

**CALENDAR ITEM  
C46**

A 1  
S 1

04/26/13  
PRC 7565.1  
S. Paschall

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANTS:**

Kent R. Bourquin and Mary B. Bourquin, Trustees of the Bourquin Family Trust dated May 7, 1998.

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

Sovereign land located in Donner Lake, adjacent to 13930 South Shore Drive, near the town of Truckee, Nevada County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier previously authorized by the Commission and use and maintenance of a portion of an existing boat lift not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning April 26, 2013.

**CONSIDERATION:**

\$309 per year, with the State reserving the right to fix a different rent periodically during the lease term.

**SPECIFIC LEASE PROVISIONS:**

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

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.
2. On November 26, 2001, the Commission authorized a Recreational Pier Lease to Kent R. Bourquin and Mary B. Bourquin. That lease expired September 22, 2011. The upland property has since been deeded to the Applicants who are now applying for a new lease.
3. The Applicants' boat lift has been in Donner Lake for many years but has not been previously authorized by the Commission. Staff recommends

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including the portion of the boat lift located on State lands as an authorized use under the lease.

4. 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.

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:**

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 R. Bourquin and Mary B. Bourquin, Trustees of the Bourquin Family Trust dated May 7, 1998, beginning April 26, 2013, for a term of 10 years, for the continued use and maintenance of an existing pier previously authorized by the Commission and use and maintenance of a portion of

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an existing boat lift not previously authorized by the Commission 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 \$309, 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 7565.1**

**LAND DESCRIPTION**

A parcel of land situated in the bed of Donner Lake, lying adjacent to Lot 8 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, County of Nevada, State of California, more particularly described as follows:

**PARCEL 1 – PIER**

All those lands underlying an existing pier lying adjacent to that parcel described in Grant Deed recorded November 21, 2000 as Document Number 2000-0035039-00 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 03/13/2013 by the California State Lands Commission Boundary Unit.



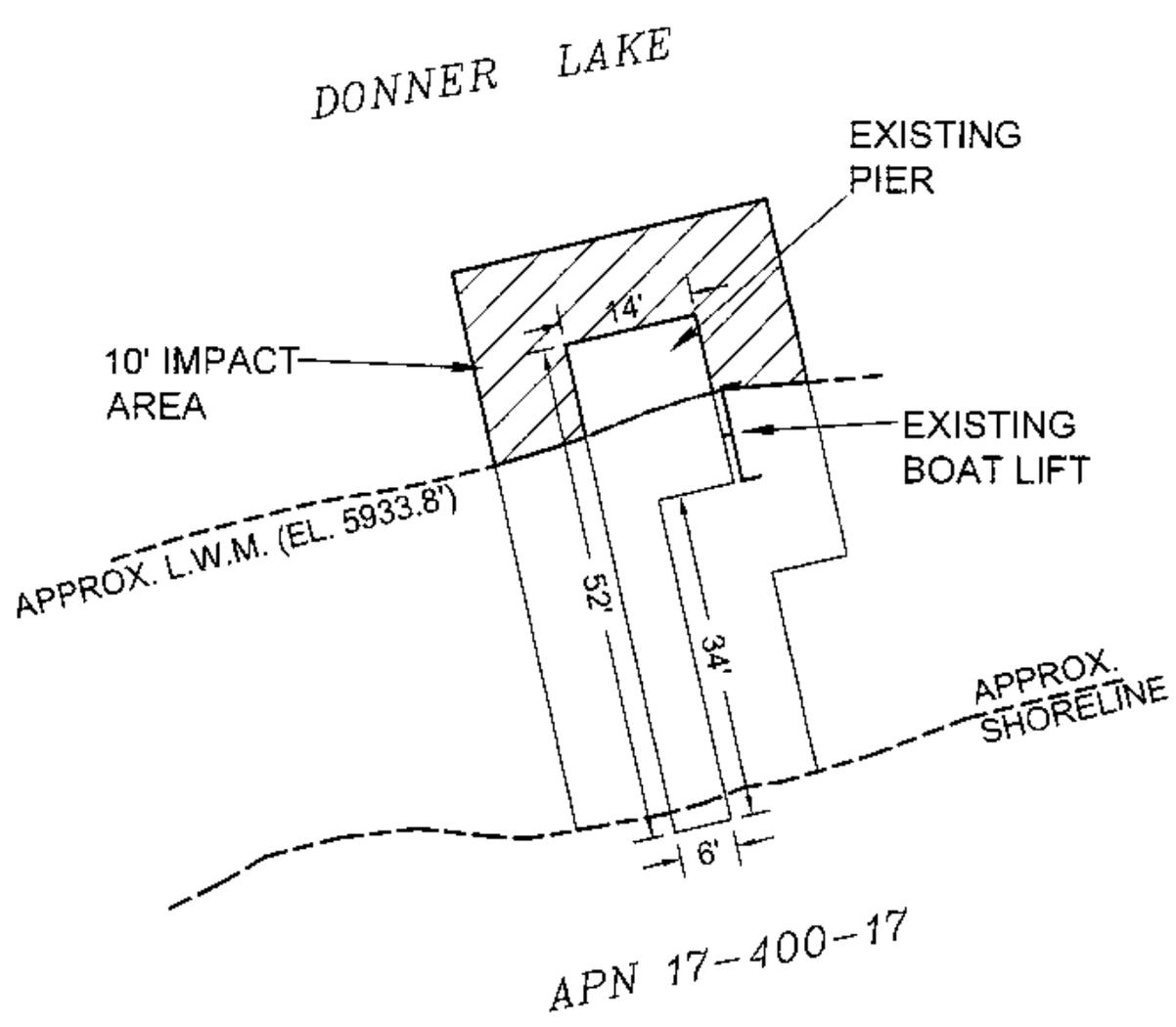


EXHIBIT A

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LAND DESCRIPTION PLAT  
 PRC 7565.1, BOURQUIN TRUST  
 NEVADA COUNTY

