

**CALENDAR ITEM
C18**

A 1
S 1

04/26/13
PRC 7597.1
M.J. Columbus

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

Kent D. Powell and Margaret Jean Powell, Trustees of the Kent and Margaret Powell Family 1985 Revocable Trust, established Jan. 8, 1985

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Donner Lake, adjacent to 14210 South Shore Drive, near the town of Truckee, Nevada County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier with ramp.

LEASE TERM:

10 years, beginning January 8, 2012.

CONSIDERATION:

\$1,055 per year, with the State reserving the right to fix a different rent periodically during the term of the lease, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On October 1, 2002, the Commission authorized a Recreational Pier Lease. That lease expired on January 7, 2012. The prior lease authorized a pier that the Applicants have confirmed was described incorrectly at the time. The new lease has verified dimensions and the attached Exhibits A and B include the revised dimensions. The Applicants are now applying for a new General Lease – Recreational Use.
3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA)

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as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, existing facilities, California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease - Recreational Use to Kent D. Powell and Margaret Jean Powell, Trustees of the Kent and Margaret Powell Family 1985 Revocable Trust, established Jan. 8, 1985, beginning January 8, 2012, for a term of 10 years, for the continued use and maintenance of an existing pier with ramp as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$1,055, with the State reserving the right to fix a different rent periodically during the

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least term, as provided in the lease; and liability insurance in an amount of no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 7597.1

LAND DESCRIPTION

A parcel of land situated in the bed of Donner Lake, lying adjacent to Government Lot 8 of fractional Section 13, Township 17 North, Range 15 East, M.D.M., as shown on Official Government Township Plat approved April 10, 1867, also being adjacent to Lot 36 of the Donner Terrace Unit No. 1 as shown on the map filed October 3, 1962 in Book 2 of Maps at Page 9, Records of Nevada County, California, more particularly described as follows:

All those lands underlying an existing pier lying adjacent to that parcel described in Grant Deed recorded January 30, 1990 as Document Number 90 03075 Official Records of said County.

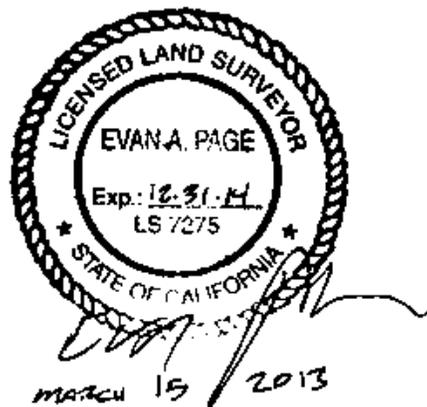
TOGETHER WITH a ten foot impact area.

