

**CALENDAR ITEM
C06**

A 4
S 1

10/29/10
WP 5632.9
B. Terry

RECREATIONAL PIER LEASE

APPLICANTS:

Paul A. Pearson and Patricia L. Pearson, Trustees of the Paul A. Pearson and Patricia L. Pearson Family Trust U/T/A dated November 25, 1985.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 4210 and 4220 North Lake Boulevard, near Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and boathouse and the retention of an existing boat lift as shown on the attached Exhibit A.

LEASE TERM:

10 years, beginning May 6, 2008.

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 that the Applicants shall notify Lessor upon the change of ownership of either of the upland parcels.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. On September 17, 2001, the Commission authorized a Recreational Pier Lease with Paul A. Pearson and Patricia L. Pearson, Trustees U/T/A dated November 25, 1985, for an existing pier and boathouse. That lease expired on May 5, 2008. Applicants are now applying for a new Recreational Pier Lease.

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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. **Pier and Boathouse:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), staff has determined 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.

5. **Boat Lift:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), staff has determined 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 2, California Code of Regulations, section 2905 (c)(1).

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 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:

Pier and Boathouse: 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,

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Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Boat Lift: 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 2, California Code of Regulations, section 2905 (c)(1).

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 10-year Recreational Pier Lease to Paul A. Pearson and Patricia L. Pearson, Trustees of the Paul A. Pearson and Patricia L. Pearson Family Trust U/T/A dated November 25, 1985, beginning May 6, 2008, for the continued use and maintenance of an existing pier and boathouse and the retention of an existing boat lift 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.

