CALENDAR ITEM

C02

A 4 06/24/08

WP 4114.9

S 1 N. Lee

RECREATIONAL PIER LEASE

APPLICANT:

Patricia Borhani, Trustee of the Family Bypass Trust and the Patricia Borhani 1997 Trust Dated June 18, 1997

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 4070 North Lake Boulevard., near Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of one existing mooring buoy as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning November 19, 2007.

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 $500,000.

Other:

The lease contains a provision which requires the Applicant to obtain authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy within two years after the adoption of the Lake Tahoe Shorezone Amendments-Final Environmental Impact Statement (FEIS) and approval of the ordinances based on the FEIS.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland property adjoining the lease premises.

2. On February 27, 1998, the Commission authorized a Recreational Pier Lease with Patricia Borhani, Trustee of the Family Bypass Trust. That

lease expired on November 18, 2007. The littoral land was previously held by Patricia Borhani and her husband, Nemat Borhani. Upon the death of Nemat Borhani, an undivided one-half interest was deeded to Patricia Borhani, Trustee of the Family Bypass Trust, on June 23, 1997. On October 22, 1997, the remaining interest was deeded to Patricia Borhani, Trustee of the Patricia Borhani 1997 Trust Dated June 18, 1997. Applicant is now applying for a new Recreational Pier Lease.

3. Applicant qualifies for a Recreational Pier Lease because she is a natural person who owns 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), 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.

5. 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.

APPROVALS REQUIRED:

Tahoe Regional Planning Agency

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

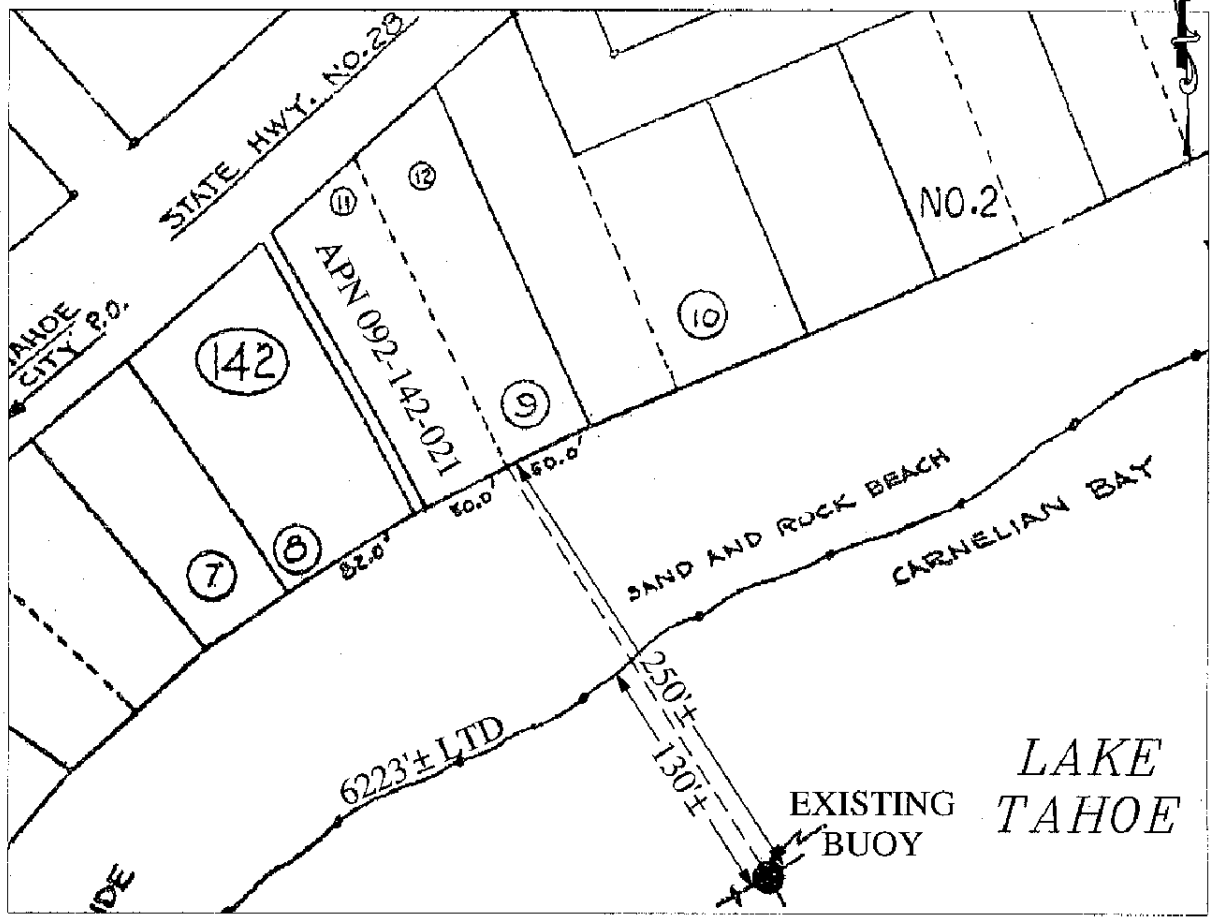
PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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 OF A TEN-YEAR RECREATIONAL PIER LEASE TO PATRICIA BORHANI, TRUSTEE OF THE FAMILY BYPASS TRUST AND THE PATRICIA BORHANI 1997 TRUST DATED JUNE 18, 1997, BEGINNING NOVEMBER 19, 2007, FOR THE CONTINUED USE AND MAINTENANCE OF ONE EXISTING MOORING BUOY 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; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN $500,000.

