

**CALENDAR ITEM
C05**

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S 1

06/23/11
WP 4995.9
R. Barham

RECREATIONAL PIER LEASE

APPLICANT:

Dr. Kevin J. Cassidy

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 961 Lakeview Avenue, near the city of South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and boathouse as shown on Exhibit A.

LEASE TERM:

10 years, beginning June 23, 2011.

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 public will be allowed to pass and re-pass around the landward end of the pier to provide continuous shoreline access to the Public Trust Easement below elevation 6228.75 feet, Lake Tahoe Datum.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On November 29, 1984, the Commission authorized a Recreational Pier Permit with Marjorie W. Bell. That permit expired on February 26, 1995. The upland property has since been deeded to Dr. Kevin J. Cassidy. 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 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. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq., but such activity will not affect those significant lands. 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 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 section 6370, et seq.

AUTHORIZATION:

Authorize issuance of a 10-year Recreational Pier Lease to Dr. Kevin J. Cassidy, beginning June 23, 2011, for the continued use and maintenance of an existing pier and boathouse 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.