

**STAFF REPORT  
C22**

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04/19/18  
PRC 8421.1  
L. Pino

**AMENDMENT OF LEASE AND REVISION OF RENT**

**LESSEE:**

Grayle Tully James and Gwyn-Mohr Tully

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

Sovereign land in Lake Tahoe, adjacent to 8507 and 8511 Meeks Bay Avenue, near Meeks Bay, El Dorado County.

**AUTHORIZED USE:**

Use and maintenance of an existing joint-use pier, boat lift, and four mooring buoys.

**LEASE TERM:**

10 years, beginning April 16, 2013.

**CONSIDERATION:**

This lease provides that the Commission may modify the rent periodically during the lease term. Pursuant to this provision, staff conducted a review of the rent under this lease and recommends that rent be revised from \$3,354 per year to \$2,418 per year, effective April 16, 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). 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 State's Best Interests Analysis:**

On September 20, 2013, the Commission authorized the issuance of a 10-year General Lease – Recreational Use to Grayle Tully James and Gwyn-Mohr Tully, for an existing pier, boat lift, and four mooring buoys beginning

STAFF REPORT NO. **C22** (CONT'D)

April 16, 2013, and ending April 15, 2023 ([Item C62, September 20, 2013](#)).

Staff conducted the rent review called for in the lease and recommends the rent be revised from \$3,354 to \$2,418 per year based on changes to the lease (impact) area for the pier and boat lift. Staff also recommends the lease exhibits be amended to reflect the new reduced impact area. The amendment and revision of rent are lease administrative actions which will not result in any substantive changes to the use of the lease premises.

The recommended action will not substantially interfere with Public Trust needs at this time and at this location. 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. Approving the lease amendment and revision of 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 Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

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

Find that the proposed amendment and revision of rent for Lease No. PRC 8421.1 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; are consistent with the common law Public Trust Doctrine; and are in the best interests of the State.

STAFF REPORT NO. **C22** (CONT'D)

**AUTHORIZATION:**

1. Authorize the amendment of Lease No. PRC 8421.1, a General Lease – Recreational Use, effective April 16, 2018, 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 8421.1 from \$3,354 per year to \$2,418 per year, effective April 16, 2018.

**EXHIBIT A**

**PRC 8421.1**

**LAND DESCRIPTION**

Five parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 5 of fractional Section 29, Township 14 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved January 17, 1866, County of El Dorado, State of California, more particularly described as follows:

**PARCEL 1 – PIER**

All those lands underlying an existing joint-use pier, catwalk and boat lift lying adjacent to those parcels described in Quitclaim Deed recorded December 29, 1999 as Document Number 1999-0078788-00 and Quitclaim Deed recorded December 29, 1999 as Document Number 1999-0078789-00 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.

