CALENDAR ITEM

C05

A	4	12/17/09
		WP 7416.9
S	1	C. Hudson

RECREATIONAL PIER LEASE

APPLICANTS:

Ann Solari Ferrante; Elaine Maryse Solari; and Virginia Solari Mazry, as Trustee of the Virginia Solari Mazry 2005 Trust dated May 19, 2005

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 8453 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 and the retention of an existing boat hoist as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning May 26, 2009.

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:

This lease is conditioned on the Applicants obtaining authorization from the Tahoe Regional Planning Agency for the mooring buoy(s) by October 22, 2010, which is two years after the October 22, 2008 adoption of the Final Environmental Impact Statement (FEIS) and the approval of the Lake Tahoe Shorezone Ordinance Amendments based on the FEIS.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.

2. On April 13, 1999, the Commission authorized a Recreational Pier Lease with Richard C. Solari and Mary C. Solari as Trustees of the Solari Family Trust under Agreement dated June 30, 1982. That lease expired on May 25, 2009. The littoral parcel has since been deeded to Ann Solari Ferrante; Elaine Maryse Solari; and Virginia Solari Mazry, as Trustee of the Virginia Solari Mazry 2005 Trust dated May 19, 2005. The Applicants are now applying for a new Recreational Pier Lease.

3. The boat hoist has not been previously authorized by the Commission, but has been attached to the pier for many years. Applicants qualify for a Recreational Pier Lease because they are natural persons who own the littoral land that is improved with a single-family dwelling.

4. **Pier, Boat Lift, and Two Mooring Buoys:** 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. **Boat Hoist:** 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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

   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.

APPROVAL REQUIRED:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER, BOAT LIFT, AND TWO MOORING BUOYS: 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).

BOAT HOIST: 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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

SIGNIFICANT LANDS INVENTORY FINDING:

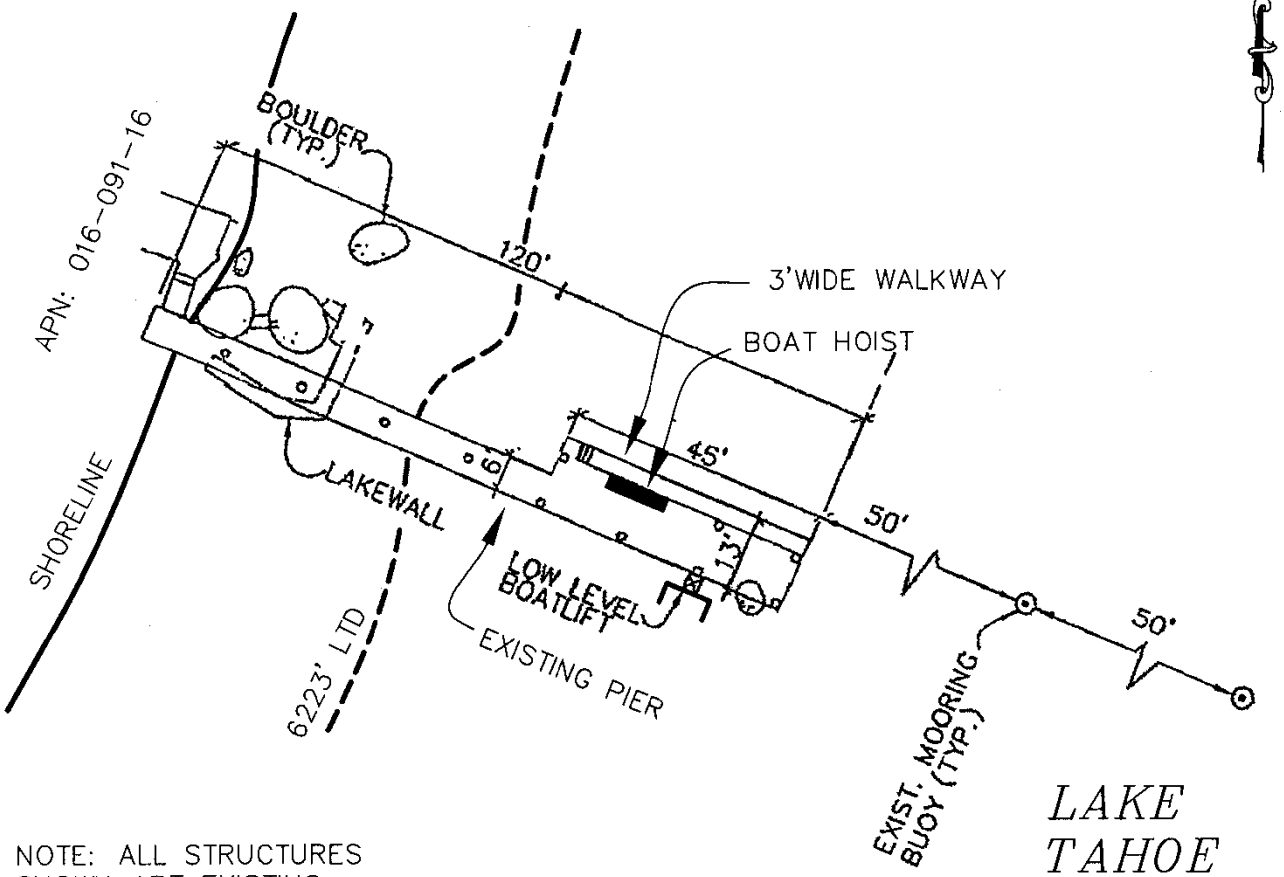
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO ANN SOLARI FERRANTE; ELAINE MARYSE SOLARI; AND VIRGINIA SOLARI MAZRY; AS TRUSTEE OF THE VIRGINIA SOLARI MAZRY 2005 TRUST DATED MAY 19, 2005, BEGINNING MAY 26, 2009, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOAT LIFT, AND TWO MOORING BUOYS AND THE RETENTION OF AN EXISTING BOAT HOIST 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

