

Staff Report 13

LESSEE:

Bradley A. Geier and Cathy C. Geier, Trustees of the Geier Family Trust dated May 8, 2003

APPLICANT:

2750 West Lake LLC, a Delaware Limited Liability Company

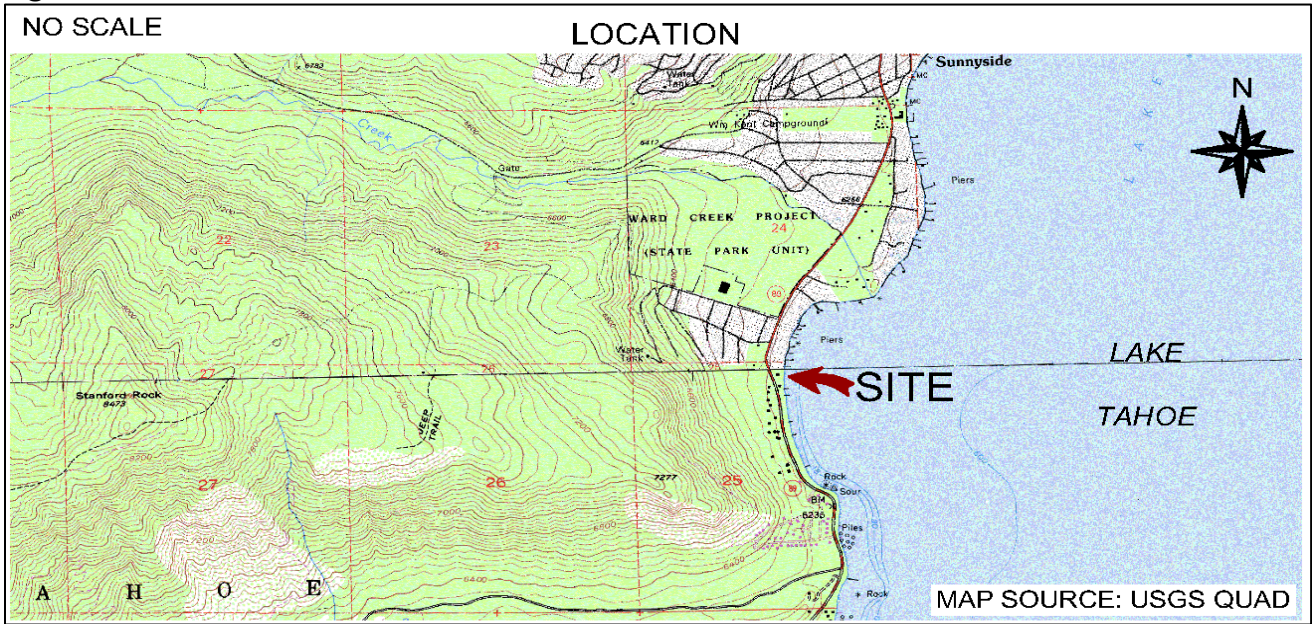
PROPOSED ACTION:

Termination and Issuance of a General Lease – Recreational Use.

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 2750 West Lake Boulevard, near Tahoe City, Placer County (as shown in Figure 1).

