

**CALENDAR ITEM
C73**

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08/19/03
PRC 6798 WP 6798.9
B. Young

**TERMINATION OF RECREATIONAL PIER LEASE
AND ISSUANCE OF NEW RECREATIONAL PIER LEASE**

APPLICANT/LESSEE:

Barbara K. Brown, Trustee of Trust A under the Dennis and Barbara
Brown Family 1981 Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, Homewood, Placer County.

AUTHORIZED USE:

An existing pier, boat lift and one mooring buoy previously authorized by the
Commission, and retention of one additional existing mooring buoy as shown on
the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 1, 2003.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$300,000.

Other:

This lease is conditioned on Applicant's obtaining authorization from the
Tahoe Regional Planning Agency (TRPA) for the mooring buoys within
two years after the adoption of the Lake Tahoe Shorezone Amendments-
Draft Environmental Impact Statement (EIS) and approval of the
ordinances based on the EIS.

OTHER PERTINENT INFORMATION:

1. On December 3, 1999, the Commission authorized a Recreational
Pier Lease to Lessee for an existing pier, boat lift and one mooring

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buoy. That lease will expire on April 5, 2009. Applicant submitted an application for minor pier repair and retention of one additional existing mooring buoy. Applicant is now applying for a new Recreational Pier Lease.

2. **Termination of Existing Lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as Authority: Public Resources Code section 21065 and Title 14, defined by the CEQA and the State CEQA Guidelines. California Code of Regulations, sections 15060 (c)(3) and 15378.
3. **Issuance of New Lease (Pier, Boat Lift):** 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 the 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. **One Existing and One Additional Mooring Buoy:** 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 the 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)(3).

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 sections

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6370, et seq. 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.

APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency.

EXHIBIT:

A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

TERMINATION OF EXISTING LEASE: FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE PROVISIONS OF THE CEQA BECAUSE IT IS NOT A "PROJECT" AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15060 (c)(3) AND 15378.

ISSUANCE OF NEW LEASE (PIER, BOAT LIFT): FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE 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).

ONE EXISTING AND ONE ADDITIONAL MOORING BUOY: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE 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)(3).

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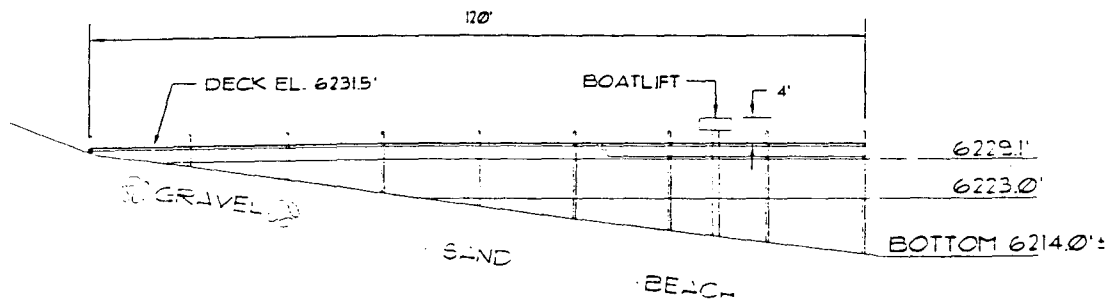
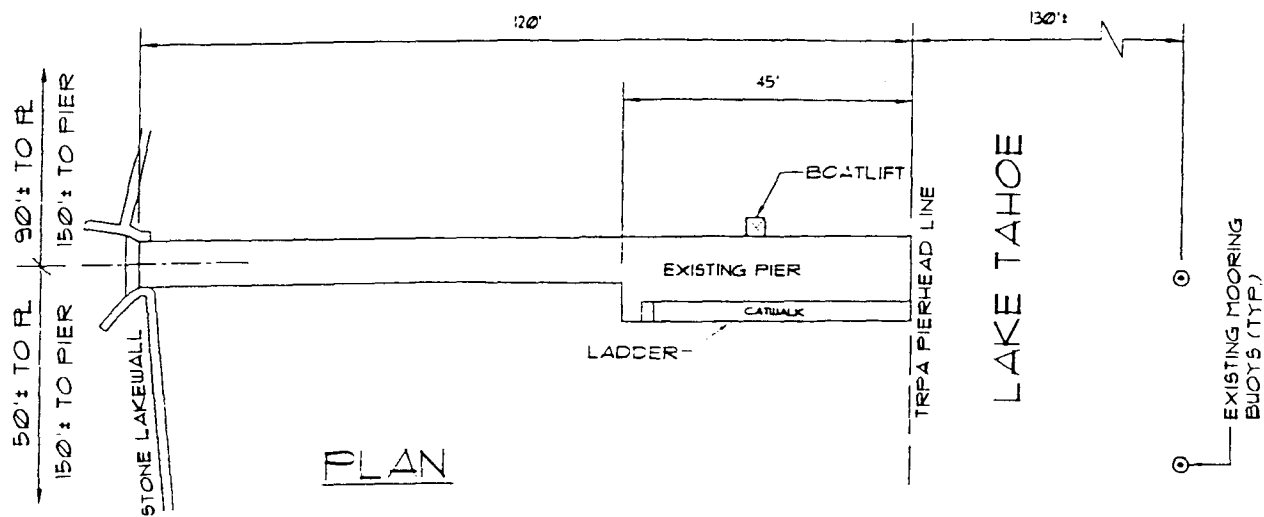
SIGNIFICANT LANDS INVENTORY FINDING:

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 THE TERMINATION OF THE RECREATIONAL PIER LEASE ISSUED TO BARBARA K. BROWN, TRUSTEE OF TRUST A UNDER THE DENNIS AND BARBARA BROWN FAMILY 1981 TRUST, AND APPROVED BY THE COMMISSION ON DECEMBER 3, 1999.

AUTHORIZE ISSUANCE TO BARBARA K. BROWN, TRUSTEE OF TRUST A UNDER THE DENNIS AND BARBARA BROWN FAMILY 1981 TRUST, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 1, 2003, FOR AN EXISTING PIER, BOAT LIFT AND TWO EXISTING MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$300,000.



PROFILE

5500 West Lake Blvd

NO SCALE

LOCATION MAP

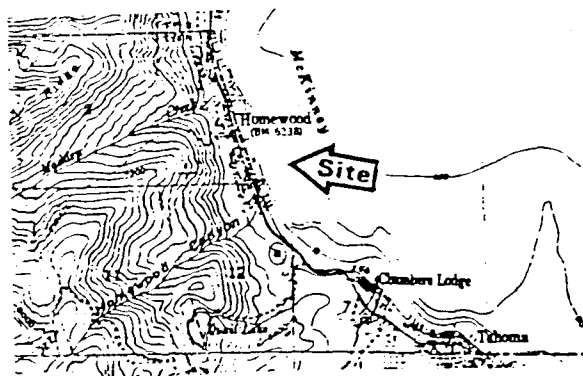
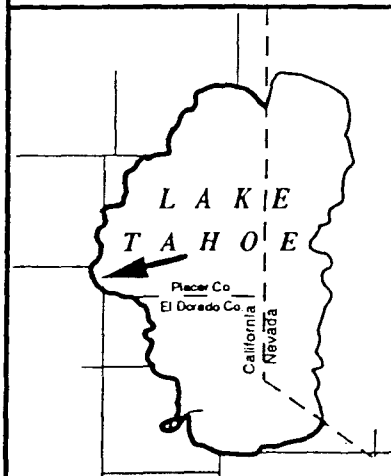


EXHIBIT A
PRC 6798.9
APN 097-182-001
Lake Tahoe
PLACER COUNTY



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.

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BY 6/03