

**CALENDAR ITEM
C09**

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02/05/07
B. Terry
PRC 3940.9

RECREATIONAL PIER LEASE

APPLICANTS:

Winifred Brady Noble and Union Bank of California, Co-Trustees of the Charles Noble Trust Dated July 13, 1992, and Winifred Brady Noble, Trustee of the Winifred Brady Noble 2001 Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Emerald Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and covered boat hoist as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning September 23, 2006.

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 PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On August 26, 1997, the Commission authorized a Recreational Pier Lease with Morris Noble M.D. and Morris Noble and Union Bank of California, Trustees of the Charles Noble Trust. That lease expired on September 22, 2006. The upland property ownership has since transferred to Winifred Brady Noble and Union Bank of California, Co-Trustees of the Charles Noble Trust Dated July 13, 1992, and Winifred

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Brady Noble, Trustee of the Winifred Brady Noble 2001 Trust. Applicants are now applying for a new Recreational Pier Lease.

3. The Trustees qualify for a Recreational Pier Lease because the beneficiary's are natural persons who have improved the littoral land with, and use the upland for, 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), 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.

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.

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

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LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO WINIFRED BRADY NOBLE AND UNION BANK OF CALIFORNIA, CO-TRUSTEES OF THE CHARLES NOBLE TRUST DATED JULY 13, 1992, AND WINIFRED BRADY NOBLE, TRUSTEE OF THE WINIFRED BRADY NOBLE 2001 TRUST OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING SEPTEMBER 23, 2006, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND COVERED BOAT HOIST 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; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.