

# Staff Report 21

## **APPLICANT:**

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Tahoe LLC, a South Dakota Limited Liability Company

## **PROPOSED ACTION:**

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Correction to Prior Authorization

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

Sovereign land in Lake Tahoe, adjacent to 6820 West Lake Boulevard, near Tahoma, Placer County.

## **AUTHORIZED USE:**

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

## **TERM:**

10 years, beginning August 20, 2020.

## **CONSIDERATION:**

\$1,259 per year, with an annual Consumer Price Index adjustment.

## **PROPOSED CORRECTION:**

Authorize \$6,302 instead of \$9,610 in compensation for the unauthorized occupation of State land for the period beginning January 3, 2013 through August 19, 2020. All other terms and conditions of the lease shall remain in effect without change.

## **STAFF ANALYSIS AND RECOMMENDATION:**

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### **AUTHORITY:**

Public Resources Code sections 6005, 6216, 6301, 6501.1, 6503, and 6503.5; California Code of Regulations, title 2, sections 2000 and 2003.

On August 20, 2020, the Commission authorized a General Lease – Recreational Use to Tahoe LLC, a South Dakota Limited Liability Company, for a term of 10 years, beginning August 20, 2020, for the continued use and maintenance of an existing pier and two mooring buoys, located adjacent to the Lessee's upland parcel at 6820 West Lake Boulevard, with \$9,610 in compensation for the unauthorized occupation of State land for the period beginning January 3, 2013 through August 19, 2020 ([Item C14, August 20, 2020](#)).

Due to a miscalculation, the correct compensation for the unauthorized occupation of State land for the period beginning January 3, 2013 through August 19, 2020 is actually \$6,302. Staff recommends the Commission authorize the correction to reflect the correct amount owed.

## **OTHER PERTINENT INFORMATION:**

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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.
2. Correction of the prior lease authorization to correct the amount of compensation owed for the unauthorized occupation of State land 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:**

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

## **RECOMMENDED ACTION:**

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It is recommended that the Commission:

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

Find that the proposed correction will not substantially interfere with the Public Trust needs and values at this location; find this action is consistent with the common law Public Trust Doctrine and is in the best interests of the State.

### **AUTHORIZATION:**

Authorize correction of the Commission's August 20, 2020, authorization of a General Lease – Recreational Use to Tahoe LLC, a South Dakota Limited Liability Company to change the compensation for the unauthorized occupation of State land for the period beginning January 3, 2013 through August 19, 2020 to \$6,302.

## EXHIBIT A

LEASE 3548

### LAND DESCRIPTION

Three parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 4 of fractional Section 7, Township 14 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved January 17, 1866, County of Placer, State of California, more particularly described as follows:

#### PARCEL 1 – PIER

All those lands underlying an existing pier and catwalk lying adjacent to that parcel described in Quitclaim Deed recorded as Document Number 2013-0000436-00 on January 3, 2013 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 & 3 – BUOYS

Two circular parcels of land, being 50 feet in diameter, underlying two existing buoys lying adjacent to that parcel described in Quitclaim Deed recorded as Document Number 2013-0000436-00 on January 3, 2013 in Official Records of said County.

Accompanying plat is hereby made part of this description.

### END OF DESCRIPTION

Prepared 03/05/2020 by the California State Lands Commission Boundary Unit.



NO SCALE

LAKE  
TAHOE

EXISTING  
BUOYS (2)

EXISTING  
CATWALK  
2.5' x 28.75'

EXISTING  
PIER  
135.25' long

130'±  
255'±

9' IMPACT  
AREA

6223'± LTD

APPROX.  
SHORELINE

6'

