

**CALENDAR ITEM
C06**

A 4
S 1

10/22/09
WP 5646.9
N. Lee

RECREATIONAL PIER LEASE

APPLICANTS:

John Murry Owens and Diane Owens, Trustees of the Owens Family Revocable Trust, dated March 14, 2007; Diane Owens, Trustee or her successor in trust under the Owens Irrevocable Gifting Trust, dated December 3, 2007; John Murry Owens, Trustee or his successor in trust under the Owens Family Bank Trust, dated December 3, 2007

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 8411 Meeks Bay Avenue, near Meeks Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and one mooring buoy as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning March 28, 2009.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.

2. On June 14, 1999, the Commission authorized a Recreational Pier Lease with Hazel M. Owens, Trustee of the Owens Living Trust of December 22, 1998. That lease expired on March 27, 2009. The upland property has since been deeded to John Murry Owens and Diane Owens, Trustees of the Owens Family Revocable Trust, dated March 14, 2007; Diane Owens, Trustee or her successor in trust under the Owens Irrevocable Gifting

CALENDAR ITEM NO. C06 (CONT'D)

Trust, dated December 3, 2007; and John Murry Owens, Trustee or his successor in trust under the Owens Family Bank Trust, dated December 3, 2007. 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.

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

CALENDAR ITEM NO. **C06** (CONT'D)

LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO JOHN MURRY OWENS AND DIANE OWENS, TRUSTEES OF THE OWENS FAMILY REVOCABLE TRUST, DATED MARCH 14, 2007; DIANE OWENS, TRUSTEE OR HER SUCCESSOR IN TRUST UNDER THE OWENS IRREVOCABLE GIFTING TRUST, DATED DECEMBER 3, 2007; JOHN MURRY OWENS, TRUSTEE OR HIS SUCCESSOR IN TRUST UNDER THE OWENS FAMILY BANK TRUST, DATED DECEMBER 3, 2007, BEGINNING MARCH 28, 2009, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND ONE MOORING BUOY 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.