

MINUTE ITEM

This Calendar Item No. C05 was approved as Minute Item No. 05 by the California State Lands Commission by a vote of 3 to 0 at its 4-17-06 meeting.

**CALENDAR ITEM
C05**

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04/17/06
PRC 7868 WP 7868.9
R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

Walt S. Hoefler and Mary R. Hoefler, or Their Successors, as Trustees Under an Agreement of Revocable Trust Dated December 23, 1980, and as Amended

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Meeks Bay, 3E1 Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift and one mooring buoy and the retention of one mooring buoy as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning December 7, 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 Applicants 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. Applicants own the upland property adjoining the lease premises.
2. On December 7, 1995, the Commission authorized a Recreational Pier Lease with Walt S. Hoefler and Mary R. Hoefler. That lease expired on

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December 6, 2005. The upland property ownership has since transferred to the Applicants' Trust. 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. Applicants are now applying for a new Recreational Pier Lease for the previously authorized pier, boatlift, and one mooring buoy, and the retention of a second mooring buoy not previously authorized by the Commission.

3. **Pier, boat lift and one mooring buoy:** 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 (a)(2).

4. **Mooring buoy:** 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)(3).

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.

APPROVAL REQUIRED:

Second Buoy: Tahoe Regional Planning Agency

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EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER, BOATLIFT AND ONE MOORING BUOY: 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).

ONE MOORING BUOY: 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)(3).

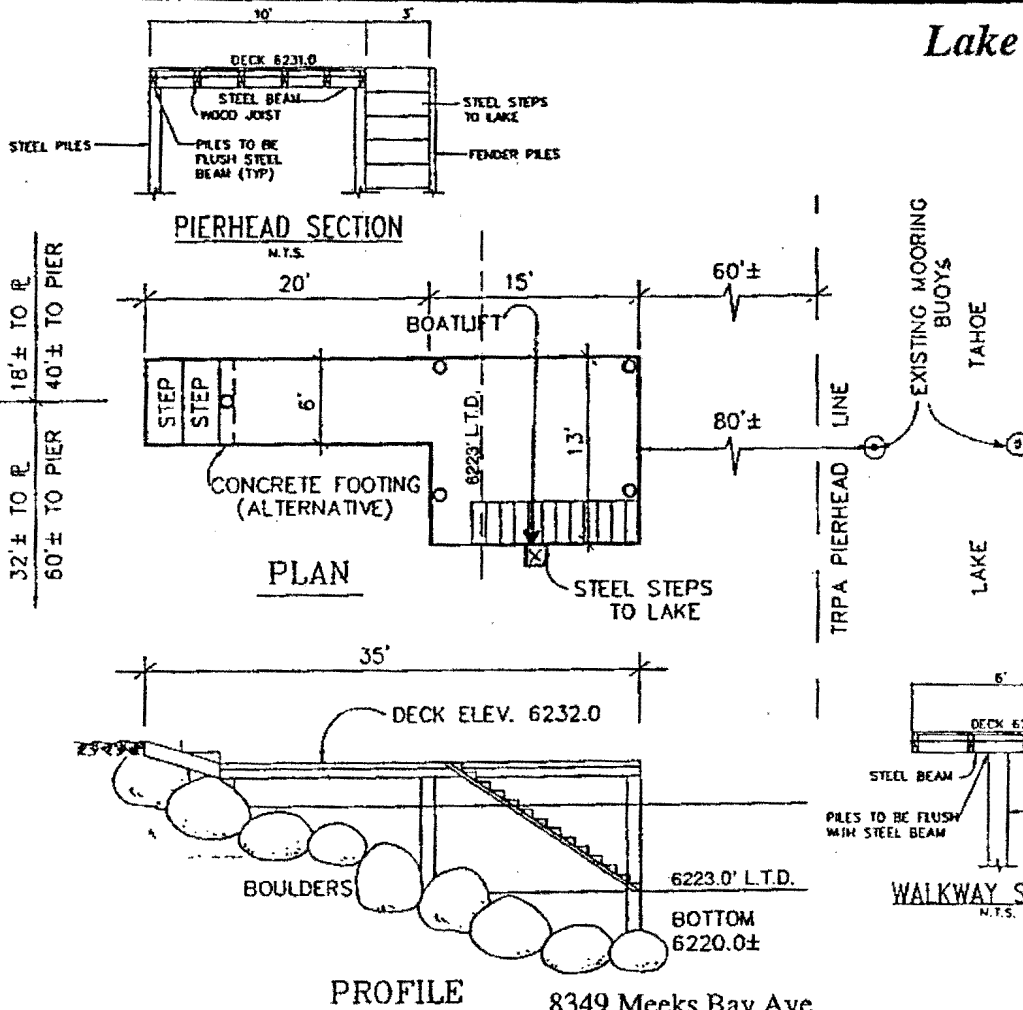
SIGNIFICANT LANDS INVENTORY FINDING:

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 WALT S. HOEFLER AND MARY R. HOEFLER, OR THEIR SUCCESSORS, AS TRUSTEES UNDER AN AGREEMENT OF REVOCABLE TRUST DATED DECEMBER 23, 1980, AND AS AMENDED, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 7, 2005, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOATLIFT, AND ONE MOORING BUOY, AND THE RETENTION OF ONE MOORING BUOY 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.

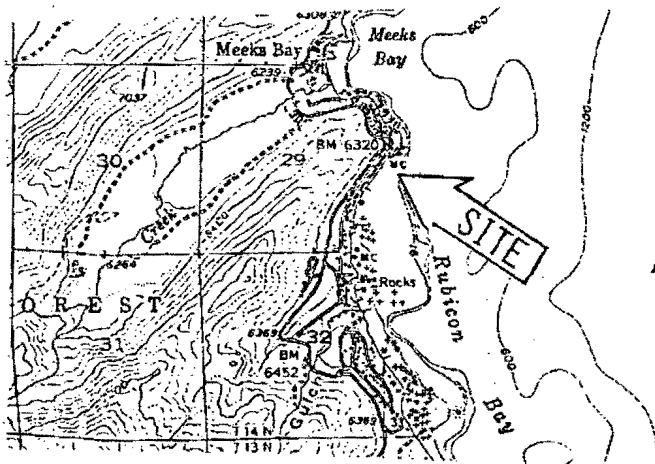
Lake Tahoe



8349 Meeks Bay Ave.

NO SCALE

LOCATION MAP



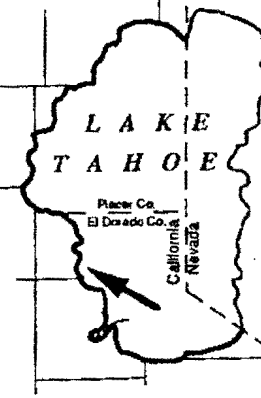
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EXHIBIT "A" PRC 7868.9

APN 16 - 081 - 06

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.

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