

STAFF REPORT

26

A 1

04/29/20

S 1

PRC 5856.1

N. Lee

REVISION OF RENT

LESSEE:

Walsh Family LLC, dba North Tahoe Marina

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 7360 North Lake Boulevard, Tahoe Vista, Placer County

AUTHORIZED USE:

Continued use and maintenance of a commercial marina facility with fueling facility, pump out station, boat ramp, 30 boat slips, 48 mooring buoys, and two marker buoys.

LEASE TERM:

25 years, beginning June 5, 2005.

CONSIDERATION:

This lease provides that the Commission may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease and recommends that minimum rent be revised from \$17,765 per year to \$28,244 per year against the total of the following charges, whichever is greatest; 5 percent of annual gross income from the rental of 30 boat slips, boat rentals, pump out station and 48 mooring buoys; \$0.015 per gallon up to 100,000 gallons of fuel sales and \$0.02 per gallon in excess of 100,000 gallons of fuel sales; and 10 percent of all other gross income generated on the Lease Premises, effective June 5, 2020.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. Upon expiration or prior termination of the lease, the Lessee has no right to a new lease or to renewal of any previous lease.

STAFF REPORT NO. 26 (CONT'D)

2. On December 14, 2006, the Commission authorized a General Lease – Commercial Use for a commercial marina with a fueling station, pump out station, boat ramp, 30 boat slips, 48 mooring buoys, and two marker buoys ([Item C09, December 14, 2006](#)). That lease will expire on June 4, 2030. On August 11, 2009, the Commission authorized a sublease for the operation of the marina facility ([Item C35, August 11, 2009](#)). On June 23, 2011, the Commission authorized an amendment of the lease for annual maintenance dredging of up to 750 cubic yards of material ([Item C113, June 23, 2011](#)).
3. The 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.
4. Approving the revision of rent 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).

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

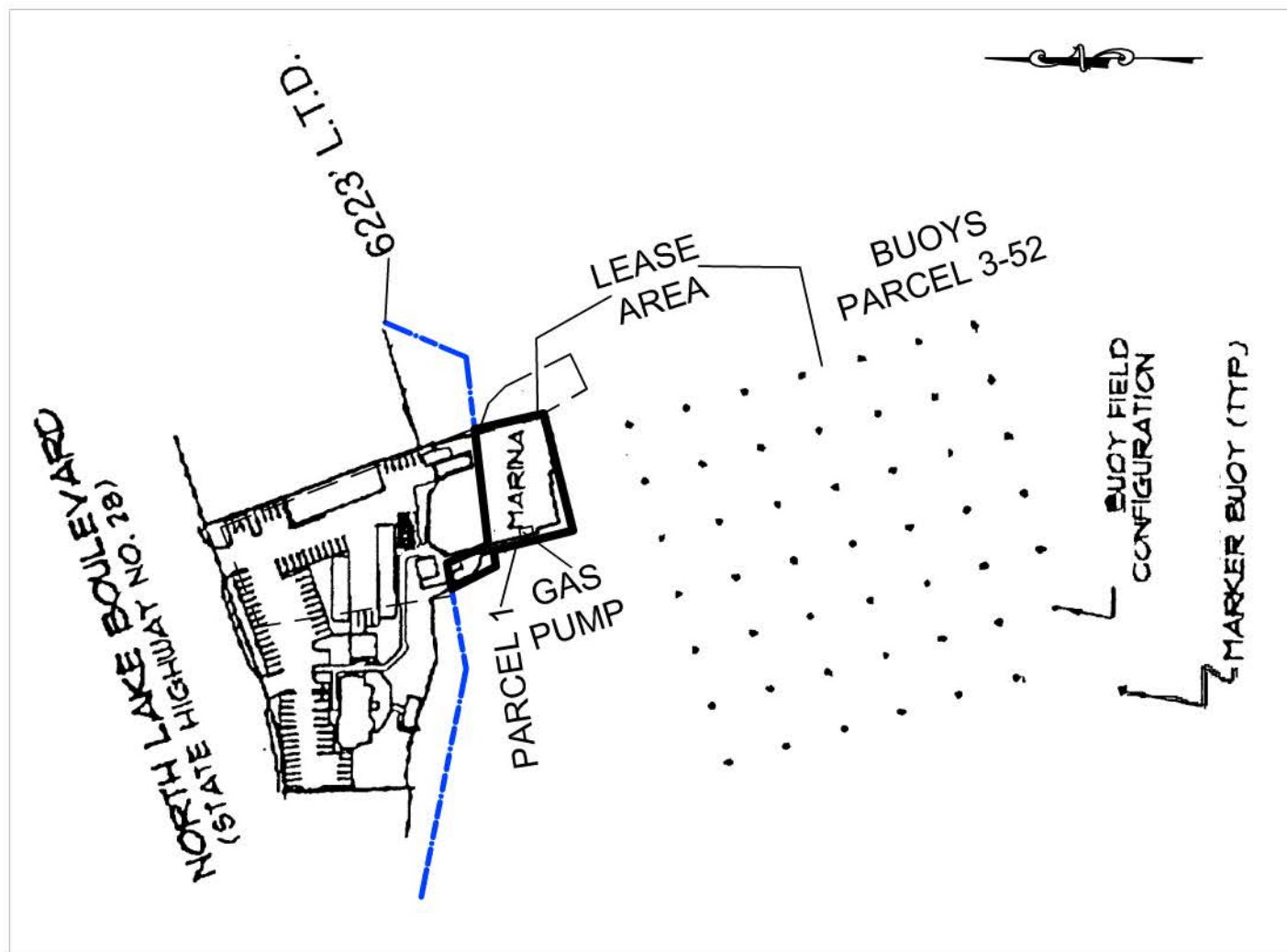
It is recommended that the Commission:

