

**CALENDAR ITEM
C12**

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S 1

06/01/09
WP 5555.9
B. Terry

RECREATIONAL PIER LEASE

APPLICANT:

Betty Mae Kaiser, Trustee of the Willie G. Kaiser Family Revocable Trust,
Established August 1, 1979

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 9105 State Highway 89, near Meeks Bay, El Dorado 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 September 27, 2008.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On January 29, 1999, the Commission authorized a ten-year Recreational Pier Lease with Betty Mae Kaiser, Trustee of the Willie G. Kaiser Family Revocable Trust established August 1, 1979. That lease expired on September 26, 2008. Applicant is now applying for a new Recreational Pier Lease.
3. Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who owns the littoral land that is improved with a single-family dwelling.

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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.

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 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 BETTY MAE KAISER, TRUSTEE OF THE WILLIE G. KAISER FAMILY REVOCABLE TRUST, ESTABLISHED AUGUST 1, 1979, BEGINNING SEPTEMBER 27, 2008, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND TWO MOORING BUOYS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE

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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.