

**STAFF REPORT
C16**

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10/18/18
PRC 4923.1
S. Evans

**AMENDMENT OF LEASE AND
REVISION OF RENT**

LESSEE:

Sierraglow Ltd.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 6770 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 October 31, 2013.

CONSIDERATION:

This lease provides that the Commission may modify the rent periodically during
the lease term. Pursuant to this provision, staff reviewed the rent under this lease
and recommends that rent be revised from \$2,142 per year to \$1,476 per year,
effective October 31, 2018.

PROPOSED AMENDMENT:

Amend the lease to replace the existing Exhibit A, Land Description, and Exhibit
B, Site and Location Map, with the attached Exhibit A, Land Description, and
Exhibit B, Site and Location Map (for reference purposes only). Amend the lease
to change the Lessee's name from Copyright Services, Ltd., to Sierraglow Ltd. All
other terms and conditions of the lease shall remain in effect without amendment.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

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

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Public Trust and the State's Best Interests Analysis:

On June 21, 2013, the Commission authorized a 10-year General Lease – Recreational Use to Copyright Services Ltd., for an existing pier, boat lift and two mooring buoys ([Item C34, June 21, 2013](#)). The lease will expire on October 30, 2023. In 2017, Copyright Services, Ltd., formally changed its name to Sierraglow Ltd. Therefore, staff recommends amending the lease to reflect the name change.

Staff conducted the rent review called for in the lease and recommends the rent be revised from \$2,142 per year to \$1,476 per year based on changes to the lease (impact) area for the pier and application of the current Lake Tahoe Benchmarks. Staff also recommends the lease be amended to reflect the new reduced lease area.

The lease does not alienate the State's fee simple interest or permanently impair public rights. The recommended action will not substantially interfere with the Public Trust needs at this location, at this time, and for the foreseeable term of the lease. For these reasons, staff recommends finding the proposed action is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.
2. Amendment of the lease to change the name and make an adjustment in the lease area and approving the revision of the rent are not projects as defined by the California Environmental Quality Act because they are administrative actions 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, section 15378, subdivision (b)(5).

EXHIBITS:

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

STAFF REPORT NO. **C16** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed amendment of Lease No. PRC 4923.1 will not substantially interfere with the Public Trust needs and values at this location, at this time, and for the foreseeable 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 the amendment of Lease No. PRC 4923.1, a General Lease – Recreational Use, effective October 31, 2018, to change the Lessee's name and replace the existing Exhibit A, Land Description, and Exhibit B, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only).
2. Approve the revision of rent for Lease No. PRC 4923.1 from \$2,142 per year to \$1,476 per year, effective October 31, 2018.

EXHIBIT A

PRC 4923.1

LAND DESCRIPTION

Three parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 4 of fractional Section 7, Township 14 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved January 17, 1866, County of Placer, State of California, more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, catwalk and boatlift, lying adjacent to those parcels described in Grant Deed recorded as Document Number 2018-0026506-00 on April 18, 2018 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

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

PARCEL 2 & 3 – BUOYS

Two circular parcels of land, being 50 feet in diameter, underlying two existing buoys lying adjacent to those parcels described in Grant Deed recorded as Document Number 2018-0026506-00 on April 18, 2018 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 08/09/2018 by the California State Lands Commission Boundary Unit.