AUTHORIZATION:

Approve the revision of minimum rent for Lease No. PRC 5856.1 from \$17,765 per year to \$28,244 per year against the total of the following charges, whichever is greatest; 5 percent of annual gross income from the rental of 30 boat slips, boat rentals, pump out station, and 48 mooring buoys; \$0.015 per gallon up to 100,000 gallons of fuel sales and \$0.02 per gallon in excess of 100,000 gallons of fuel sales; and 10 percent of all other gross income generated on the Lease Premises, effective June 5, 2020.

NO SCALE

SITE



7360 NORTH LAKE BLVD., TAHOE VISTA

NO SCALE

LOCATION

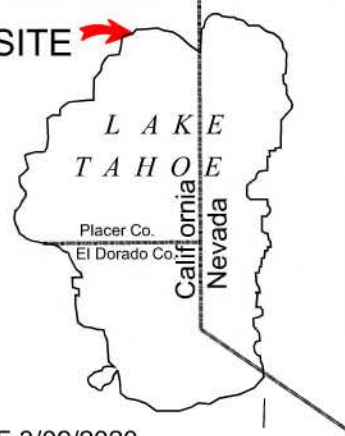


THIS EXHIBIT IS SOLELY FOR PURPOSES OF GENERALLY DEFINING THE LEASE PREMISES, IS BASED ON UNVERIFIED INFORMATION PROVIDED BY THE LESSEE OR OTHER PARTIES AND IS NOT INTENDED TO BE, NOR SHALL IT BE CONSTRUED AS, A WAIVER OR LIMITATION OF ANY STATE INTEREST IN THE SUBJECT OR ANY OTHER PROPERTY.

EXHIBIT A

PRC 5856.1
WALSH FAMILY LLC
DBA NORTH TAHOE MARINA
APN 117-130-053
GENERAL LEASE -
COMMERCIAL USE
PLACER COUNTY

SITE



MJF 3/09/2020