

**STAFF REPORT
C11**

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06/21/18
PRC 3683.9
J. Toy

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Ray Dolby and Dagmar Dolby, Trustees of the Dolby Family Trust dated May 7, 1999

APPLICANT/ASSIGNEE:

Dagmar Dolby, as Trustee of the Dagmar Dolby Trust established under the Dolby Family Trust instrument, dated May 7, 1999

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 2540 West Lake Boulevard, near Tahoe City, Placer County

AUTHORIZED USE:

Continued use and maintenance of an existing rock crib pier and open-sided boathouse, two boat lifts, portion of a storage building, and two mooring buoys.

LEASE TERM:

10 years, beginning August 23, 2013.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

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.

STAFF REPORT NO. **C11** (CONT'D)

Public Trust and State's Best Interests Analysis:

On September 20, 2013, the Commission authorized a General Lease – Recreational Use to Ray Dolby and Dagmar Dolby, Trustees of the Dolby Family Trust dated May 7, 1999, for an existing rock crib pier and open-sided boathouse, two boat lifts, portion of a storage building, and two mooring buoys ([Item C51, September 20, 2013](#)). The lease will expire on August 22, 2023.

Ray Dolby died in 2013 and on November 17, 2014, ownership of the upland parcel transferred to Dagmar Dolby, as Trustee of the Dagmar Dolby Trust established under the Dolby Family Trust instrument, dated May 7, 1999. The Applicant is now applying for an assignment of lease, effective November 17, 2014, and agrees to perform and be bound by the terms, conditions, covenants, and agreements contained in the lease.

The lease assignment will not result in a change in the use of public resources or the impacts thereto. Staff believes approval of this assignment is consistent with the common law Public Trust Doctrine and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation and responsible economic use of the lands and resources under the Commission's jurisdiction, and Strategy 1.3 to promote, expand, and enhance appropriate public use and access to and along the State's inland and coastal waterways.
2. Assignment of the lease is not a project as defined by the California Environmental Quality Act 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, section 15378, subdivision (b)(5).

EXHIBITS:

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

STAFF REPORT NO. **C11** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed assignment will not impact the public rights to navigation and fishing or 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:

Authorize the assignment of Lease No. PRC 3683.9, a General Lease – Recreational Use, of sovereign land as shown on Exhibit A, Site and Location Map (for reference purposes only), attached and by this reference made a part hereof, from Ray Dolby and Dagmar Dolby, Trustees of the Dolby Family Trust dated May 7, 1999, to Dagmar Dolby, as Trustee of the Dagmar Dolby Trust established under the Dolby Family Trust instrument, dated May 7, 1999, effective November 17, 2014.

EXHIBIT A

PRC 3683.9

LAND DESCRIPTION

Three parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 4 of fractional Section 24, Township 15 North, Range 16 East, M.D.B.&M., as shown on Official Government Township Plat approved December 20, 1865, County of Placer, State of California, more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing rock-crib pier, pier/shed and open-sided boathouse with stairs and two boat lifts lying adjacent to that parcel described in Grant Deed recorded November 1, 2001 as Document Number 2001-0114472 in Official Records of said County.

TOGETHER WITH a ten foot impact area.

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

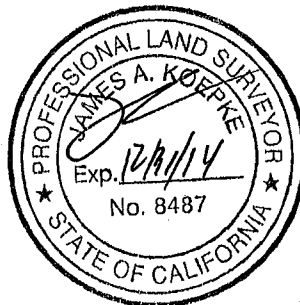
PARCEL 2 & 3 – BUOYS

Two circular parcels of land, being 50 feet in diameter, underlying two existing buoys lying adjacent to that parcel described in Grant Deed recorded November 1, 2001 as Document Number 2001-0114472 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 06/21/2013 by the California State Lands Commission Boundary Unit.



