

**CALENDAR ITEM
C01**

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08/24/06
PRC 4286.9
R. Barham

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

LESSEES:

Richard LaTourette and Sherrie LaTourette

APPLICANT:

Stuart M. Piontek

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Tahoe Vista, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boathouse with two boatlifts, and one mooring buoy as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning April 12, 2006.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland property adjoining the lease premises.
2. On August 8, 2005, the Commission authorized a Recreational Pier Lease with Richard LaTourette and Sherrie LaTourette. That lease will expire on July 31, 2015. On April 12, 2006, the Lessees deeded the upland property to Stuart M. Piontek.

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3. Applicant qualifies for a Recreational Pier Lease because he is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling. Applicant is now applying for a new Recreational Pier Lease.
4. Applicant has a Pier Shared Use Agreement with the adjacent property owner, Marcus Monte, located at 6100 North Lake Blvd., APN: 117-020-017, for the continued shared use and maintenance of the pier and one boatlift, excluding the use of the boat house, one boatlift, and the mooring buoy.
5. **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 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, section 15060(c)(3) and 15378.

6. **Issuance of 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 (a)(2).

7. 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

CALENDAR ITEM NO. C01 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

TERMINATION OF EXISTING LEASE: FIND THAT THE ACTIVITY IS EXEMPT FROM 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 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:

AUTHORIZE TERMINATION OF RECREATIONAL PIER LEASE NO. PRC 4286.9, EFFECTIVE APRIL 12, 2006, ISSUED TO RICHARD LATOURETTE AND SHERRIE LATOURETTE AND APPROVED BY THE COMMISSION ON AUGUST 8, 2005.

AUTHORIZE ISSUANCE TO STUART M. PIONTEK, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING APRIL 12, 2006, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOATHOUSE WITH TWO BOATLIFTS, AND ONE MOORING BUOY AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEROF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.

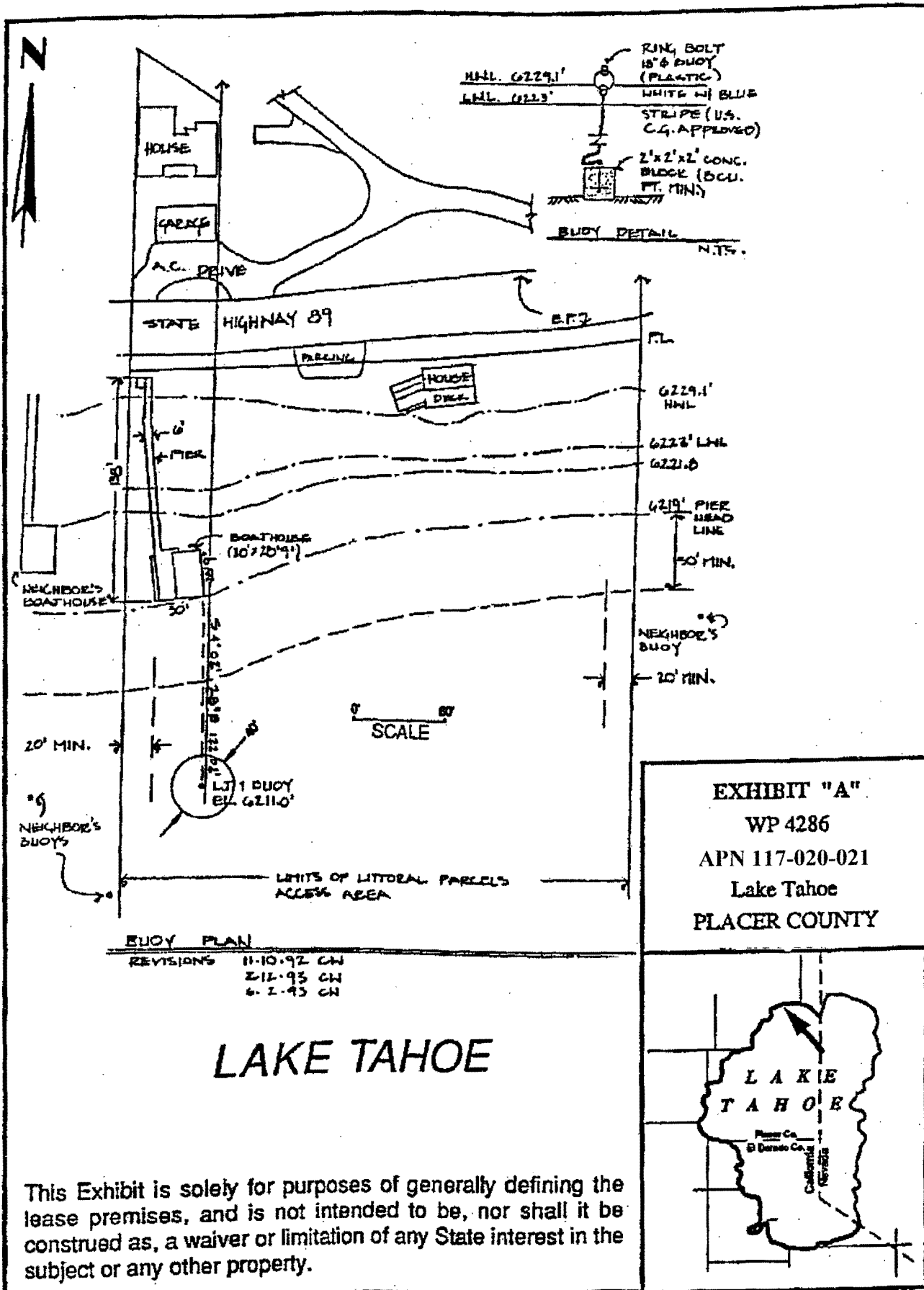
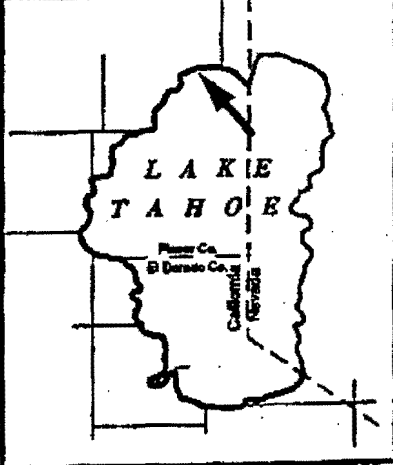


EXHIBIT "A"
 WP 4286
 APN 117-020-021
 Lake Tahoe
 PLACER COUNTY

BUOY PLAN
 REVISIONS 11-10-92 CW
 2-12-93 CW
 6-2-93 CW

LAKE TAHOE

This Exhibit is solely for purposes of generally defining the lease premises, 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.



RWB 6/2005