

**CALENDAR ITEM
C13**

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06/01/09
WP 6715.9
B. Terry

RECREATIONAL PIER LEASE

APPLICANTS:

Victoria F. Leonard; Scott Hedrick, Corinne Hedrick; W. Michael Schoff; and Susan Schoff

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 1370 and 1380 West Lake Boulevard, near Sunnyside, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing joint-use pier with three boat slips and one mooring buoy as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning September 1, 2008.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

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

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. On December 16, 1998, the Commission authorized a ten-year Recreational Pier Lease with Scott Hedrick, Corinne Hedrick, W. Michael Schoff, Susan Schoff and Victoria F. Leonard for a joint-use pier and three mooring buoys. That lease expired on August 31, 2008. Applicants are now applying for a new Recreational Pier Lease for a joint-use pier, but only one mooring buoy.
3. Victoria F. Leonard owns littoral parcel APN 083-162-030 and Scott and Corinne Hedrick, and W. Michael and Susan Schoff own the neighboring

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littoral parcel APN 083-162-035. Both parcel owners have shared use and ownership of the joint-use pier pursuant to a pier agreement recorded in 1988. The pier agreement is a result of the location of the pier where the foot of the pier originates from the Leonard parcel and as it projects into Lake Tahoe is located lakeward of both parcels. In addition to ownership in the joint-use pier, the Hedrick/Schoff parcel includes a separate single use pier authorized under PRC 6716.9.

4. The three mooring buoys previously authorized under PRC 6715.9 are not shared or a part of the 1988 pier agreement. Two of the three mooring buoys are owned and used by the Hedrick/Schoffs and are located lakeward of their parcel, (APN 083-162-035). Both parcel owners have now agreed that the two buoys owned by the Hedrick/Schoffs be included in PRC 6716.9 which has expired and will be brought before the Commission for consideration concurrently with this item. The Tahoe Regional Planning Agency issued a permit for the three buoys in June 1993 and all three buoys are identified with both parcels.
5. 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.
6. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), staff 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.

7. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon 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.

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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 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 TEN-YEAR RECREATIONAL PIER LEASE TO VICTORIA F. LEONARD; SCOTT HEDRICK, CORINNE HEDRICK; W. MICHAEL SCHOFF; AND SUSAN SCHOFF, BEGINNING SEPTEMBER 1, 2008, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING JOINT-USE PIER WITH THREE BOAT SLIPS AND 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 \$1,000,000.