MINUTE ITEM

This Calendar Item No. C02 was approved as Minute Item No. 02 by the California State Lands Commission by a vote of 3 to ∅ at its 02/05/07 meeting.

CALENDAR ITEM
C02

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02/05/07
PRC 7936 WP 7936.9
L. Danley

RECREATIONAL PIER LEASE

APPLICANTS:

Chester John Pipkin and Janice Ann Pipkin, Trustees of the Pipkin Family Revocable Trust dated October 6, 1989, as amended and completely restated July 19, 1995

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, in the city of South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and the retention of a boat lift as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning December 1, 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 PERTINENT INFORMATION:

1. Applicants own the upland property adjoining the lease premises.

2. On February 12, 1997, the Commission authorized a Recreational Pier Lease with William Church and Mary Church. That lease expired on November 30, 2006. The upland property has since been deeded to Chester John Pipkin and Janice Ann Pipkin, Trustees of the Pipkin Family Revocable Trust dated October 6, 1989, as amended and completely restated July 19, 1995. Applicants are now applying for a new

Recreational Pier Lease for an existing pier previously authorized by the Commission and the retention of an existing boat lift not previously authorized by the Commission.

3. 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.

4. **Pier:** 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.

5. **Boat Lift:** 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)(1).

   Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

6. 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. Site and Location Map

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER: 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).

BOAT LIFT: 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)(1).

SIGNIFICANT LANDS INVENTORY FINDING:

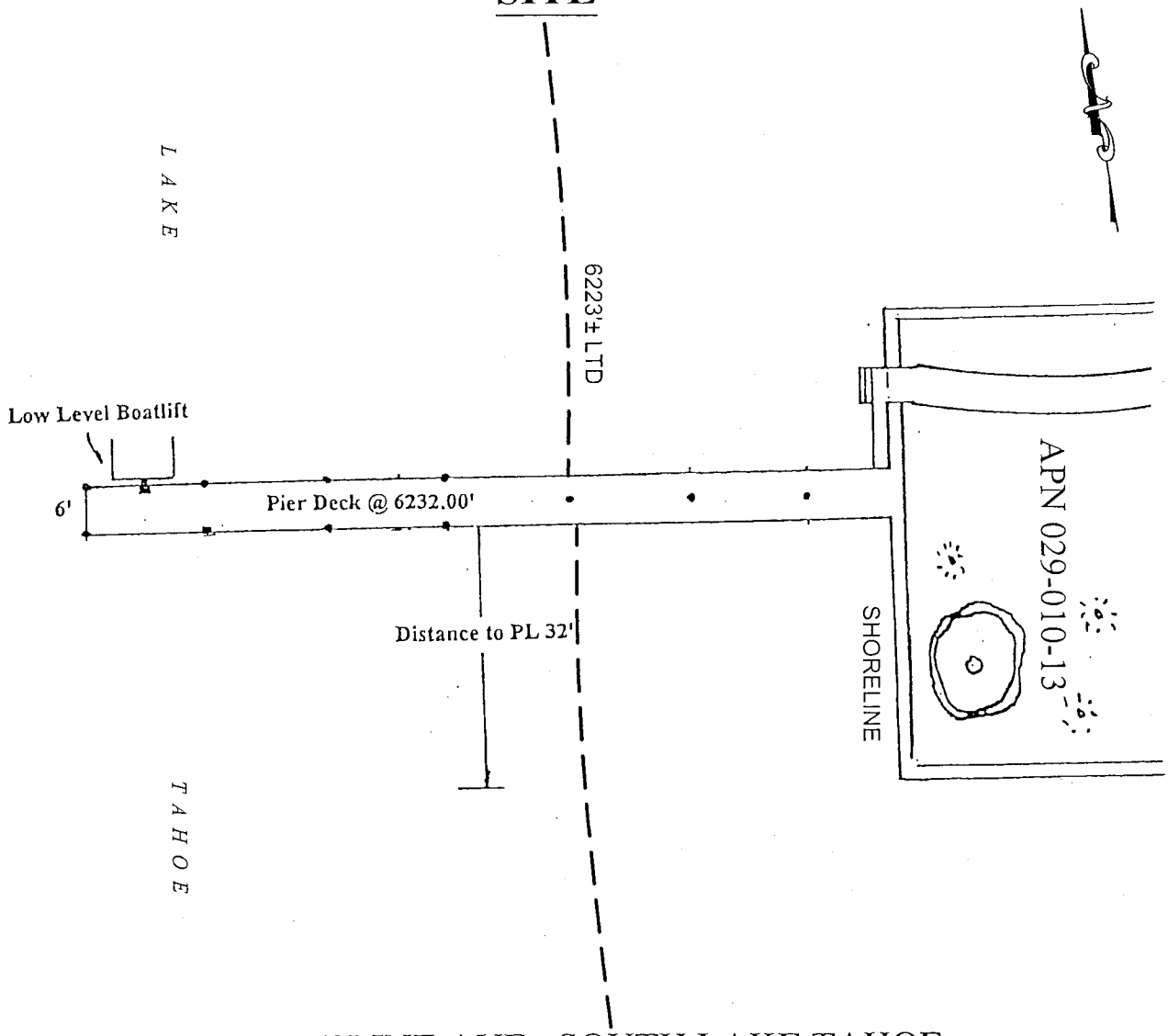
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO CHESTER JOHN PIPKIN AND JANICE ANN PIPKIN, TRUSTEES OF THE PIPKIN FAMILY REVOCABLE TRUST DATED OCTOBER 6, 1989, AS AMENDED AND COMPLETELY RESTATED JULY 19, 1995, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 1, 2006, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, AND THE RETENTION OF A BOAT LIFT 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