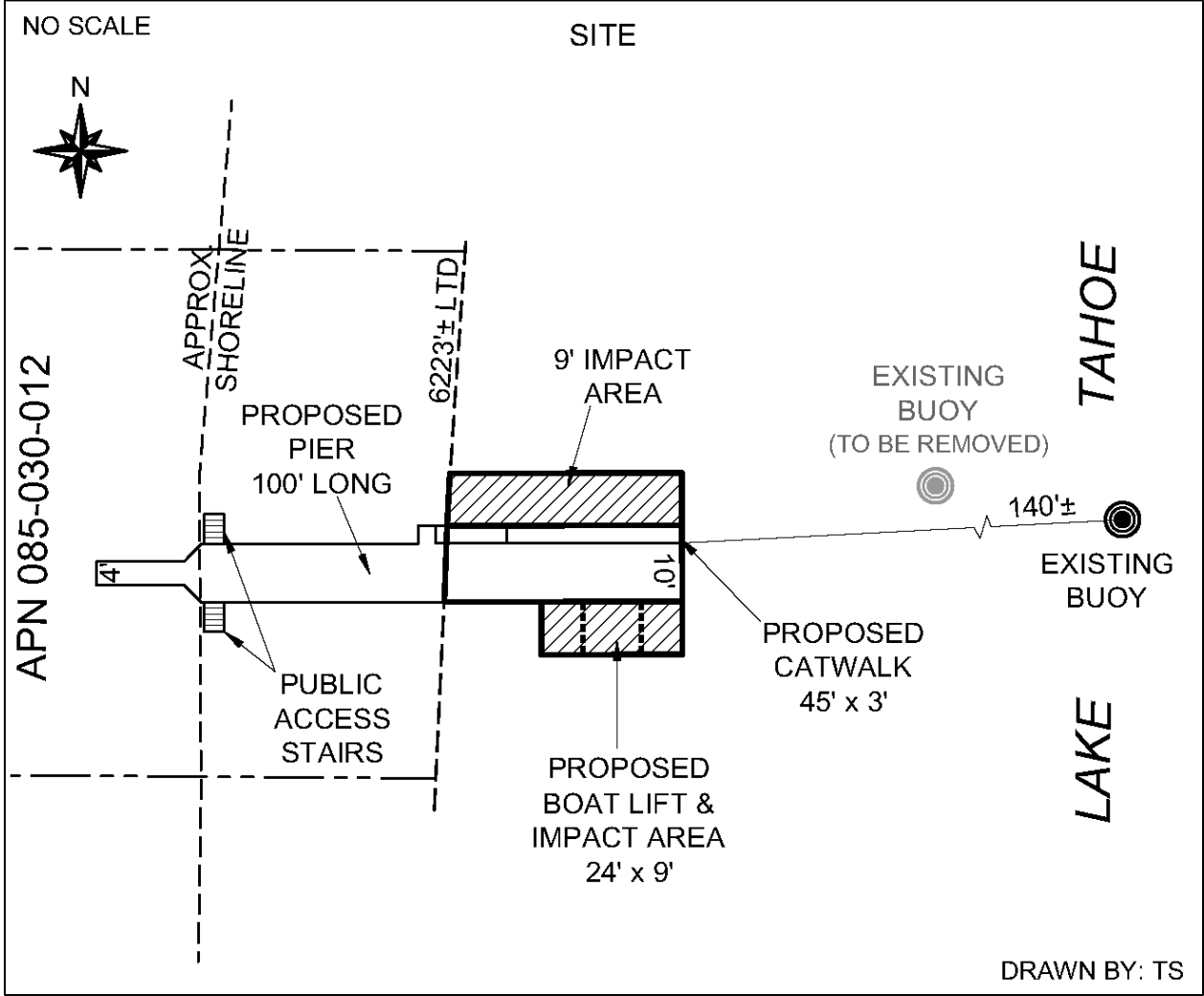
Figure 1. Location



AUTHORIZED USE:

Construction of a pier, boat lift, and catwalk, removal of one existing mooring buoy, and continued use of one existing mooring buoy (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

10 years, beginning June 23, 2026.

