

**CALENDAR ITEM
C22**

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09/01/11
W 26413
N. Lavoie

RECREATIONAL PIER LEASE

APPLICANTS:

Jay L. Stone and Faye E. Stone, As Trustees of the 1991 Stone Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8357 Meeks Bay Avenue, near
Tahoma, El Dorado County.

AUTHORIZED USE:

Use and maintenance of an existing pier and two mooring buoys not previously
authorized by the Commission as shown on the attached Exhibit A.

LEASE TERM:

10 years, beginning September 1, 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 proposed lease contains a provision requiring the Applicants to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of a Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of the amended ordinances. This is a continuation of the process the Commission used from approximately 1995 to October 2008 when TRPA adopted an FEIS and Ordinance Amendments supported by the FEIS. In September 2010, the U.S. District Court invalidated the FEIS and nullified the Amendments. When additional information is available, Commission staff will advise the Commission on any suggested modifications to the process used by the

CALENDAR ITEM NO. C22 (CONT'D)

Commission pending resolution of the TRPA FEIS and amended ordinance issues

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. The Applicants' existing pier and two mooring buoys have been in Lake Tahoe for many years but have not been previously authorized by the Commission. Applicants qualify for a rent-free Recreational Pier Lease because they are natural persons who own the littoral land that is improved with a single-family dwelling. Staff recommends approval of the existing pier and mooring buoys within the lease premises.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff 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.

4. 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).

CALENDAR ITEM NO. **C22** (CONT'D)

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.

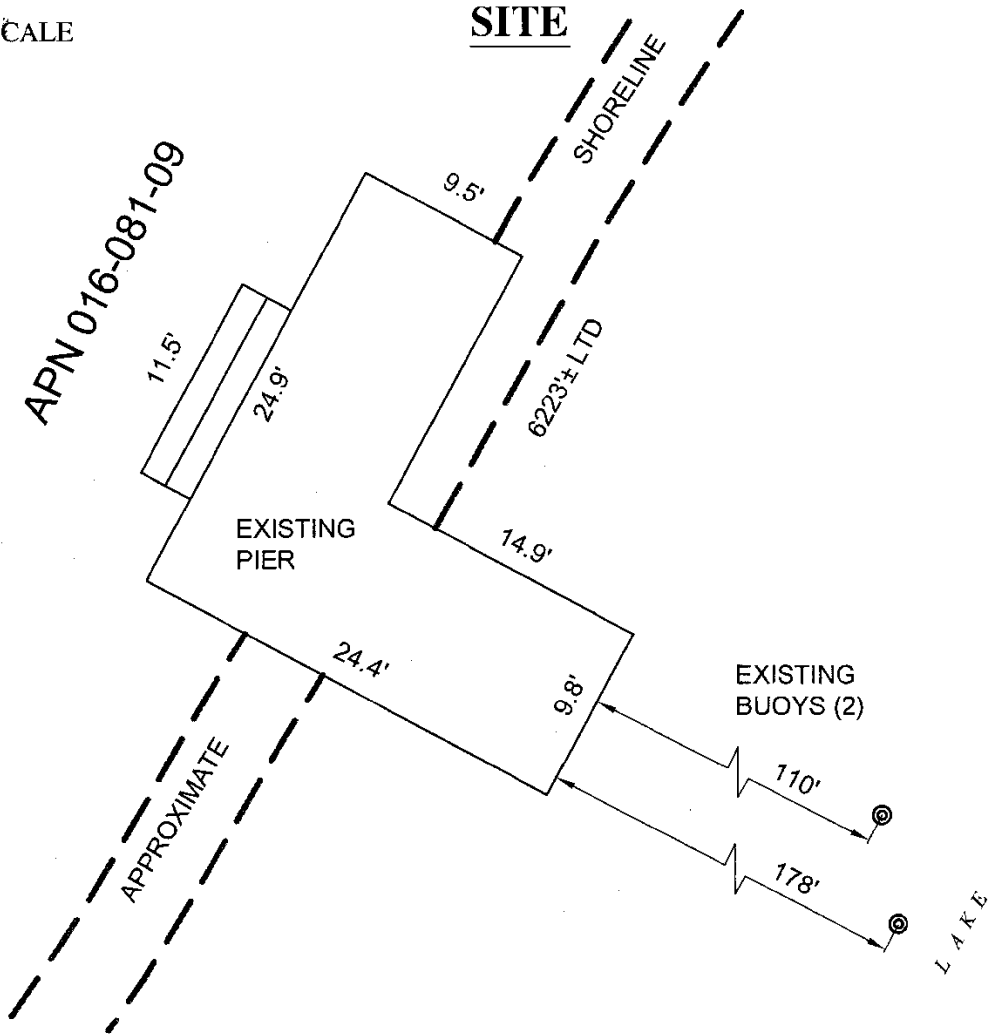
AUTHORIZATION:

Authorize issuance of a 10-year Recreational Pier Lease to Jay L. Stone and Faye E. Stone, As Trustees of the 1991 Stone Trust, beginning September 1, 2011, for the use and maintenance of an existing pier and two mooring buoys not previously authorized by the Commission as shown on the attached Exhibit A 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.

NO SCALE

SITE

APN 016-081-09



TAHOM

8357 MEEKS BAY AVENUE, TAHOMA

NO SCALE

LOCATION

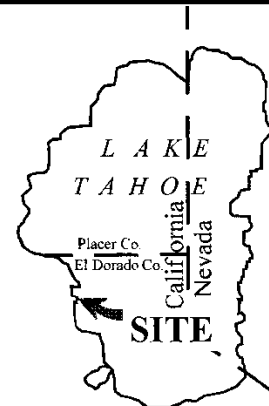


MAP SOURCE: USGS QUAD

Exhibit A

W 26413
STONE TRUST
APN 016-081-09

RECREATIONAL PIER LEASE
EL DORADO COUNTY



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.

MJJ 08/10