

**CALENDAR ITEM  
C31**

A 1  
S 1

12/02/13  
PRC 8321.1  
W. Hall

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANTS:**

Frederick G. Rose and Barbara Ryan Rose, Trustees of The Frederick G. Rose and Barbara Ryan Rose Revocable Living Trust, Dated June 16/97

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

Sovereign land in Donner Lake, adjacent to 14578 South Shore Drive, near the town of Truckee, Nevada County

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier and boathouse with sundeck.

**LEASE TERM:**

10 years, beginning August 4, 2013.

**CONSIDERATION:**

\$1,399 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:**

Insurance:

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

Other:

The lease contains provisions stating that the existing sundeck with stairs, as shown on the attached Exhibit B, cannot be expended, and if repairs to any portion of the existing sundeck cost more than 50 percent of the base value of the sundeck, then the sundeck with stairs must be removed from the lease premises.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland parcel adjoining the lease premises.

CALENDAR ITEM NO. **C31** (CONT'D)

2. On December 9, 2004, the Commission authorized a General Lease – Recreational Use with Frederick G. Rose and Barbara Ryan Rose, Trustees of The Frederick G. Rose and Barbara Ryan Rose Revocable Living Trust, Dated June 16/97, for an existing pier and boathouse with sundeck. That lease expired on August 3, 2013. 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) 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.

CALENDAR ITEM NO. **C31** (CONT'D)

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use with Frederick G. Rose and Barbara Ryan Rose, Trustees of The Frederick G. Rose and Barbara Ryan Rose Revocable Living Trust, Dated June 16/97, beginning August 4, 2013, for a term of 10 years, for the continued use and maintenance of an existing pier and boathouse with sundeck, 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 \$1,399, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in the amount of no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 8321.1**

**LAND DESCRIPTION**

One (1) parcel of submerged land situate in the bed of Donner Lake, lying adjacent to Lot 5 fractional Section 13, Township 17 North, Range 15 East, MDM., as shown on Official Government Township Plat approved April 10, 1867, County of Nevada, State of California, and more particularly described as follows:

**PARCEL 1 – PIER**

All those lands underlying an existing boathouse with sundeck and pier lying adjacent to that parcel as described in that Grant Deed recorded August 15, 2003 as Document Number 2003-0043624 in Official Records of said County.

EXCEPTING THEREFROM any portion lying landward of elevation 5933.8 feet elevation on the shoreline of said Donner Lake.

TOGETHER WITH a ten (10) foot impact area.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared March 26, 2013 by the California State Lands Commission Boundary Unit.



