

MINUTE ITEM

This Calendar Item No. C08 was approved as Minute Item No. 68 by the California State Lands Commission by a vote of 3 to 0 at its 02-09-06 meeting.

CALENDAR ITEM
C08

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02/09/06
PRC 6832 WP 6832.9
M. Hays

RECREATIONAL PIER LEASE

APPLICANT:

Dorothy Marie Prowell, as Trustee of the Residual Trust under the Prowell Family Trust dated November 19, 1991

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Homewood, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of one existing mooring buoy, previously authorized by the Commission, as shown on Exhibit A.

LEASE TERM:

Ten years, beginning May 23, 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:

This lease is conditioned on the Applicant obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy 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 December 7, 1995, the Commission authorized a Recreational Pier Lease to the Bernard Wayne Prowell and Dorothy Marie Prowell, Trustees

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of the Prowell Family Trust. That lease expired on May 22, 2005. On February 2, 2005, the littoral land was transferred into the residual trust with the Applicant as the surviving trustee under the original family trust. The Applicant has now submitted an application for a new Recreational Pier Lease.

3. Applicant qualifies for a Recreational Pier Lease because she is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.
4. 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. 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.

APPROVALS REQUIRED:

Buoy: 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

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PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA
CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

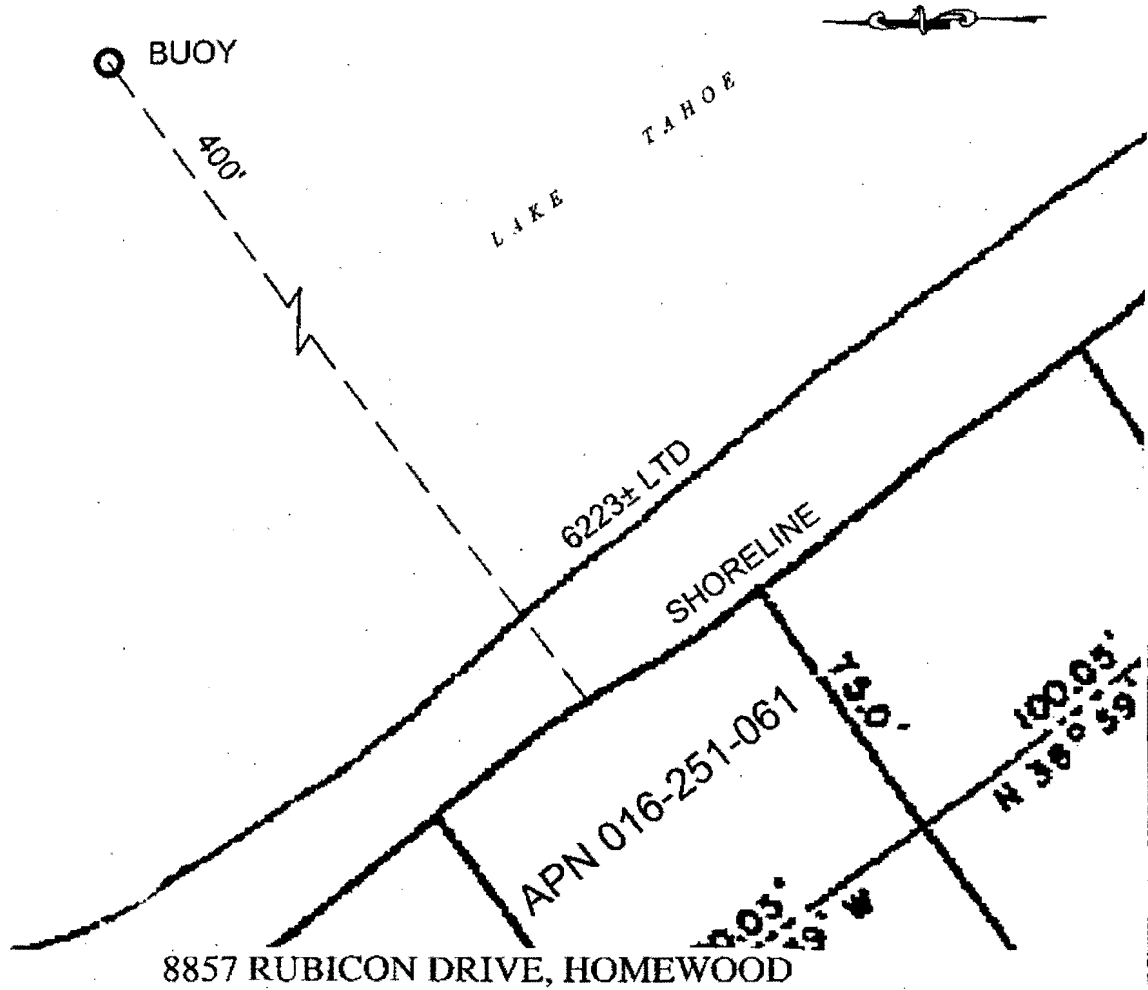
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE
CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO DOROTHY MARIE PROWELL, AS
TRUSTEE OF THE RESIDUAL TRUST UNDER THE PROWELL FAMILY
TRUST DATED NOVEMBER 19, 1991, OF A TEN-YEAR
RECREATIONAL PIER LEASE, BEGINNING MAY 23, 2005, FOR THE
CONTINUED USE AND MAINTENANCE OF ONE EXISTING MOORING
BUOY 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 IN THE AMOUNT OF NO
LESS THAN \$300,000.

NO SCALE

SITE



NO SCALE

LOCATION

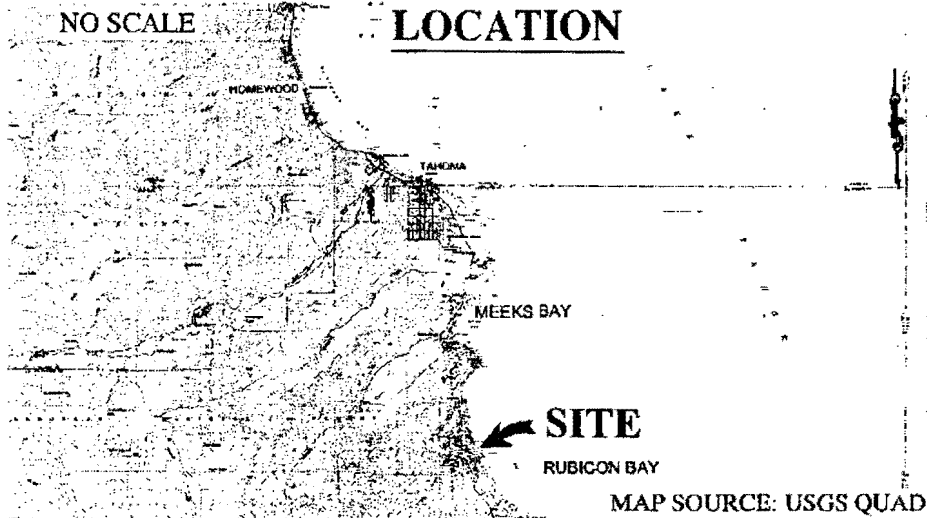
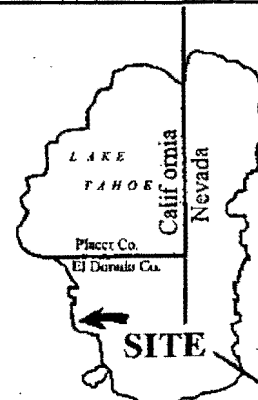


Exhibit A

WP 6832.9
 PROWELL
 APN 016-251-061
 RECREATIONAL PIER LEASE
 EL DORADO 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.

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