CALENDAR ITEM

C18

A 4 06/28/10

WP 3621.9

S 1 B. Terry

RECREATIONAL PIER LEASE

APPLICANT:

Edmund H. Shea, III, as Trustee of the Amended and Restated Mary Shea Tahoe Pines Qualified Personal Residence Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 3640 Idlewild Way, near Homewood, Placer 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 June 28, 2010.

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. Applicant owns the upland property adjoining the lease premises

2. On April 6, 1994, the Commission authorized a Recreational Pier Permit with Edmund H. and Mary Shea. That lease expired on March 23, 1998. The upland property had a series of family ownership transfers and was last deeded to the Applicant, Edmund H. Shea, III, Trustee of the Amended and Restated Mary Shea Tahoe Pines Qualified Personal Residence Trust. Applicant is now applying for a new Recreational Pier Lease.

3. The previously approved Recreational Pier Permit authorized a pier, boat lift, and two mooring buoys. However, the boat lift was never installed and is not part of the new lease application. The Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who owns 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 May 8, 2010.

5. 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 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 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 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:

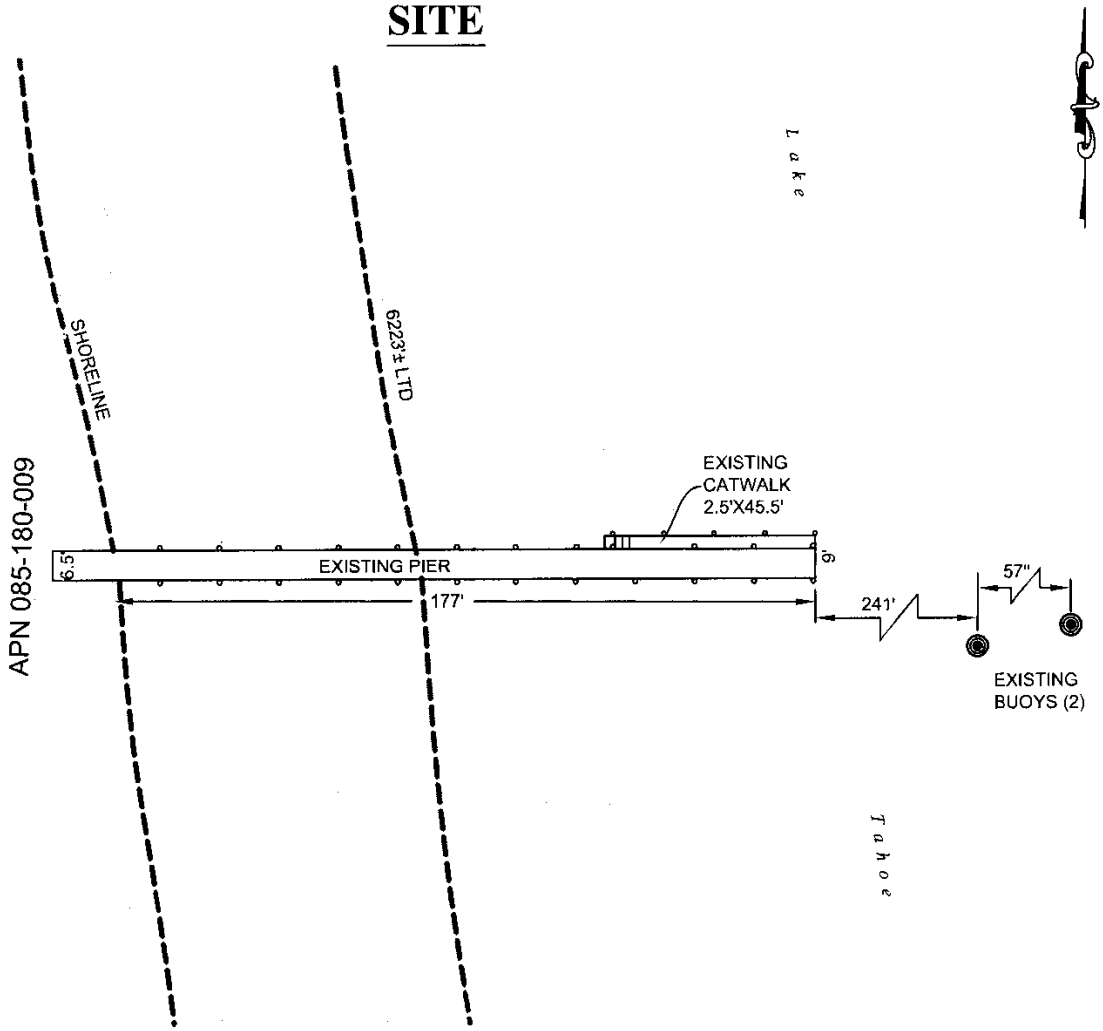
Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

AUTHORIZATION:

Authorize issuance of a ten-year Recreational Pier Lease to Edmund H. Shea, III, as Trustee of the Amended and Restated Mary Shea Tahoe Pines Qualified Personal Residence Trust, beginning June 28, 2010, for the continued use and maintenance of an existing 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

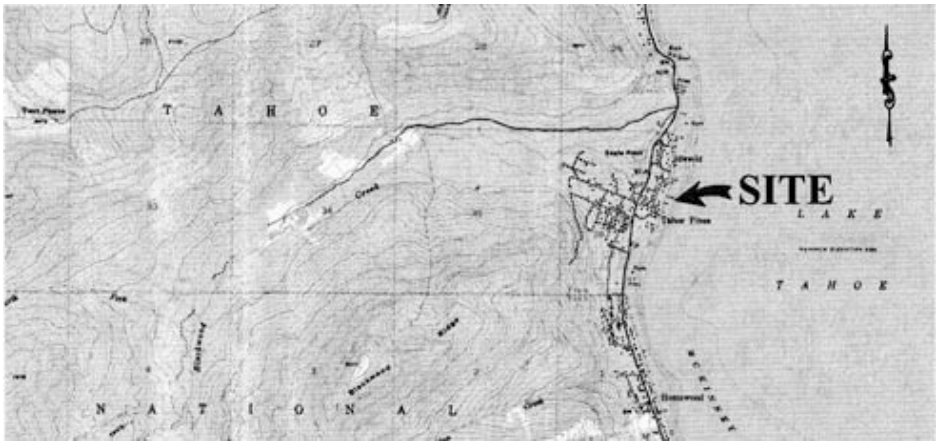
SITE



3640 IDLEWILD WAY, NEAR HOMEWOOD

NO SCALE

LOCATION

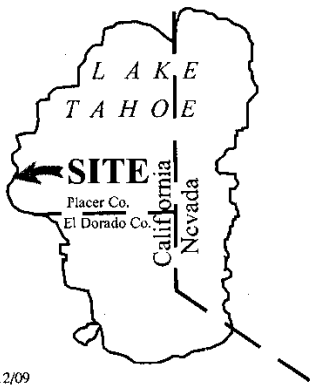


MAP SOURCE: USGS QUAD

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

WP 3621.9
SHEA
APN 085-180-009
RECREATIONAL PIER LEASE
PLACER COUNTY



MJJ 12/09