

**CALENDAR ITEM
C10**

A 4
S 1

06/28/10
WP 6368.9
C. Hudson

RECREATIONAL PIER LEASE

APPLICANTS:

Joseph S. Calcagno, Jr., Trustee of the Joseph S. Calcagno, Jr. Qualified Personal Residence Trust dated April 15, 2008; Karen C. Calcagno, Trustee of the Karen C. Calcagno Qualified Personal Residence Trust dated April 15, 2008; James C. Calcagno and Sue Ellen Calcagno, Trustees under the Calcagno Living Trust dated May 1, 1996; and Frederick W. Smith and Carolyn I. Smith, Co-Trustees under that certain declaration of trust dated July 6, 1993

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 208 Pine Street, near Tahoma, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, and two mooring buoys as shown on the attached 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 upland adjoining the lease premises.

2. On August 26, 1997, the Commission authorized a Recreational Pier Lease with James C. Calcagno; Joseph S. Calcagno Jr. and Karen C. Calcagno, Trustees, U.D.T. (Under Declaration of Trust), Dated March 20, 1996, Trustees of the Calcagno Living Trust; and Frederick William Smith and Carolyn Calcagno Smith . That lease expired on July 31, 2007. The

CALENDAR ITEM NO. **C10** (CONT'D)

littoral parcel has since been deeded to Joseph S. Calcagno, Jr., Trustee of the Joseph S. Calcagno, Jr. Qualified Personal Residence Trust dated April 15, 2008; Karen C. Calcagno, Trustee of the Karen C. Calcagno Qualified Personal Residence Trust dated April 15, 2008; James C. Calcagno and Sue Ellen Calcagno, Trustees under the Calcagno Living Trust dated May 1, 1996; and Frederick W. Smith and Carolyn I. Smith, Co-Trustees under that certain declaration of trust dated July 6, 1993. 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 mooring buoys were permitted by the Tahoe Regional Planning Agency on May 27, 2010.
5. 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.

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.

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;

CALENDAR ITEM NO. **C10** (CONT'D)

Title 2, California Code of Regulations, section 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

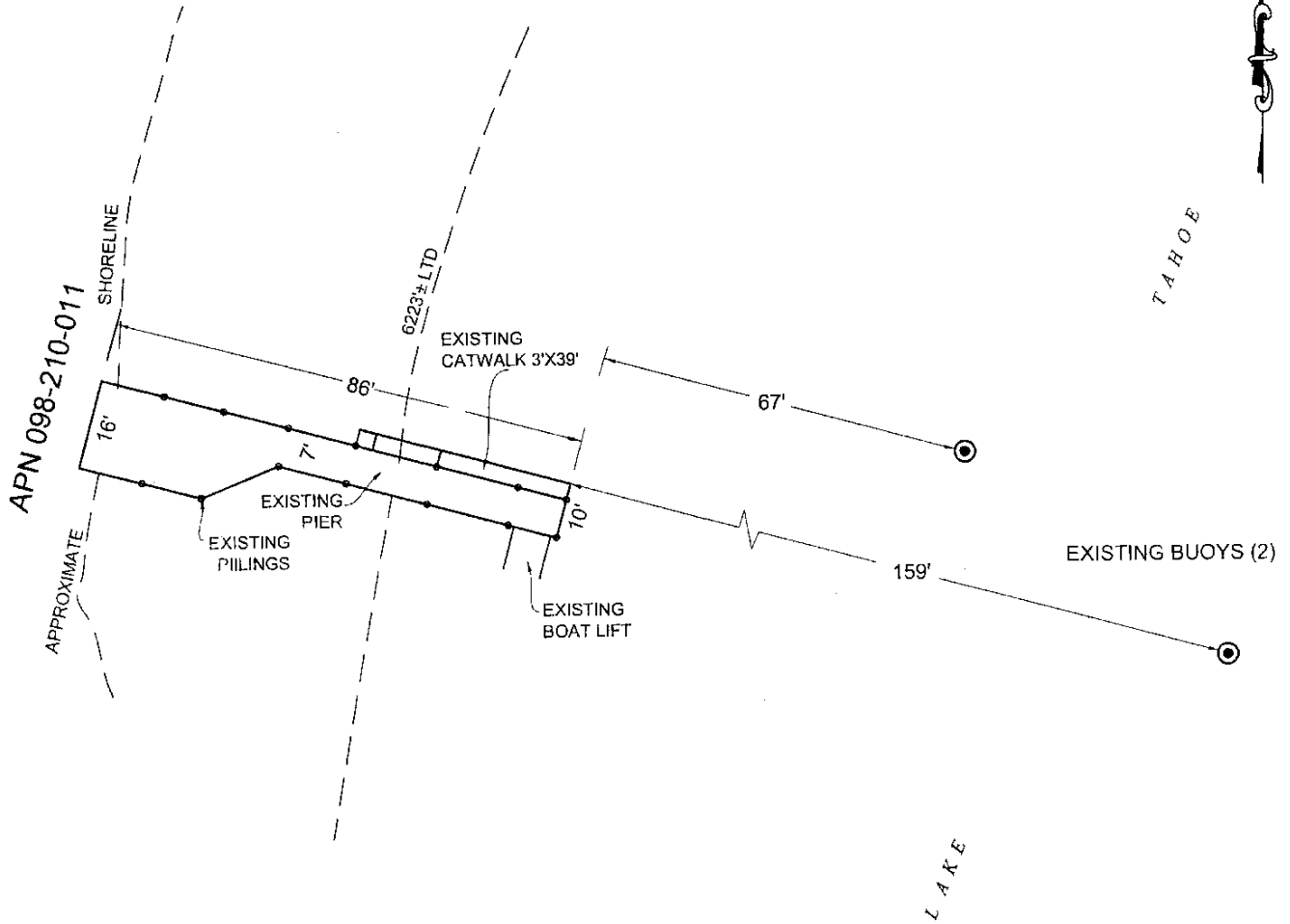
Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

AUTHORIZATION:

Authorize issuance of a ten-year Recreational Pier Lease to Joseph S. Calcagno, Jr., Trustee of the Joseph S. Calcagno, Jr., Qualified Personal Residence Trust dated April 15, 2008; Karen C. Calcagno, Trustee of the Karen C. Calcagno Qualified Personal Residence Trust dated April 15, 2008; James C. Calcagno and Sue Ellen Calcagno, Trustees under the Calcagno Living Trust dated May 1, 1996; and Frederick W. Smith and Carolyn I. Smith, Co-Trustees under that certain declaration of trust dated July 6, 1993, beginning June 28, 2010, for the continued use and maintenance of an existing pier, boat lift, and two 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 \$500,000.

NO SCALE

SITE



208 PINE STREET, TAHOMA

NO SCALE

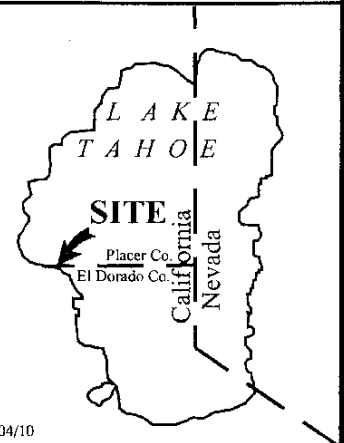
LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

WP 6368.9
 CALCAGNO TRUSTEES &
 SMITH, TRUSTEES
 APN 098-210-011
 RECREATIONAL PIER LEASE
 PLACER COUNTY



MJJ 04/10

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.