

**STAFF REPORT  
C25**

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08/17/17  
PRC 3996.1  
J. Toy

**AMENDMENT OF LEASE AND  
REVISION OF RENT**

**LESSEE:**

Stuart D. Corvin, Trustee of The Stuart D. Corvin 2003 Trust Dated January 23, 2003

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

Sovereign land in Lake Tahoe, adjacent to 3730 North Lake Boulevard, near Carnelian Bay, Placer County.

**AUTHORIZED USE:**

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

**LEASE TERM:**

10 years, beginning August 14, 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 \$2,259 per year to \$1,414 per year, effective August 14, 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.

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

On August 14, 2012, the Commission authorized a 10-year General Lease – Recreational Use to Stuart D. Corvin, Trustee of The Stuart D. Corvin 2003 Trust Dated January 23, 2003, for an existing pier, boat lift, and two mooring buoys ([Item C21, August 14, 2012](#)). That lease will expire on August 13, 2022.

Staff conducted the rent review called for in the lease and recommends the rent be revised from \$2,259 per year to \$1,414 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 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 3996.1 will not substantially interfere with the Public Trust needs and values at this

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location, at this time or for the foreseeable term of the lease, and is in the best interests of the State.

**AUTHORIZATION:**

1. Authorize the amendment of Lease No. PRC 3996.1, a General Lease – Recreational Use, effective August 14, 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 3996.1 from \$2,259 per year to \$1,414 per year, effective August 14, 2017.

**EXHIBIT A**

**PRC 3996.1**

**LAND DESCRIPTION**

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 4 of fractional Section 28, Township 16 North, Range 17 East, MDM, approved September 25, 1907, County of Placer, State of California and more particularly described as follows:

**PARCEL 1 – PIER**

All those lands underling an existing pier, catwalk and boatlift adjacent to that parcel as described in that Grant Deed recorded December 4, 2008, Document Number 2008-0093458-00 in 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.

**PARCELS 1 & 2 – BUOYS**

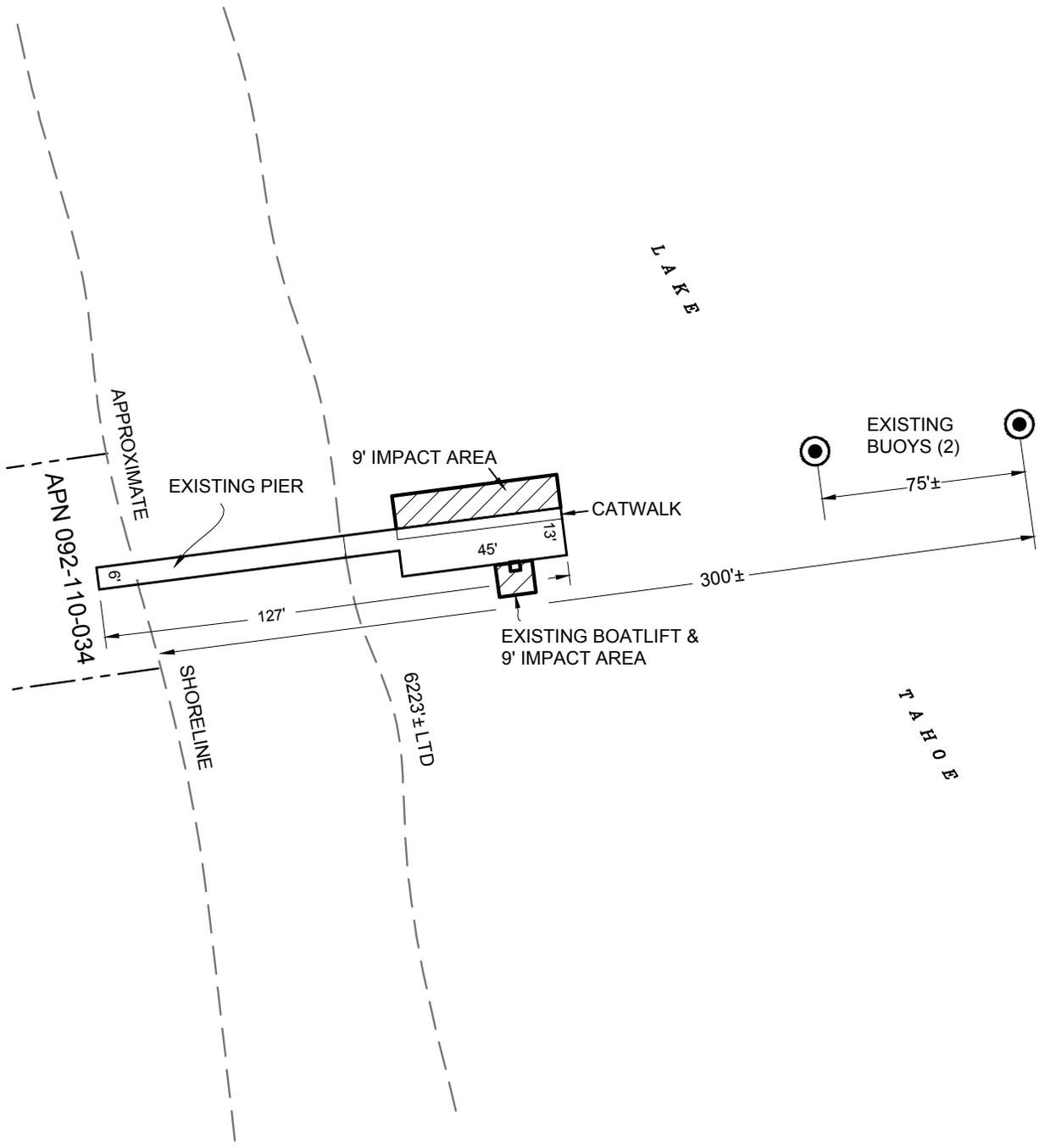
Two (2) circular parcels of land, being 50 feet in diameter, underlying two (2) existing buoys, lying adjacent to that parcel as described in said Grant Deed.

