**CALENDAR ITEM**

# C06

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| A | 1 | 10/16/08 |
| | | WP 5579.9 |
| S | 4 | C. Hudson |

## RECREATIONAL PIER LEASE

**APPLICANTS:**

George Lapins and Velta Lapins, Trustees of the Lapins Family Trust dated January 5, 1999, and Velta Akmentins, as Successor Trustee of the Robert Seisums 1997 Trust, created by Declaration of Trust dated March 6, 1997

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

Sovereign lands in Lake Tahoe, adjacent to 6924 Pomin Avenue, near Tahoma, Placer County.

**AUTHORIZED USE**:

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

**LEASE TERM**:

Ten years, beginning October 26, 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:

The lease contains a provision which requires the Applicants to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy within two years after the adoption of the Lake Tahoe Shorezone Amendments-Final Environmental Impact Statement (FEIS) and approval of the ordinances based on the FEIS.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.

2. On December 16, 1998, the Commission authorized a Recreational Pier Lease with Robert Seisums, George Lapins and Velta Lapins. That lease will expire on October 25, 2008. The upland property has since been deeded to George Lapins and Velta Lapins, Trustees of the Lapins Family Trust dated January 5, 1999 and Velta Akmentins, as SuccessorTrustee of the Robert Seisums 1997 Trust, created by Declaration of Trust dated March 6, 1997. The Applicants are now applying for a new Recreational Pier Lease. The boat hoist has existed at the site for years, but was not previously authorized by the Commission.

3. The 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 Hoist:** 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.

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.

