

**CALENDAR ITEM
C01**

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02/01/10
WP 3132.9
R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

Jim Stehr and Danya Stehr, as Trustees for The Stehr 2000 Revocable Trust;
Jo'anne N. Zschokke, as Trustee of the Phillip B. and Jo'anne N. Zschokke
Revocable Intervivos Trust, Under Trust Agreement dated December 15, 1999;
and Audrey Nigh Protiva

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 2895 West Lake Boulevard, near
Sunnyside, Placer County.

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning June 27, 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 own the uplands adjoining the lease premises.
2. On December 3, 1999, the Commission authorized a Recreational Pier Lease with Sam H. Nigh Jr., Trustee for the Sam H. Nigh and Audrey I. Nigh Revocable Living Trust Dated April 28, 1988. That lease expired on June 26, 2009. The upland property has since been transferred to Jim Stehr and Danya Stehr, as Trustees for The Stehr 2000 Revocable Trust; Jo'anne N. Zschokke, as Trustee of the Phillip B. and Jo'anne N. Zschokke Revocable Intervivos Trust, Under Trust Agreement dated

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December 15, 1999; and Audrey Nigh Protiva. 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. The two mooring buoys were permitted by the Tahoe Regional Planning Agency on July 31, 2009.
5. Pursuant to the Commission's delegation of authority and State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), staff has determined that this activity is exempt from the requirements of 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.

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 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 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.

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AUTHORIZATION:

Authorize issuance of a ten-year Recreational Pier Lease to Jim Stehr and Danya Stehr, as Trustees for The Stehr 2000 Revocable Trust; Jo'anne N. Zschokke, as Trustee of the Phillip B. and Jo'anne N. Zschokke Revocable Intervivos Trust, Under Trust Agreement dated December 15, 1999; and Audrey Nigh Protiva, beginning June 27, 2009, for the continued use and maintenance of an existing pier, boathouse, 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.