

# Staff Report 02

## **LESSEE/ASSIGNOR:**

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Thomas Bryte Hughes and Martha Reese Hughes, Trustees of the Thomas and Martha Hughes 2006 Revocable Trust

## **APPLICANT/ASSIGNEE:**

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Jennifer Hughes Dowley; Howard Reese Hughes; and Meredith Hughes Lyons

## **PROPOSED ACTION:**

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Assignment of a General Lease – Recreational Use

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

Sovereign land in Lake Tahoe, adjacent to 3105 West Lake Boulevard, near Tahoe City, Placer County.

## **AUTHORIZED USE:**

Continued use and maintenance of two existing mooring buoys.

## **TERM:**

10 years, beginning August 12, 2016.

## **CONSIDERATION:**

\$754 per year, with an annual Consumer Price Index adjustment.

## **SPECIFIC LEASE PROVISIONS:**

- Liability insurance in an amount no less than \$1,000,000 per occurrence.
- Lessee expressly acknowledges that a permit from the Tahoe Regional Planning Agency (TRPA) is required for the Authorized Improvements and failure to obtain a permit from TRPA and maintain compliance with that permit may result in TRPA imposing civil penalties and will constitute a breach of this lease.

- Lessee shall not store any personal items or construct any improvements in the Public Trust easement which may impair the public uses of access, navigation, fishing, and lake-related recreation.

## **STAFF ANALYSIS AND RECOMMENDATION:**

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### **AUTHORITY:**

Public Resources Code sections 6005, 6216, 6301, 6501.1, 6503, 6503.5, and 6505.5; and California Code of Regulations, title 2, sections 2000 and 2003.

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

On December 18, 2015, the Commission authorized a General Lease – Recreational Use to Thomas Bryte Hughes and Martha Reese Hughes, Trustees of the Thomas and Martha Hughes 2006 Revocable Trust for the continued use and maintenance of two existing mooring buoys. ([Item 20, December 18, 2015](#)).

After the lease was authorized, Martha Reese Hughes became the successor Trustee of the Thomas and Martha Hughes 2006 Revocable Trust.

On February 19, 2021, ownership interest in the upland parcel was transferred from the Lessee to Jennifer Hughes Dowley; Howard Reese Hughes; and Meredith Hughes Lyons (Applicant). The lease is set to expire on August 11, 2026.

The Applicant is applying for assignment of a General Lease – Recreational Use, for the continued use and maintenance of the existing two mooring buoys. The Lessee has consented to this assignment and will sign a Memorandum of Lease Assignment as evidence of consent. The Applicant holds a current TRPA registration for the buoys, as of September 30, 2019 (Registration No. 11314). The effective date of the assignment will be February 19, 2021, to coincide with the Applicant's acquisition of the upland property.

### **CONCLUSION:**

For these reasons, staff believes the lease assignment will not substantially interfere with Public Trust needs at this location, at this time, and for the foreseeable term of the lease; and is in the best interests of the State.

## **OTHER PERTINENT INFORMATION:**

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1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign

land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law.

2. This action is consistent with the "Meeting Evolving Public Trust Needs" Strategic Focus Areas of the Commission's 2021- 2025 Strategic Plan.
3. Assignment of a 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:**

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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 assignment of the lease will not substantially interfere with Public Trust needs and values at this location, at this time, and for the remaining term of the lease; and is in the best interests of the State.

### **AUTHORIZATION:**

Authorize the assignment of Lease 7556, a General Lease – Recreational Use of sovereign land, as described in Exhibit A, Land Description, and as shown on Exhibit B, Site and Location Map (for reference purposes only) attached and by this reference made a part hereof, from Martha Reese Hughes, Successor Trustee of the Thomas and Martha Hughes 2006 Revocable Trust to Jennifer Hughes Dowley; Howard Reese Hughes; and Meredith Hughes Lyons, effective February 19, 2021.

## EXHIBIT A

PRC 7556

### LAND DESCRIPTION

Two parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to fractional Section 25, 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:

Two circular parcels of land, each being 50 feet in diameter, underlying two existing buoys lying adjacent to those parcels as described in Grant Deed recorded February 19, 2021 as Document Number 2021-0023878-00 in Official Records of said County.