NO SCALE

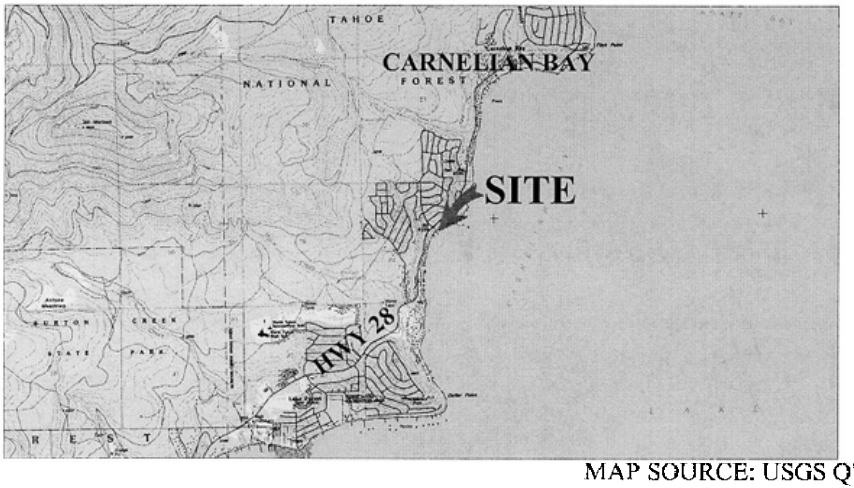
SITE



4070 North Lake Blvd.

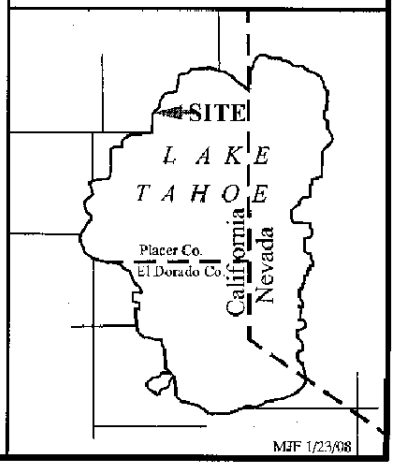
NO SCALE

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 4114
BORHANI
APN 092-142-021
RECREATIONAL PIER LEASE
PLACER COUNTY