

MINUTE ITEM NO. 24
APPROVED 12/1/75

CALENDAR ITEM

12/75
GDG
W 20654

4.

RIGHT OF WAY

APPLICANT: Donner Pines, Inc.
P.O. Box 26
Truckee, California 95734

AREA, TYPE LAND AND LOCATION:
A 0.055-acre parcel of submerged land in the north-west corner of Donner Lake. Nevada County.

LAND USE: Temporary maintenance of one 8-inch diameter intake pipeline capable of providing 2,000 GPM for fire protection purposes only.

TERMS OF PROPOSED REPLACEMENT PERMIT:

Period: 6 additional months, from
November 4, 1975.

Surety Bond: \$1,500.

Public Liability
Insurance: \$300,000 per occurrence for
bodily injury and \$50,000 for
property damage.

CONSIDERATION:

\$100

BASIS FOR CONSIDERATION:

\$100 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 & 2.
- b. Administrative Code: Title 2, Div. 3,
Arts. 1, 2 & 10.

OTHER PERTINENT INFORMATION:

1. Minute Item 8, dated August 29, 1974, authorized the execution of temporary emergency Right of Way PRC 4945 to Donner Pines, Inc., for a water intake pipeline capable of providing 2,000 GPM

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CALENDAR ITEM NO. 4. (CONTD)

for fire protection purposes only, with a term of no longer than six months; provided that the lease will not be renewed unless affirmative action has been taken for a more permanent solution at the end of six months.

2. Alternatives being pursued for a more permanent solution to the existing fire hazard:
 - a. Cranmer Engineering, Inc., P.O. Box 943, Grass Valley, California 95945, has entered into an agreement with Donner Lake Utility (DLUC), a licensed water purveyor at Donner Lake, to provide engineering services necessary to form a local assessment district for the purpose of financing the cost of increasing the water supply and service in the area. The assessment district, if approved, will provide a more permanent solution to the existing fire hazard. However, this alternative is currently in a state of abeyance and progressing slowly.
 - b. Effective May 5, 1975, DLUC is charged by the authority of the Public Utilities Commission to provide for fire protection standards in its water system as set forth in amendment to PUC General Order 103, Decision No. 84334, dated April 15, 1975. Pursuant to the request of the Truckee Fire Protection District, consideration is being given to the feasibility of acceptance by DLUC of the ownership and operation of the subject intake facility for the time period required until DLUC's proposed master plan for expansion is completed. The water source for fire flow protection and domestic use as proposed in the plan will be their existing "West Beach" well. Use of the subject intake facility would be terminated upon completion of the master plan. Further study of this concept is required to determine whether the benefits will in fact provide a more permanent solution to the existing fire hazard during the interim.
3. An Environmental Impact Report has not been prepared for this activity as such report is not required for an emergency project of this type under the provisions of PRC 21172; 14 Cal. Adm. Code 15071; and 2 Cal. Adm. Code 2903(d).

EXHIBITS:

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

CALENDAR ITEM NO. 4. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THE EMERGENCY TEMPORARY PIPELINE AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PUBLIC RESOURCES CODE 21172, 14 CAL. ADM. CODE 15071 AND 2 CAL. ADM. CODE 2903(d).
2. AUTHORIZE THE ISSUANCE TO DONNER PINES, INC. OF A 6-MONTH RIGHT OF WAY FROM NOVEMBER 4, 1975; IN CONSIDERATION OF THE MINIMUM RENT IN THE AMOUNT OF \$100, THE PROVISION OF A \$1,500 SURETY BOND, PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$300,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR THE TEMPORARY MAINTENANCE OF ONE 8-INCH DIAMETER INTAKE PIPELINE CAPABLE OF PROVIDING 2,000 GPM FOR FIRE PROTECTION PURPOSES ONLY; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20654

All that land owned by the State of California, by virtue of its sovereignty, lying in the bed of Donner Lake and being within the following described parcel:

BEGINNING at the northeasterly corner of Lot 1 as shown on that certain map filed for record in the Office of the Recorder of Nevada County, State of California in Book 1 of Maps at page 83; thence S 29° 49' E 348 feet along the easterly line of said Lot 1; thence N 60° 11' E 40 feet; thence N 29° 49' W 348 feet; thence S 60° 11' W 40 feet to the point of beginning.

END OF DESCRIPTION