

**CALENDAR ITEM
C01**

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S 1

08/22/08
WP 8027.9
C. Hudson

RECREATIONAL PIER LEASE

APPLICANTS:

David B. Coward, Trustee of the David B. Coward Qualified Personal Residence Trust, dated 03-19-2004, and Linda J. Coward, Trustee of the Linda J. Coward Qualified Personal Residence Trust, dated 03-19-2004

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 8189 Meeks Bay Avenue, near Meeks Bay, El Dorado County

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning April 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:

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 upland adjoining the lease premises.

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2. On June 19, 1998, the Commission authorized a Recreational Pier Lease with David B. Coward and Linda J. Coward, Trustees of the David B. Coward and Linda J. Coward Trust Dated October 1, 1989. That lease expired on March 31, 2008. The upland property has since been transferred to David B. Coward, Trustee of the David B. Coward Qualified Personal Residence Trust, dated 03-19-2004, and Linda J. Coward, Trustee of the Linda J. Coward Qualified Personal Residence Trust, dated 03-19-2004. The Applicants are now applying for a new Recreational Pier Lease.
3. The Applicants qualify for 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.

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

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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 RECREATIONAL PIER LEASE TO DAVID B. COWARD, TRUSTEE OF THE DAVID B. COWARD QUALIFIED PERSONAL RESIDENCE TRUST, DATED 03-19-2004, AND LINDA J. COWARD, TRUSTEE OF THE LINDA J. COWARD QUALIFIED PERSONAL RESIDENCE TRUST, DATED 03-19-2004, BEGINNING APRIL 1, 2008, FOR A TERM OF TEN YEARS, 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; AND LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$500,000.