

**CALENDAR ITEM  
C24**

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06/22/17  
PRC 5290.1  
J. Toy

**AMENDMENT OF LEASE AND REVISION OF RENT**

**LESSEE:**

Tahoe Pines Homeowners Association

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

Sovereign land in Lake Tahoe, adjacent to the extension of Grand Avenue, near Tahoe Pines, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier.

**LEASE TERM:**

10 years, beginning August 9, 2012.

**CONSIDERATION:**

This lease provides that lessor 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 \$2,780 per year to \$1,797 per year, effective August 9, 2017.

**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). 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.

**Public Trust and the State's Best Interests Analysis:**

On April 26, 2013, the Commission authorized a 10-year General Lease – Recreational Use to Tahoe Pines Homeowners Association, for an existing pier ([Calendar Item C63, April 26, 2013](#)). That lease will expire on August 8, 2022.

CALENDAR ITEM NO. **C24** (CONT'D)

The existing lease requires the payment of annual rent to compensate the people of the State for the use of sovereign land. Staff conducted the rent review called for in the lease and recommends the rent be revised from \$2,780 per year to \$1,797 per year based on changes to the lease (impact) area for the pier and application of the updated Lake Tahoe Benchmark. 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 or 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 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

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**PUBLIC TRUST AND STATE'S BEST INTERESTS:**

Find that the proposed amendment of Lease No. PRC 5290.1 will not substantially interfere with the Public Trust needs and values at this location, at this time or for the foreseeable term of the lease, and is in the best interests of the State.

CALENDAR ITEM NO. **C24** (CONT'D)

**AUTHORIZATION:**

1. Authorize the amendment of Lease No. PRC 5290.1, a General Lease – Recreational Use, effective August 9, 2017, 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).
2. Approve the revision of rent for Lease No. PRC 5290.1 from \$2,780 per year to \$1,797 per year, effective August 9, 2017.

**EXHIBIT A**

**PRC 5290.1**

**LAND DESCRIPTION**

A parcel of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 2 fractional Section 36, Township 15 North, Range 16 East, MDM., as shown on Official Government Township Plat approved April 11, 1884, County of Placer, State of California, and more particularly described as follows:

All those lands underlying an existing pier and two (2) catwalks lying adjacent to the southeasterly terminus of Grand Avenue, said Grand Avenue shown on that "Map of Tahoe Pines", filed in Book C Maps, Page 12, records of said County.

TOGETHER WITH any applicable impact area(s).

