Site and Location Map

**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

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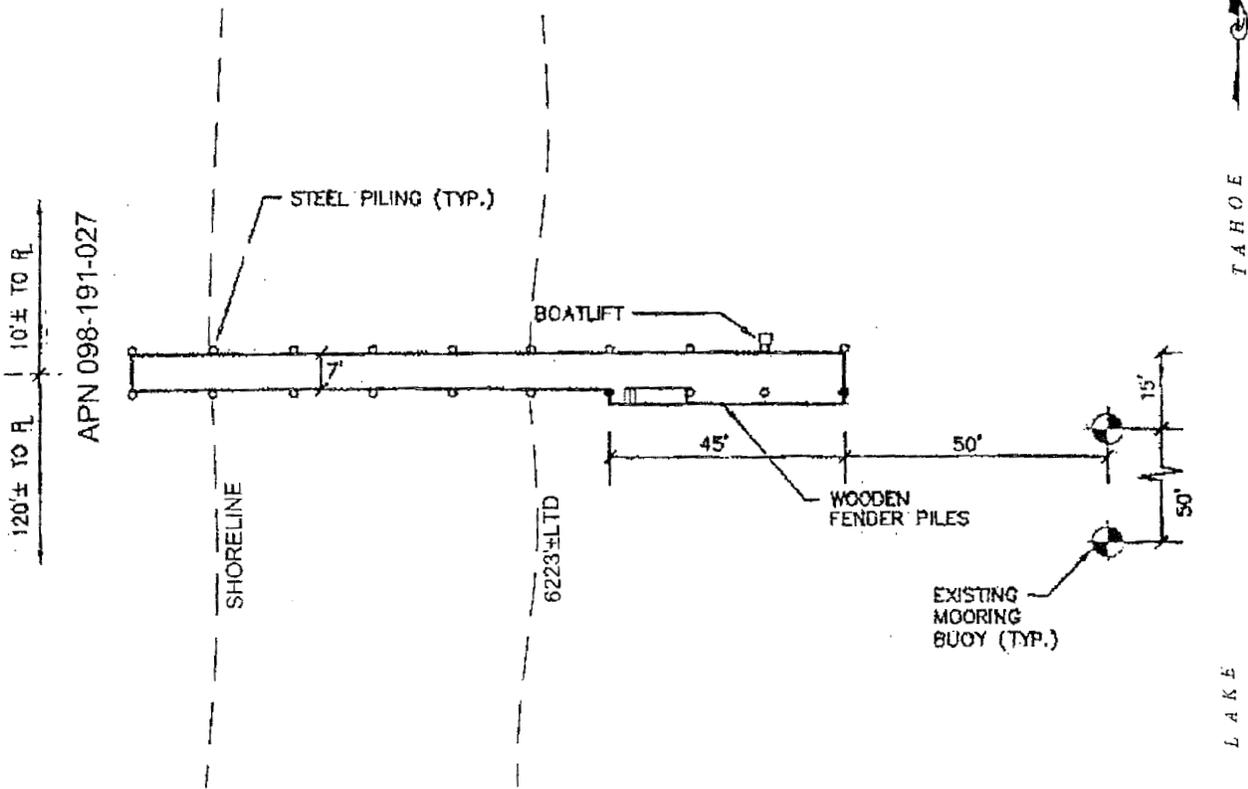
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,  
ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO JOHN MOZART, TRUSTEE OF THE JOHN MOZART REVOCABLE TRUST CREATED AS OF JANUARY 3, 1995, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING SEPTEMBER 6, 2006, FOR THE CONTINUED USE AND MAINTENANCE OF A PIER, BOATLIFT AND TWO MOORING BUOYS AS 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.

NO SCALE

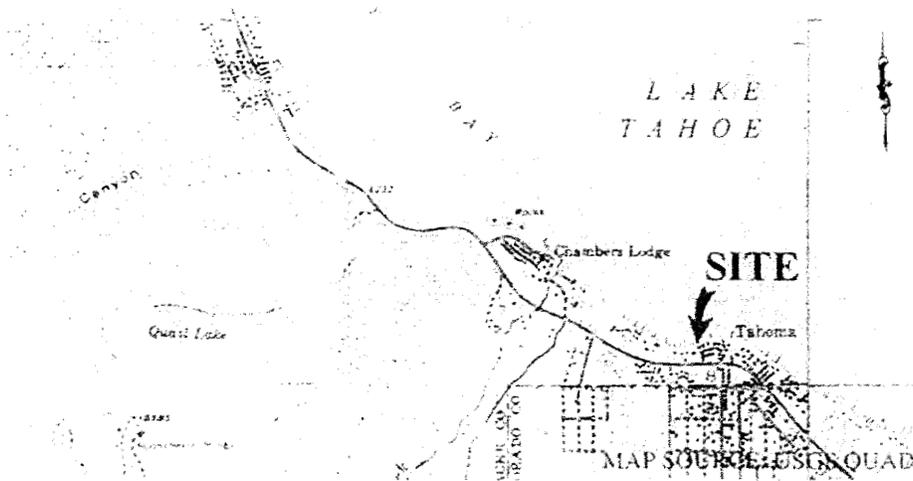
### SITE



52 MOANA CIRCLE, NEAR HOMEWOOD

NO SCALE

### LOCATION



### Exhibit A

PRC 7450.9  
 MOZART  
 APN 098-191-027  
 RECREATIONAL PIER LEASE  
 PLACER COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.

MJ 09/06