

MINUTE ITEM

This Calendar Item No. C36 was approved as Minute Item No. 36 by the California State Lands Commission by a vote of 3 to 0 at its 9-17-01 meeting.

**CALENDAR ITEM
C36**

A 4
S 1

09/17/01
PRC 4282 WP 4282
N. Lee

RECREATIONAL PIER LEASE

APPLICANTS:

Daniel Weinberg and Gayle M. Weinberg, Co-Trustees of the Weinberg Community Property Trust, U/A/D 8-9-98, and J. W. Silveira and Barbara O. Silveira, Trustees of the J. W. Silveira and Barbara O. Silveira Family Trust
P.O. Box 1287
Camino, CA 95709

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Proposed relocation, reconstruction and modification of an existing pier, installation of two boatlifts and retention of four existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning July 1, 2001.*

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$300,000.

Other:

This lease is conditioned on Lessee 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.

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OTHER PERTINENT INFORMATION:

1. The pier is a joint-use facility shared by two adjoining littoral property owners.
2. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, single-family dwellings. Daniel Weinberg and Gayle M. Weinberg, Co-Trustees of the Weinberg Community Property Trust, U/A/D 8-9-98, and J. W. Silveira and Barbara O. Silveira, Trustees of the J. W. Silveira and Barbara O. Silveira Family Trust, are now applying for a Recreational Pier Lease.
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 under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

Authority: Title 14, California Code of Regulations, section 15061 (b)(3).

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.

FURTHER APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

- A. Location and site map

PERMIT STREAMLINING ACT DEADLINE:

September 3, 2001

RECOMMENDED ACTION:

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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 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b)(3).

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.

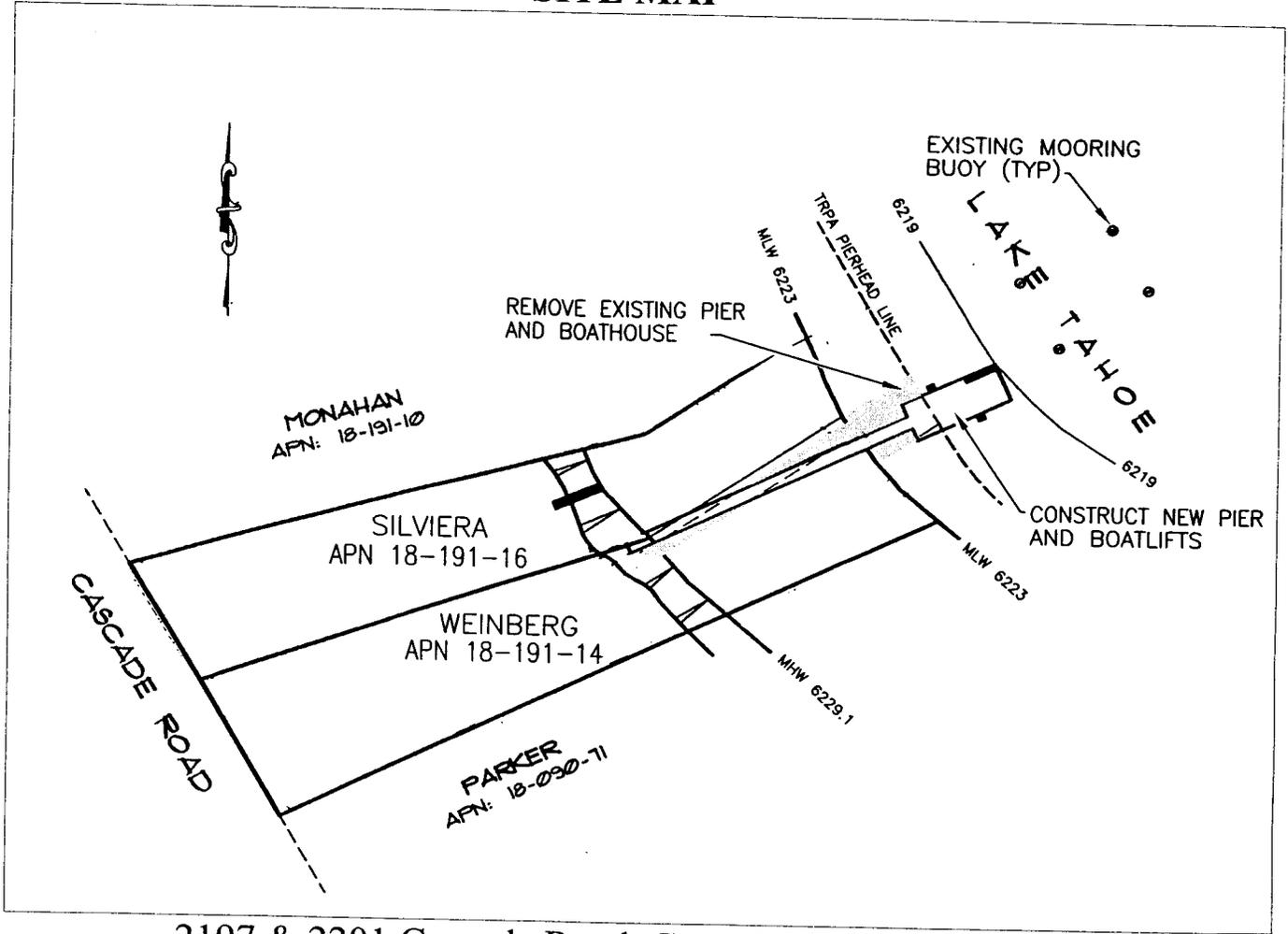
AUTHORIZATION:

AUTHORIZE ISSUANCE TO DANIEL WEINBERG AND GAYLE M. WEINBERG, CO-TRUSTEES OF THE WEINBERG COMMUNITY PROPERTY TRUST, U/A/D 8-9-98, AND J. W. SILVEIRA AND BARBARA O. SILVEIRA, TRUSTEES OF THE J. W. SILVEIRA AND BARBARA O. SILVEIRA FAMILY TRUST OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JULY 1, 2001, FOR PROPOSED RELOCATION, RECONSTRUCTION AND MODIFICATION OF AN EXISTING PIER, INSTALLATION OF TWO BOATLIFTS AND RETENTION OF FOUR 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 WITH COVERAGE OF NO LESS THAN \$300,000.

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NO SCALE

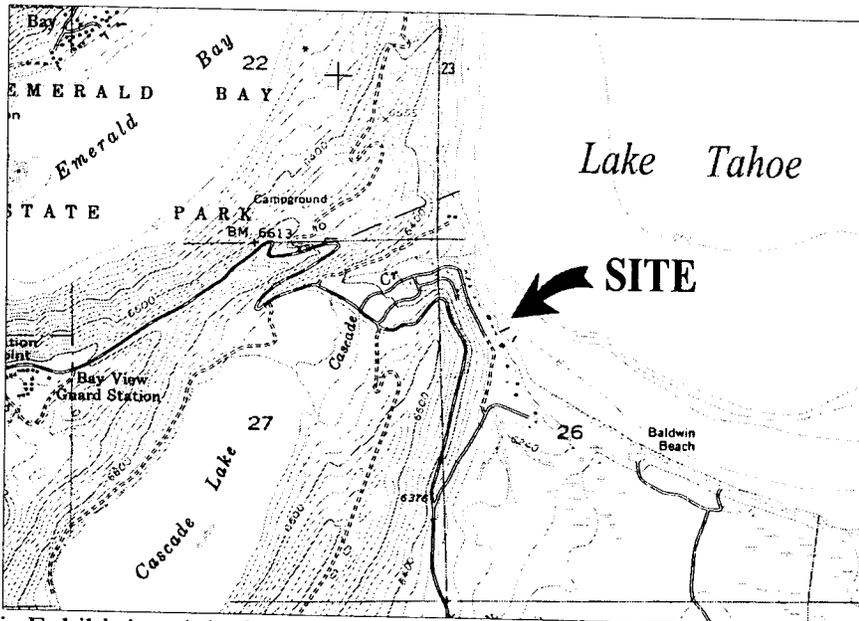
SITE MAP



2197 & 2201 Cascade Road, Cascade Area, Lake Tahoe

NO SCALE

LOCATION MAP



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by 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 4282
APN's 18-191-14&16
Lake Tahoe
EL DORADO CO.