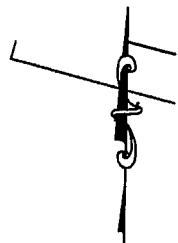
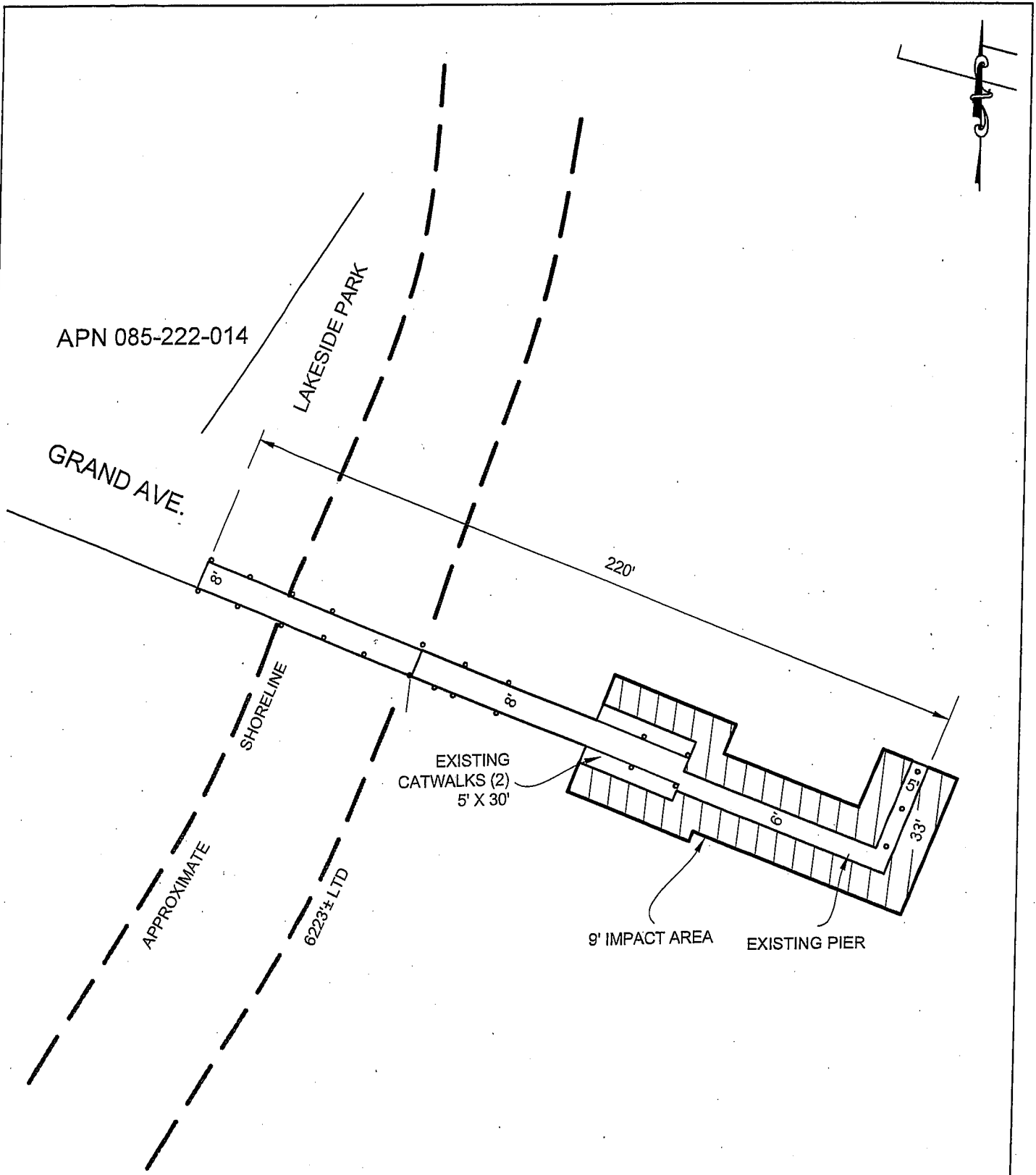
EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared May 15, 2017 by the California State Lands Commission Boundary Unit.