**APPROVAL REQUIRED:**

Buoy: Tahoe Regional Planning Agency

**EXHIBIT:**

A. Site and Location Map

**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 HOIST:** 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.

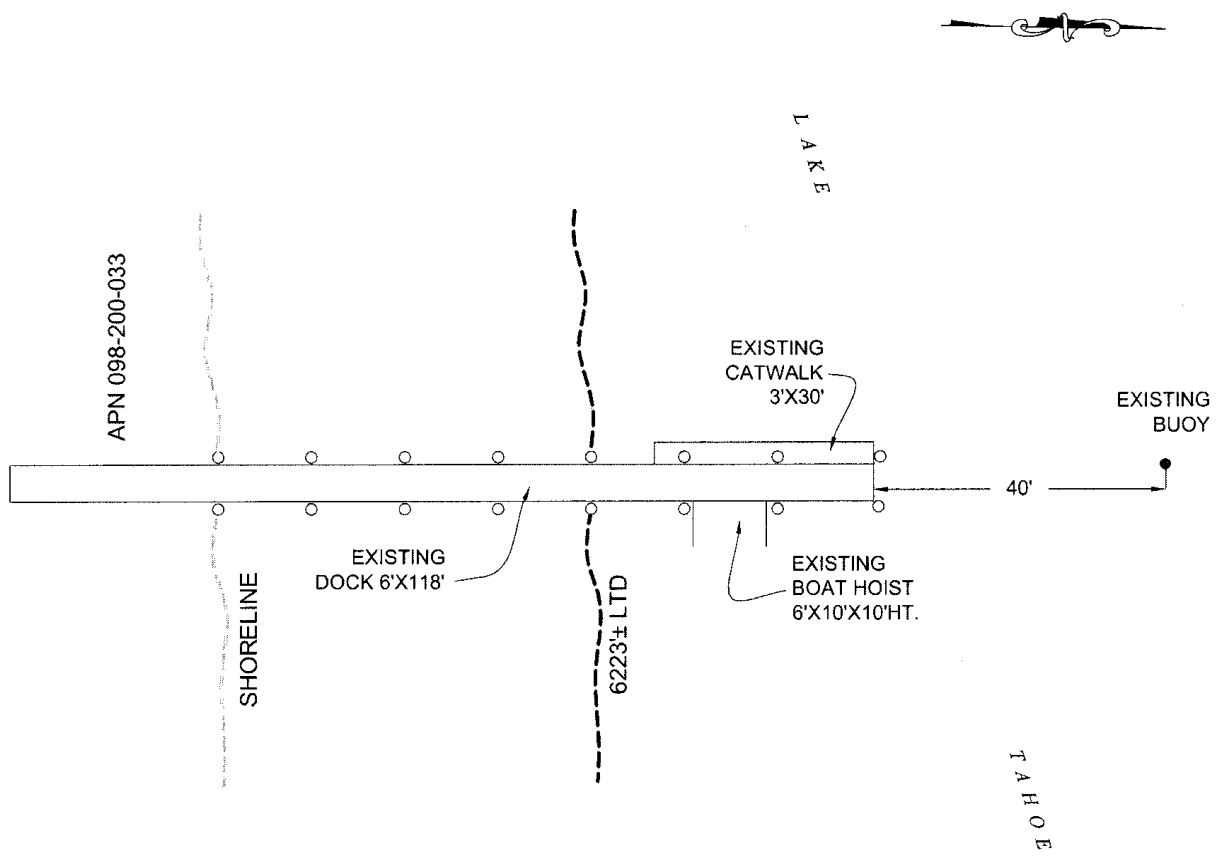
**AUTHORIZATION:**

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO GEORGE LAPINS AND VELTA LAPINS, TRUSTEES OF THE LAPINS FAMILY TRUST DATED JANUARY 5, 1999 AND VELTA AKMENTINS, AS SUCCESSOR TRUSTEE OF THE ROBERT SEISUMS 1997 TRUST, CREATED BY DECLARATION OF TRUST DATED MARCH 6, 1997, BEGINNING OCTOBER 26, 2008, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND MOORING BUOY AND THE RETENTION OF AN EXISTING 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 $500,000.

NO SCALE

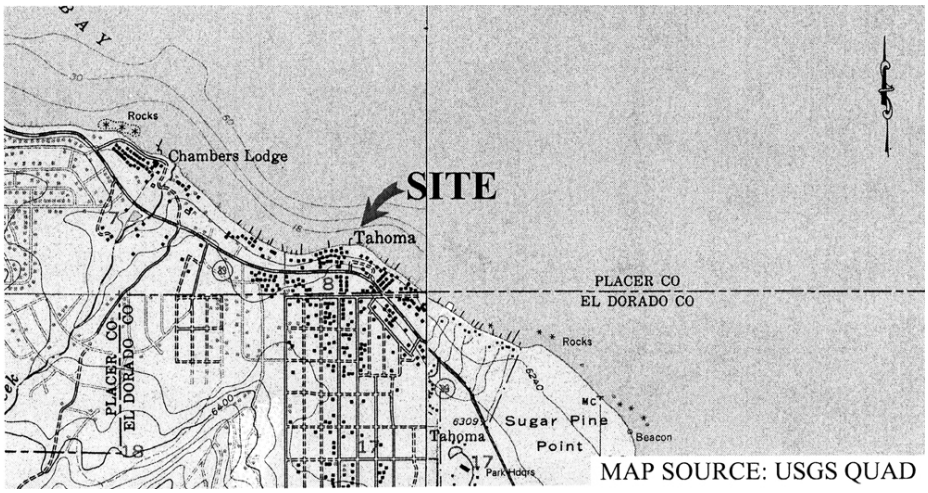
## SITE




6924 POMIN AVENUE, NEAR TAHOMA

NO SCALE

## LOCATION

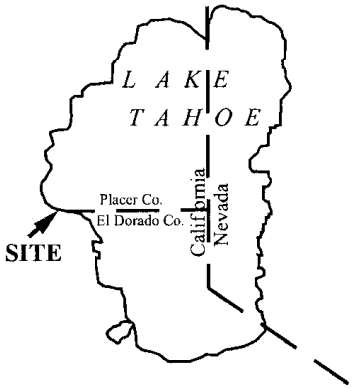



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.

# Exhibit A

WP 5579.9
LAPINS
APN 098-200-033
RECREATIONAL PIER LEASE
PLACER COUNTY




MJ/ 08-2008