

**CALENDAR ITEM
C10**

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04/06/10
WP 6819.9
B. Terry

RECREATIONAL PIER LEASE

APPLICANTS:

Sharon L. Stokes, Trustee of the 2005 Sharon L. Stokes Qualified Personal Resident Trust dated July 7, 2005, and Howard W. Stokes

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8381 Meeks Bay Avenue, near Meeks Bay, El Dorado County.

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning April 28, 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. Applicants own the upland adjoining the lease premises.
2. On February 27, 1998, the Commission authorized a Recreational Pier Lease with Howard W. Stokes and Sharon L. Stokes, Trustees, or their successor(s) of the Howard W. Stokes and Sharon L. Stokes Living Trust dated 2/8/84. That lease expired on April 27, 2008. The upland property has since been deeded to Sharon L. Stokes, Trustee of the 2005 Sharon L. Stokes Qualified Personal Resident Trust dated July 7, 2005, and Howard W. Stokes who are now applying for a new Recreational Pier Lease.

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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 boat hoist has not been previously authorized by the Commission, but has been attached to the pier for many years.
5. **Pier, Boatlift, and Two Mooring 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 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. **Boat Hoist:** 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 CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 14, California Code of Regulations, section 15303.

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

7. 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:

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CEQA FINDING:

Pier, Boatlift, and Two Mooring Buoys: 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).

Boat Hoist: 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 3, New Construction of Small Structures; Title 14, California Code of Regulations, section 15303.

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 section 6370, et seq.

AUTHORIZATION:

Authorize issuance of a ten-year Recreational Pier Lease to Sharon L. Stokes, Trustee of the 2005 Sharon L. Stokes Qualified Personal Resident Trust dated July 7, 2005, and Howard W. Stokes, beginning April 28, 2008, for the continued use and maintenance of an existing pier, boatlift, and two mooring buoys and the retention of an existing boat hoist 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.