D O N N E R

L A K E

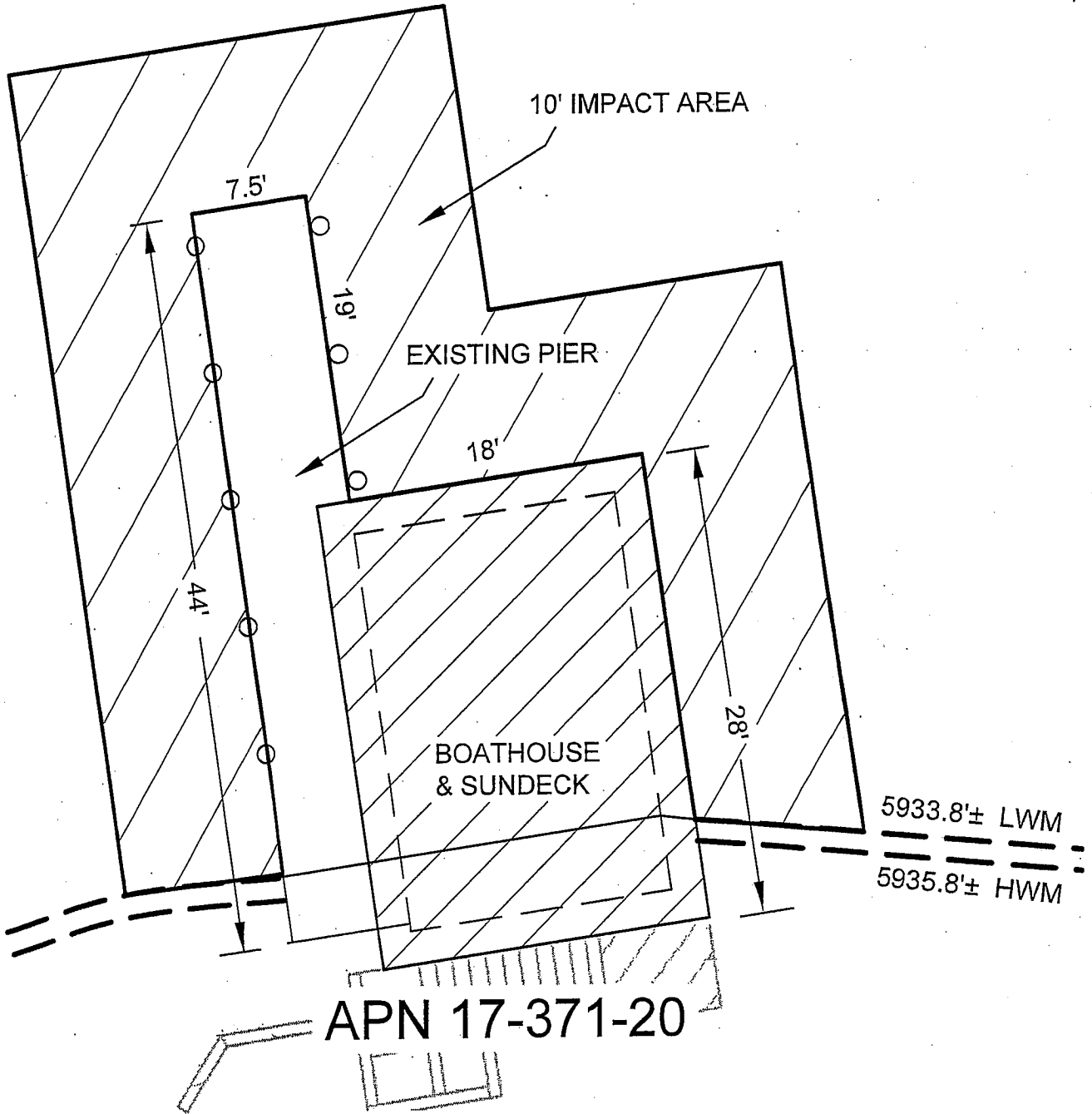


EXHIBIT A

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MJJ 03/26/13

LAND DESCRIPTION PLAT  
PRC 8321.1, ROSE  
NEVADA COUNTY

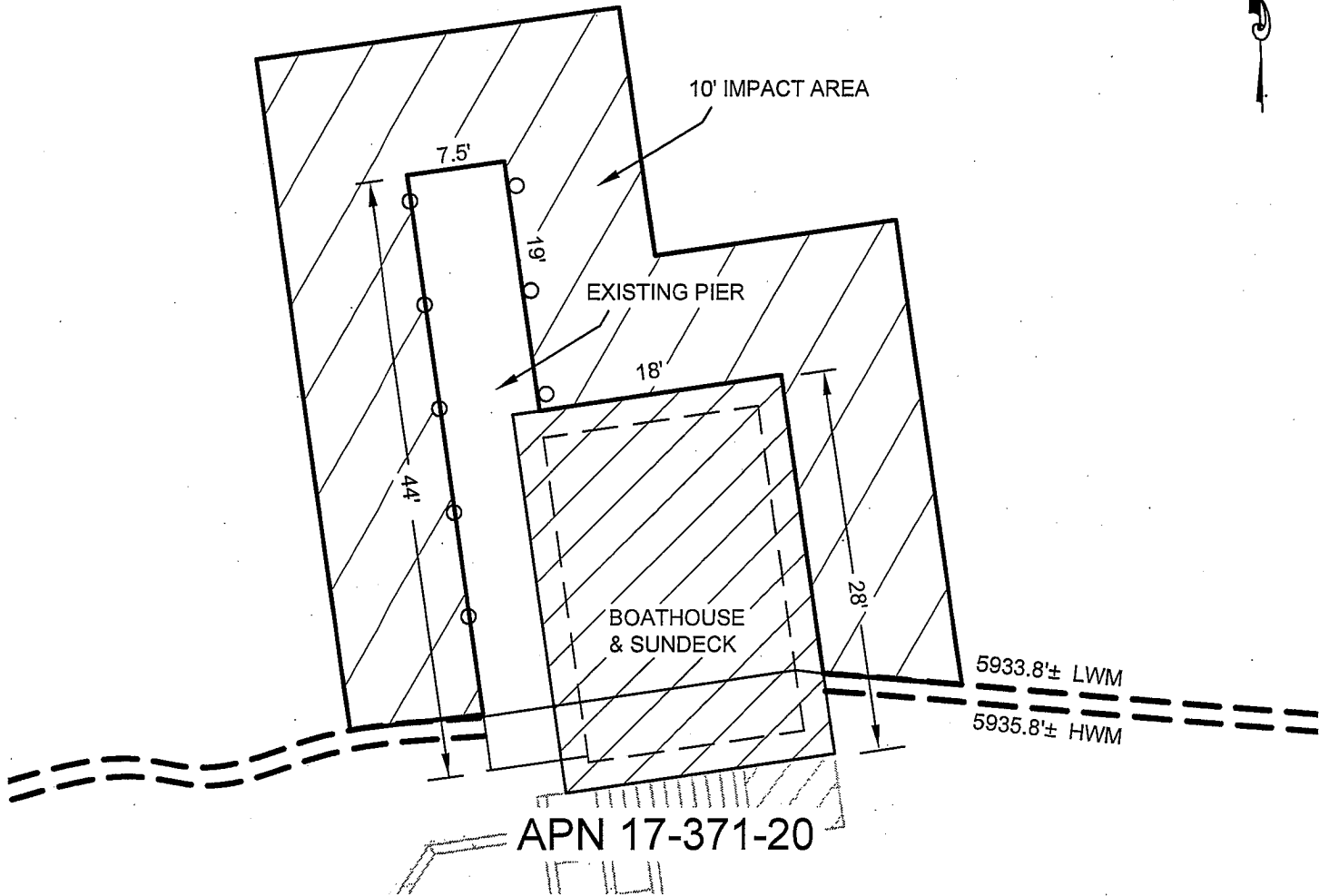
CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