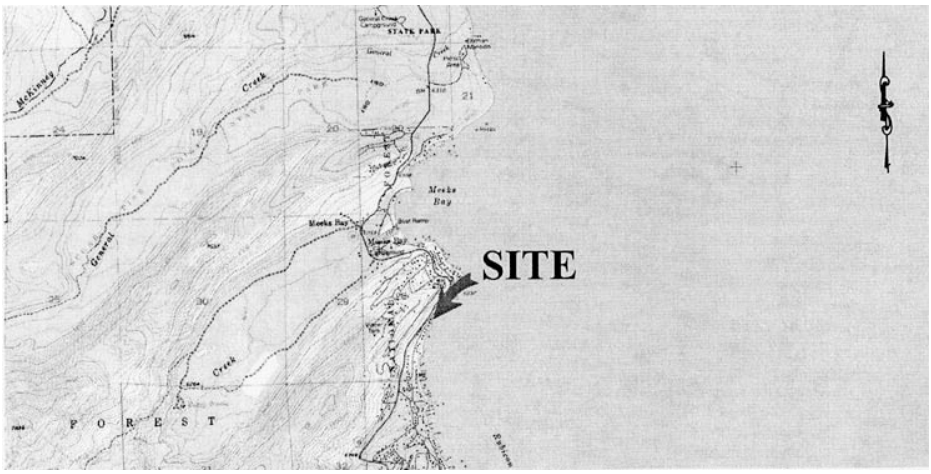


NOTE: ALL STRUCTURES SHOWN ARE EXISTING.

8453 MEEKS BAY AVENUE, MEEKS BAY

NO SCALE

LOCATION

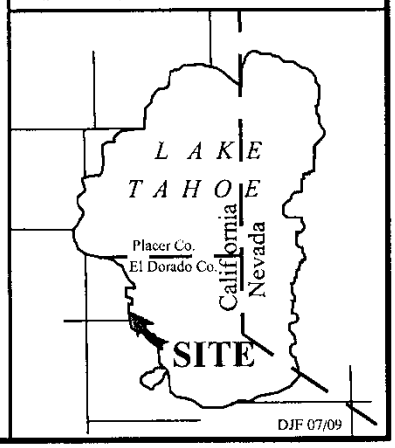


MAP SOURCE: USGS QUAD

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 7416.9
FERRANTE, SOLARI & MAZRY, TRUSTEE
APN 016-091-16
RECREATIONAL PIER LEASE
EL DORADO COUNTY



DJF 07/09