CALENDAR ITEM

C02

A 4 10/22/09

WP 7746.9

S 1 R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

William G. Robinson and Donald A. Wells, Jr., as Trustees of the 1991 Tahoe Irrevocable Trust dated July 24, 1991; Donald A. Wells, Jr.; Kathleen Wells LaLonde or her successor(s), Trustee of the Kathleen W. LaLonde 2006 Revocable Trust Agreement dated 11-16-2006, as amended; and Debbie Baker

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 48 Moana Circle, Homewood, Placer County.

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning March 8, 2009.

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:

This lease contains a provision which requires the Applicants to obtain authorization from the Tahoe Regional Planning Agency 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 land adjoining the lease premises.

2. On June 14, 1999, the Commission authorized a Recreational Pier Lease with Donald A. Wells, Trustee under the Donald A. Wells Revocable Inter Vivos Trust Agreement dated September 19, 1988 and William G. Robinson, Trustee of the 1991 Tahoe Irrevocable Trust Agreement dated July 24, 1991. That lease expired on March 7, 2009. The upland property has now been transferred to William G. Robinson and Donald A. Wells, Jr., as Trustees of the 1991 Tahoe Irrevocable Trust dated July 24, 1991; Kathleen Wells LaLonde or her successor(s), Trustee of the Kathleen W. LaLonde 2006 Revocable Trust Agreement dated 11-16-2006, as amended; and Debbie Baker. 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), 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:

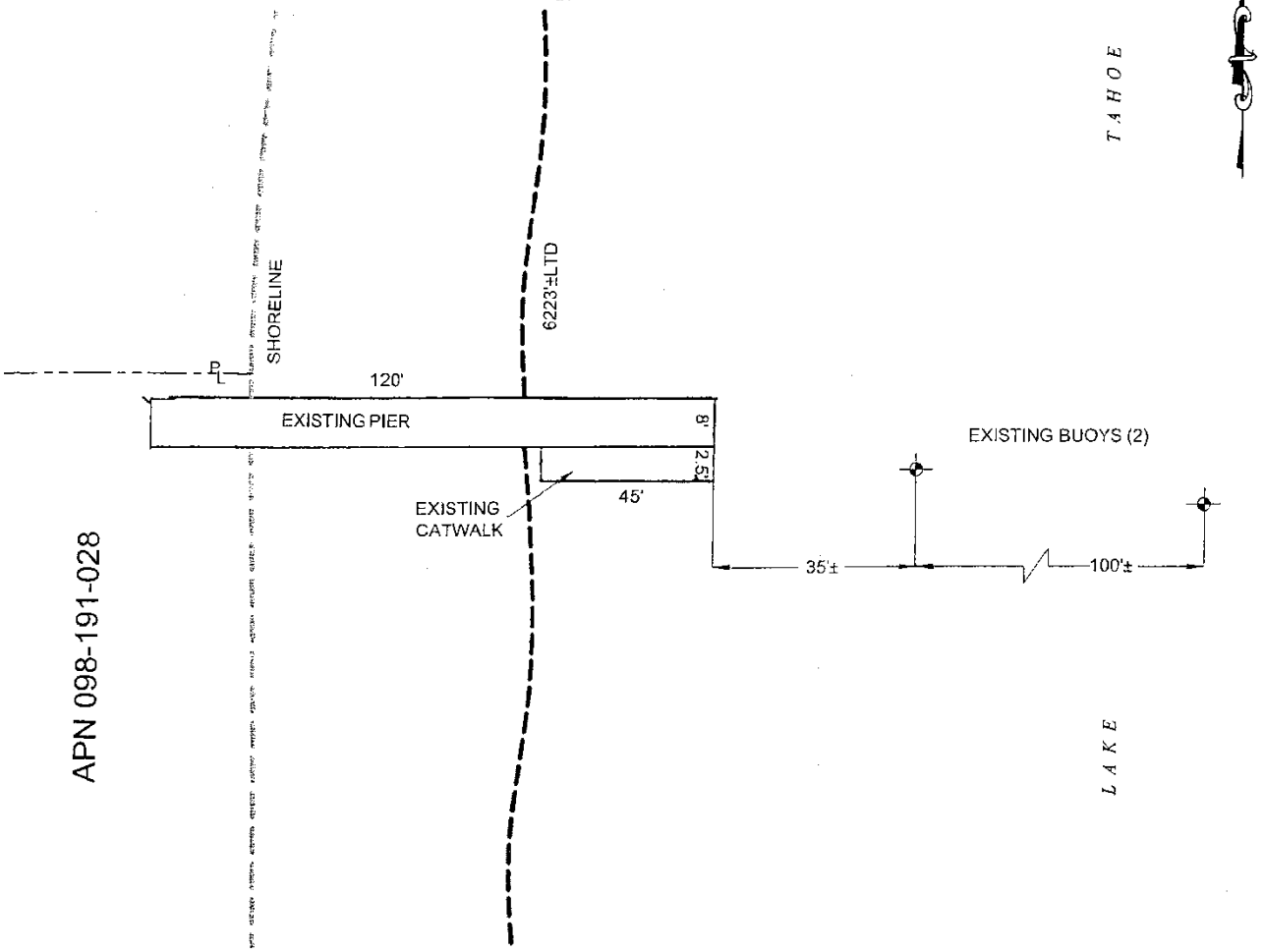
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO WILLIAM G. ROBINSON AND DONALD A. WELLS, JR., AS TRUSTEES OF THE 1991 TAHOE IRREVOCABLE TRUST, DATED JULY 24, 1991; DONALD A. WELLS, JR.; KATHLEEN WELLS LALONDE OR HER SUCCESSOR(S), TRUSTEE OF THE KATHLEEN W. LALONDE 2006 REVOCABLE TRUST AGREEMENT DATED 11-16-2006, AS AMENDED; AND DEBBIE BAKER, BEGINNING MARCH 8, 2009, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND TWO MOORING BUOYS 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