CONSIDERATION:

\$1,040 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

- A permit or registration from the Tahoe Regional Planning Agency (TRPA) may be required for the Authorized Improvements, and failure to obtain a permit or registration from TRPA and maintain compliance with that permit or registration may result in TRPA imposing civil penalties and will constitute a breach of the lease.
- Lessee acknowledges annual consideration shall be adjusted based on the actual area of the improvements as constructed, should they vary from the plans submitted.
- Lessee shall not move or relocate the existing mooring buoy authorized under this lease without prior written authorization of the Lessor.
- Lessee shall not store any personal items or construct any improvements in the Public Trust easement which may impair the public's right of access for navigation, fishing, and Public Trust-consistent recreational uses.
- Construction activities will be performed pursuant to the specific terms identified in the Lease, including that the Applicant obtain all necessary permits and authorizations prior to commencing work, including requirements pertaining to construction equipment, debris, and the provision to Lessor of specified documents related to the construction activities.
- Lessee agrees that the public be allowed to pass and repass over the pier using the proposed public access stairs on the landward end of the pier, with signs posted on each side of the pier, to provide continuous shoreline access to the Public Trust easement below elevation 6228.75 feet, Lake Tahoe Datum (LTD).
- Within 60 days of completing the construction of authorized improvements, Lessee will provide Lessor with photographs and a set of "as-built" plans that will show where the improvements have been placed. Lessor shall then replace exhibit A, Land Description, and Exhibit B, Site and Location Map, to the Lease as necessary to accurately reflect the final location of the authorized improvements. Once approved by the Lessor's Executive Officer or designee, the revised Exhibits shall replace the Exhibits incorporated in the Lease at the time of Lease execution. The replaced Exhibits shall be incorporated in the Lease as though fully set forth therein.

- The provisions of Section 3, Paragraph 11 shall also extend to the period of Lessee's unauthorized occupation of state-owned lands, from September 6, 2024, to June 22, 2026.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6501.1, 6503, 6503.5, and 6505.5; California Code of Regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

On August 17, 2023, the Commission authorized issuance of a General Lease – Recreational Use to Bradley A. Geier and Cathy C. Geier, Trustees of the Geier Family Trust dated May 8, 2003 (Lessee), for the use of two mooring buoys ([Item 7](#)). That lease is set to expire on December 1, 2033.

On September 6, 2024, the Lessee conveyed the ownership of the upland parcel to 2750 West Lake LLC, a Delaware Limited Liability Company. Staff recommends terminating the lease because the Lessee did not notify staff of the sale of the upland parcel or sign a quitclaim deed. The proposed termination date is June 22, 2026, the day preceding the start of the proposed new lease.

The Applicant is now applying for issuance of a General Lease – Recreational Use for the construction of a pier, boat lift, and catwalk, removal of one mooring buoy (for boatlift mooring), and continued use of one existing mooring buoy. The existing mooring buoy was registered with TRPA on February 16, 2026 (Registration No. 11282).

Accounting records for Lease 9101 show rent is paid through December 1, 2026. The proposed start date of the new lease is June 23, 2026. The prorated rent will be applied as a credit to future rent. Additionally, the proposed lease will require the Applicant to indemnify the State for the entire period of unauthorized occupation, from September 6, 2024 through June 22, 2026, ensuring the State is protected.

On February 23, 2026, the Applicant obtained a conditional permit No. ESRP2025-1286 from TRPA authorizing the construction of a pier, boat lift, and catwalk.

The pier construction will be performed with access to the site from the lake using a floating/amphibious barge. The pilings will be driven 8 feet or to refusal using a

barge mounted pile driver or amphibious vessel utilizing a turbidity curtain or caissons as needed during pile driving to protect water quality.

The pier will extend approximately 82.2 lineal feet from the high water mark to the lakeward end of the pier to a depth elevation of 6,217.0 feet LTD. The pier will be 10 feet wide. The addition of a 12,000 lb. boat lift will require the removal of one existing buoy lakeward of the proposed pier. The new pier and boat lift will be supported by 18 piles, ten of which are located within feed and cover fish habitat. The 6.4 square feet of disturbance in feed and cover habitat will be mitigated by the construction of one 9-square-foot rock pyramid. Construction will begin once all agency permits, notifications, and certifications have been obtained and is expected to be completed within 90 working days. The pier construction must be completed by December 31, 2026.