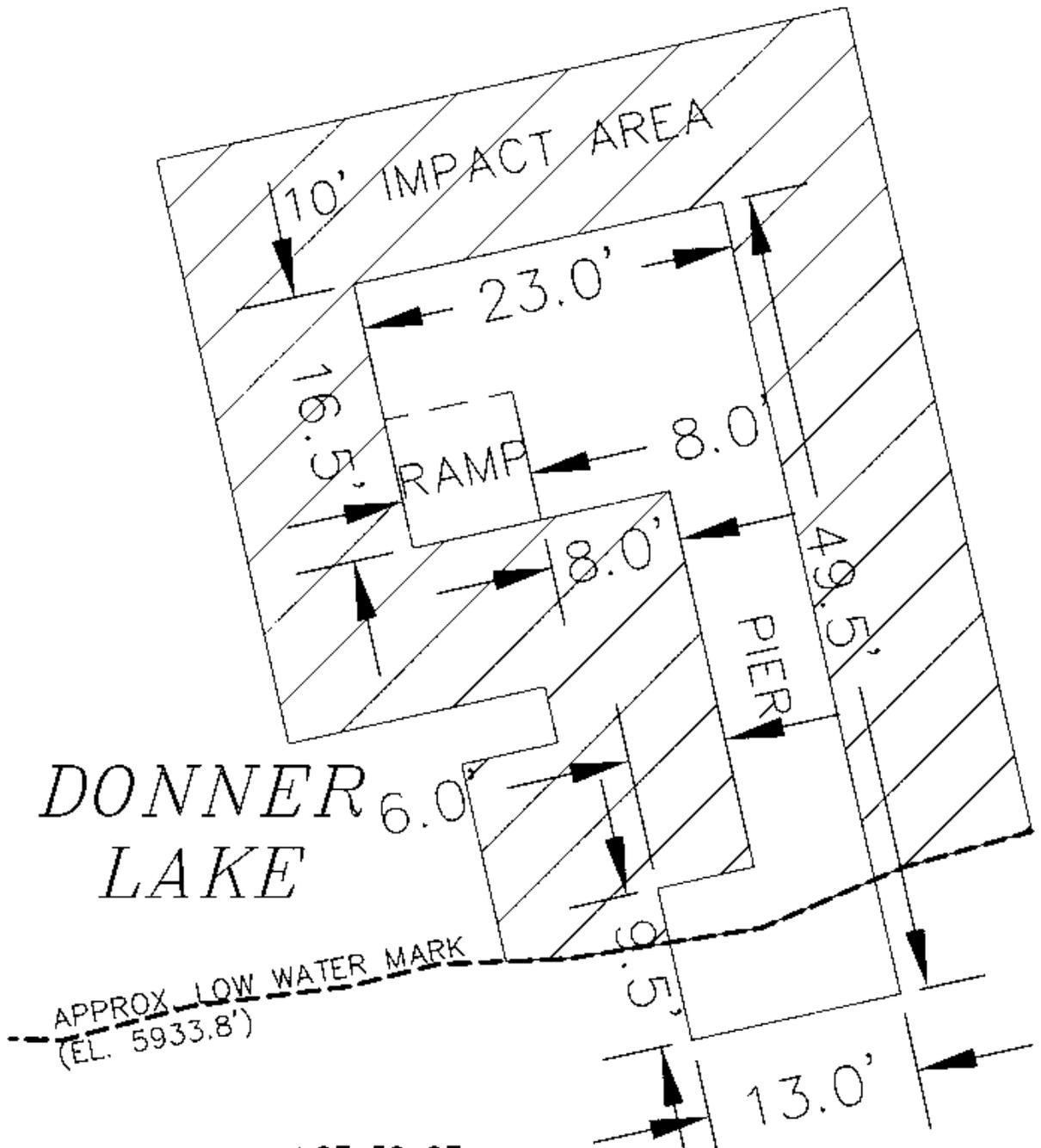
EXCEPTING THEREFROM any portion lying landward of the low water mark of said Donner Lake.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 03/14/2013 by the California State Lands Commission Boundary Unit.