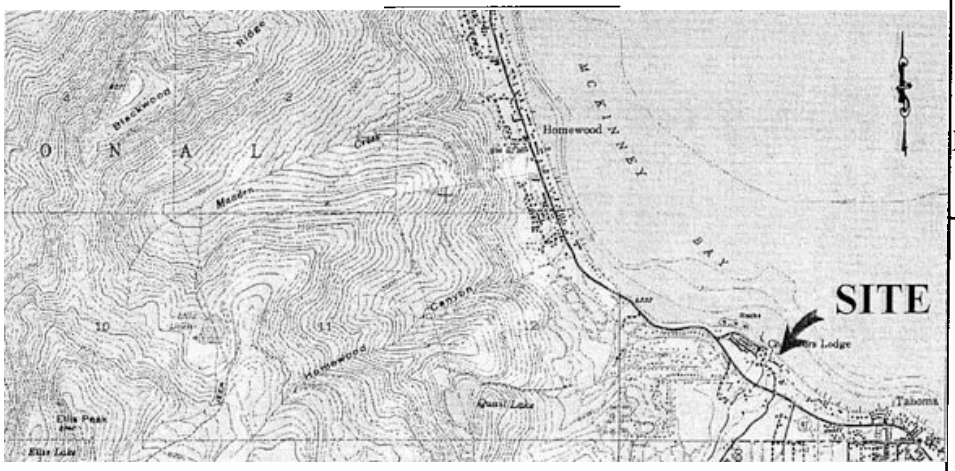
SITE



48 MOANA CIRCLE, HOMEWOOD

NO SCALE

LOCATION

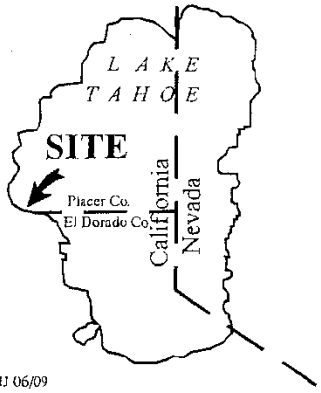


MAP SOURCE: USGS QUAD

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

PRC 7746.9
WELLS
APN 098-191-028
RECREATIONAL PIER LEASE
PLACER COUNTY



MJ 06/09