

**CALENDAR ITEM  
C09**

A 4  
S 1

10/20/05  
PRC 3616 WP 3616.9  
R. Barham

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Janice V. Lawler and Gregory Thelen, Trustee of the William H. Lawler  
Residence Trust Dated April 25, 2000.

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

Sovereign lands in Lake Tahoe, near Tahoe City, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier with boat hoist and one  
mooring buoy previously authorized by the Commission and the retention of one  
mooring buoy not previously authorized by the Commission as shown on the  
attached Exhibit A.

**LEASE TERM:**

Ten years, beginning July 24, 2005.

**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 \$300,000.

Other:

This lease is conditioned on the Applicant obtaining authorization from the  
Tahoe Regional Planning Agency (TRPA) for the mooring buoys within  
two years after the adoption of the Lake Tahoe Shorezone Amendments-  
Draft Environmental Impact Statement (EIS) and approval of the  
ordinances based on the EIS.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland property adjoining the lease premises.

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2. On October 17, 1995, the Commission authorized a Recreational Pier Lease with William H. Lawler and Jancie V. Lawler. That lease expired on October 16, 2005. The property ownership has since transferred to Janice V. Lawler and Gregory Thelen, Trustee of the William H. Lawler Residence Trust, Dated April 25, 2000, who are now applying for a new Recreational Pier Lease. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.

3. **Existing Pier with Boat Hoist 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 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.

4. **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 the 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 the staff's opinion that the project, as proposed, is consistent with its use classification.

**APPROVALS REQUIRED:**

**Buoys:** Tahoe Regional Planning Agency

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**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

**EXISTING PIER WITH BOAT HOIST AND ONE MOORING BUOY:** 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).

**ONE ADDITIONAL MOORING BUOY:** 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 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.

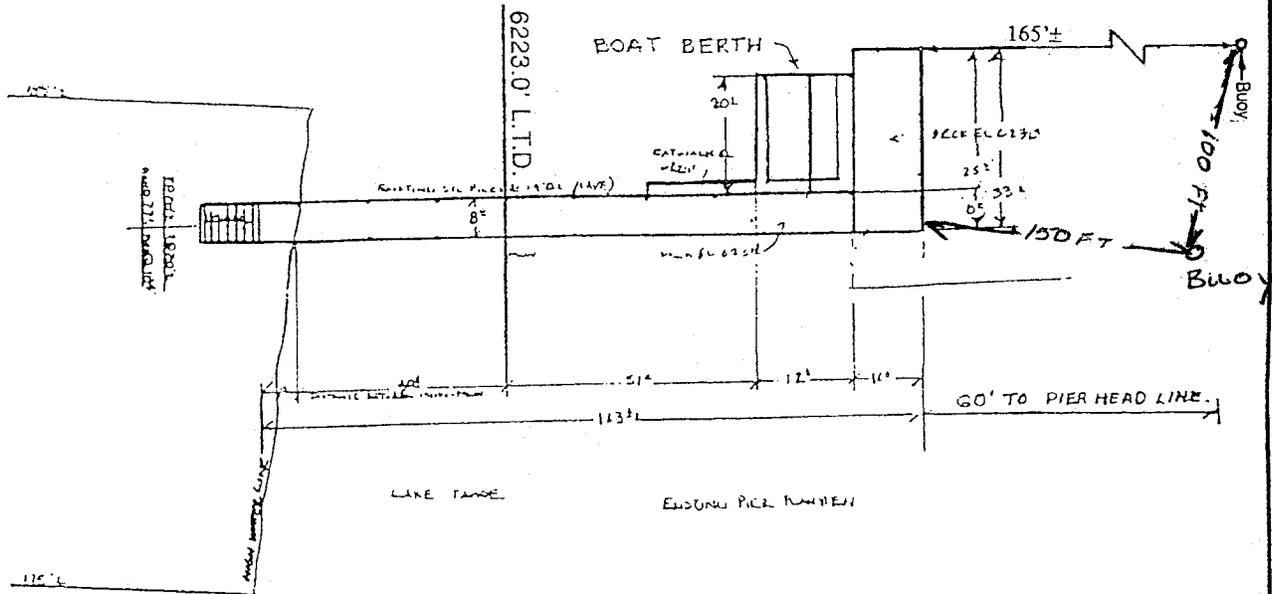
**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO JANICE V. LAWLER AND GREGORY THELEN, TRUSTEE OF THE WILLIAM H. LAWLER RESIDENCE TRUST, DATED APRIL 25, 2000, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JULY 24, 2005, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER WITH BOAT HOIST AND ONE EXISTING MOORING BUOY PREVIOUSLY AUTHORIZED BY THE COMMISSION AND THE RETENTION OF ONE ADDITIONAL MOORING BUOY NOT PREVIOUSLY AUTHORIZED BY THE COMMISSION ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE

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SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO  
LESS THAN \$300,000.

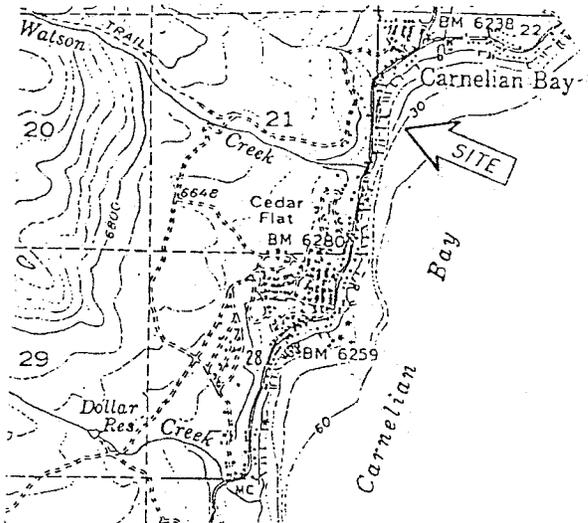
# Lake Tahoe



4838 N. Lake Blvd.

NO SCALE

## LOCATION MAP

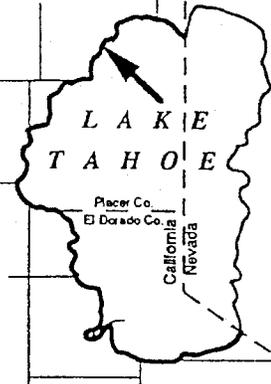


Lake Tahoe

NO SCALE

## EXHIBIT "A"

PRC 3616.9  
 APN 115 - 060 - 07  
 Lake Tahoe  
 PLACER COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, 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.