

MINUTE ITEM

This Calendar Item No. C11 was approved as Minute Item No. 11 by the California State Lands Commission by a vote of 2 to 0 at its 12-8-05 meeting.

**CALENDAR ITEM
C11**

A	4		12/08/05
		PRC 5491	WP 5491.9
S	1		R. Barham

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

LESSEES:

Dale Marcellini and Quido B. Mariani and Virginia Mariani, Trustees of the Mariani Family 1992 Revocable Trust

APPLICANTS:

Richard Ghilotti and Nancy Ghilotti and Dale L. Marcellini and Jill A. Marcellini, Co-Trustees, or any successor Trustee, of the Dale L. Marcellini and Jill A. Marcellini Revocable Living Trust, executed on November 1, 2005

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Tahoe Pines, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing joint-use pier and the retention of three existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning December 1, 2005.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$300,000.

Other:

This lease is conditioned on the Applicants obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

CALENDAR ITEM NO. C11 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicants own the upland property adjoining the lease premises.
2. On February 2, 1997, the Commission authorized a ten-year Recreational Pier Lease with Quido B. Mariani and Virginia Mariani, Trustees of the Mariani Family 1992 Revocable Trust and Kermit Lane and Georgie Jean Lane, Trustees of the Lane Family Trust of 1990, U.D.T. dated October 17, 1990. On April 20, 2000, the Commission authorized the Assignment of Lease from Georgie Jean Lane to Dale Marcellini. That lease will expire on December 1, 2006. The property ownership has since transferred to Richard Ghilotti and Nancy Ghilotti and Dale L. Marcellini and Jill A. Marcellini, Co-Trustees, or any successor Trustee, of the Dale L. Marcellini and Jill A. Marcellini Revocable Living Trust, executed on November 1, 2005, who wish to terminate the existing lease and are now applying for a new Recreational Pier Lease. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, 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), the 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 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 (a)(2).

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.

APPROVAL REQUIRED:

Buoy: Tahoe Regional Planning Agency

CALENDAR ITEM NO. C11 (CONT'D)

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

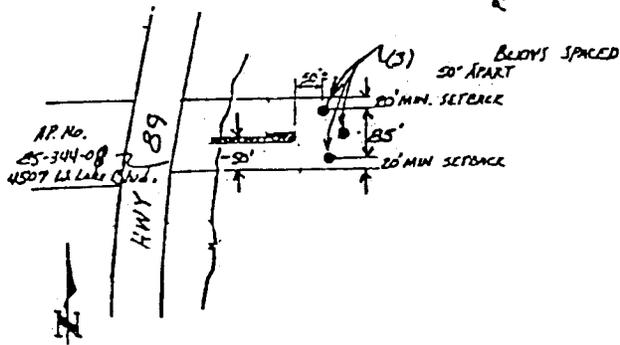
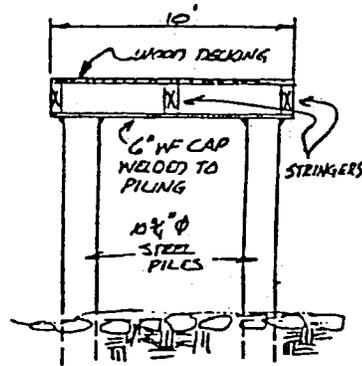
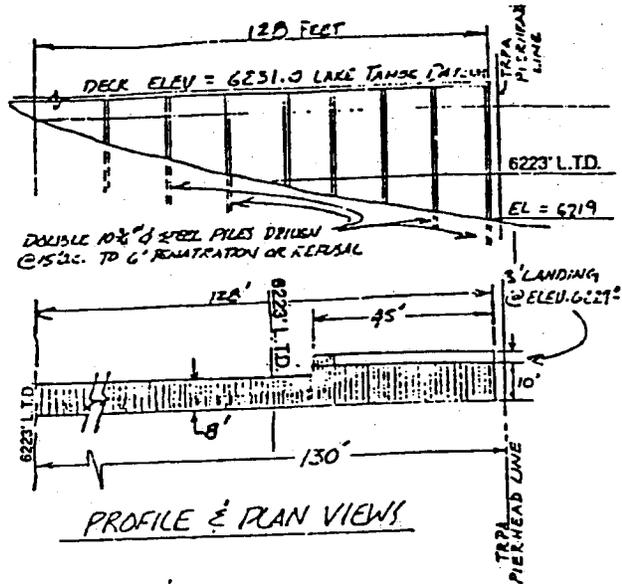
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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:

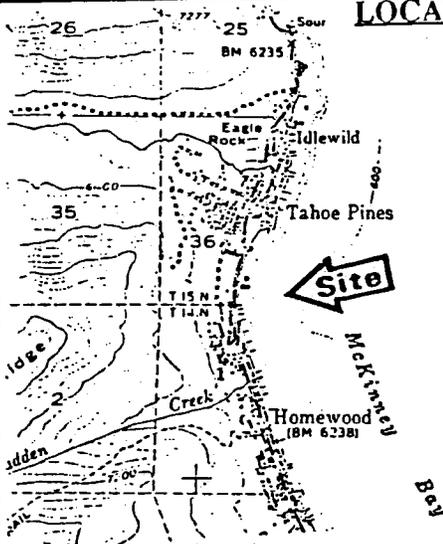
AUTHORIZE ISSUANCE TO RICHARD GHILOTTI AND NANCY GHILOTTI AND DALE L. MARCELLINI AND JILL A. MARCELLINI, CO-TRUSTEES, OR ANY SUCCESSOR TRUSTEE, OF THE DALE L. MARCELLINI AND JILL A. MARCELLINI REVOCABLE LIVING TRUST, EXECUTED ON NOVEMBER 1, 2005, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 1, 2005, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING JOINT-USE PIER AND THE RETENTION OF THREE EXISTING MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.



4510 & 4515 Lucerne

NO SCALE

LOCATION MAP



Lake Tahoe

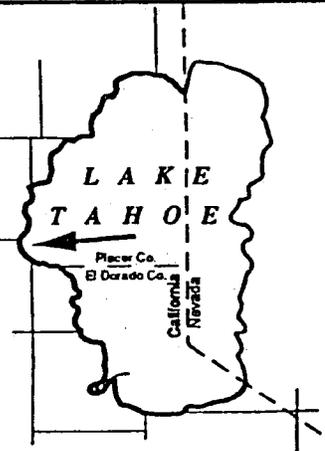
EXHIBIT "A"

PRC 5491.9

APN 85 - 344 - 08

Lake Tahoe

PLACER COUNTY



NO SCALE

This Exhibit is solely for purposes of generally defining the lease premises, 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.

RWB 10/05

000043

CALENDAR PAGE

002079

MINUTE PAGE