

**CALENDAR ITEM
C14**

A 1
S 1

12/18/15
PRC 7130.1
S. Kreutzburg

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Jeffrey N. Weber and Deborah C. Weber, Trustees of the Jeffrey and Deborah Weber Revocable Trust dated August 30, 1999; Jeffrey Weber and Deborah Weber, Trustees of the Andrew Weber 2012 Trust; Jeffrey Weber and Deborah Weber, Trustees of the Lauren Weber 2102 Trust; Jeffrey Weber and Deborah Weber, Trustees of the Lindsey Weber 2102 Trust; Jeffrey Weber and Deborah Weber, Trustees of the Eric Weber 2102 Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 4790 West Lake Boulevard, near Homewood, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, and two mooring buoys.

LEASE TERM:

10 years, beginning June 1, 2016.

CONSIDERATION:

\$1,325 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

Other:

1. If Lessee does not have valid Tahoe Regional Planning Agency (TRPA) buoy permits, Lessee is required to obtain such authorization for the mooring buoys within two years after the adoption of a Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of

CALENDAR ITEM NO. C14 (CONT'D)

the amended ordinances. If Lessee is unable to obtain such authorization within the time limit, they must remove the buoys.

2. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining authorizations from the TRPA or any other regulatory agency for the improvements authorized by the Commission.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On June 6, 2006, the Commission authorized a Recreational Pier Lease to Jeffrey N. Weber and Deborah C. Weber, Trustees of the Jeffrey and Deborah Weber Revocable Trust dated August 30, 1999. Since that time, partial interest in the upland parcel transferred to Jeffrey Weber and Deborah Weber, Trustees of the Andrew Weber 2012 Trust; Jeffrey Weber and Deborah Weber, Trustees of the Lauren Weber 2102 Trust; Jeffrey Weber and Deborah Weber, Trustees of the Lindsey Weber 2102 Trust; Jeffrey Weber and Deborah Weber, Trustees of the Eric Weber 2102 Trust. That lease will expire on May 31, 2016. The Lessee is now applying for a General Lease – Recreational Use.
3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

CALENDAR ITEM NO. **C14** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Jeffrey N. Weber and Deborah C. Weber, Trustees of the Jeffrey and Deborah Weber Revocable Trust dated August 30, 1999; Jeffrey Weber and Deborah Weber, Trustees of the Andrew Weber 2012 Trust; Jeffrey Weber and Deborah Weber, Trustees of the Lauren Weber 2102 Trust; Jeffrey Weber and Deborah Weber, Trustees of the Lindsey Weber 2102 Trust; Jeffrey Weber and Deborah Weber, Trustees of the Eric Weber 2102 Trust, beginning June 1, 2016, for a term of 10 years, for the continued use and maintenance of an existing pier, boat lift, and two mooring buoys as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$1,325 with an annual Consumer Price Index adjustment; and liability insurance in the amount of \$1,000,000 per occurrence.

EXHIBIT A

PRC 7130.1

LAND DESCRIPTION

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 1 fractional Section 1, Township 14 North, Range 16 East, MDM., as shown on Official Government Township Plat approved January 17, 1866, County of Placer, State of California, and more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier and boat lift lying adjacent to those parcels described in Exhibit “A” of that Grant Deed recorded December 26, 2012 in Document Number 2012-0124434 of Official Records of said County.

TOGETHER WITH any applicable impact area(s).

EXCEPTING THEREFROM any portion(s) lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

PARCEL 2, 3 – BUOYS (2)

Two (2) circular parcels of land, being 50 feet in diameter, underlying two (2) existing buoys lying adjacent to those parcels as described in said Grant Deed.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared October 2, 2015 by the California State Lands Commission Boundary Unit.



