

MINUTE ITEM

This Calendar Item No. C29 was approved as Minute Item No. 29 by the California State Lands Commission by a vote of 2 to 0 at its 12-08-05 meeting.

**CALENDAR ITEM
C29**

A 4
S 1

PRC 7827

12/08/05
WP 7827.1
M. Hays

GENERAL LEASE-RECREATIONAL USE

APPLICANT:

Jackson Storer Enterprises, L. P.,
A California Limited Partnership
12357 Lakeshore North
Auburn, CA 95602

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Meeks Bay, El Dorado County.

AUTHORIZED USE:

The continued use and maintenance of an existing pier and two mooring buoys, previously authorized by the Commission and the retention of a boatlift, not previously authorized by the Commission, as shown on attached Exhibit A.

LEASE TERM:

Ten years, beginning May 3, 2005.

CONSIDERATION:

\$380 per annum; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$1,000,000.

Other:

This lease is conditioned on the Applicants 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.

CALENDAR ITEM NO. C29 (CONT'D)

OTHER PERTINENT INFORMATION:

1. On May 3, 1995, the Commission authorized a Recreational Pier Lease with Carolyn A. Jackson, Trustee. That lease expired on May 2, 2005. In 1999, Carol A. Jackson, Trustee, deeded the littoral land to Jackson Storer Enterprises, L.P., a California Limited Partnership.
2. Applicant does not qualify for a rent-free Recreational Pier Lease because the Applicant does not own the littoral property as a natural person(s) pursuant to Public Resource Code 6503.5.
3. On November 17, 2000, the Applicant obtained a qualified exempt permit from the Tahoe Regional Planning Agency for the installation of a boatlift. The Applicant is now applying for a new lease for the previously authorized pier and mooring buoys and the retention of the boatlift that was installed in 2000.
4. **Pier and Buoys:** 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. **Boatlift:** 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 under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

Authority: Title 14, California Code of Regulations, section 15061 (b) (3).

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370,

CALENDAR ITEM NO. C29 (CONT'D)

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.

FURTHER APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER AND BUOYS: 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).

BOATLIFT:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b) (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:

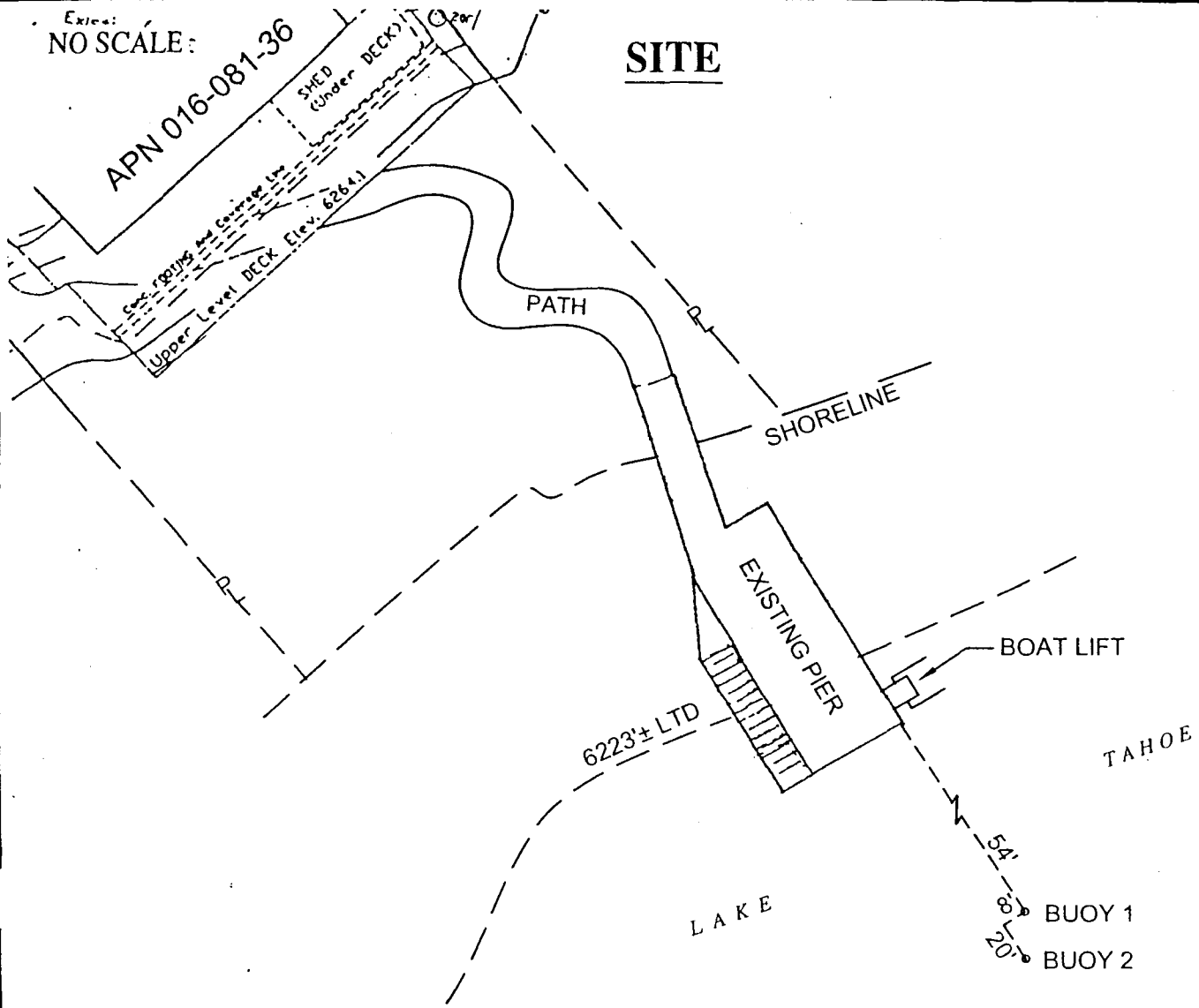
AUTHORIZE ISSUANCE TO JACKSON STORER ENTERPRISES, L. P., A CALIFORNIA LIMITED PARTNERSHIP, A GENERAL LEASE-RECREATIONAL USE, BEGINNING MAY 3, 2005, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF

CALENDAR ITEM NO. C29 (CONT'D)

ANY EXISTING PIER AND TWO MOORING BUOYS, PREVIOUSLY AUTHORIZED BY THE COMMISSION AND THE RETENTION OF AN EXISTING BOATLIFT, NOT PREVIOUSLY AUTHORIZED BY THE COMMISSION, ON THE LAND AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$380, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; AND LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.

Exist:
NO SCALE:

SITE



8365 MEEKS BAY AVENUE, MEEKS BAY

NO SCALE

LOCATION

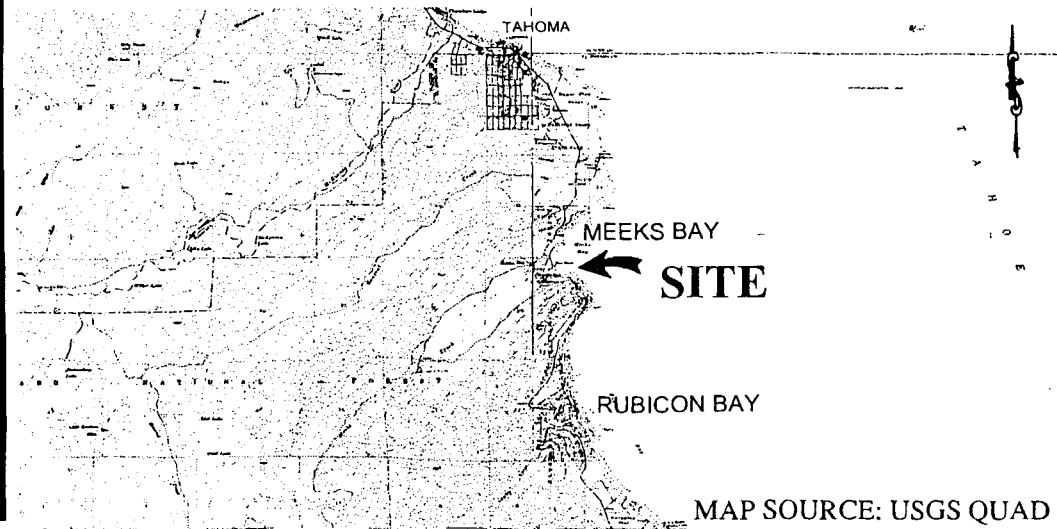


Exhibit A

WP 7827.1

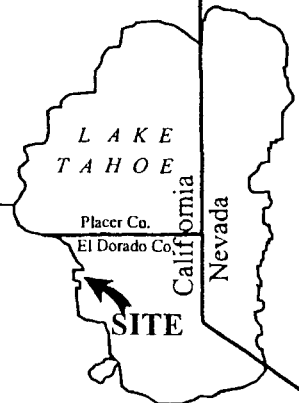
JACKSON STORER ENTERPRISES

APN 016-081-36

GENERAL LEASE

RECREATIONAL USE

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.