

**CALENDAR ITEM
C16**

A 1
S 1

12/06/16
PRC 3787.9
M. Schroeder

AMENDMENT OF LEASE

LESSEE/APPLICANT:

Todd W. Lockwood and Karen Sue Lockwood, Trustees under Declaration of Trust dated September 30, 1980

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 6650 West Lake Boulevard, near Tahoma, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boathouse with boat lift, and two mooring buoys.

LEASE TERM:

10 years, beginning June 21, 2009.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

PROPOSED AMENDMENT:

Amend the lease to:

1. Replace the existing Exhibit A, Site and Location Map, with the attached Exhibit A, Site and Location Map;
2. Add Lisa L. Miley and Karen Sue Lockwood, Trustees of the Lisa (Lockwood) Miley Trust; Cynthia Sue Clift, Trustee of the Cynthia Sue Clift Separate Property Trust; and Daniel P. Moylan and Shawne L. Moylan, Trustees of the Moylan Family Trust Under Declaration of Trust dated February 7, 1996 as Lessee along with Todd W. Lockwood and Karen Sue Lockwood, Trustees under Declaration of Trust dated September 30, 1980;

CALENDAR ITEM NO. **C16** (CONT'D)

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, and 6503.5; California Code of Regulations, title 2, section 2000, subdivision (b).

Public Trust and the State's Best Interests Analysis:

On August 11, 2009, the Commission authorized a 10-year Recreational Pier Lease to Todd W. Lockwood and Karen Sue Lockwood, Trustees under Declaration of Trust dated September 30, 1980, beginning June 21, 2009, for an existing pier, boathouse with boat lift, and two mooring buoys ([Calendar Item C04, August 11, 2009](#)). That lease will expire on June 20, 2019.

On December 14, 2012, the Lessee deeded a portion of their interest in the upland property to Lisa L. Miley and Karen Sue Lockwood, Trustees of the Lisa (Lockwood) Miley Trust; Cynthia Sue Clift, Trustee of the Cynthia Sue Clift Separate Property Trust; and Daniel P. Moylan and Shawne L. Moylan, Trustees of the Moylan Family Trust Under Declaration of Trust dated February 7, 1996. Lessee subsequently submitted an application to amend the lease to add the additional parties. Staff recommends the lease be amended to include the additional parties as lessees.

The amendment is an administrative action that does not result in any changes to the lease or use of the lease premises. The recommended action will not substantially interfere with the Public Trust needs at this time and at this location. For these reasons, staff recommends finding the proposed action is consistent with the Public Trust Doctrine and in the best interests of the State at this time.

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. The amendment of the lease to replace the Site and Location Map and add additional lessees is not a project as defined by the California

CALENDAR ITEM NO. **C16** (CONT'D)

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:

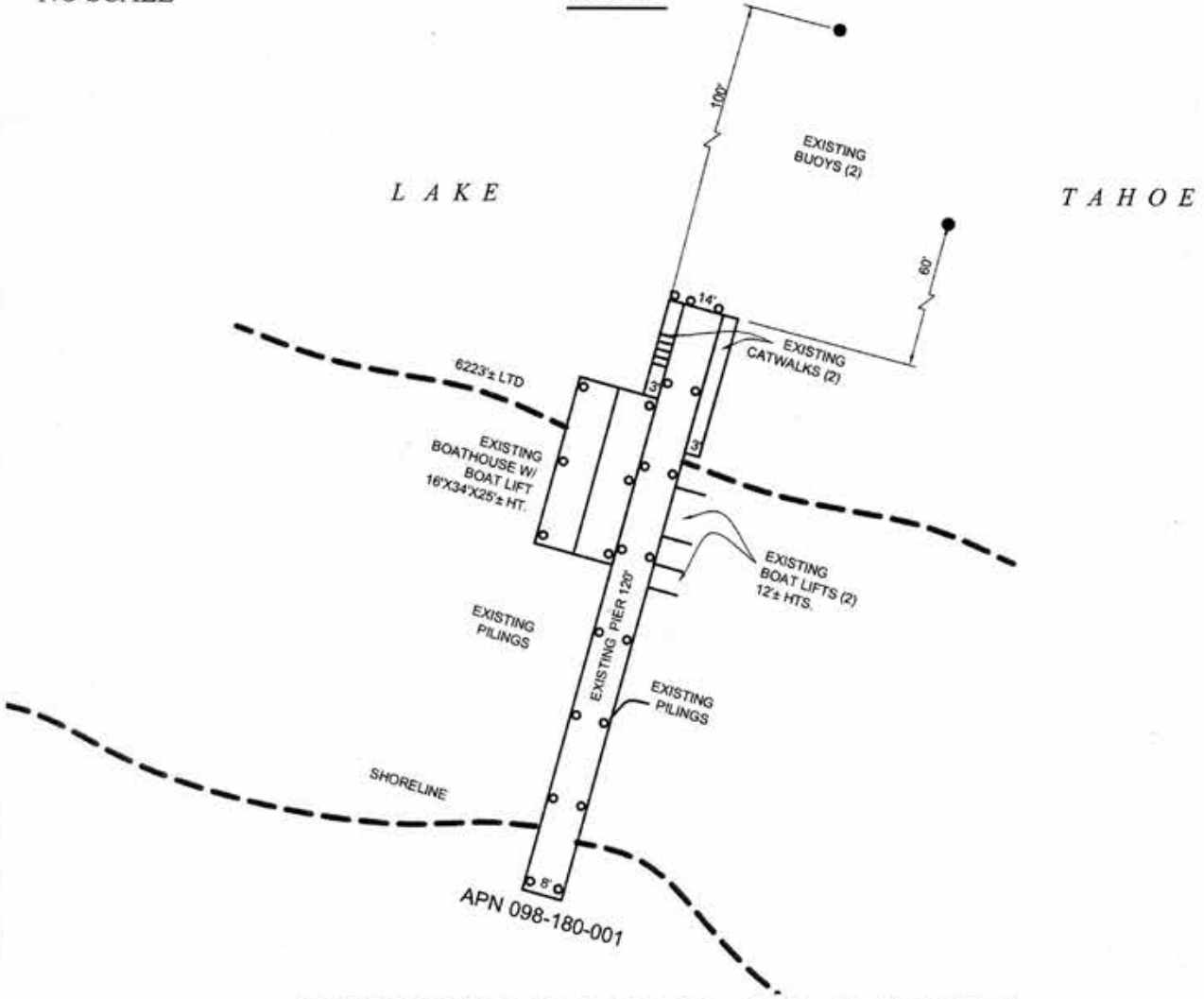
Find that the proposed amendment of Lease No. PRC 3787.9 will not substantially interfere with the Public Trust needs and values at this location at this time, is consistent with the common law Public Trust Doctrine and is in the best interests of the State.

