

CALENDAR ITEM
C57

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PRC 8555

08/17/04
W 25987
S. Young

GENERAL LEASE-RECREATIONAL USE

APPLICANTS:

Katherine Metcalf Nelson, Trustee of the Katherine Metcalf Nelson Living Trust;
Mary R. Metcalf, Trustee of the Mary R. Metcalf 2000 Trust, dated
November 13, 2000; and Elizabeth H. Metcalf, Trustee of the Elizabeth H.
Metcalf Living Trust, dated September 27, 2000

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, south of Tahoe City, El Dorado County.

AUTHORIZED USE:

Retention of two existing mooring buoys and an existing swim float as shown on
the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 17, 2004.

CONSIDERATION:

\$93 per annum for the swim float; with the State reserving the right to fix a
different rent periodically during the lease term, as provided in the lease. No
monetary consideration for the two mooring buoys pursuant to Public Resources
Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Combined single limit coverage of \$1,000,000.

Other:

This lease is conditioned on Lessee 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. **C57** (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicants are littoral owners who have improved the littoral land with, and use the upland for, a single-family dwelling. However, they do not qualify for a rent-free lease because of the swim float. The Commission has not previously authorized these facilities. The Applicants are now applying for a new General Lease - Recreational Use.

2. **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 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.

3. **SWIM FLOAT:** 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)(4).

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

4. 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:

Buoys and Swim Float: Tahoe Regional Planning Agency

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EXHIBIT:

- A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(3).

SWIM FLOAT: 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)(4).

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 KATHERINE METCALF NELSON, TRUSTEE OF THE KATHERINE METCALF NELSON LIVING TRUST; MARY R. METCALF, TRUSTEE OF THE MARY R. METCALF 2000 TRUST, DATED NOVEMBER 13, 2000; AND ELIZABETH H. METCALF, TRUSTEE OF THE ELIZABETH H. METCALF LIVING TRUST, DATED SEPTEMBER 27, 2000 OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING AUGUST 17, 2004, FOR A TERM OF TEN YEARS, FOR RETENTION OF TWO EXISTING BUOYS AND AN EXISTING SWIM FLOAT ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY

CALENDAR ITEM NO. C57 (CONT'D)

THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$93, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.

NO SCALE

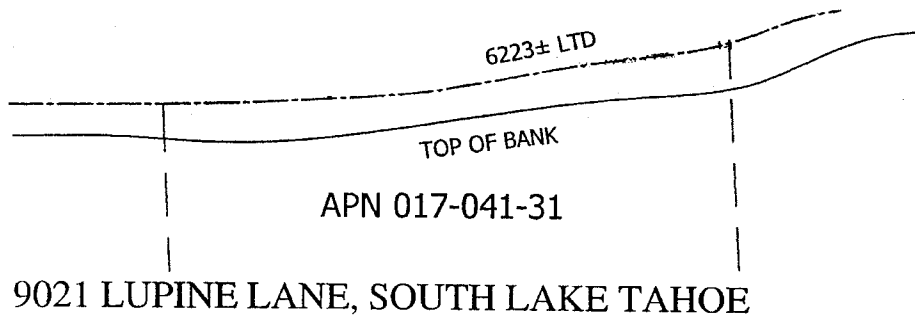
SITE

BUOY #1
⊙

BUOY #2
⊙

SWIM FLOAT
⊙

L A K E T A H O E

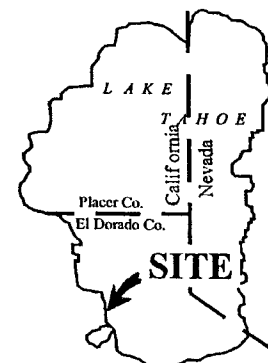


NO SCALE

LOCATION



Exhibit A
 W 25987
 KATHERINE METCALF NELSON
 TRUSTEE ET AL
 RECREATIONAL PIER USE
 APN 017-041-31
 EL DORADO COUNTY



MJJ 06/05

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CALENDAR PAGE

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MINUTE PAGE