APN 098-200-002

EXHIBIT A

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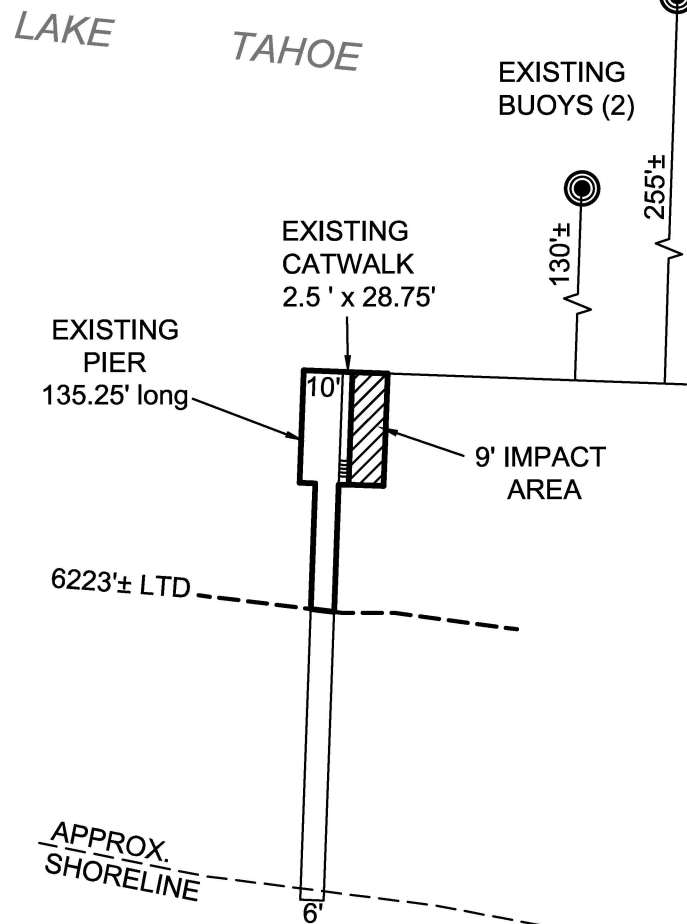
LAND DESCRIPTION PLAT  
LEASE 3548, TAHOE, LLC  
PLACER COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

## SITE

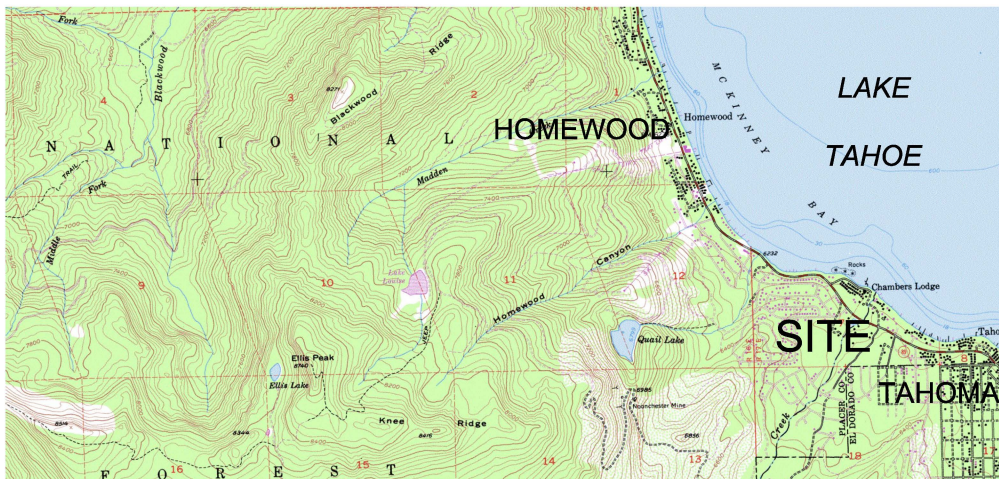


APN 098-200-002

6820 WEST LAKE BLVD., TAHOMA

NO SCALE

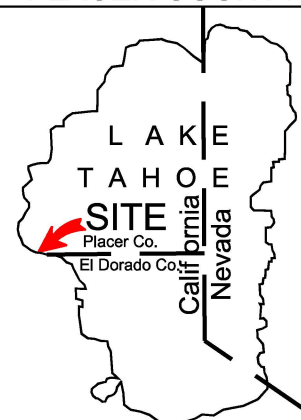
## LOCATION



MAP SOURCE: USGS QUAD

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 B**  
LEASE 3548  
TAHOE, LLC  
APN 098-200-002  
GENERAL LEASE-  
RECREATIONAL USE  
PLACER COUNTY



TS 03/05/2020