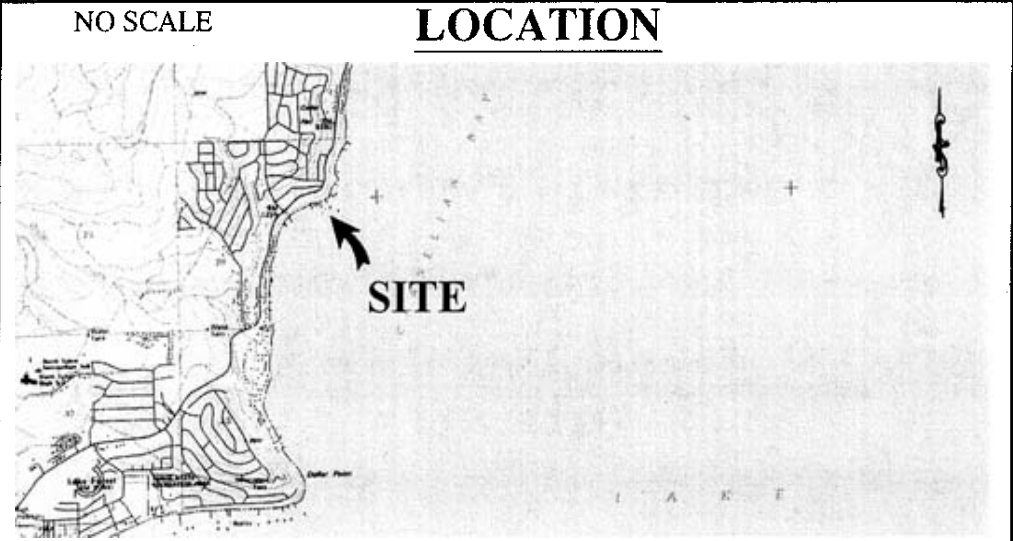
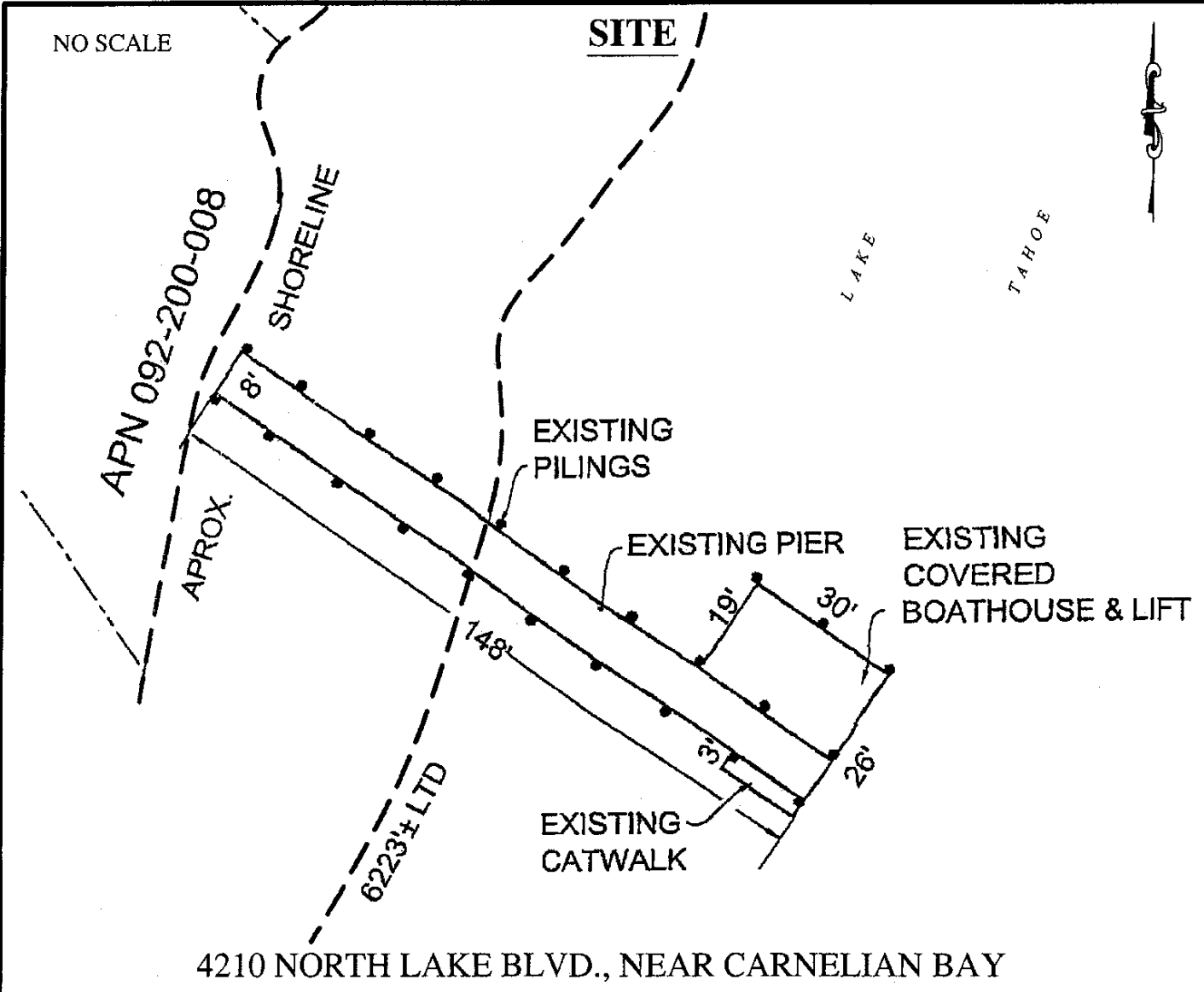
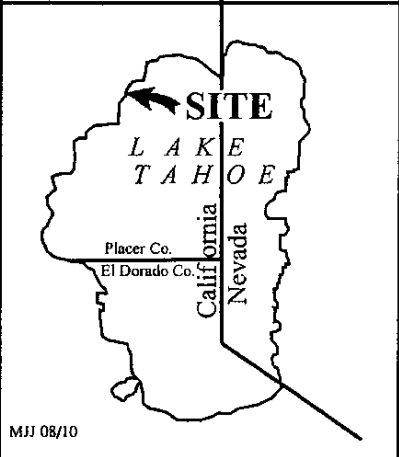


Exhibit A

PRC 5632.9
 PEARSON
 APN 092-200-008
 RECREATIONAL PIER LEASE
 PLACER COUNTY



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.