

**CALENDAR ITEM
C20**

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S 1

06/21/13
PRC 8492.1
W. Hall

**TERMINATION OF A RECREATIONAL PIER LEASE AND ISSUANCE OF A
GENERAL LEASE – RECREATIONAL USE**

LESSEES:

Frank C. Bleuss and Robin A. Bleuss

APPLICANT:

Lutz Frank Karbe

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Donner Lake, adjacent to 14186 South Shore Drive, near Truckee, Nevada County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier.

LEASE TERM:

10 years, beginning March 9, 2012.

CONSIDERATION:

\$1,320 per year, with the State reserving the right to fix a different rent periodically during the lease term, 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. Applicant owns the upland adjoining the lease premises.
2. On October 20, 2003, the Commission authorized a Recreational Pier Lease with Frank C. Bleuss and Robin A. Bleuss. That lease will expire on September 30, 2013. On March 9, 2012, the upland was deeded to Lutz Frank Karbe. The Applicant is now applying for a new General Lease – Recreational Use. Because staff was unable to locate the Lessees for

CALENDAR ITEM NO. **C20** (CONT'D)

execution of a quitclaim deed, staff recommends termination of the existing lease and issuance of a new lease to the Applicants.

3. **Lease Termination:** The staff recommends that the Commission find that the subject lease termination does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

4. **Issuance of Lease:** The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA 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.

5. 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:

Lease Termination: Find that the subject lease termination is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c) (3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

CALENDAR ITEM NO. **C20** (CONT'D)

Issuance of Lease: 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:

1. Authorize termination, effective March 8, 2012, of Lease No. PRC 8492.9, a Recreational Pier Lease, issued to Frank C. Bleuss and Robin A. Bleuss.

2. Authorize issuance of a General Lease – Recreational Use to Lutz Frank Karbe, beginning March 9, 2012, for a term of 10 years, for the continued use and maintenance of an existing pier, 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 \$1,320 with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance with coverage of no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8492.1

LAND DESCRIPTION

A parcel of land situated in the bed of Donner Lake, lying adjacent to Government Lot 7 of fractional Section 13, Township 17 North, Range 15 East, M.D.B.&M., as shown on Official Government Township Plat approved April 10, 1867, also being adjacent to Lot 34 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, State of California, more particularly described as follows:

All those lands underlying an existing pier lying adjacent to that parcel described in Grant Deed recorded March 9, 2012 as Document Number 20120006395 in 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.

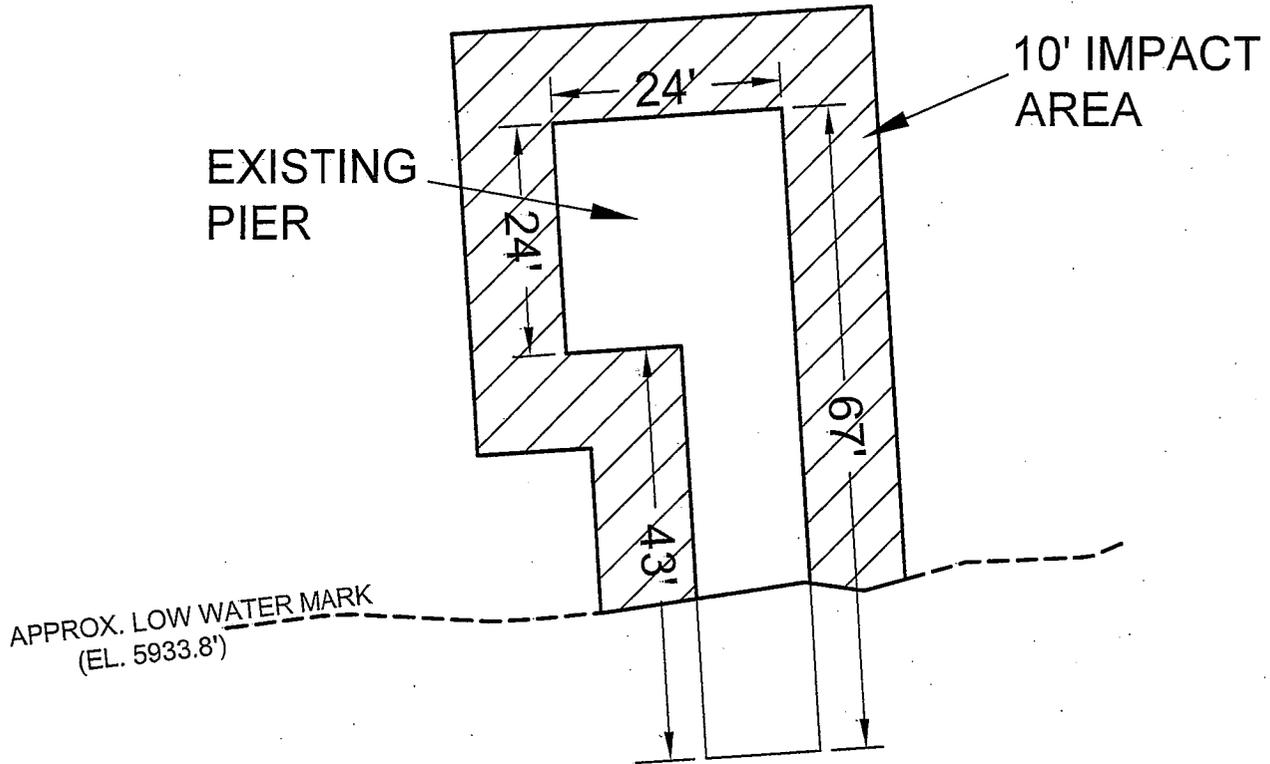
END OF DESCRIPTION

Prepared 03/25/2013 by the California State Lands Commission Boundary Unit.



