

**CALENDAR ITEM  
C17**

A 4  
S 1

06/28/10  
WP 7346.9  
B. Terry

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Robert W. Angell, as Trustee of the Robert W. Angell Cabin Trust dated August 3, 1995; and Elizabeth A. Cook, as Trustee Under Declaration of Trust dated September 7, 1994

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

Sovereign land in Lake Tahoe, adjacent to 1260 West Lake Boulevard, near Tahoe City, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier and two mooring buoys and the retention of an existing boat lift 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:**

Insurance:

Liability insurance in the amount of no less than \$500,000.

Other:

The lease contains a provision that the Applicants must maintain continuous authorization from the littoral property owner, Title Services Trust, to maintain and access the pier on the littoral property (APN 083-202-011) adjacent to the lease premises. The lease shall terminate if the agreement consent lapses or is revoked.

**OTHER PERTINENT INFORMATION:**

1. Applicants have the right to use the upland property adjacent to the lease premises.

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2. On February 12, 1997, the Commission authorized a Recreational Pier Lease with Robert W. Angell, as Trustee of the Robert W. Angell Cabin Trust dated August 3, 1995, and Elizabeth A. Cook, as Trustee under Declaration of Trust dated September 7, 1994. That lease expired on November 30, 2006. Applicants are now applying for a new Recreational Pier Lease.
3. The lake shoreline at this location is shaped like a cove which has caused a portion of the existing pier to extend from the Applicants' littoral parcel across the neighboring littoral parcel as the pier extends onto the Lease Premises. The Applicants have the right to use the intervening adjacent parcel pursuant to a pier easement agreement effective September 18, 2008.
4. Applicants qualify for a Recreational Pier Lease because they are natural persons who own the littoral land that is improved with a single-family dwelling.
5. The existing boat lift has not been previously authorized by the Commission. However, the Applicants obtained a Tahoe Regional Planning Agency (TRPA) boat lift permit on September 18, 2009. The existing mooring buoys that were previously authorized by the Commission were also permitted by TRPA on September 18, 2009.
6. **Pier and Two 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 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. **Boat Lift:** 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 14, California Code of Regulations, section 15303.

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

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.

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

**Pier and Two Mooring Buoys:** 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).

**Boat Lift:** 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 or Conversion of Small Structures; Title 14, California Code of Regulations, section 15303.

**SIGNIFICANT LANDS INVENTORY FINDING:**

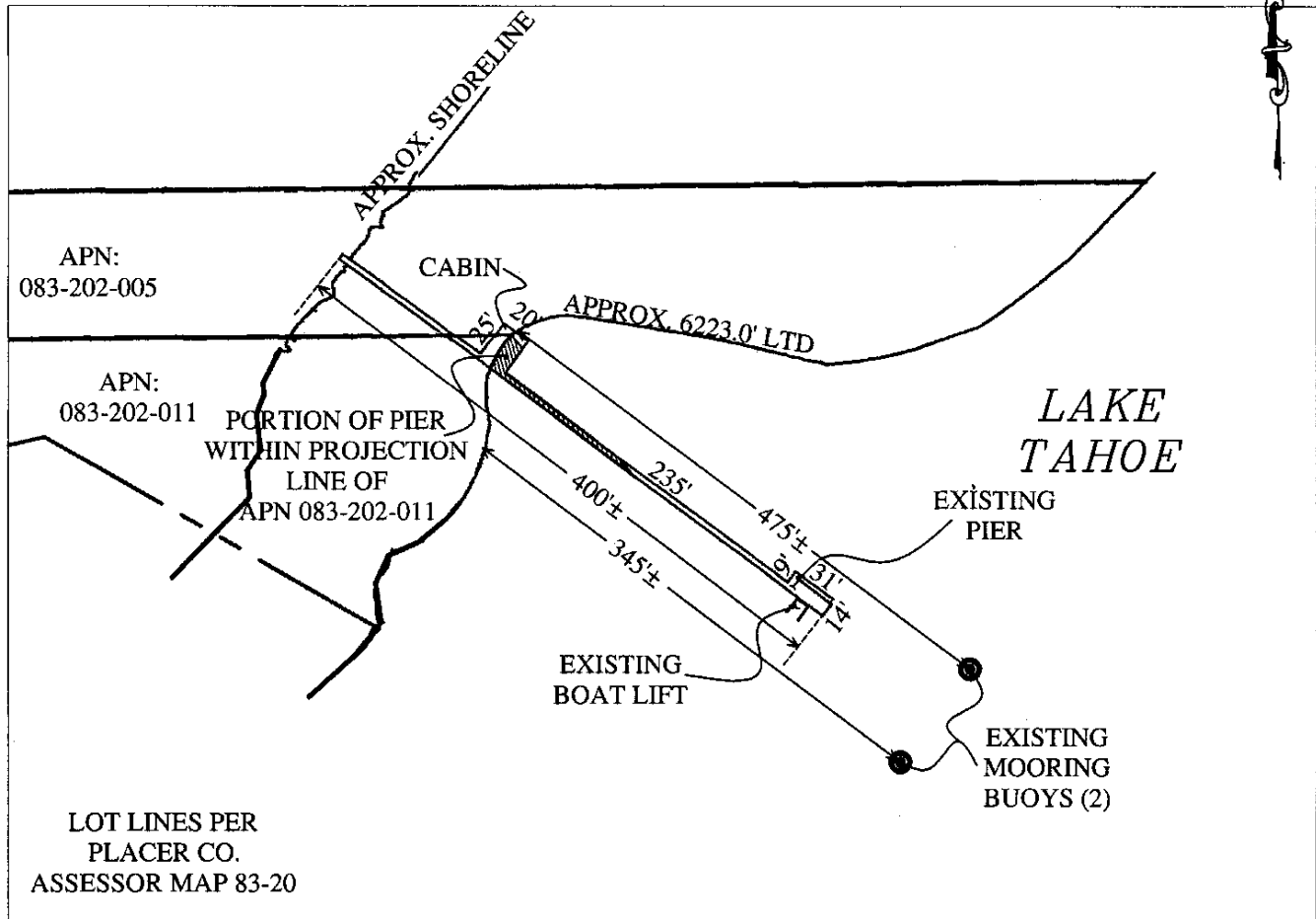
Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

