

**CALENDAR ITEM
C01**

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S 1

12/17/09
WP 3657.9
R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

Walter H. Stevens as Trustee of the Stevens Survivor Trust, established under the Stevens 1995 Family Trust; and George F. Stamm and Mary Ann Balocco, Co-Trustees of the Ruth T. Stamm Trust dated June 16, 1980

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 3065 Jameson Beach Road, near the city of South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning February 1, 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 PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On April 13, 1999, the Commission authorized a Recreational Pier Lease with Walter H. Stevens and Claire Stevens, as Trustees of the Stevens 1995 Trust dated April 26, 1995, and George F. Stamm and Mary Ann Balocco, Co-Trustees of the Ruth T. Stamm Trust, dated June 16, 1980. That lease expired on January 31, 2009. The upland property has been transferred to Walter H. Stevens as Trustee of the Stevens Survivor Trust, established under the Stevens 1995 Family Trust; and George F. Stamm

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and Mary Ann Balocco, Co-Trustees of the Ruth T. Stamm Trust dated June 16, 1980. Applicants are now applying for a new Recreational Pier Lease.

3. Applicants qualify for a Recreational Pier Lease because they are natural persons who own the littoral land that is improved with a single-family dwelling.
4. The two mooring buoys have been permitted by the Tahoe Regional Planning Agency on November 4, 2009.
5. 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.

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.

APPROVALS 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 PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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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 WALTER H. STEVENS AS TRUSTEE OF THE STEVENS SURVIVOR TRUST, ESTABLISHED UNDER THE STEVENS 1995 FAMILY TRUST; AND GEORGE F. STAMM AND MARY ANN BALOCCO, CO-TRUSTEES OF THE RUTH T. STAMM TRUST DATED JUNE 16, 1980, BEGINNING FEBRUARY 1, 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.