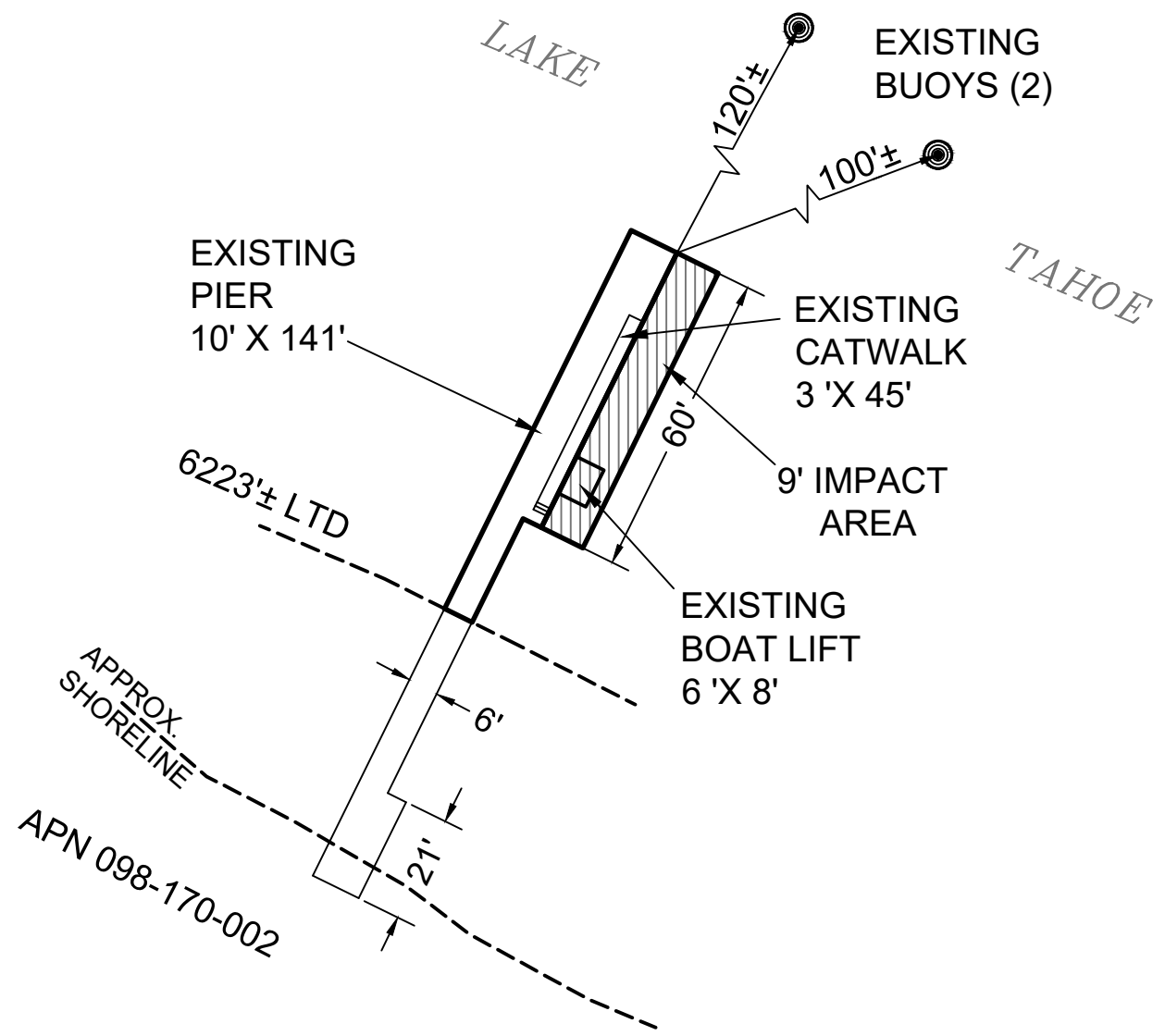


EXHIBIT A

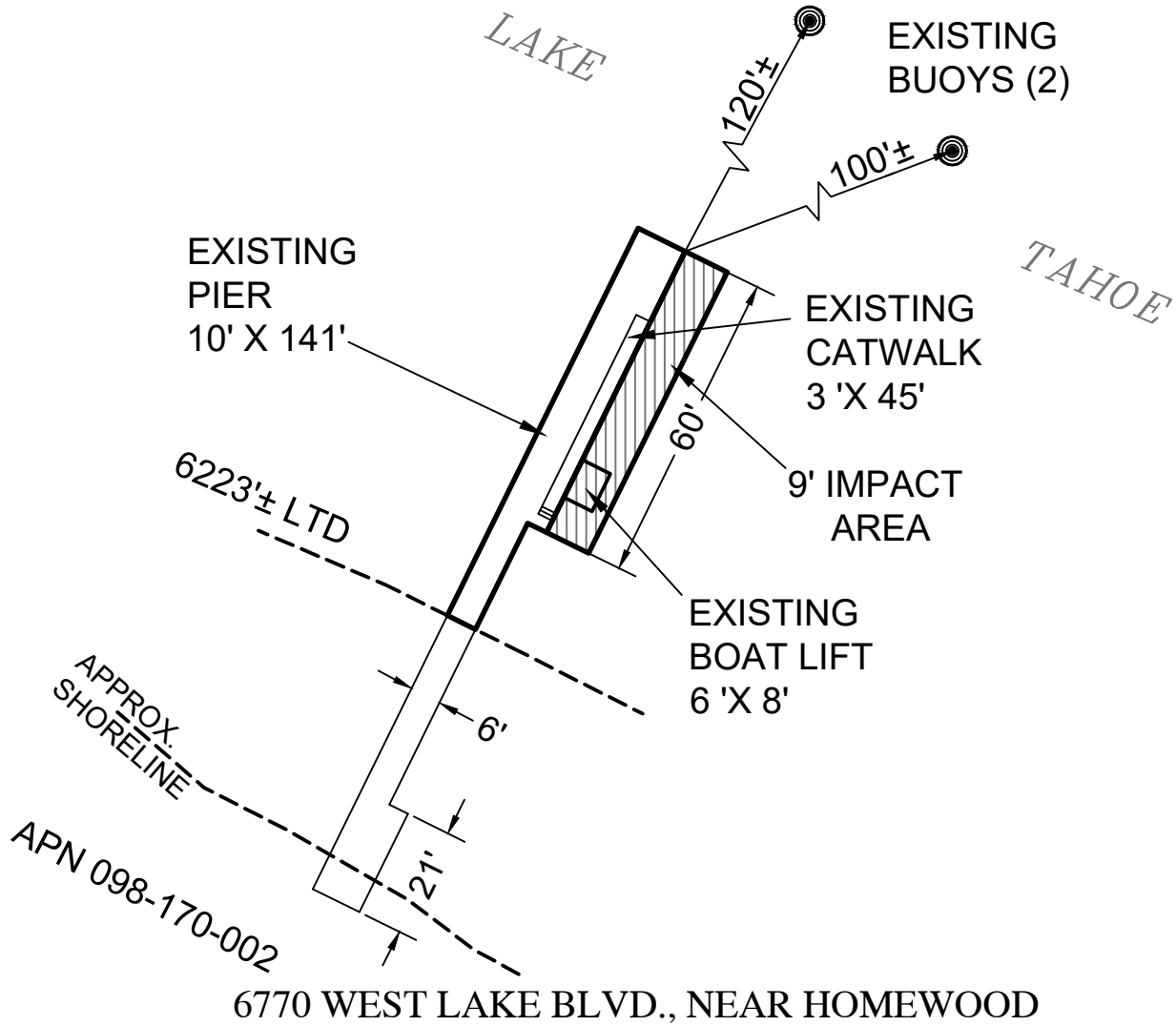
LAND DESCRIPTION PLAT
PRC 4923.1, SIERRAGLOW, LTD
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



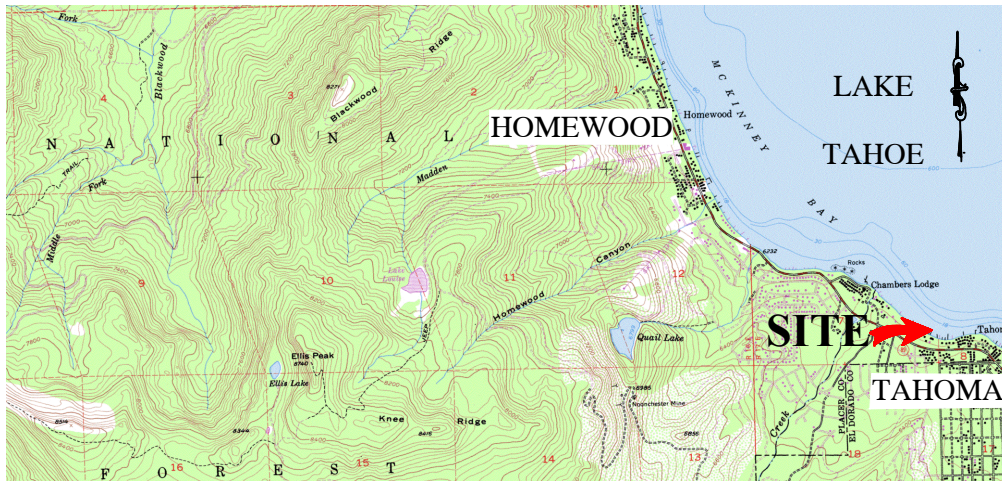
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SITE



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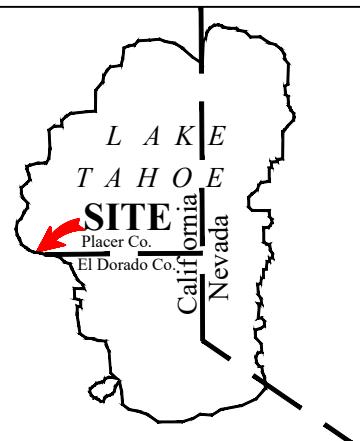
LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 4923.1
 SIERRAGLOW, LTD
 APN 098-170-002
 GENERAL LEASE-
 RECREATIONAL USE
 PLACER COUNTY



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.