

**CALENDAR ITEM
C03**

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06/24/08
WP 5527.9
N. Lee

RECREATIONAL PIER LEASE

APPLICANTS:

Claburn Niven Jones and Joan Leverington Jones as Trustees of the Jones Family Trust dated March 13, 2007; Nena Jones Brogan, Trustee, of the Brogan Living Trust dated November 1, 1984; Edgar Mark Jones, Trustee, of the Jones Family Trust, dated October 26, 1997; Claburn Jones and Dougal Jones, Co-Trustees of the Linda Jones Falk Bypass Trust U/A/D March 28, 2000

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 2510 West Lake Boulevard, near Homewood, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and one mooring buoy and the retention of an existing boat lift as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning April 12, 2008.

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 PERTINENT INFORMATION:

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

2. On June 19, 1998, the Commission authorized a Recreational Pier Lease with Claburn Halsted Jones and Margaret Dougal Kirsopp Jones as Trustees of the Jones Family Trust of January 27, 1983, and Claburn Niven Jones, Nena Jones Brogan, Edgar Mark Jones, and Linda Jones Falk as Tenants in Common. That lease expired on April 11, 2008. The

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upland property has since been deeded to Claburn Niven Jones and Joan Leverington Jones as Trustees of the Jones Family Trust dated March 13, 2007; Nena Jones Brogan, Trustee, of the Brogan Living Trust dated November 1, 1984; Edgar Mark Jones, Trustee, of the Jones Family Trust, dated October 26, 1997; Claburn Jones and Dougal Jones, Co-Trustees of the Linda Jones Falk Bypass Trust U/A/D March 28, 2000. Applicants are now applying for a new Recreational Pier Lease.

3. 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.
4. **Pier and 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.

5. **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 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)(1).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

6. 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

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RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER AND 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).

BOAT LIFT: 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)(1).

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 CLABURN NIVEN JONES AND JOAN LEVERINGTON JONES AS TRUSTEES OF THE JONES FAMILY TRUST DATED MARCH 13, 2007; NENA JONES BROGAN, TRUSTEE, OF THE BROGAN LIVING TRUST DATED NOVEMBER 1, 1984; EDGAR MARK JONES, TRUSTEE, OF THE JONES FAMILY TRUST, DATED OCTOBER 26, 1997; CLABURN JONES AND DOUGAL JONES, CO-TRUSTEES OF THE LINDA JONES FALK BYPASS TRUST U/A/D MARCH 28, 2000, BEGINNING APRIL 12, 2008, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND ONE MOORING BUOY 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; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$500,000.