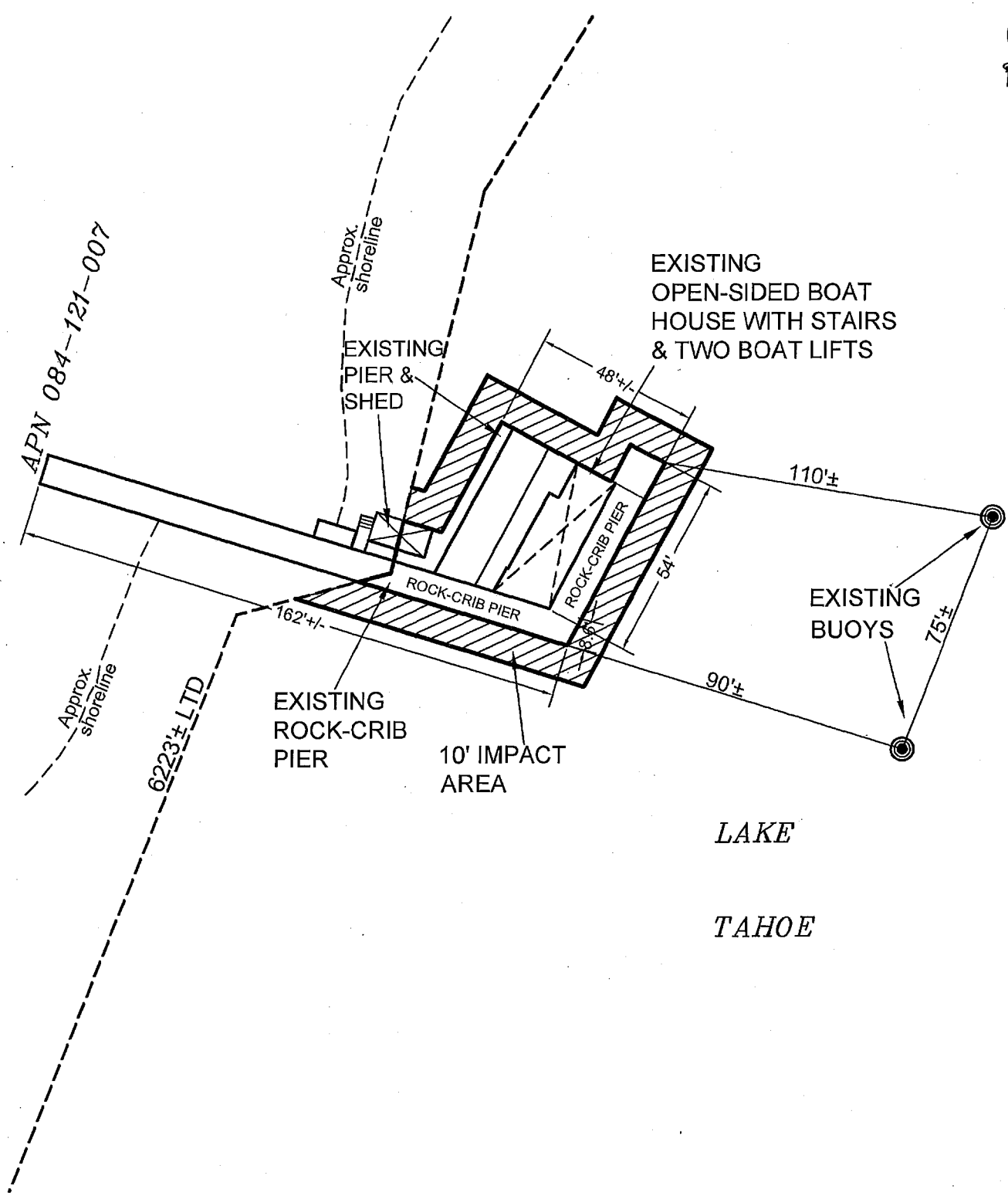


EXHIBIT A

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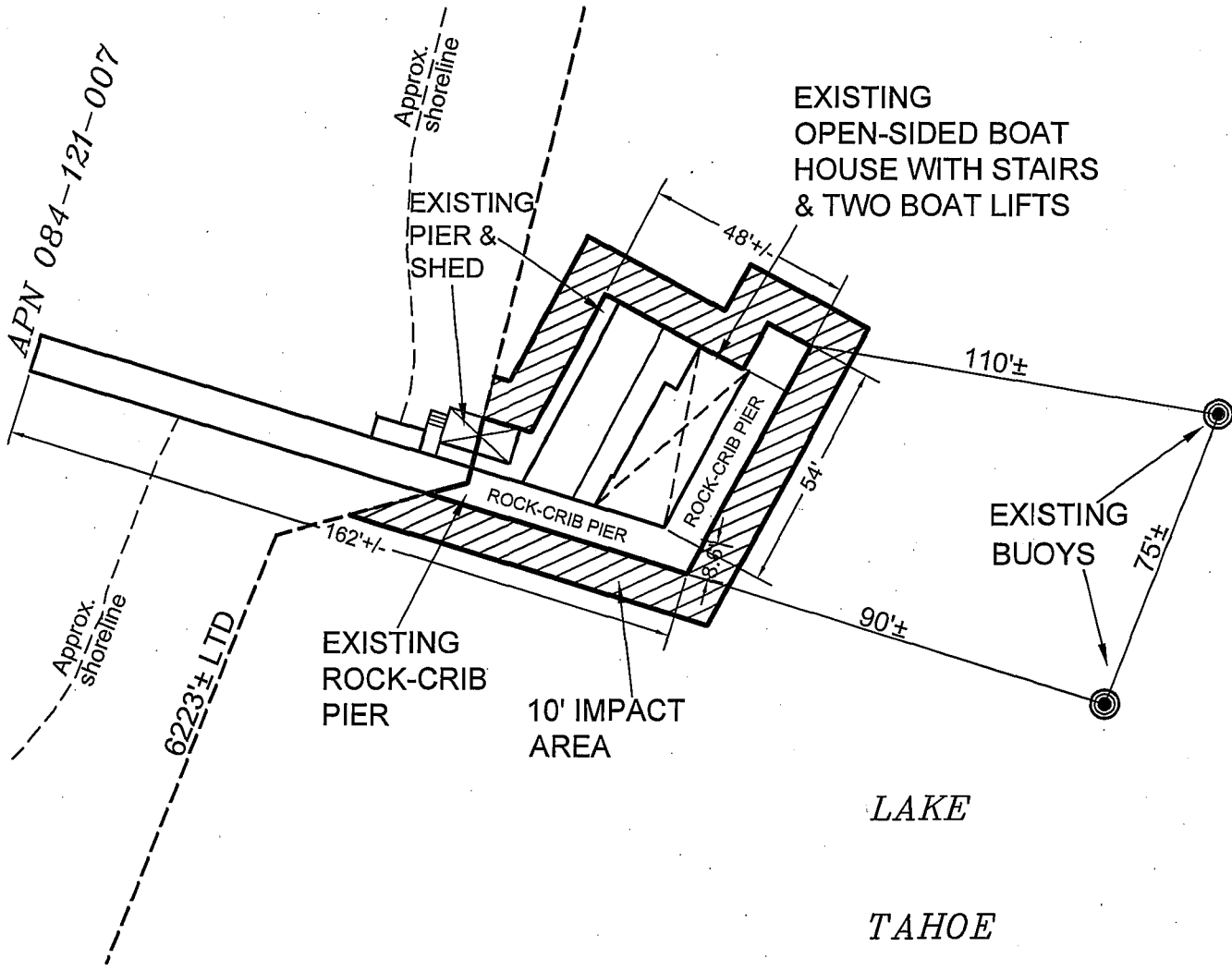
LAND DESCRIPTION PLAT
 PRC 3683.9, DOLBY
 PLACER COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