Accompanying plat is hereby made a part of this description.

**END OF DESCRIPTION**

Prepared July 5, 2017 by the California State Lands Commission Boundary Unit.



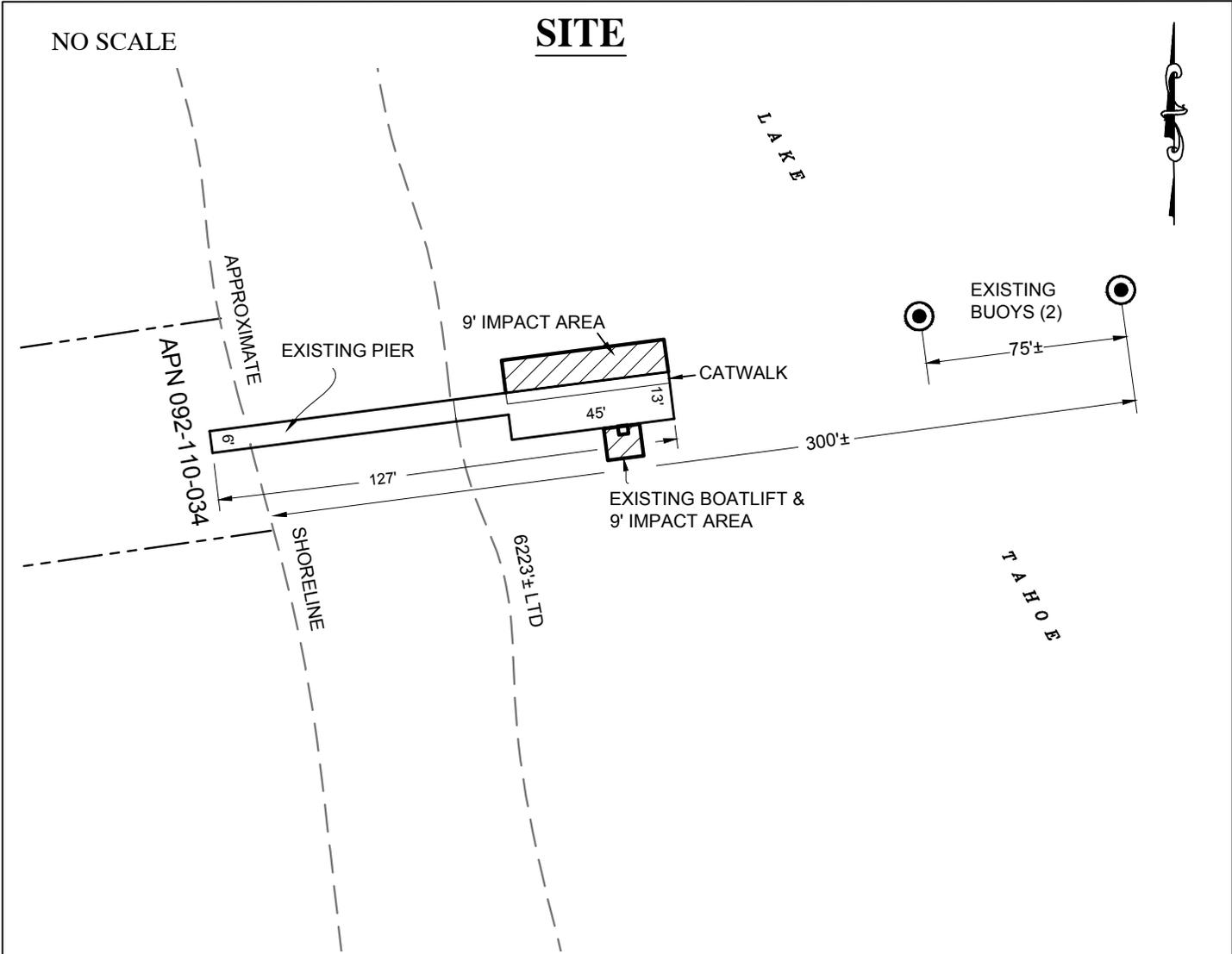


# EXHIBIT A

LAND DESCRIPTION PLAT  
PRC 3996.1, CORVIN TRUSTEE  
PLACER COUNTY

CALIFORNIA STATE  
LANDS COMMISSION





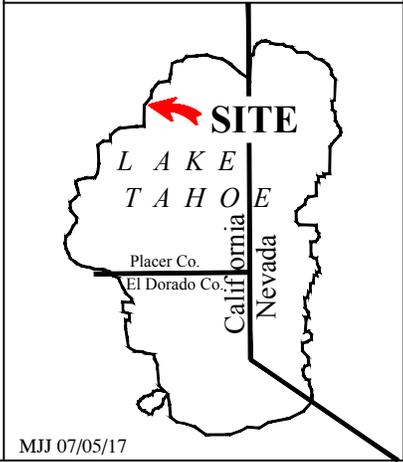
3730 NORTH LAKE BLVD., NEAR CARNELIAN BAY



MAP SOURCE: USGS QUAD

**Exhibit B**

PRC 3996.1  
 CORVIN TRUSTEE  
 APN 092-110-034  
 GENERAL LEASE -  
 RECREATIONAL USE  
 PLACER COUNTY



MIJ 07/05/17

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.