

**CALENDAR ITEM  
C02**

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S 1

12/10/10  
WP 6102.9  
C. Hudson

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Herbert L. Weinman and Beverly B. Weinman, Trustees under the Herbert L. and Beverly B. Weinman Revocable Inter Vivos Trust dated 12/14/83

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

Sovereign land in Lake Tahoe, adjacent to 7480 North Lake Boulevard, near Tahoe Vista, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of one existing mooring buoy as shown on the attached Exhibit A.

**LEASE TERM:**

10 years, beginning February 1, 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 property adjoining the lease premises.
2. On February 8, 2000, the Commission authorized a 10-year Recreational Pier Lease with Herbert L. Weinman and Beverly B. Weinman. That lease expired on January 31, 2010. Ownership of the upland property has since transferred to Herbert L. Weinman and Beverly B. Weinman, Trustees, or successor trustee, under the Herbert L. and Beverly B. Weinman Revocable Inter Vivos Trust dated 12/14/83. The Applicants are now applying for a new Recreational Pier Lease.

CALENDAR ITEM NO. **C02** (CONT'D)

3. Applicants obtained a permit for the mooring buoy from the Tahoe Regional Planning Agency (TRPA) on October 23, 1981, and therefore it was not subject to the Lake Tahoe Shoreline Amendments Final Environmental Impact Statement (FEIS) certified by TRPA on October 22, 2008, and vacated by the United States District Court on September 126, 2010. 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. Pursuant to the Commission's delegation of authority and State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), staff has determined 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.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

**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; 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.

CALENDAR ITEM NO. **C02** (CONT'D)

**AUTHORIZATION:**

Authorize issuance of a 10-year Recreational Pier Lease to Herbert L. Weinman and Beverly B. Weinman, Trustees, or successor trustee, under the Herbert L. and Beverly B. Weinman Revocable Inter Vivos Trust dated 12/14/83, beginning February 1, 2010, for the continued use and maintenance of one existing mooring buoy 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.