

**CALENDAR ITEM
C04**

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S 1

06/28/10
WP 7613.9
R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

The Alexander and Margaret Sue Villicana Family Trust, established February 1, 1977, Alexander Villicana and Margaret Sue Villicana, Trustees

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8527 Meeks Bay Avenue, near Meeks Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, and two mooring buoys as shown on 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. Applicants own the uplands adjoining the lease premises.
2. On June 19, 1998, the Commission authorized a Recreational Pier Lease with Alexander and Margaret Villicana. That lease expired on March 1, 2007. The upland property has been deeded to The Alexander and Margaret Sue Villicana Family Trust, established February 1, 1977, Alexander Villicana and Margaret Sue Villicana, Trustees. Applicants are now applying for a new Recreational Pier Lease.
3. The two mooring buoys and the boat lift were permitted by the Tahoe Regional Planning Agency on November 17, 2009. Applicants qualify for

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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 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 staff's consultation with the persons nominating such lands and through the CEQA review process, it is 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 The Alexander and Margaret Sue Villicana Family Trust, established February 1, 1977, Alexander Villicana and Margaret Sue Villicana, Trustees, beginning June 28, 2010, for the continued use and maintenance of an existing pier, boat lift, and two mooring buoys shown

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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.