

**CALENDAR ITEM
C08**

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05/05/08
PRC 3849.9
B. Terry

RECREATIONAL PIER LEASE

APPLICANT:

Sara Skinner

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 227 Drum Road, near Meeks Bay, El Dorado County.

AUTHORIZED USE:

The removal of an existing pier; the construction, use and maintenance of a new pier; and two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning May 1, 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:

This lease contains a provision which requires the Applicant, to obtain authorization from the Tahoe Regional Planning Agency 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. Applicant owns the upland adjoining the lease premises.
2. On June 19, 1998, the Commission authorized a ten-year Recreational Pier Lease with Gregory S. Skinner and Sara Skinner. That lease expired on April 30, 2008. On December 11, 2006, Gregory S. Skinner deeded

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his interest in the property to Sara Skinner who is now applying for a new Recreational Pier Lease.

3. The Applicant is requesting authorization to remove the existing pier and pilings, install 12 new pilings and construct a new pier with a catwalk and safety lighting. The new pier will be constructed within the same general footprint of the existing pier. However, in order to reach a navigable water depth, the new pier will extend 102± feet, which is approximately 20 feet longer than the existing pier, into Lake Tahoe. All construction activities will be conducted from the water via a barge. The two mooring buoys will remain in their existing locations and will not be moved.
4. In order to complete the construction project during this year's construction period, the removal of the existing pilings and installation of the new pilings must be complete before May 1st. On April 21, 2008, a letter was sent to the Applicant advising that staff did not object to the removal of the existing pilings and installation of the new pilings, upon compliance with all other governmental requirements.
5. Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who owns the littoral land that is improved with a single-family dwelling.
6. **Mooring Buoys:** 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.

7. **Pier Removal and Reconstruction:** 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 2, Replacement or Reconstruction; Title 14, California Code of Regulations, section 15302.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

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8. 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 OBTAINED:

Pier Reconstruction:

Tahoe Regional Planning Agency
Lahontan Regional Water Quality Control Board
Department of Fish and Game

APPROVALS REQUIRED:

Pier Reconstruction:

U.S. Army Corps of Engineer

Buoys:

Tahoe Regional Planning Agency

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

MOORING BUOYS: 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).

PIER REMOVAL AND RECONSTRUCTION: 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 2, REPLACEMENT OR RECONSTRUCTION; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15302.

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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 SARA SKINNER BEGINNING MAY 1, 2008, FOR THE REMOVAL OF AN EXISTING PIER; THE CONSTRUCTION, USE AND MAINTENANCE OF A NEW PIER; AND 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.