

**STAFF REPORT
C10**

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06/21/18
PRC 7862.1
M. Schroeder

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

DMB/Highlands Group, LLC, an Arizona Limited Liability Company

APPLICANT/ASSIGNEE:

Martis Camp Club

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 6920 North Lake Boulevard, near Tahoe Vista, Placer County.

AUTHORIZED USE:

Continued use and maintenance of two existing mooring buoys.

LEASE TERM:

10 years, beginning December 30, 2013.

CONSIDERATION:

\$754 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

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 the State's Best Interests Analysis:

On June 19, 2014, the Commission authorized a General Lease – Recreational Use to DMB/Highlands Group, LLC, an Arizona Limited Liability Company for two existing mooring buoys ([Item C38, June 19, 2014](#)). That lease will expire on December 29, 2023. On June 30, 2016, ownership of the upland property was transferred to Martis Camp Club. The Applicant is applying for an assignment of the lease.

Staff recommends an assignment of the lease to reflect the change in ownership of the upland property from the Assignor to the Assignee. The

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assignment will be effective as of the date of the transfer, June 30, 2016. The Assignee agrees to perform and be bound by the terms, conditions, covenants, and agreements contained within the lease.

The lease assignment will not result in a change in the use of, or impacts to, Public Trust resources. 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.
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).

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

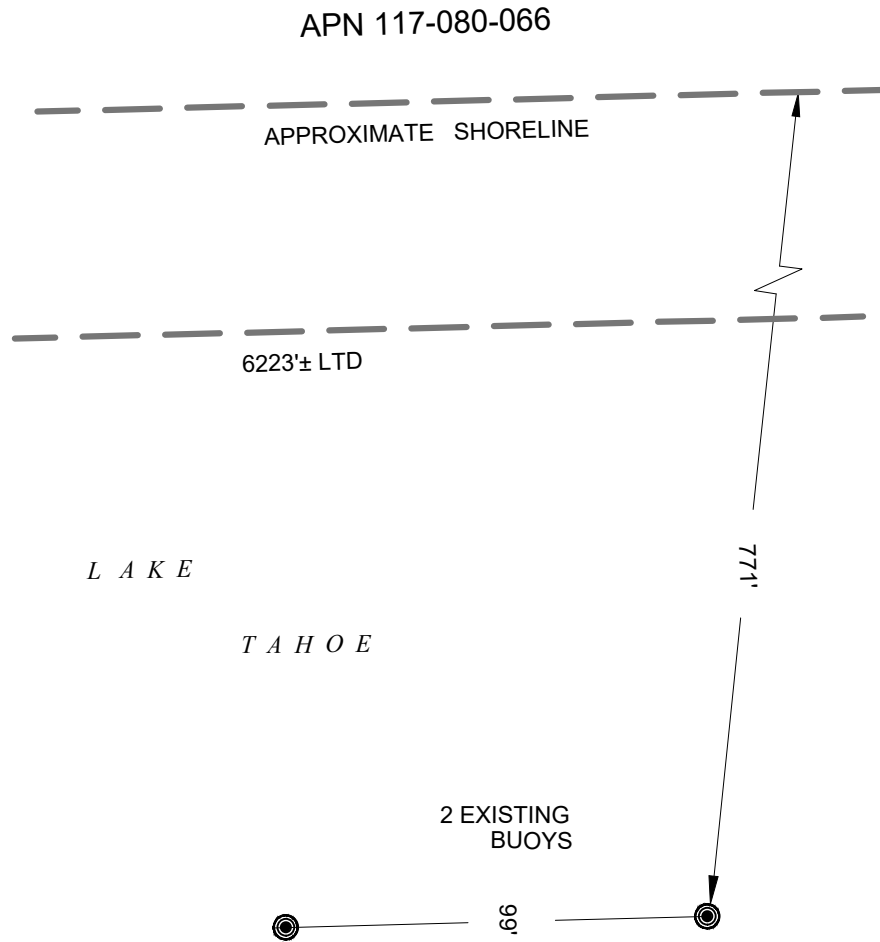
Find that the proposed lease assignment will not impact the public rights to navigation and fishing or substantially interfere with the Public Trust needs and values at this location, at this time, and for the foreseeable term of the lease; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

AUTHORIZATION:

Authorize the assignment of Lease No. PRC 7862.1, 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 DMB/Highlands Group, LLC, an Arizona Limited Liability Company to Martis Camp Club, effective June 30, 2016.

NO SCALE

SITE



6920 NORTH LAKE BLVD., NEAR TAHOE VISTA

NO SCALE

LOCATION

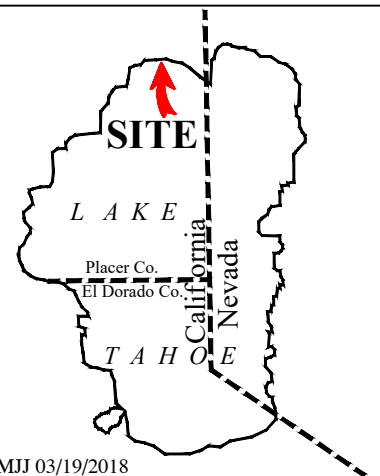


MAP SOURCE: USGS QUAD

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 A

PRC 7862.1
 MARTIS CAMP CLUB
 APN 117-080-066
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



MJJ 03/19/2018