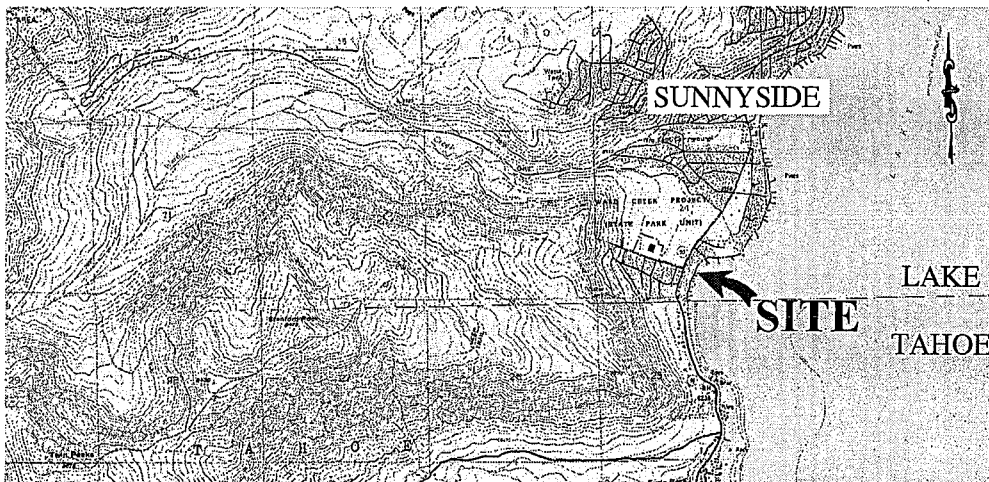
SITE



2540 WEST LAKE BOULEVARD, NEAR TAHOE CITY

NO SCALE

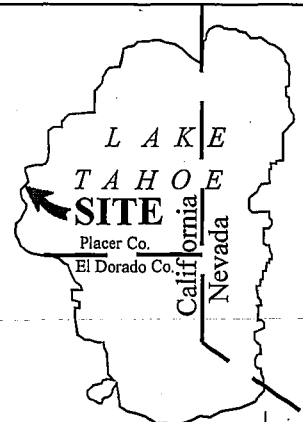
LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 3683.9
 DOLBY
 APN 084-121-007
 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.