

**CALENDAR ITEM  
C16**

A 4  
S 1

06/28/10  
WP 5355.9  
B. Terry

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

**LESSEE:**

Joseph Karp, as Successor Trustee of the Karp Family Trust UTA dated February 5, 1988

**APPLICANT:**

Joseph Karp, Surviving Trustee of the Karp Family Trust UTA dated February 5, 1988

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Lake Tahoe, adjacent to 3770 North Lake Boulevard, Tahoe City, Placer County.

**AUTHORIZED USE:**

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

**LEASE TERM:**

Ten years, beginning June 28, 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. Applicant owns the uplands adjoining the lease premises.
2. On April 17, 2006, the Commission authorized a Recreational Pier Lease with Joseph Karp, as Successor Trustee of the Karp Family Trust UTA dated February 5, 1988. The lease will expire on October 16, 2015. On March 3, 2008, the ownership of the upland parcel was transferred to

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Joseph Karp, Surviving Trustee of the Karp Family Trust UTA dated February 5, 1988. Applicant is now applying for termination of the existing lease and issuance of a new Recreational Pier Lease.

3. One of the existing mooring buoys has not been previously authorized by the Commission. However, the Applicant obtained a Tahoe Regional Planning Agency permit on November 4, 2009. Staff is recommending approval of the retention of the existing mooring buoy within the lease premises.
4. The 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.
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 CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

6. **Issuance of New Lease:**  
**Existing Pier and One Mooring Buoy:** 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 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.

**Retention of Additional Buoy:** 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).

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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. 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:**

**Termination of Existing Lease:** Find that the activity is not subject to the requirements of 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:**

**Existing Pier and One Mooring Buoy:** 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 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

**Retention of Additional Buoy:** 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 Regulations, 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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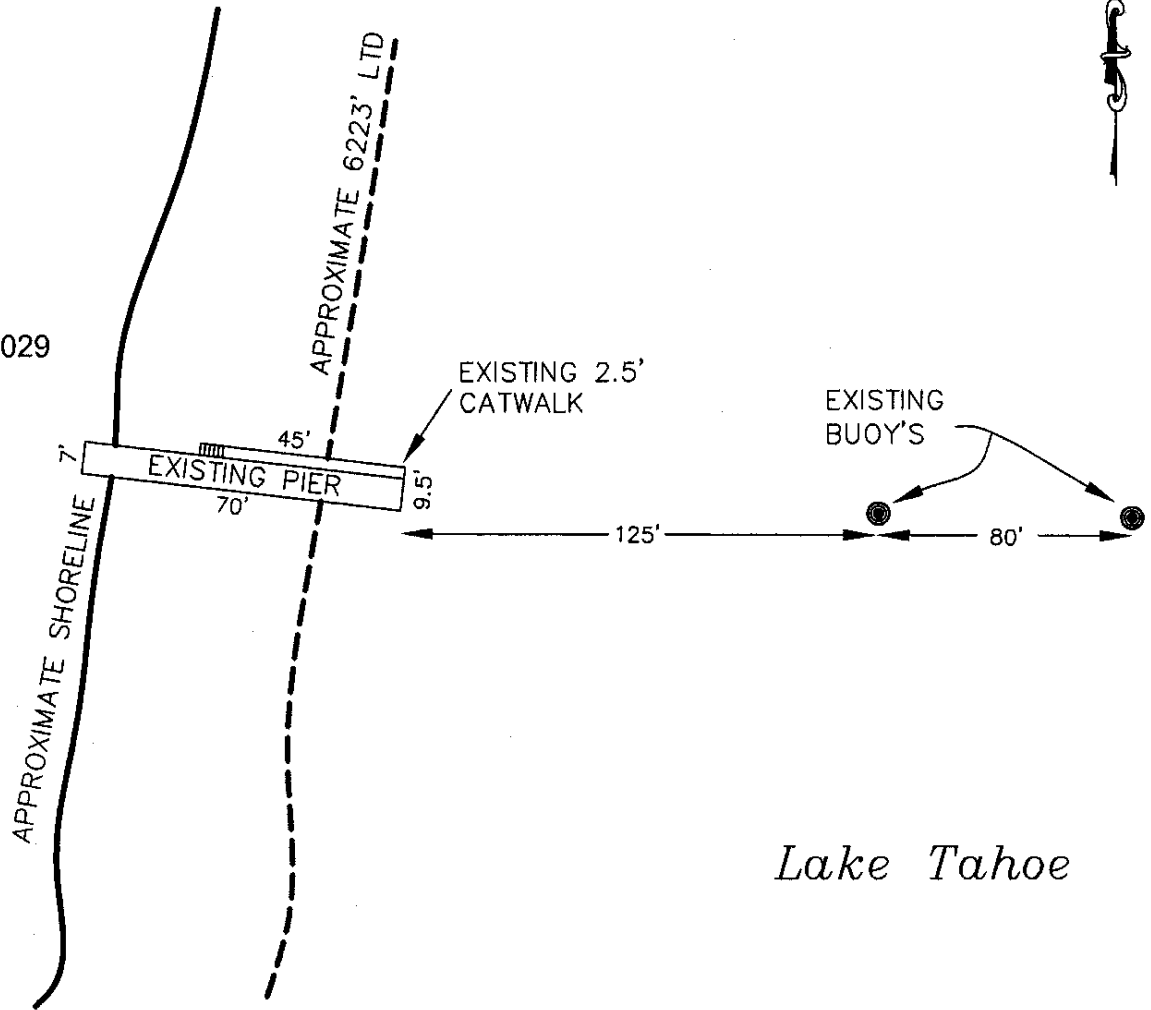
**AUTHORIZATION:**

