

**CALENDAR ITEM  
C05**

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05/05/08  
WP 7340.9  
B. Terry

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Richard D. Mello and Judith G. Mello, as Co-Trustees of the Richard D. Mello and Judith G. Mello Revocable Trust, under Declaration of Trust Dated March 15, 2004

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

Sovereign lands in Donner Lake, located adjacent to 13956 South Shore Drive, near Truckee, Nevada County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier as shown on the attached Exhibit A.

**LEASE TERM:**

Ten years, beginning May 5, 2008.

**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 PERTINENT INFORMATION:**

1. Applicants own the uplands adjoining the lease premises.
2. On September 27, 1990, the Commission authorized a ten-year Recreational Pier Lease with Richard D. Mello and Judith G. Mello. That lease expired on September 26, 2000. In 2004, the upland property was deeded to Richard D. Mello and Judith G. Mello as Co-Trustees of the Richard D. Mello and Judith G. Mello Revocable Trust, under Declaration of Trust dated March 15, 2004. Applicants are now applying for a new Recreational Pier Lease.

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3. Applicants qualify for a Recreational Pier Lease because they are natural persons who own the littoral land this 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.

**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.

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**AUTHORIZATION:**

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE, TO RICHARD D. MELLO AND JUDITH G. MELLO, CO-TRUSTEES OF THE RICHARD D. MELLO AND JUDITH G. MELLO REVOCABLE TRUST, UNDER DECLARATION OF TRUST DATED MARCH 15, 2004, BEGINNING MAY 5, 2008, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER 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.