

**CALENDAR ITEM
C07**

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10/16/08
WP 4033.9
N. Lee

RECREATIONAL PIER LEASE

APPLICANTS:

Loyd Bingham Hutchins, Elizabeth Daisy Helman, and Katherine Page Bingham

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 6730 West Lake Boulevard, near
Tahoma, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and two mooring buoys as
shown on Exhibit A.

LEASE TERM:

Ten years, beginning August 10, 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 requires the Applicants to obtain
authorization from the Tahoe Regional Planning Agency (TRPA) for the
mooring buoys within two years after the adoption of the Lake Tahoe
Shorezone Amendments-Final Environmental Impact Statement (FEIS)
and approval of the ordinances based on the FEIS.

OTHER PERTINENT INFORMATION:

1. Applicants own the land adjoining the lease premises.
2. On June 19, 1998, the Commission authorized a Recreational Pier Lease
with Loyd Bingham Hutchins and Elizabeth Daisy Helman, Trustees of the
Elizabeth S. Bingham Qualified Personal Trust dated June 19, 1997, and

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Robert C. Bingham and Elizabeth Bingham. That lease expired on August 9, 2008. The littoral land has since been deeded to Loyd Bingham Hutchins, Elizabeth Daisy Helman, and Katherine Page Bingham. The Applicants are now applying for a new Recreational Pier Lease.

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. 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.

5. 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 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. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

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).

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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 ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO LOYD BINGHAM HUTCHINS, ELIZABETH DAISY HELMAN, AND KATHERINE PAGE BINGHAM BEGINNING AUGUST 10, 2008, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND TWO MOORING BUOYS 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; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$500,000.