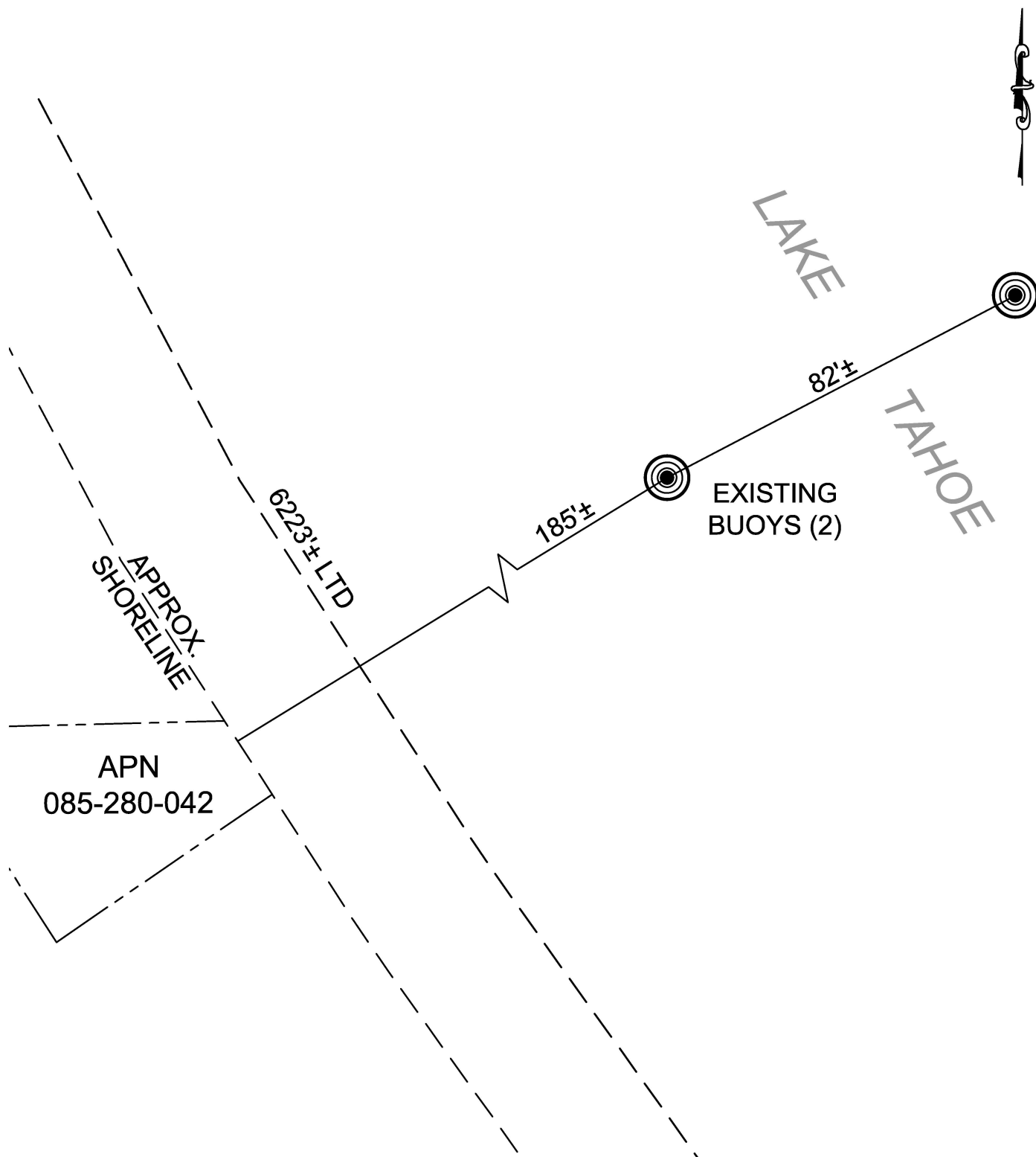
Accompanying plat is hereby made part of this description.

### END OF DESCRIPTION

Prepared 09/15/2021 by the California State Lands Commission Boundary Unit.



