

**CALENDAR ITEM
C13**

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S 1

04/06/10
W 25890
B. Terry

RECREATIONAL PIER LEASE

APPLICANTS:

R. Douglas Rhodes and Vicki Lyn Rhodes

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 7150 North Lake Boulevard, near Tahoe Vista, Placer County.

AUTHORIZED USE:

Retention, relocation, use, and maintenance of one existing mooring buoy and the placement of one additional mooring buoy as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning April 6, 2010.

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. Applicants are applying for a Recreational Pier Lease for the retention and relocation of one existing mooring buoy and the placement of one additional mooring buoy. The additional buoy is currently located above elevation 6223 feet Lake Tahoe Datum (low water mark) and therefore not on sovereign land. The Applicants propose to relocate the two mooring buoys further lakeward on State-owned lands as shown on the attached Exhibit A, by December 31, 2010, and pursuant to buoy location standards that were adopted by the Tahoe Regional Planning Agency (TRPA) in December 2009.

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3. The buoys were permitted by TRPA on October 14, 2009.
4. Applicants qualify for rent-free status because the Applicants are natural persons who own the littoral land that is improved with a single-family dwelling.
5. 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 CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(3).

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.

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 CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 3, New Construction of Small Structures; Title 2, California Code of Regulation, section 2905 (c)(3).

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.

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AUTHORIZATION:

Authorize issuance of a ten-year Recreational Pier Lease to R. Douglas Rhodes and Vicki Lyn Rhodes beginning April 6, 2010, for the retention, relocation, use, and maintenance of one existing mooring buoy and the placement of 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; and liability insurance in the amount of no less than \$500,000.