

**CALENDAR ITEM  
C20**

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S 1

06/28/10  
W 26381  
R. Barham

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANTS:**

Marc Kenneth Roos and Katherine Cotsworth Roos, Trustees of The Roos Family Revocable Living Trust Agreement dated June 22, 2005

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

Sovereign land in Lake Tahoe, adjacent to 2985 West Lake Boulevard, near Homewood, Placer County.

**AUTHORIZED USE:**

Retention, use, and maintenance of one existing mooring buoy as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning June 28, 2010.

**CONSIDERATION:**

\$340 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance of no less than \$1,000,000.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the uplands adjoining the lease premises.
2. Applicants are applying for a General Lease-Recreational Use for the retention, use, and maintenance of one existing mooring buoy. The existing mooring buoy has not been previously authorized by the Commission. However, the Applicants obtained a Tahoe Regional Planning Agency mooring buoy permit on September 11, 2009. Staff is recommending approval of the retention of the existing mooring buoy within the lease premises.

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3. Applicants do not qualify for rent-free status pursuant to Public Resource Code section 6503.5 because the littoral land is not 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), 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.

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 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 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.

**AUTHORIZATION:**

Authorize issuance of a General Lease - Recreational Use to Marc Kenneth Roos and Katherine Cotsworth Roos, Trustees of The Roos Family Revocable Living Trust Agreement dated June 22, 2005, beginning June 28, 2010, for a term of ten years, for the retention, use, and

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maintenance of one existing mooring buoy as shown on Exhibit A attached and by this reference made a part hereof; annual rent in the amount of \$340, with the State reserving the right to fix a different rent periodically during the lease term as provided in the lease; and liability insurance in the amount of no less than \$1,000,000.