CALENDAR ITEM

C10

A 4 01/29/09

WP 7182.9

S 1 N. Lee

RECREATIONAL PIER LEASE

APPLICANTS:

Michael Alan Jonsson; Robert Erik Jonsson; Margaret Anne Jonsson Sedillo; and David Mark Jonsson and Joyce Spilman Jonsson, Trustees of the Jonsson Family Trust uta dated April 1, 1994

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 7741 Emerald Bay Road, near Meeks Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and two mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 6, 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 buoys 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 property adjoining the lease premises.

2. On June 19, 1998, the Commission authorized a Recreational Pier Lease with Kenneth A. Jonsson, Trustee of the Kenneth A. Jonsson Qualified Personal Residence Trust dated December 30, 1992, and Diana G. Jonsson, Trustee of the Diana G. Jonsson Qualified Personal Residence Trust dated December 30, 1992. That lease expired on April 11, 2008. The littoral property was subsequently deeded to David Mark Jonsson, Michael Alan Jonsson, Robert Erik Jonsson, and Margaret Anne Jonsson Sedillo. On August 6, 2008, David Mark Jonsson deeded his interest to David Mark Jonsson and Joyce Spilman Jonsson, Trustees of the Jonsson Family Trust uta dated April 1, 1994. The 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. 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.

APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency

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:

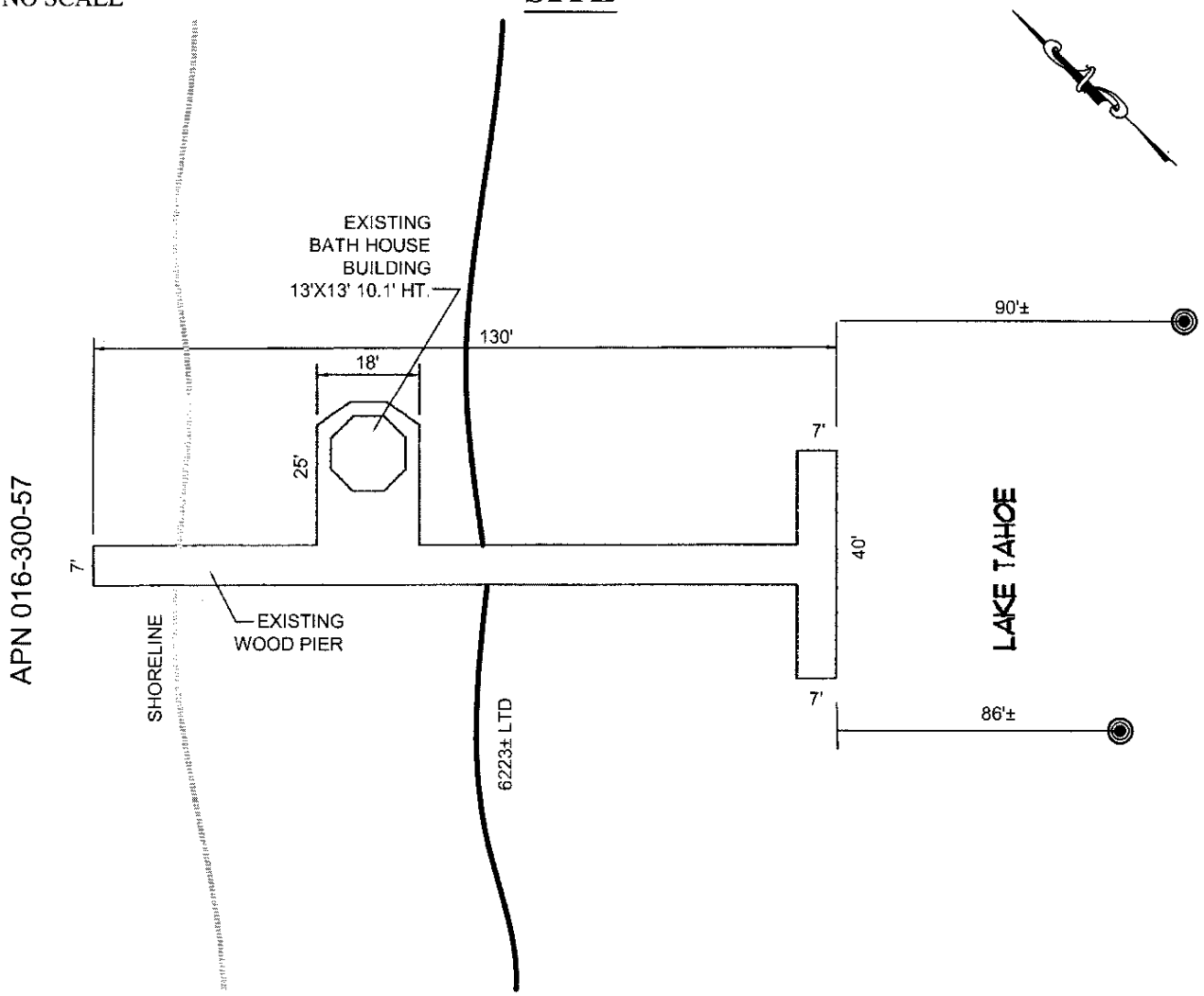
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE, TO MICHAEL ALAN JONSSON; ROBERT ERIK JONSSON; MARGARET ANNE JONSSON SEDILLO; AND DAVID MARK JONSSON AND JOYCE SPILMAN JONSSON, TRUSTEES OF THE JONSSON FAMILY TRUST UTA DATED APRIL 1, 1994, BEGINNING AUGUST 6, 2008, FOR THE CONTINUED USE AND MAINTENANCE OF A PIER AND TWO MOORING BUOYS 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 $500,000.