**PARCELS 2 through 5 – BUOYS**

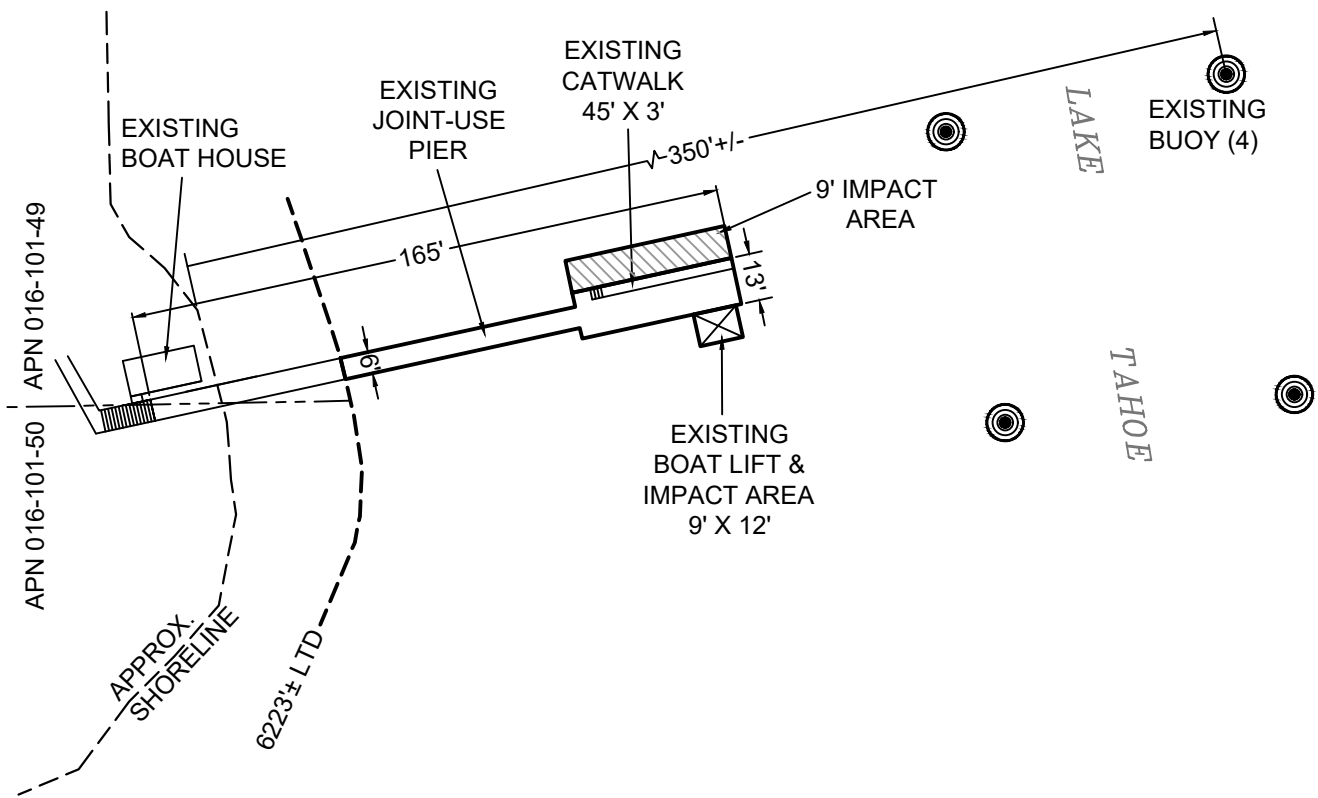
Four circular parcels of land, each being 50 feet in diameter, underlying four existing buoys lying adjacent to those parcels described in Quitclaim Deed recorded December 29, 1999 as Document Number 1999-0078788-00 and Quitclaim Deed recorded December 29, 1999 as Document Number 1999-0078789-00 in Official Records of said County.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 03/12/2018 by the California  
State Lands Commission Boundary Unit.





# EXHIBIT A

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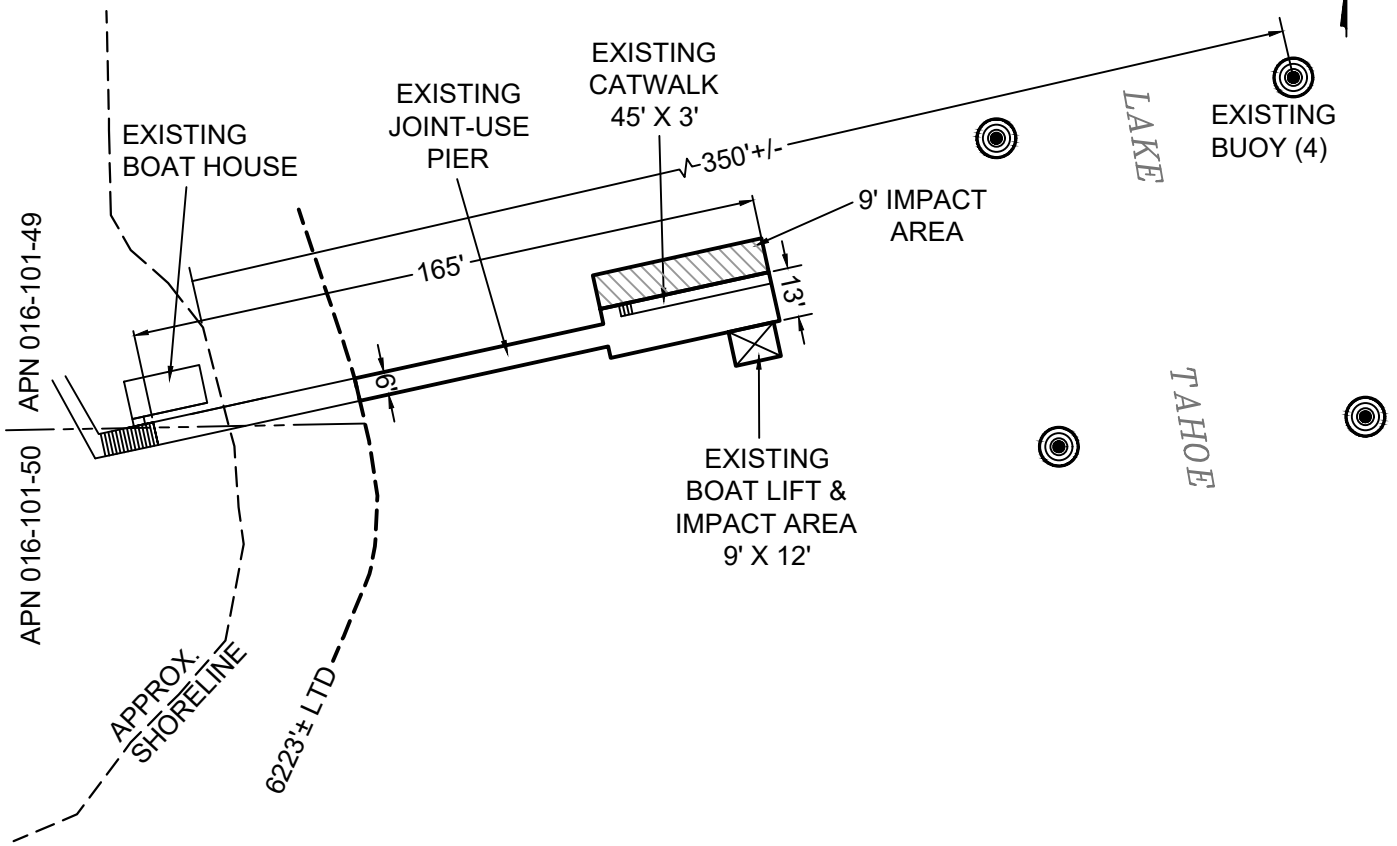
LAND DESCRIPTION PLAT  
PRC 8421.1, TULLY-JAMES/TULLY  
EL DORADO COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

