

**CALENDAR ITEM  
C03**

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04/09/09  
WP 8381.9  
B. Terry

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

**LESSEES:**

William F. Cronk and Janet M. Cronk

**APPLICANTS:**

Michael R. Perry and Sheldra Joy Perry, Trustees of the Perry Family Trust  
Dated March 24, 2000

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in Lake Tahoe, adjacent to 1920 West Lake Boulevard, near  
Tahoe City, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of two existing mooring buoys as shown on the  
attached Exhibit A.

**LEASE TERM:**

Ten years, beginning September 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 which 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 uplands adjoining the lease premises.
2. On April 9, 2002, the Commission authorized a ten-year Recreational Pier  
Lease with William F. Cronk and Janet M. Cronk. That lease will expire on

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March 31, 2012. On September 10, 2008, ownership of the upland property was deeded to Michael R. Perry and Sheldra Joy Perry, Trustees of the Perry Family Trust Dated March 24, 2000, who 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. **Termination of an 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 defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

5. **Issuance of a New Lease:** 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.

6. 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.

**APPROVAL REQUIRED:**

Buoys: Tahoe Regional Planning Agency

**EXHIBIT:**

- A. Site and Location Map

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**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

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

**ISSUANCE OF A NEW LEASE:** 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:**

1. AUTHORIZE TERMINATION, EFFECTIVE SEPTEMBER 9, 2008, OF LEASE NO. PRC 8381.9, A RECREATIONAL PIER LEASE, ISSUED TO WILLIAM F. CRONK AND JANET M. CRONK.
2. AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO MICHAEL R. PERRY AND SHELDRA JOY PERRY, TRUSTEES OF THE PERRY FAMILY TRUST DATED MARCH 24, 2000, BEGINNING SEPTEMBER 10, 2008, FOR THE CONTINUED USE AND MAINTENANCE OF TWO EXISTING 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.