

**MINUTE ITEM**

This Calendar Item No. C11 was approved as Minute Item No. 11 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

**CALENDAR ITEM  
C11**

A 4  
S 1

06/26/06  
PRC 7130.9  
V. Massey

**TERMINATION AND ISSUANCE OF A  
RECREATIONAL PIER LEASE**

**LESSEE:**

Charles J. Winton III

**APPLICANTS:**

Jeffrey N. Weber and Deborah C. Weber, Trustees of the Jeffrey and Deborah Weber Revocable Trust dated August 30, 1999

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

Sovereign lands in Lake Tahoe, near Homewood, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier, boat lift and two existing mooring buoys previously authorized by the Commission as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning June 1, 2006

**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 \$300,000

Other:

This lease is conditioned on the Applicants 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. Applicants own the upland property adjoining the lease premises.
2. On May 12, 1997, the Commission authorized a ten-year Recreational Pier Lease to Charles J. Winton III. That lease will expire on August 11, 2006. The upland ownership has since transferred from Charles J. Winton III to Jeffrey N. Weber and Deborah C. Weber, Trustees of the Jeffrey and Deborah Weber Revocable Trust dated August 30, 1999. Applicants are now applying for a new Recreational Pier Lease.
3. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.
4. **Lease Termination:**  
Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

**New Recreational Pier Lease:**

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

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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:**

Buoys: Tahoe Regional Planning Agency

**EXHIBIT:**

A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

**LEASE TERMINATION:**

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

**NEW RECREATIONAL PIER LEASE:**

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:**

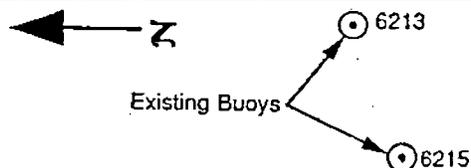
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

1. AUTHORIZE TERMINATION OF RECREATIONAL PIER LEASE PRC 7130.9, EFFECTIVE JUNE 1, 2006.

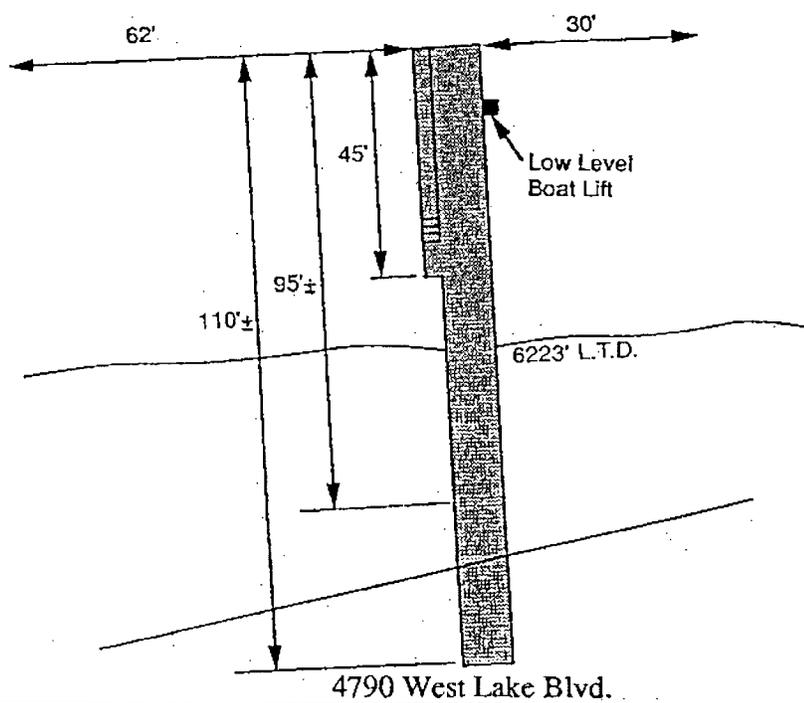
CALENDAR ITEM NO. C11 (CONT'D)

2. AUTHORIZE ISSUANCE TO JEFFREY N. WEBER AND DEBORAH C. WEBER, TRUSTEES OF THE JEFFREY AND DEBORAH WEBER REVOCABLE TRUST DATED AUGUST 30, 1999, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JUNE 1, 2006, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, BOAT LIFT AND TWO EXISTING 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; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.



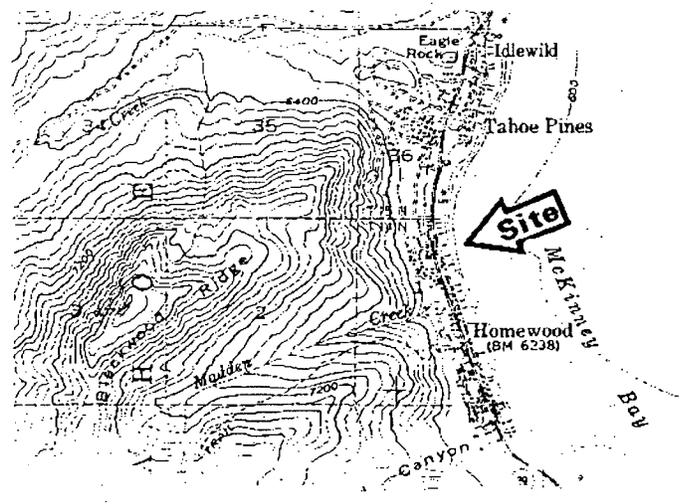
\*Adjacent Structures  
 Pier @ 180'± | Pier @ 250'±  
 Buoy @ 150'± | Buoy @ 150'±  
 (\*Adjacent structures measured from centerline of pier.)

# LAKE TAHOE



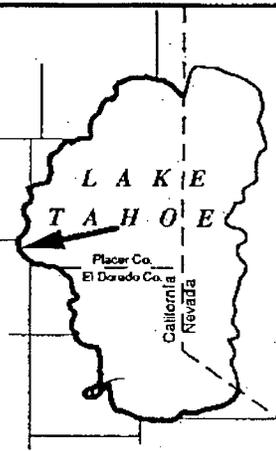
NO SCALE

## LOCATION MAP



NO SCALE

Exhibit A  
 PRC 7130.9  
 APN 97 - 075 - 18  
 Lake Tahoe  
 PLACER COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, 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.