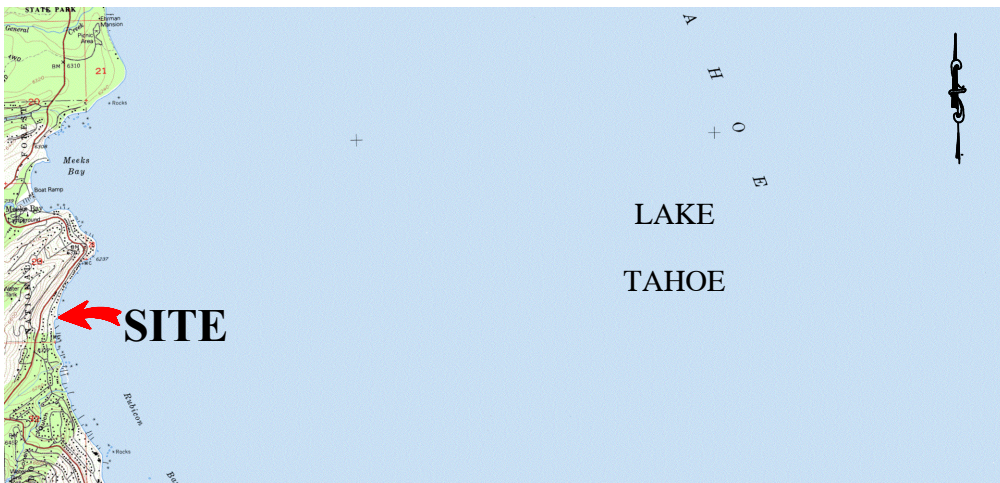
# SITE



8507 & 8511 MEEKS BAY AVENUE, NEAR RUBICON BAY

NO SCALE

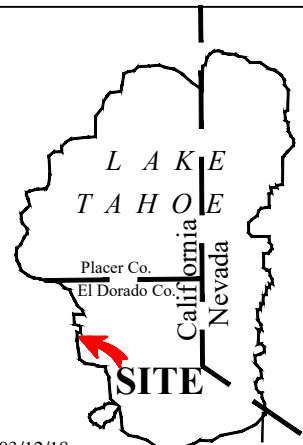
# LOCATION



MAP SOURCE: USGS QUAD

# Exhibit B

PRC 8421.1  
 TULLY-JAMES/TULLY  
 APN 016-101-49 & 50  
 GENERAL LEASE -  
 RECREATIONAL USE  
 EL DORADO 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.