

**CALENDAR ITEM
C27**

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01/29/09
WP 7773.1
N. Lee

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

George J. Vukasin and Sonja L. Vukasin, Trustee of the Vukasin Family Living Trust dated October 10, 1994

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 980 West Lake Boulevard, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of a pier, boat house, sundeck, two boat hoists and two mooring buoys as shown on Exhibit A.

LEASE TERM:

Ten years, beginning July 1, 2008.

CONSIDERATION:

Pier, Boat House, Two Boat Hoists and Two Mooring Buoys: No monetary consideration pursuant to Public Resources Code section 6503.5.

Sundeck: \$1,085 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$1,000,000.

Other:

1. This lease contains a provision which requires the Applicants to obtain authorization from the Tahoe Regional Planning Agency for the mooring buoy 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.

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2. The lease contains provisions that the existing sundeck, as shown on the attached Exhibit A, cannot be expanded, and if repairs to any portion of the existing sundeck cost more than 50% of the base value of the sundeck, then the sundeck must be removed from the lease premises.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland property adjoining the lease premises.
2. On December 16, 1998, the Commission authorized a Recreational Pier Lease with George J. Vukasin and Sonja L. Vukasin, Trustee, or the Successor Trustee, of the Vukasin Family Living Trust dated October 10, 1994. That lease expired June 30, 2008. On December 9, 2003, the upland property was transferred to George J. Vukasin and Sonja L. Vukasin, Trustee of the Vukasin Family Living Trust dated October 10, 1994. Applicants are now applying for a new General Lease – Recreational Use.
3. Applicants are natural persons who own the littoral land that is improved with a single-family dwelling. The existing pier, boat house, two boat hoists and two mooring buoys are exempt from consideration pursuant to Public Resources Code section 6503.5. The sundeck does not qualify for rent-free status because it is not constructed for the docking or mooring of boats.
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.

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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).

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 GENERAL LEASE – RECREATIONAL USE TO GEORGE J. VUKASIN AND SONJA L. VUKASIN, TRUSTEE OF THE VUKASIN FAMILY LIVING TRUST DATED OCTOBER 10, 1994 BEGINNING JULY 1, 2008, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF A PIER, BOAT HOUSE, SUNDECK, TWO BOAT HOISTS AND TWO MOORING BUOYS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$1,085 FOR THE SUNDECK, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5 FOR THE PIER, BOAT HOUSE, TWO BOAT HOISTS AND TWO MOORING BUOYS; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.