CALENDAR ITEM

C03

A 4 12/17/09
W 26096
S 1 R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

Leonard Shaw and Judith B. Shaw, Trustees of the Leonard and Judith B. Shaw Trust, UTA dated May 3, 2000; Laurence J. Shaw; Daniel Shaw; Suzanne D. Hirsch nee Shaw; and Amy Silen Loebl, aka Amy Nan Loebl

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 7750 North Lake Boulevard, near Kings Beach, Placer County.

AUTHORIZED USE:

Retention of two existing mooring buoys as shown on Exhibit A.

LEASE TERM:

Ten years beginning December 17, 2009.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than $500,000.

OTHER PERTINENT INFORMATION:

1. Applicants submitted an application for a Recreational Pier Lease on July 7, 2005 for the retention of two existing mooring buoys. Upon further investigation, Commission staff found that the Applicants did not own the intervening lakefront parcel, which was then owned by Placer County (County). On September 18, 2008, the intervening parcel was quitclaimed to the Applicants by the County. On September 9, 2009, the Tahoe Regional Planning Agency issued a permit for the two buoys.

2. 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.

3. 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 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.

4. 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 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.

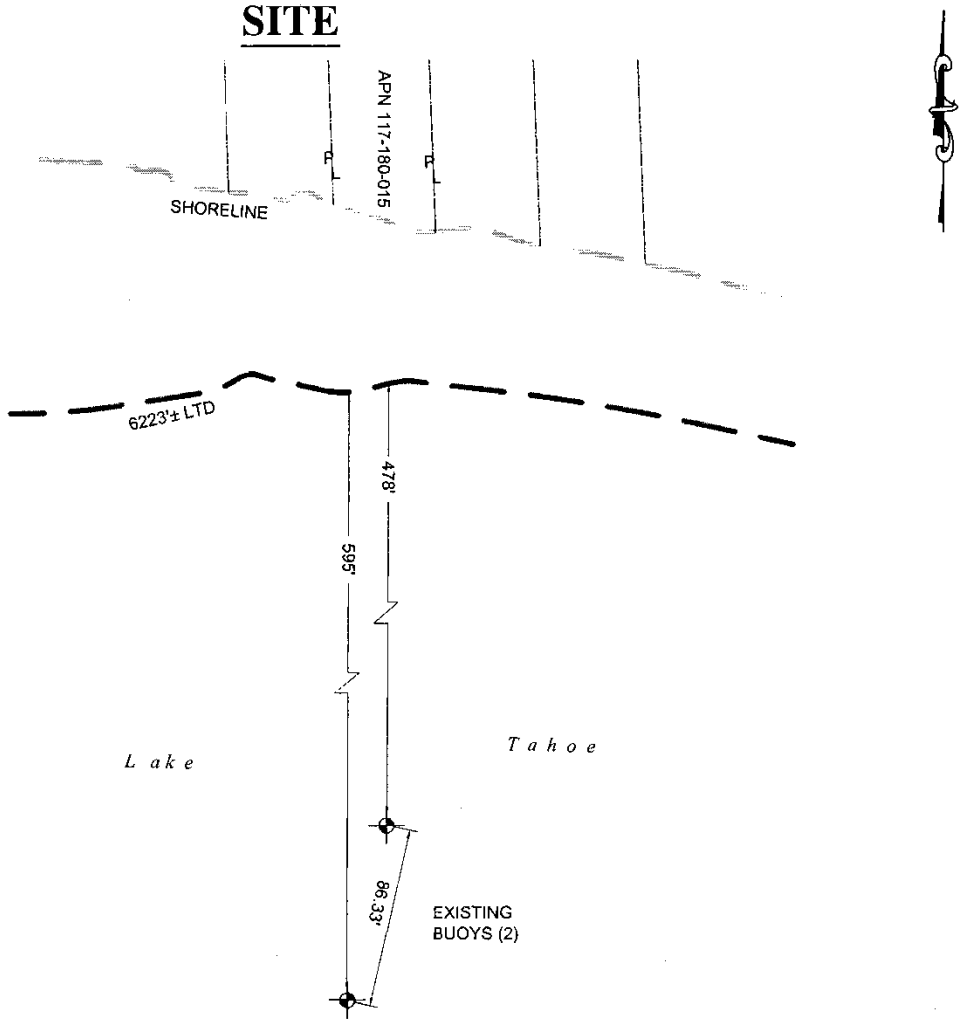
AUTHORIZATION:

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO LEONARD SHAW AND JUDITH B. SHAW, TRUSTEES OF THE LEONARD AND JUDITH B. SHAW TRUST, UTA DATED MAY 3, 2000; LAURENCE J. SHAW; DANIEL SHAW; SUZANNE D. HIRSCH NEE SHAW; AND AMY SILEN LOEBL AKA AMY NAN LOEBL,

BEGINNING DECEMBER 17, 2009, FOR THE RETENTION OF TWO EXISTING 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

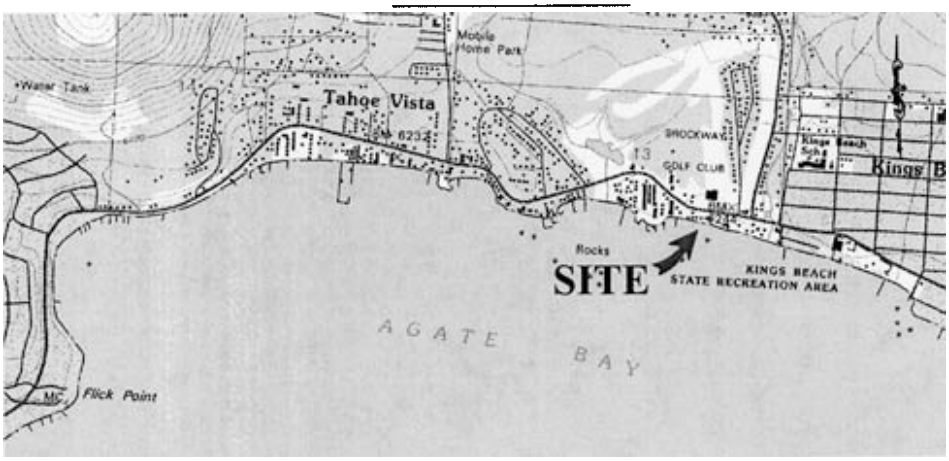
SITE



7750 NORTH LAKE BLVD., TAHOE VISTA

NO SCALE

LOCATION

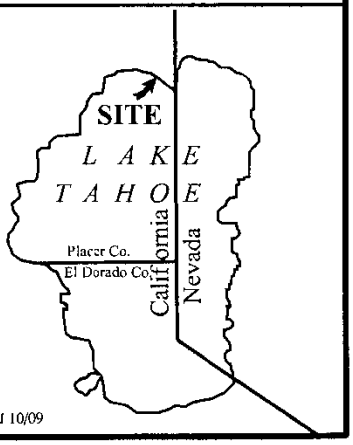


MAP SOURCE: USGS QUAD

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

W 26096
SHAW
APN 117-180-015
RECREATIONAL PIER LEASE
PLACER COUNTY



MJJ 10/09