1. Authorize termination, effective June 27, 2010, of Lease No. PRC 5355.9, a Recreational Pier Lease, commencing October 17, 2005, issued to Joseph Karp, as Successor Trustee of the Karp Family Trust UTA dated February 5, 1988.
  
2. Authorize issuance of a ten-year Recreational Pier Lease to Joseph Karp, Surviving Trustee of the Karp Family Trust UTA dated February 5, 1988, beginning June 28, 2010, for the continued use and maintenance of an existing pier and one mooring buoy and the retention of one additional 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.

NO SCALE

# SITE

APN 092-110-029

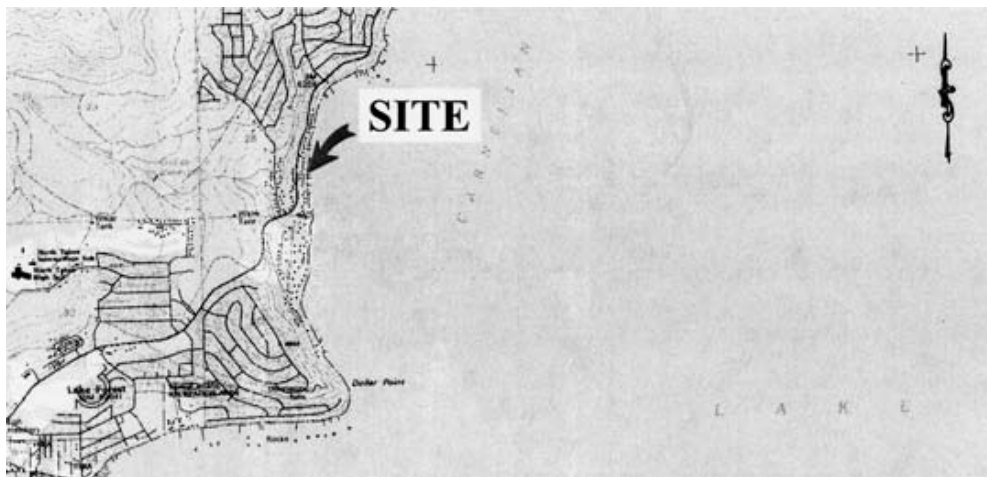


*Lake Tahoe*

3770 NORTH LAKE BLVD., NEAR CARNELIAN BAY

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

# **Exhibit A**

PRC 5355.9

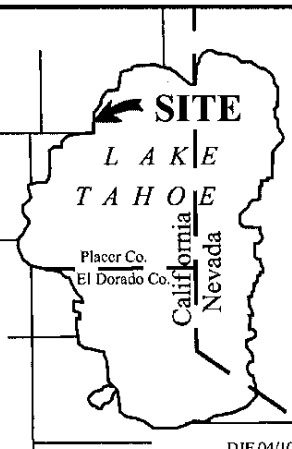
KARP

APN 092-110-029

RECREATIONAL PIER

LEASE

PLACER COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.