The lease requires the Applicant provide two staircases to allow for public access over the pier in the location shown on the submitted site plan. The topography of the shore at the proposed pier location consists of a flat and sandy beach. The Applicant agrees to allow the public to pass and re-pass over the pier by utilizing the proposed public access stairs near the landward end of the pier. Additionally, the proposed lease requires that the Applicant post signs on each side of the pier to clearly identify the designated public passageway over the pier; these signs are required to be in place at all times.

The two mooring buoys have existed for many years at this location, are located directly lakeward of the upland property, and occupy a relatively small area of the lake. The one mooring buoy and the proposed boat lift were registered with TRPA on February 16, 2026 (Mooring Registration No. 11282). The Applicant will remove one of the existing mooring buoys in exchange for the proposed boat lift.

The remaining existing mooring buoy is privately owned and maintained and facilitates recreational boating. Recreational boating is a water-dependent use that is generally consistent with the common law Public Trust Doctrine. The California Legislature has identified private recreational boating facilities as an authorized use of Public Trust Land. (Pub. Resources Code, § 6503.5.)

The proposed lease does not alienate the State's fee simple interest or permanently impair public rights. The lease is limited to a 10-year term, does not grant the lessee exclusive rights to the lease premises, and reserves an easement to the public for Public Trust-consistent uses. Upon termination of the lease, the lessee may be required to remove all improvements from State land and restore the lease premises to their original condition.

The proposed lease requires the lessee to insure the lease premises and indemnify the State for any liability incurred as a result of the lessee's activities thereon. The lease also requires the payment of annual rent to compensate the people of the State for the occupation of the public land involved.

CLIMATE CHANGE:

INTRODUCTION:

Climate change significantly affects inland non-tidal lakes such as Lake Tahoe, and its effects are increasing throughout the Sierra Nevada mountains. According to [California's Fourth Climate Change Assessment](#) (2018), the most significant impacts of climate change in the Sierra Nevada Region are more intense heat, precipitation extremes, declining snowpacks, and changes in streamflow timing. These impacts create hazardous conditions like flooding, landslides, wildfire, drought, extreme heat, and severe storms. Structures along the shores of inland lakes are particularly vulnerable to the more frequent and extreme weather events, year-to-year changes in total precipitation, and shifts in seasonal characteristics.

DATA & PROJECTIONS:

Temperatures in the Sierra Nevada are expected to increase six to ten degrees Fahrenheit on average by the end of the century, causing the snowline to shift upslope 1,500 to 3,000 feet in elevation (California's Fourth Climate Change Assessment, 2018). The long-term warming trend will lead to warmer and shorter winters and longer and drier summers. The warmer winters will reduce winter snowpacks by up to 60 percent across most of the Sierra Nevada and will result in increased winter streamflows and floods and decreased spring and summer runoff. Loss of snowpack is expected to dry soils 15 to 40 percent below their historical norms. Hotter, drier summer seasons and low water years will increase stress to vegetation, elevating wildfire risk and fire severity in the Tahoe Basin.

Dry winters will be punctuated with exceedingly wet years and higher temperatures will result in more rain-on-snow events ([Integrated Vulnerability Assessment of Climate Change in the Lake Tahoe Basin](#), 2020). Atmospheric river systems will become more common. These events produce both flash floods and higher than normal seasonal flooding which may shift earlier in the year. Higher soil moisture will increase erosion and elevate landslide risk, particularly following intense wildfire seasons.

ANALYSIS:

The greatest vulnerability to recreational facilities is from flooding, landslides, and wildfire hazards (Integrated Vulnerability Assessment of Climate Change in the Lake Tahoe Basin, 2020). The Sierra Nevada is expected to experience year-to-year variability in precipitation and may shift between extreme wet and dry periods. High precipitation years or successive years will result in higher lake levels, causing beaches to narrow and reducing public access. Surface runoff may carry more sediment into the lake, adversely impacting water quality, clarity, and increasing risk of algal blooms ([UC Davis Tahoe Environmental Research Center, 2024](#)). Conversely, low lake levels will become normal during periods of extended drought. Low lake level conditions can create more expansive beaches and increased shoreline access in dry months. However, these conditions could make some shoreline areas too shallow for effective recreational use of piers, boat docks, and mooring buoys. During drought, structures will also be exposed to heat and wind that may accelerate deterioration or reduce the structural integrity of certain structures.