NO SCALE



## EXHIBIT A

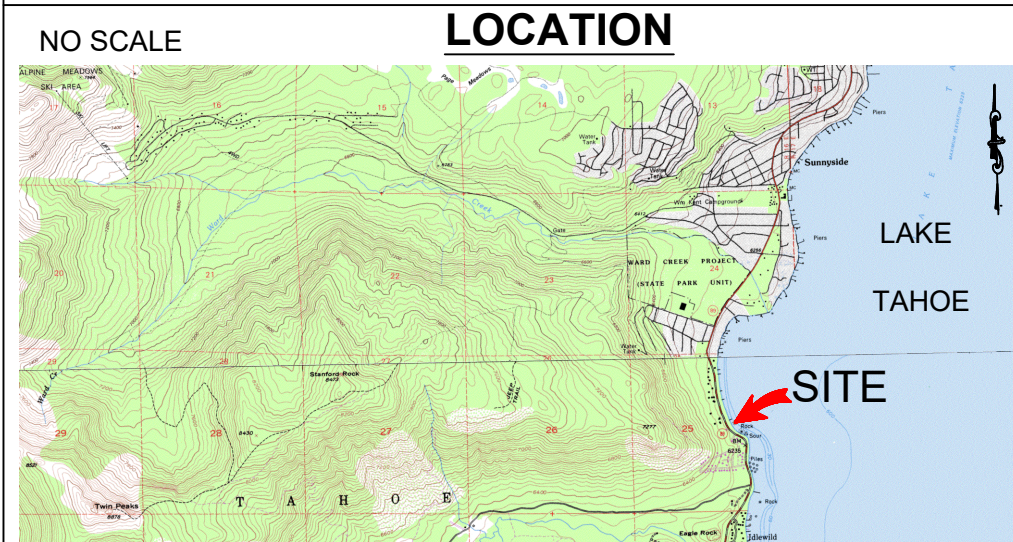
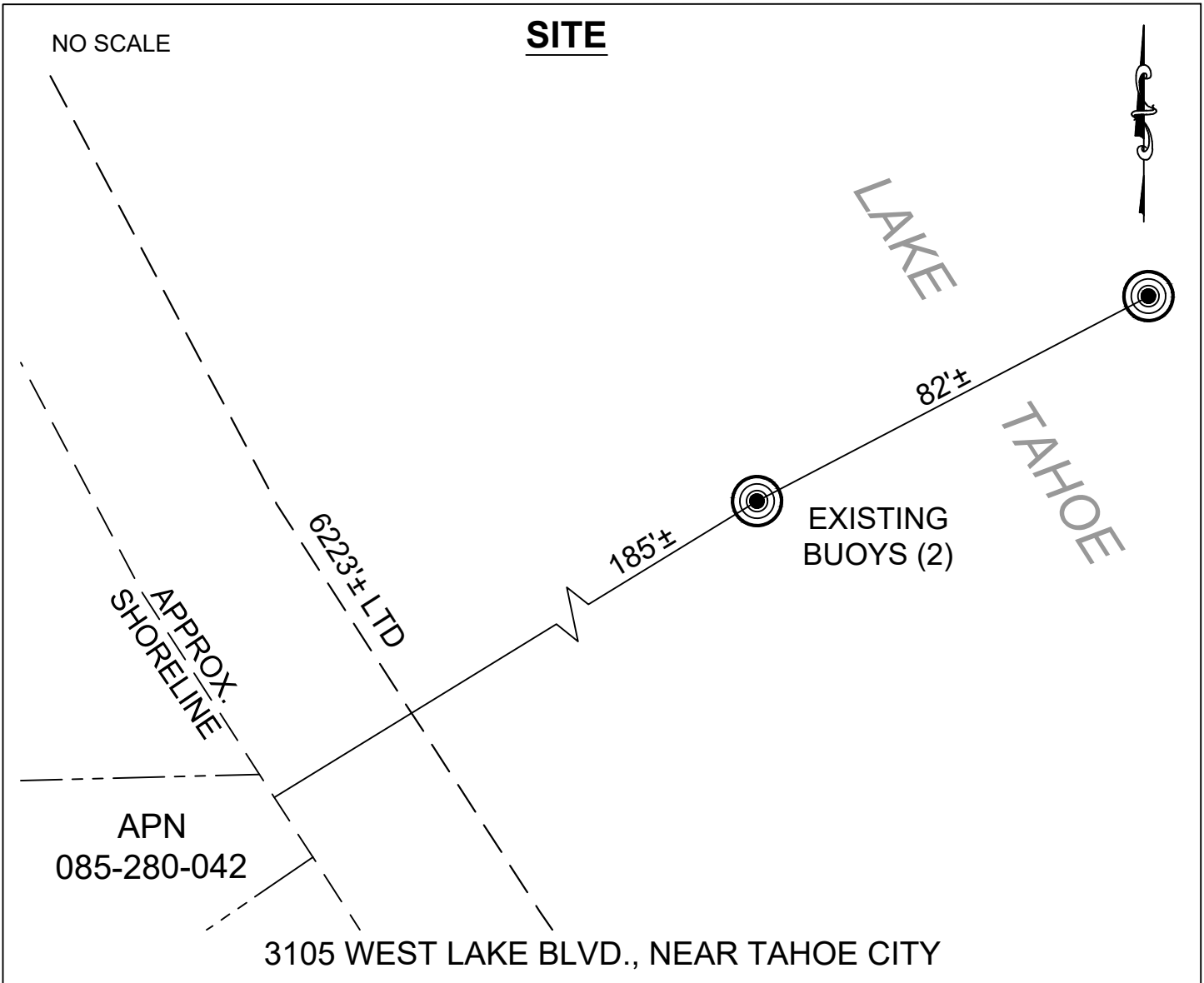
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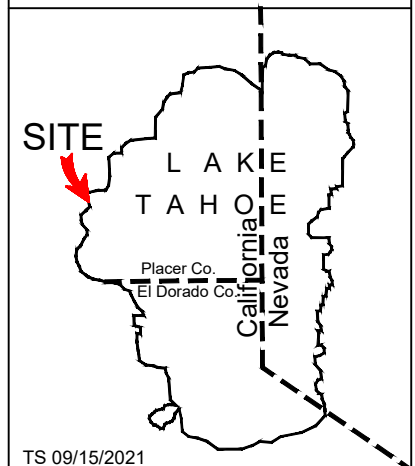
LAND DESCRIPTION PLAT  
PRC 7556, HUGHES ET AL.  
PLACER COUNTY

CALIFORNIA STATE  
LANDS COMMISSION





**Exhibit B**  
 PRC 7556  
 HUGHES ET AL.  
 APN 085-280-042  
 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.