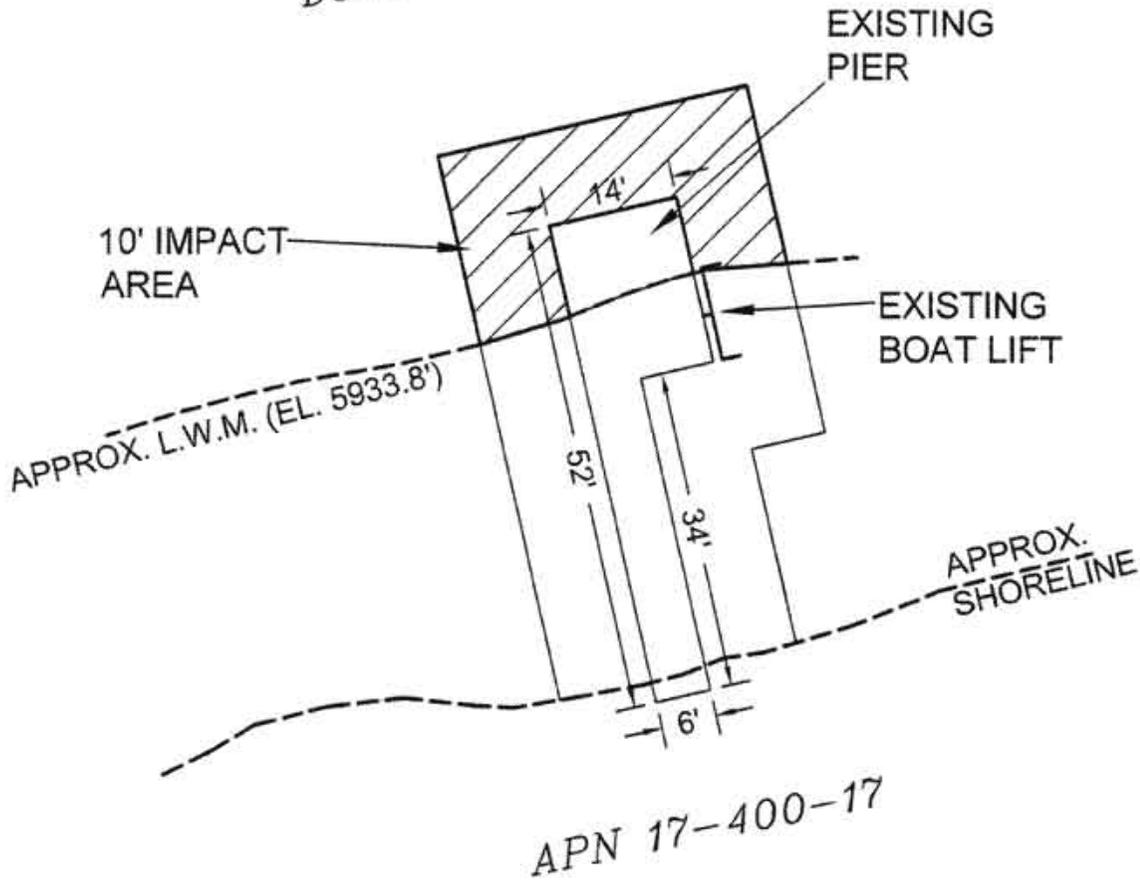
CALIFORNIA STATE  
 LANDS COMMISSION



NO SCALE

### SITE

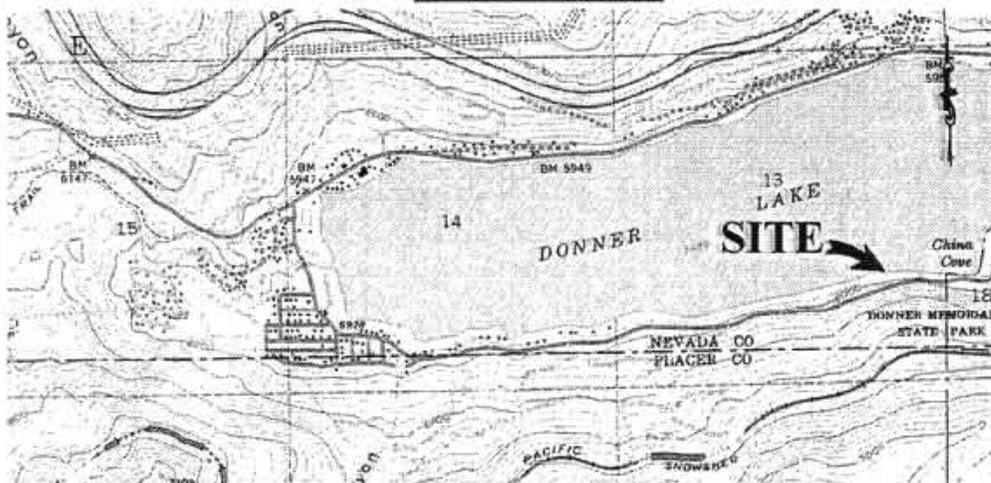
## DONNER LAKE



13930 SOUTH SHORE DRIVE, NEAR 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 7565.1  
BOURQUIN TRUST  
APN 17-400-17  
GENERAL LEASE -  
RECREATIONAL USE  
NEVADA COUNTY



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