# SITE

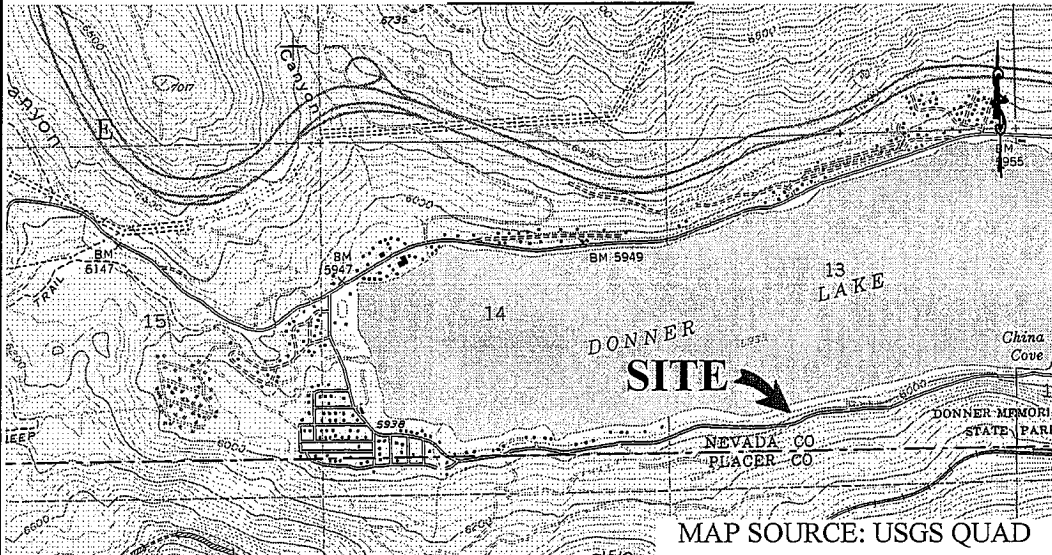
D O N N E R                      L A K E



14578 SOUTH SHORE DRIVE, NEAR TRUCKEE

NO SCALE

# LOCATION



# Exhibit B

PRC 8321.1  
 ROSE  
 APN 17-371-20  
 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.