

**CALENDAR ITEM
C06**

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S 1

02/01/10
WP 3884.9
Terry, B.

RECREATIONAL PIER LEASE

APPLICANTS:

Lilian H. Roberts, as Trustee of the Lilian H. Roberts 1989 Trust; James W. Meakin, Trustee of the North Lane Qualified Personal Residence Trust; and Thomas E. Meakin, as Trustee of the Thomas E. Meakin Qualified Personal Residence Trust dated May 5, 2009.

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 8599 and 8605 North Lane, near Rubicon Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing joint-use pier, boathouse, and four mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning April 6, 2009.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. On September 3, 1999, the Commission authorized a Recreational Pier Lease with Thomas Edgar Meakin and James Wetmore Meakin; and Lilian H. Roberts, as Trustee of the Lilian H. Roberts 1989 Trust. That lease expired on April 5, 2009. Thomas Edgar Meakin and James Wetmore Meakin have since transferred ownership to James W. Meakin, Trustee of the North Lane Qualified Personal Residence Trust, and Thomas E. Meakin, as Trustee of the Thomas E. Meakin Qualified Personal

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Residence Trust dated May 5, 2009. Applicants are now applying for a new Recreational Pier Lease.

3. Applicants qualify for a Recreational Pier Lease because Applicants are natural persons who own the littoral parcels that are improved with single family dwellings.
4. The existing joint-use pier is an equally shared facility; however, the mooring buoys are not. Each party, Thomas and James Meakin, and Lilian Roberts has two mooring buoys adjacent to their upland parcels for their own use. The mooring buoys were permitted by the Tahoe Regional Planning Agency on September 28, 2009, and November 9, 2009 respectively.
5. Pursuant to the Commission's delegation of authority and State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of 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 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 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 Lilian H. Roberts, as Trustee of the Lilian H. Roberts 1989 Trust; James W. Meakin, Trustee of the North Lane Qualified Personal Residence Trust; and Thomas E. Meakin, as Trustee of the Thomas E. Meakin Qualified Personal Residence Trust dated May 5, 2009, beginning April 6, 2009, for the continued use and maintenance of an existing joint-use pier, boathouse, and four 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 \$1,000,000.