LOT 36 OF
DONNER TERRACE UNIT NO. 1

APN 17-410-06

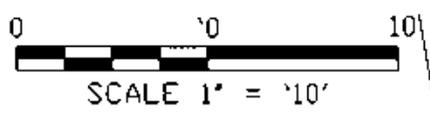


EXHIBIT A

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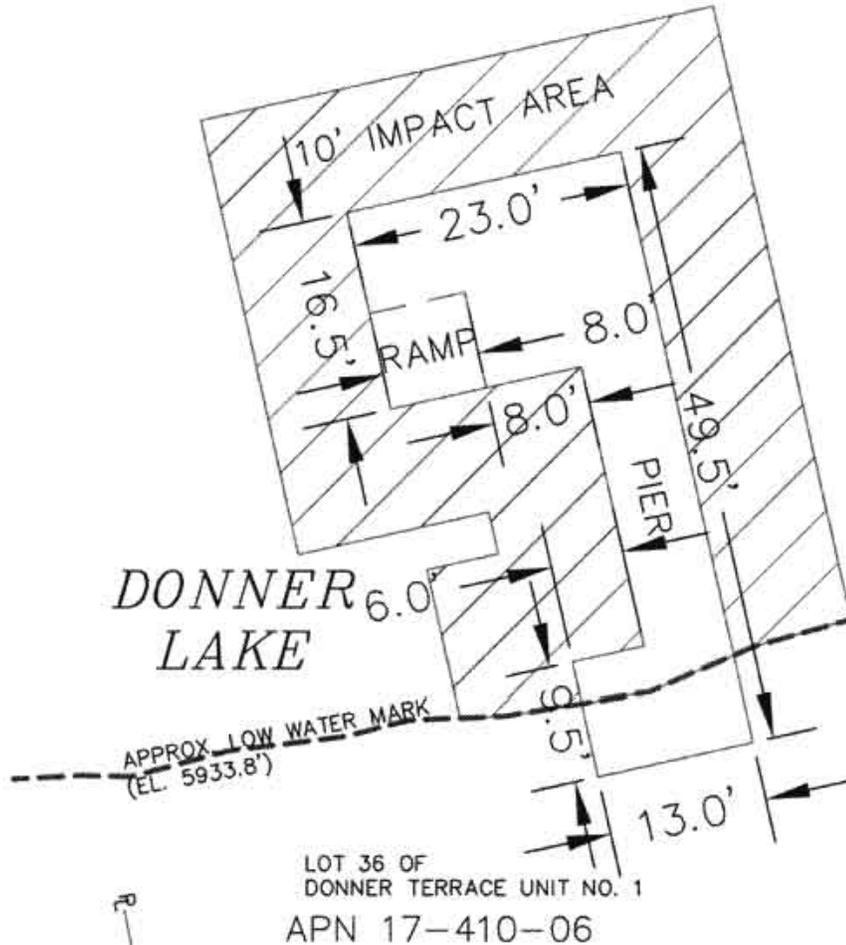
LAND DESCRIPTION PLAT
PRC 7597.1, POWELL
NEVADA COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

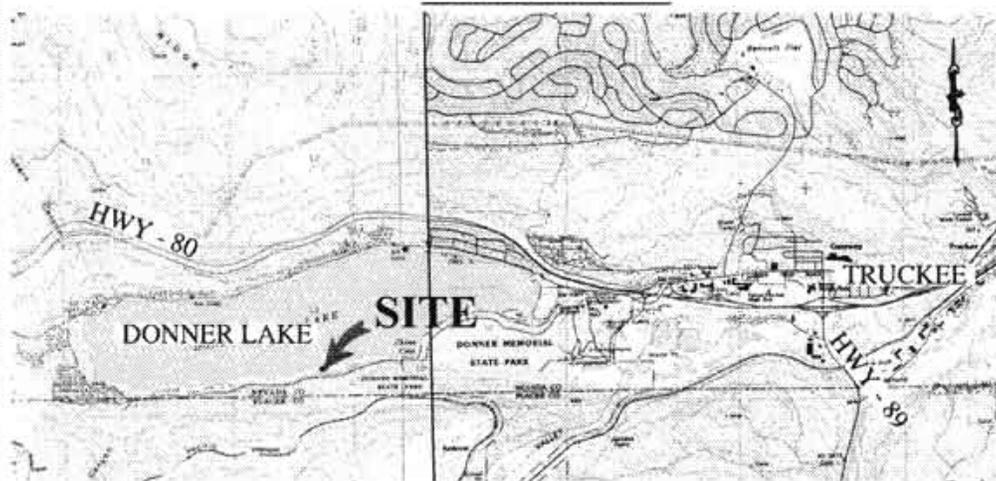
SITE



14210 South Shore Dr., Truckee

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7597.1
 POWELL
 APN 17-410-06
 GENERAL LEASE -
 RECREATIONAL USE
 NEVADA 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.