Additionally, atmospheric rivers and extreme weather events are expected to increase in the high Sierra. Storms may deviate from prevailing wind patterns for the region. Wind-driven waves can accelerate shoreline erosion in some areas or cause erosion in areas not typically subject to erosion. Winds can also increase wave damage on structures and boats along the lake.

RECOMMENDATIONS:

Improvements authorized under this lease may require more frequent inspection and maintenance to ensure they are not displaced during storm events. Watercraft moored to buoys, piers, or docks are also vulnerable to high wind events and damaging waves. Replacing older structural components with materials designed to better withstand extreme heat, wind events, and storms can reduce the likelihood of degradation and damage to structures. Any future construction or activities on State land would require a separate authorization from the Commission.

Regular maintenance, as required by the lease, may reduce the risks from extreme temperatures and rain. Pursuant to the proposed lease, the Applicant acknowledges that the lease premises and adjacent upland are located in an area that may be subject to the effects of climate change.

CONCLUSION:

For all the reasons above, staff believes the issuance of this lease will not substantially interfere with Public Trust needs at this location, at this time, and for the term of the proposed lease; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application is discretionary action by the Commission. Each time the Commission approves or rejects the use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. If the Commission denies the application, the Applicant, cannot construct the pier and install the boat lift and may be required to remove the improvements and restore the premises to their original condition. The Lessee has no right to a new lease or to renewal of any previous lease.
2. This action is consistent with the "Leading Climate Activism" and "Meeting Evolving Public Trust Needs" Strategic Focus Areas of the Commission's 2021-2025 Strategic Plan.
3. Termination of the lease is not a project as defined by the California Environmental Quality Act (CEQA) because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15060, subdivision (c)(3), and 15378, subdivision (b)(5).

4. **Existing Mooring Buoy:** Staff recommends that the Commission find that issuance of the lease is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, title 14, section 15301.

New Pier: Staff recommends that the Commission find that issuance of the lease is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; California Code of Regulations, title 2, section 2905, subdivision (c)(1).

Buoy Removal: Staff recommends that the Commission find that issuance of the lease is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land; California Code of Regulations, title 14, section 15304.

Authority: Public Resources Code section 21084 and California Code of Regulations, title 14, section 15061 and California Code of Regulations, title 2, section 2905.

APPROVAL OBTAINED:

- Tahoe Regional Planning Agency (ERSP2025-1286)

APPROVALS REQUIRED:

- California Department of Fish and Wildlife
- U.S. Army Corps of Engineers
- Lahontan Regional Water Quality Control Board

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that this activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, title 14, section 15061 as a categorically exempt project through the combination of the following exemptions: Class 1, Existing Facilities; California Code of Regulations, title 14, section 15301; Class 3, New Construction of Small Structures; California Code of Regulations, title 2, section 2905, subdivision (c)(1); and Class 4, Minor Alterations to Land; California Code of Regulations, title 14, section 15304.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed and existing improvements will not substantially impair the public rights to navigation and fishing or substantially interfere with Public Trust needs and values at this location, at this time, and for the term of the lease; is

consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

AUTHORIZATION:

1. Authorize termination, effective June 22, 2026, of Lease 9101, a General Lease – Recreational Use, issued to Bradley A. Geier and Cathy C. Geier, Trustees of the Geier Family Trust dated May 8, 2003.
2. Authorize issuance of a General Lease – Recreational Use to the Applicant beginning June 23, 2026, for a term of 10 years, for the construction of a pier, boat lift, and catwalk, removal of one existing mooring buoy, and use of one existing mooring buoy; annual rent in the amount of \$1,040, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.