NO SCALE

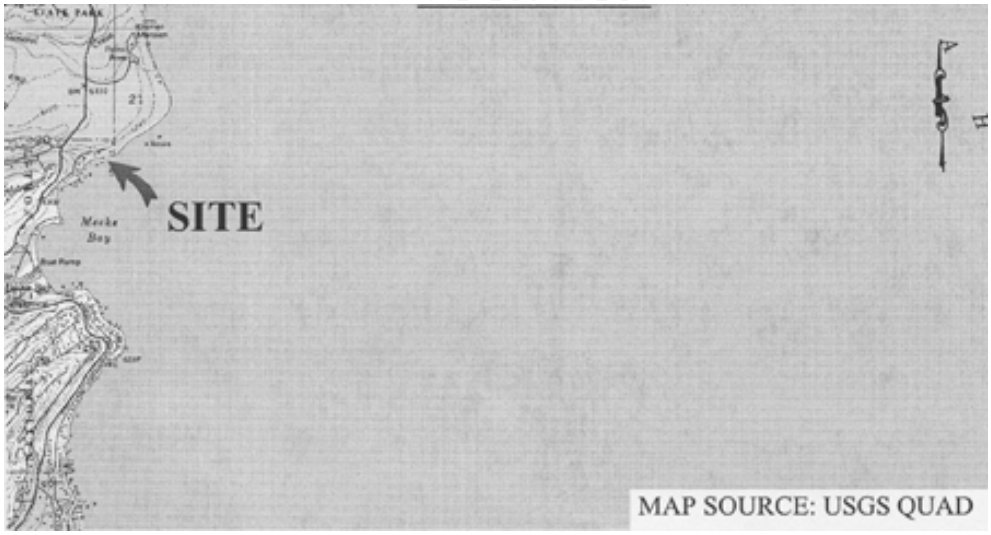
SITE



7741 EMERALD BAY ROAD, MEEKS BAY

NO SCALE

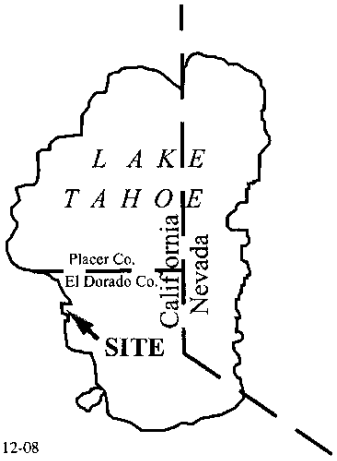
LOCATION



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 7182
JONSSON
APN 016-300-57
RECREATIONAL PIER LEASE
EL DORADO COUNTY



MJ/ 12-08