

**CALENDAR ITEM
C08**

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06/01/09
WP 3724
C. Hudson

RECREATIONAL PIER LEASE

APPLICANTS:

Charles G. Stephenson and Tracy I. Stephenson, as Trustees of The Stephenson Family Trust, dated May 5, 2004; John A. Stephenson, as Trustee of the John A. Stephenson Tahoe Residence Trust, dated April 10, 2006; John T. Stephenson II; Julie S. Packard; and Barbara S. Peters

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 4870 West Lake Boulevard, near Homewood, Placer County

AUTHORIZED USE:

Continued use and maintenance of an existing pier and two mooring buoys, as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning March 23, 2009.

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 \$500,000.

Other:

The lease contains a provision which requires the Applicants to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for two mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments-Final Environmental Impact Statement (FEIS) and approval of the ordinances based on the FEIS.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.

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2. On April 13, 1999, the Commission authorized a Recreational Pier Lease with Charles G. Stephenson and John A. Stephenson. That lease expired on March 22, 2009. The littoral land has since been deeded to Charles G. Stephenson and Tracy I. Stephenson, as Trustees of The Stephenson Family Trust, dated May 5, 2004; John A. Stephenson, as Trustee of the John A. Stephenson Tahoe Residence Trust, dated April 10, 2006; John T. Stephenson II; Julie S. Packard; and Barbara S. Peters. The Applicants are now applying for a new Recreational Pier Lease.
3. Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who own the littoral land that is improved with 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.

APPROVAL REQUIRED:

Buoys: 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 OF A TEN YEAR RECREATIONAL PIER LEASE TO CHARLES G. STEPHENSON AND TRACY I. STEPHENSON, AS TRUSTEES OF THE STEPHENSON FAMILY TRUST, DATED MAY 5, 2004; JOHN A. STEPHENSON, AS TRUSTEE OF THE JOHN A. STEPHENSON TAHOE RESIDENCE TRUST, DATED APRIL 10, 2006; JOHN T. STEPHENSON II; JULIE S. PACKARD; AND BARBARA S. PETERS, BEGINNING MARCH 23, 2009, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND TWO MOORING BUOYS 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; AND LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$500,000.