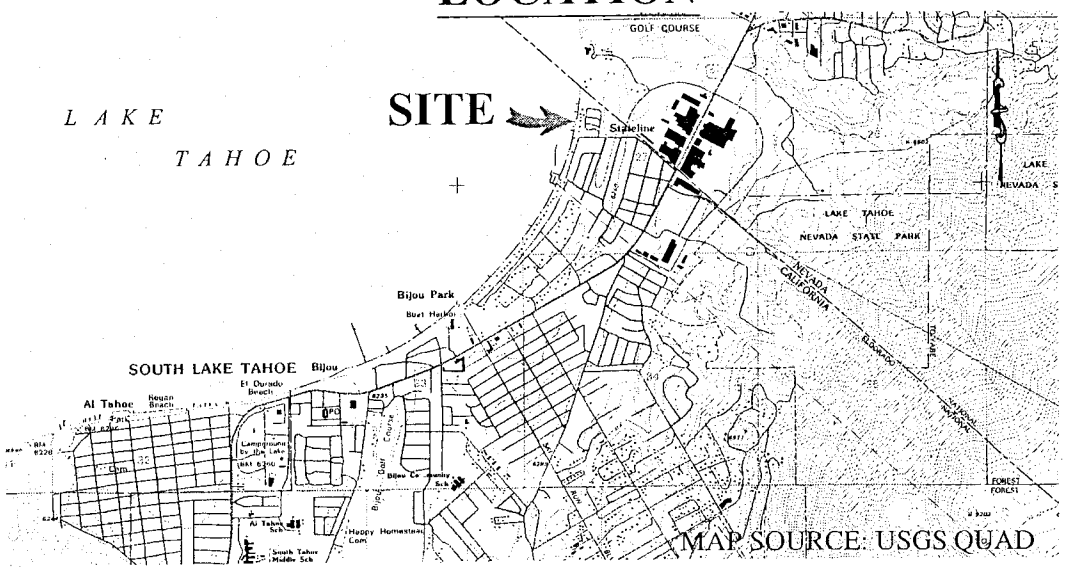
SITE



843 STATELINE AVE., SOUTH LAKE TAHOE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

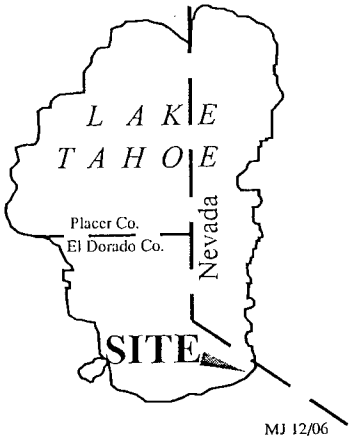
This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as a waiver or limitation of any State interest in the subject or any other property.

CALENDAR PAGE 000098

MINUTE PAGE 000030

Exhibit A

PRC 7936.9
PIPKIN
APN 029-010-13
RECREATIONAL PIER LEASE
EL DORADO COUNTY



MJ 12/06