AUTHORIZATION:

Authorize the amendment of Lease No. PRC 3787.9, a Recreational Pier Lease, effective December 6, 2016, to replace the existing Exhibit A, Site and Location Map, with the attached Exhibit A, Site and Location Map (for reference purposes only); to include Lisa L. Miley and Karen Sue Lockwood, Trustees of the Lisa (Lockwood) Miley Trust; Cynthia Sue Clift, Trustee of the Cynthia Sue Clift Separate Property Trust; and Daniel P. Moylan and Shawne L. Moylan, Trustees of the Moylan Family Trust Under Declaration of Trust dated February 7, 1996; as additional lessees along with current lessees Todd W. Lockwood and Karen Sue Lockwood, Trustees under Declaration of Trust dated September 30, 1980; all other terms and conditions of the lease will remain in effect without amendment.

NO SCALE

SITE



6650 WEST LAKE BLVD., NEAR TAHOMA

NO SCALE

LOCATION

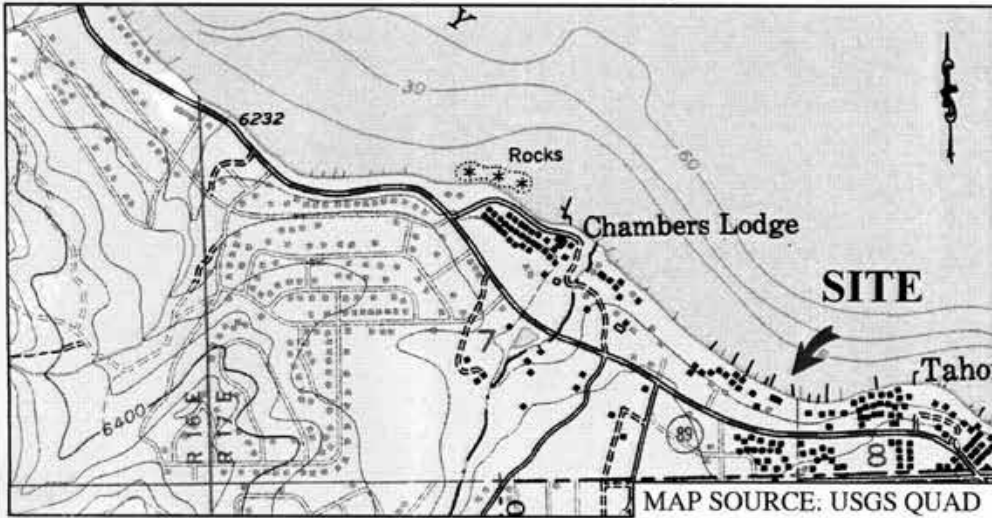


Exhibit A

PRC 3787.9
 LOCKWOOD TRUST, ET AL
 APN 098-180-001
 RECREATIONAL PIER LEASE
 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.