

MINUTE ITEM

This Calendar Item No. C06 was approved as Minute Item No. 06 by the California State Lands Commission by a vote of 3 to 0 at its 4-17-06 meeting.

CALENDAR ITEM

C06

A 4

04/17/06

PRC 3505

WP 3505.9

S 1

L. Danley

RECREATIONAL PIER LEASE

APPLICANTS:

William G. Fleckles and Jacqueline N. Fleckles

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier previously authorized by the Commission and the retention of one existing mooring buoy not previously authorized by the Commission as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 22, 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 October 17, 1995, the Commission authorized a Recreational Pier Lease with William G. Fleckles and Jacqueline N. Fleckles, Gerald Hill and

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Nadine B. Hill, Trustees of the Gerald Hill and Nadine B. Hill Revocable Inter-Vivos Trust and Gerson Jacobs and Marilyn R. Jacobs, Trustees of the Gerson and Marilyn R. Jacobs Trust. That lease expired August 21, 2005. The upland property ownership has since transferred to William G. Fleckles and Jacqueline N. Fleckles. Applicants have submitted an application for a new Recreational Pier Lease.

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. **Buoy:** Pursuant to the Commission's delegation of authority and the State CEQ 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.

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.

**APPROVAL REQUIRED:**

**Buoy:** Tahoe Regional Planning Agency

**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).

**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:**

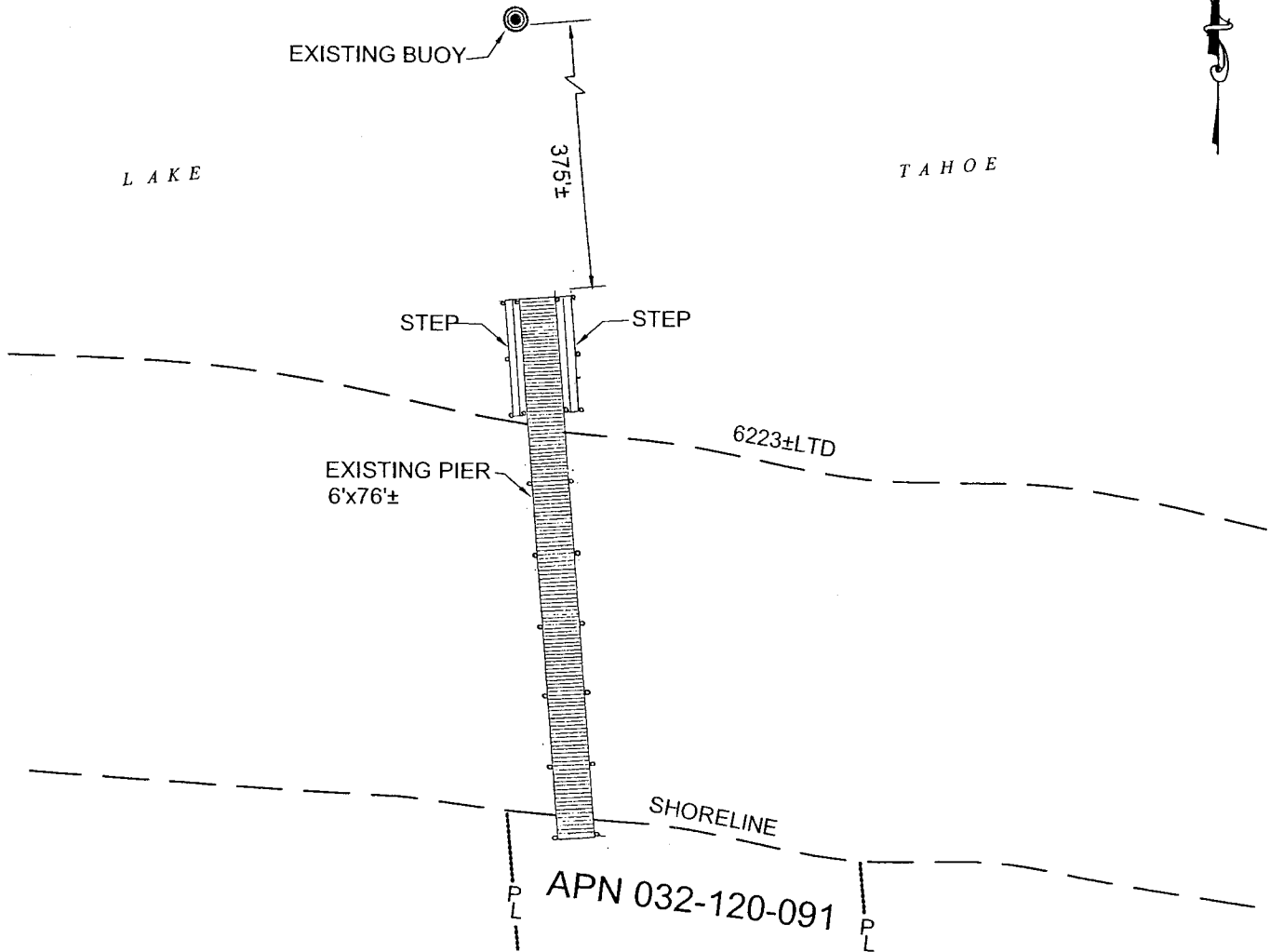
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO WILLIAM G. FLECKLES AND JACQUELINE N. FLECKLES OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 22, 2005, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND THE RETENTION OF ONE EXISTING 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.