**AUTHORIZATION:**

Authorize issuance of a ten-year Recreational Pier Lease to Robert W. Angell, as Trustee of the Robert W. Angell Cabin Trust dated August 3, 1995; and Elizabeth A. Cook, as Trustee under Declaration of Trust dated September 7, 1994, beginning June 28, 2010, for the continued use and maintenance of an existing pier and two mooring buoys and the retention of an existing boat lift 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

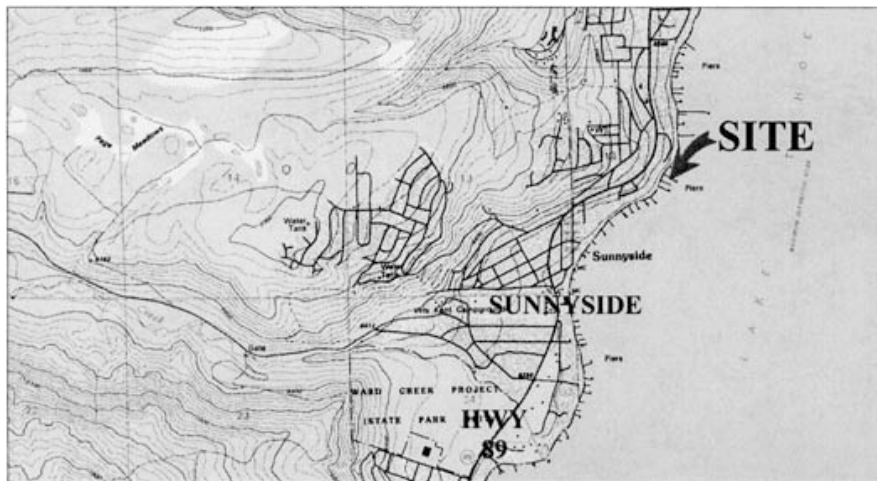
# SITE



1260 West Lake Blvd., near Tahoe City

NO SCALE

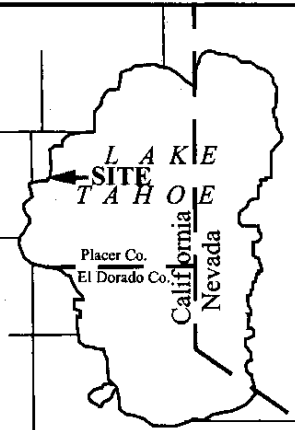
# LOCATION



MAP SOURCE: USGS QUAD

# Exhibit A

PRC 7346.9  
 ANGELL/COOK  
 APN: 083-202-005  
 RECREATIONAL PIER LEASE  
 PLACER COUNTY



MJF 5/06/10

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.