

**CALENDAR ITEM  
C02**

A	4	08/20/10
S	1	WP 8457.9 R. Barham

**TERMINATION AND ISSUANCE OF A RECREATIONAL PIER LEASE**

**LESSEES:**

Victor Metas and Shirley Metas; and William W. Reinhard, as Trustee of the William W. Reinhard Trust created by Revocable Living Trust Agreement dated March 8, 1993

**APPLICANTS:**

Victor Metas and Shirley Metas; William W. Reinhard; Norma T. Calonico; and Susan Scannell

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Lake Tahoe, adjacent to 6010 and 6020 North Lake Boulevard, near Agate Bay, Placer County.

**AUTHORIZED USE:**

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

**LEASE TERM:**

Ten years, beginning, August 20, 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 \$1,000,000.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland properties adjoining the lease premises.
2. On May 10, 2007, the Commission authorized a Recreational Pier Lease with Victor Metas and Shirley Metas, and William W. Reinhard, as Trustee of the William W. Reinhard Trust created by Revocable Living Trust Agreement dated March 8, 1993. That lease will expire on

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October 11, 2016. On November 19, 2007, title to the upland property (APN 117-020-019) owned by William W. Reinhard, as Trustee of the William W. Reinhard Trust created by Revocable Living Trust Agreement dated March 8, 1993, transferred to William W. Reinhard, Norma T. Calonico, and Susan Scannell. The Applicants are now applying for a new Recreational Pier Lease.

3. Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who own the littoral land that is improved with a single-family dwelling.
4. The two existing mooring buoys adjacent to APN 117-020-019 (Reinhard, Calonico, and Scannell) were permitted by the Tahoe Regional Planning Agency (TRPA) on October 9, 2009. The two existing mooring buoys adjacent to APN 117-020-020 (Metas) were permitted by the TRPA on September 25, 2009.
5. **Termination of Existing Lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of CEQA because it is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

6. **Issuance of New Lease:** 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.

7. 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.

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**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

**Termination of Existing Lease:** Find that the activity is not subject to the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15060(c)(3) because the activity is not a project as defined by Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

**Issuance of New Lease:** 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:**

1. Authorize termination, effective August 19, 2010, of Lease No. PRC 8457.9, a Recreational Pier Lease, issued to Victor Metas and Shirley Metas; and William W. Reinhard, as Trustee of the William W. Reinhard Trust created by Revocable Living Trust Agreement dated March 8, 1993.
2. Authorize issuance of a ten-year Recreational Pier Lease to Victor Metas and Shirley Metas; William W. Reinhard; Norma T. Calonico; and Susan Scannell, beginning August 20, 2010, for the continued use and maintenance of an existing joint-use pier and four 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 \$1,000,000.