# EXHIBIT A

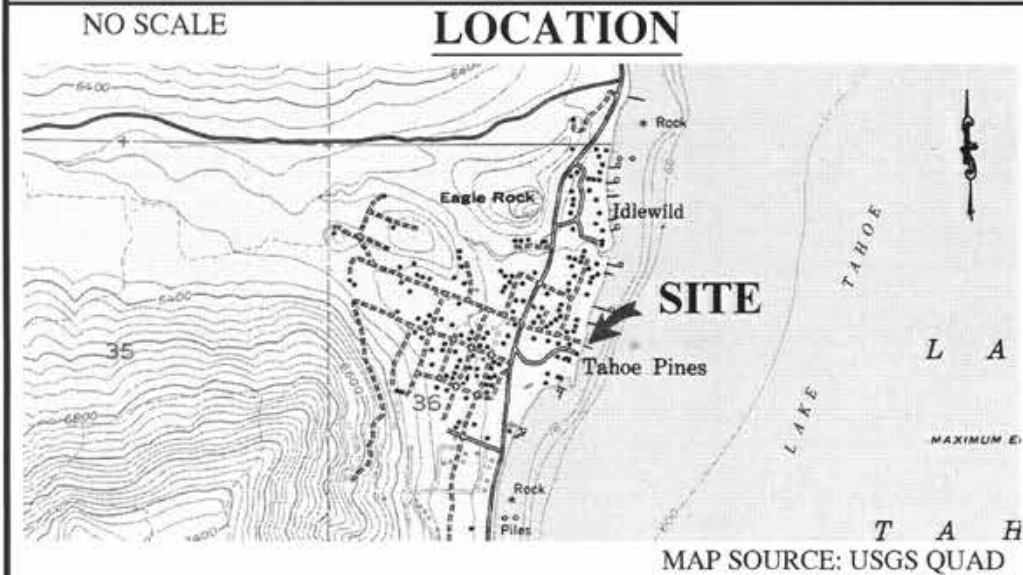
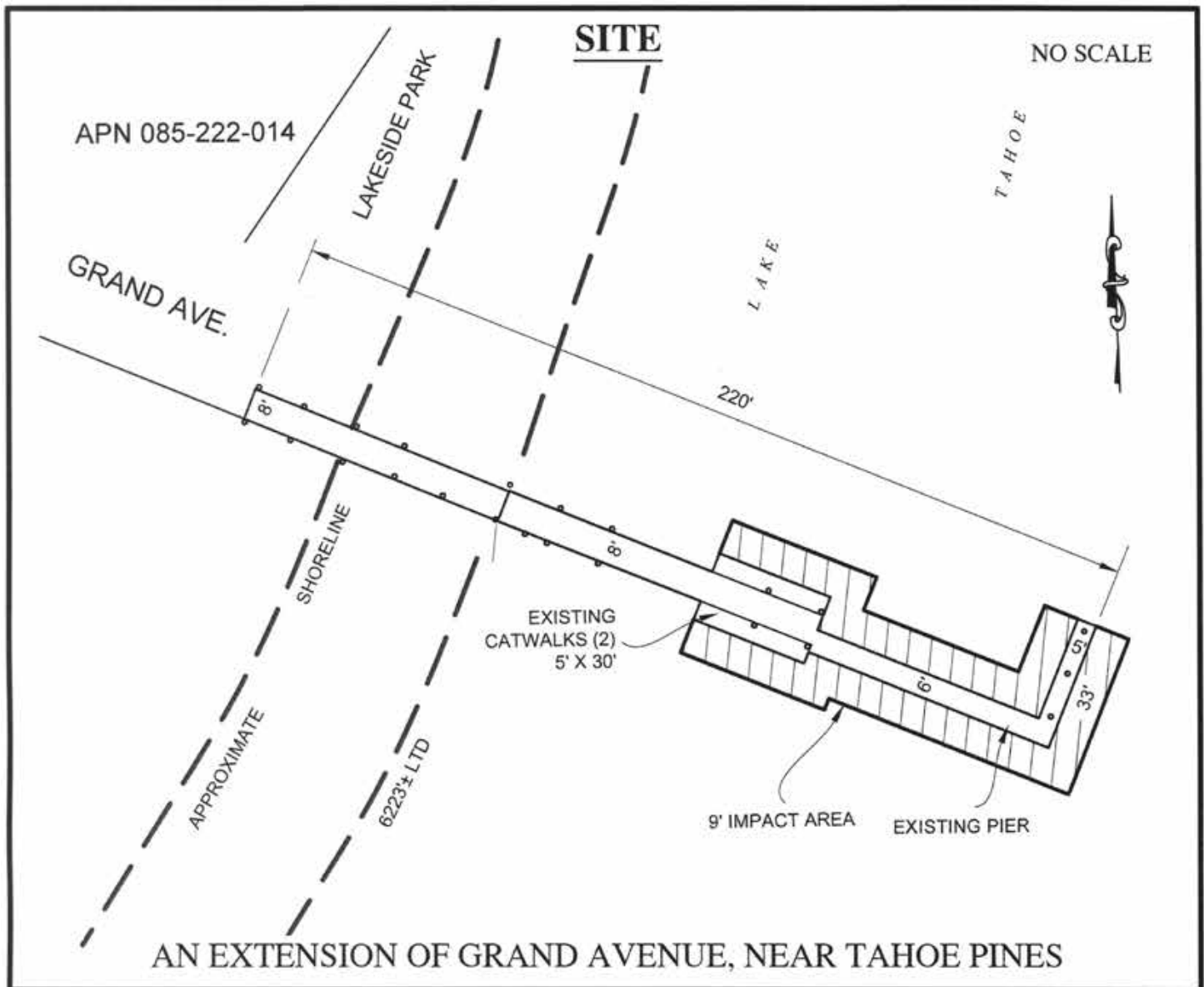
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LAND DESCRIPTION PLAT  
 PRC 5290.1, TAHOE PINES HOA  
 PLACER COUNTY

CALIFORNIA STATE  
 LANDS COMMISSION





**Exhibit B**  
 PRC 5290.1  
 TAHOE PINES HOA  
 GENERAL LEASE -  
 RECREATIONAL USE  
 PLACER COUNTY



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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.