MARCH 29 2013

DONNER LAKE



APN 17-410-08
LOT 34 OF
DONNER TERRACE UNIT NO. 1

NOTE: SURVEY REFERS TO THE
SITE PLAN "BLEUSS PIER"
BY AUERBACH ENGINEERING CORP.
DATED MAY 7, 2003

EXHIBIT A

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LAND DESCRIPTION PLAT
PRC 8492.1, KARBE
NEVADA COUNTY

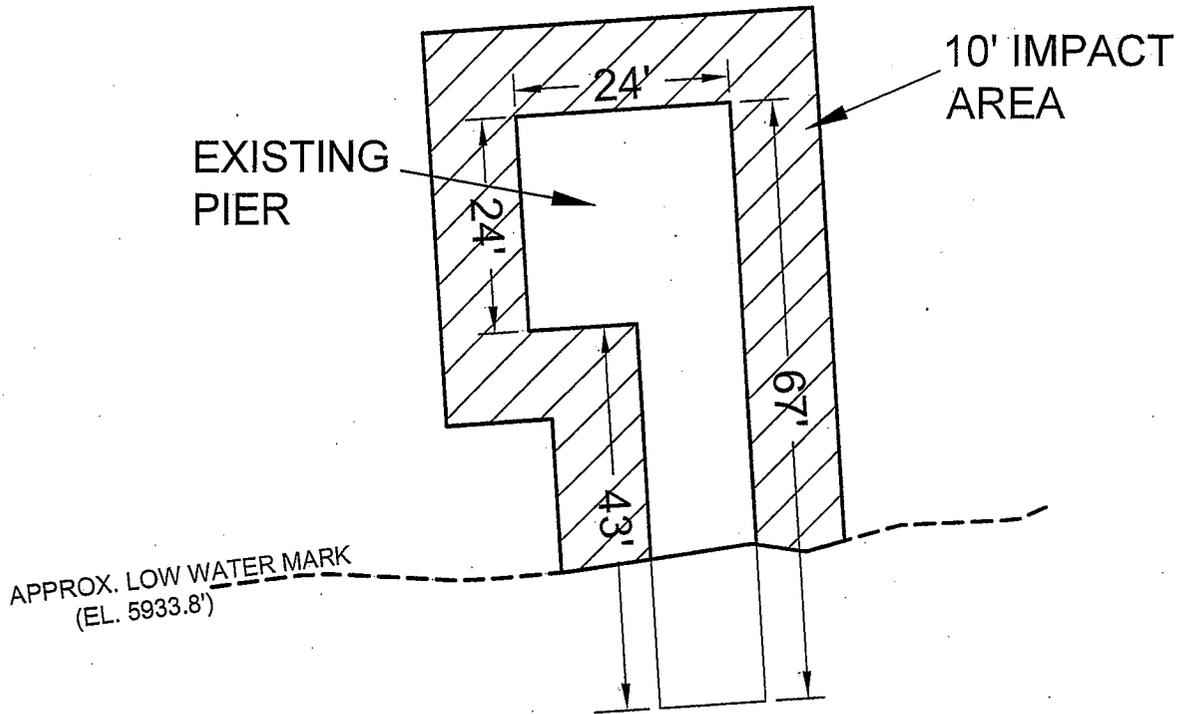
CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

DONNER LAKE

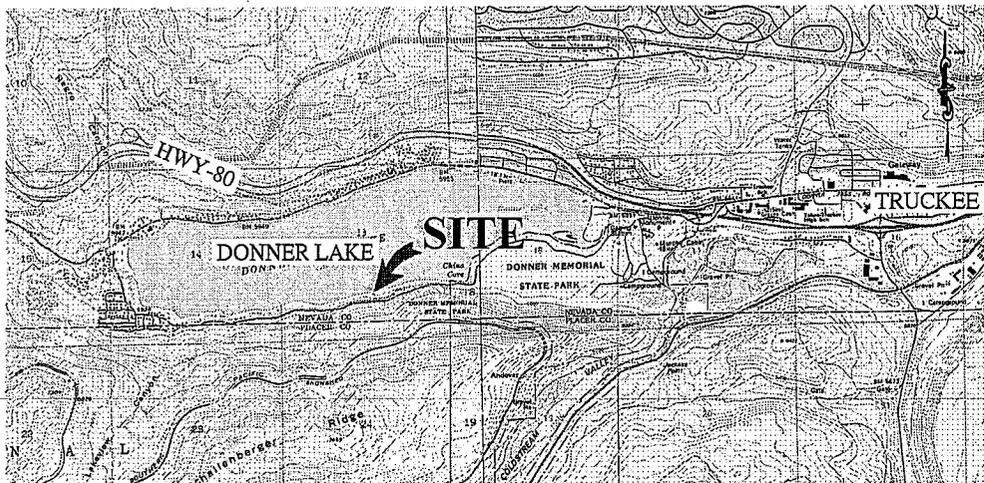


APN 17-410-08
 LOT 34 OF
 DONNER TERRACE UNIT NO. 1

14186 SOUTH SHORE DRIVE, TRUCKEE

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

PRC 8492.1
 KARBE
 APN 17-410-08
 GENERAL LEASE -
 RECREATIONAL USE
 NEVADA COUNTY



TS 03/25/13