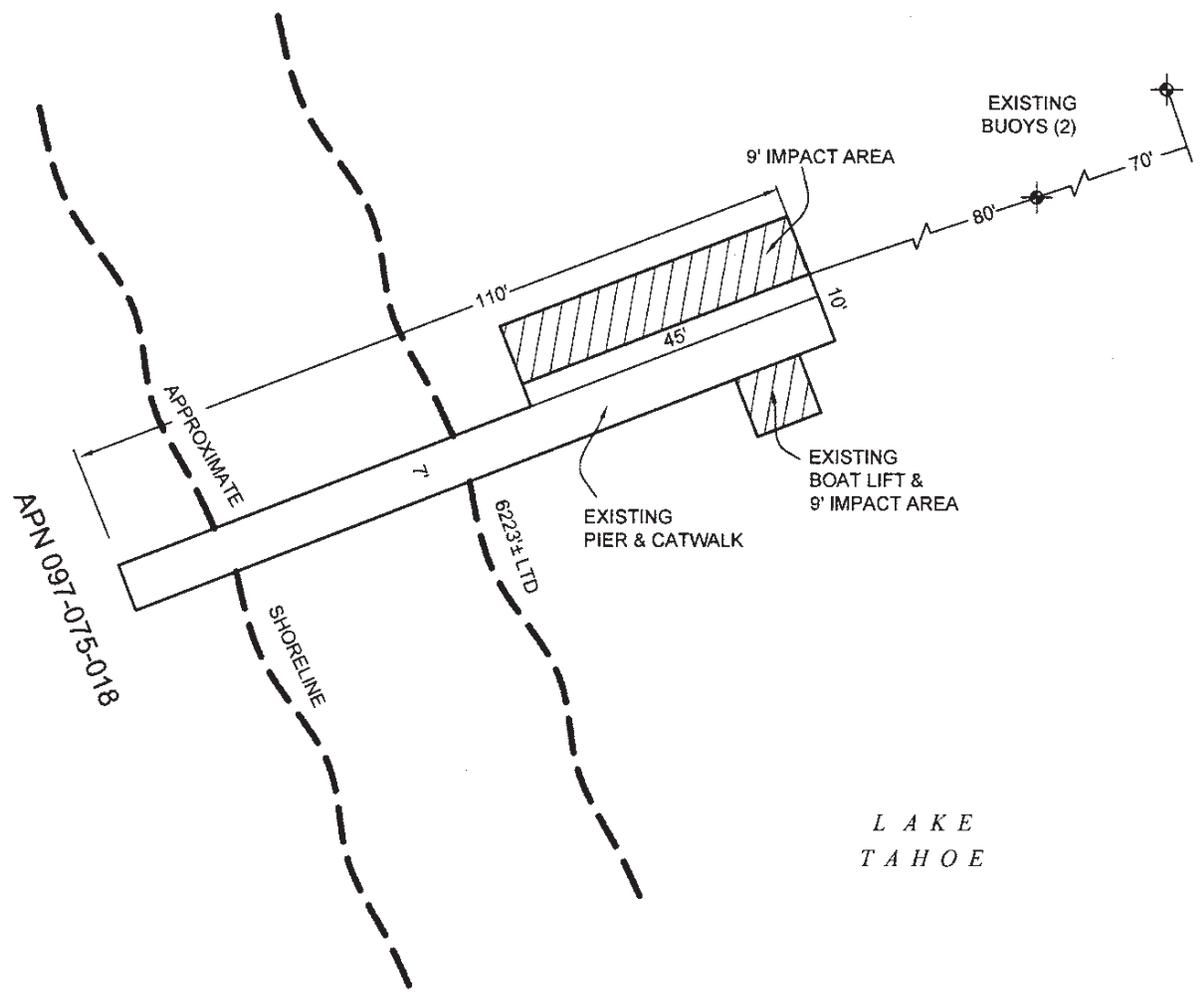


EXHIBIT A

Page 2 of 2

MJJ 10/02/2015

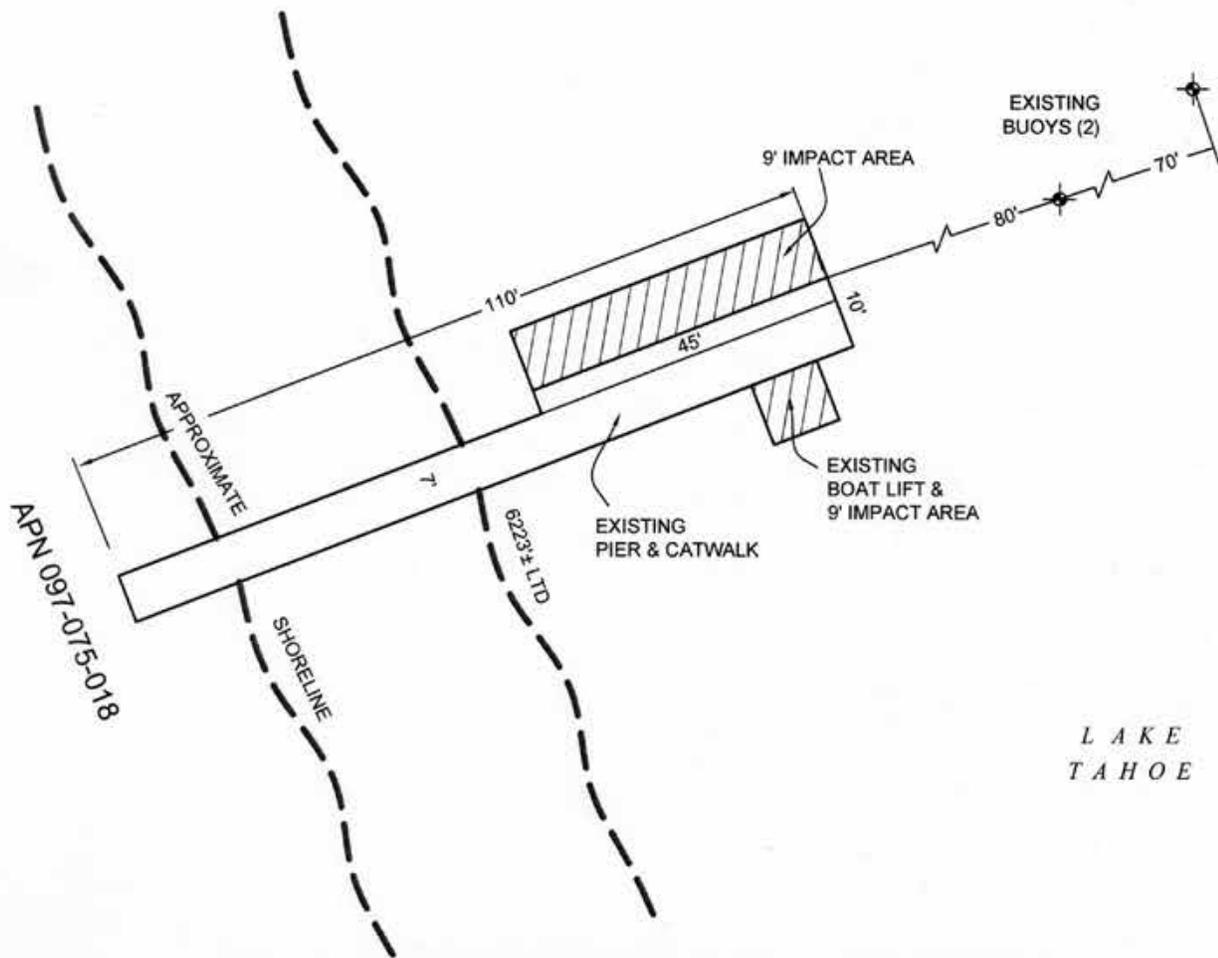
LAND DESCRIPTION PLAT
 PRC 7130.1, WEBER TRUST
 PLACER COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

SITE



4790 WEST LAKE BLVD., NEAR HOMEWOOD

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 B

PRC 7130.1
WEBER TRUST
APN 097-075-018
GENERAL LEASE -
RECREATIONAL USE
PLACER COUNTY



MJJ 10/02/15