NO SCALE

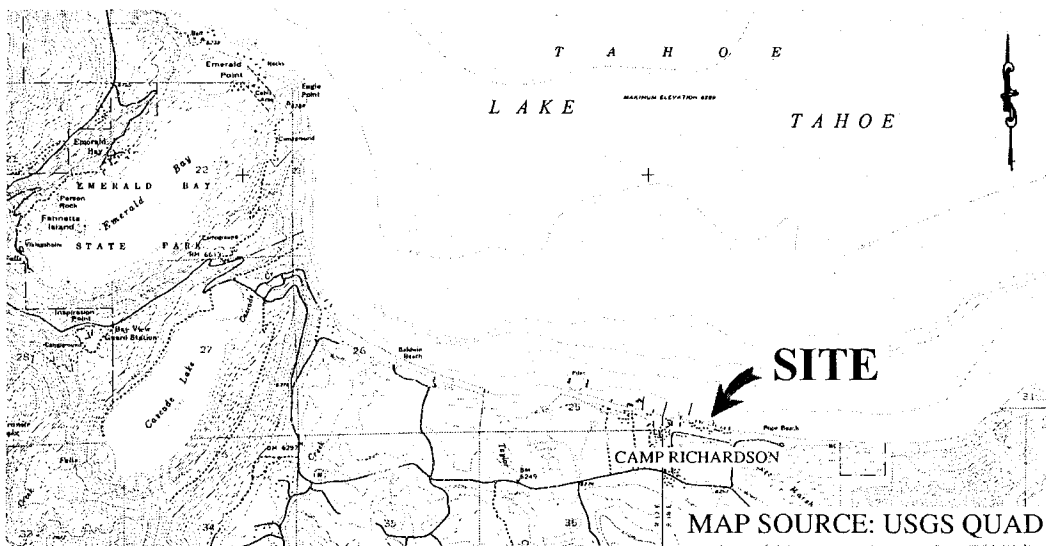
# SITE



3095 JAMESON BEACH ROAD

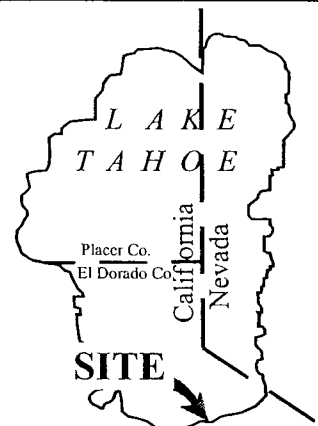
NO SCALE

# LOCATION



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.

**Exhibit A**  
 WP 3505.9  
 FLECKLES  
 APN 032-120-091  
 RECREATIONAL PIER LEASE  
 EL DORADO COUNTY



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MJJ/03/2006