

**CALENDAR ITEM
C16**

A 1
S 1

04/26/13
W 8670.123
M.J. Columbus

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Cheryl Dalrymple

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Donner Lake, adjacent to 13825 Donner Pass Road, near the town of Truckee, Nevada County.

AUTHORIZED USE:

Reconstruction, use, and maintenance of an existing pier not previously authorized by the Commission.

LEASE TERM:

10 years, beginning April 26, 2013.

CONSIDERATION:

\$899 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:

Insurance:

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

Other:

Applicant acknowledges that a portion of the proposed pier, filled area, and flood wall will exist within the State administered Public Trust easement, which exists between the locations of the ordinary high water mark and the low water mark of Donner Lake. Applicant agrees to allow the public to pass and re-pass around the landward end of the pier to allow access to the Public Trust easement. Applicant further agrees to not block or otherwise prohibit the public from passing and re-passing across the Public Trust easement to access adjacent property subject to the Public Trust easement.

CALENDAR ITEM NO. C16 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. Applicant has applied for a General Lease - Recreational Use to authorize the reconstruction of an existing pier. The six existing pilings will be replaced with 12 new pilings to be driven into the lake by a barge. Construction is expected to be completed by June 15, 2014. The existing pier appears to have been constructed prior to 1980 and was not previously authorized by the Commission.
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 2, Replacement or Reconstruction; California Code of Regulations, Title 14, section 15302.

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

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.

APPROVALS OBTAINED:

Lahontan Regional Water Quality Control Board
California Department of Fish and Wildlife

FURTHER APPROVALS REQUIRED:

Town of Truckee

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

CALENDAR ITEM NO. C16 (CONT'D)

categorically exempt project, Class 2, Replacement or Reconstruction; California Code of Regulations, Title 14, section 15302.

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 Cheryl Dalrymple, beginning April 26, 2013, for a term of 10 years, for the reconstruction, use, and maintenance of an existing pier 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 \$899 per year; 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 an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

W 8670.123

LAND DESCRIPTION

A parcel of land situated in the bed of Donner Lake, lying adjacent to Government Lot 1 of fractional Section 18, Township 17 North, Range 16 East, M.D.M., as shown on Official Government Township Plat approved December 20, 1865, also being adjacent to Lot 3 of the Donner Pines Tract as shown on the map filed April 18, 1947 in Book 1 of Maps at Page 84, 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 November 9, 2010 as Document Number 20100027532 Official Records of said County, and as depicted in the boundary and topographic survey of said parcel by Sierra Nevada Civil Engineering, dated June 3, 2011.

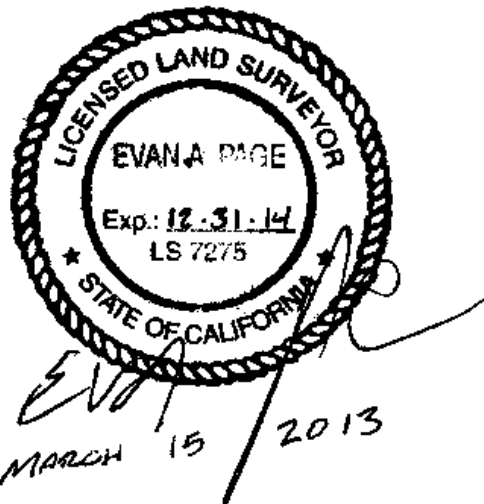
TOGETHER WITH a ten foot impact area.

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.



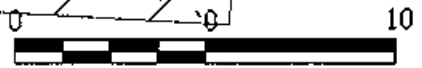
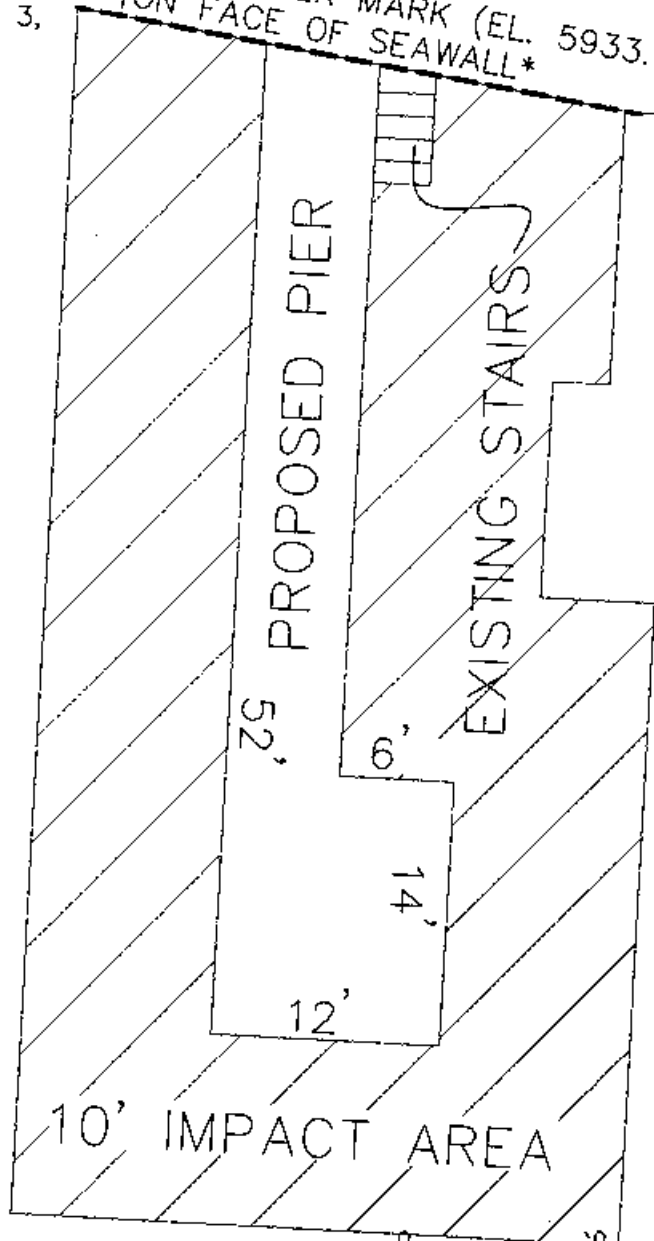
* LOCATION OF 5933.8' DETERMINED FROM DATA SHOWN ON "BOUNDARY AND TOPOGRAPHIC SURVEY" BY SIERRA NEVADA CIVIL ENGINEERS FIRST DATED APRIL 19, 2010, REISSUED AND REDATED JUNE 3, 2011.

EAST 1/2 OF LOT 3
DONNER PINES TRACT

APN 18-352-35

LOW WATER MARK (EL. 5933.8')
ON FACE OF SEAWALL*

*DONNER
LAKE*



SCALE 1" = '10'

EXHIBIT A

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MJF 4/9/13

LAND DESCRIPTION PLAT
W 8670.123, DALRYMPLE
NEVADA COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

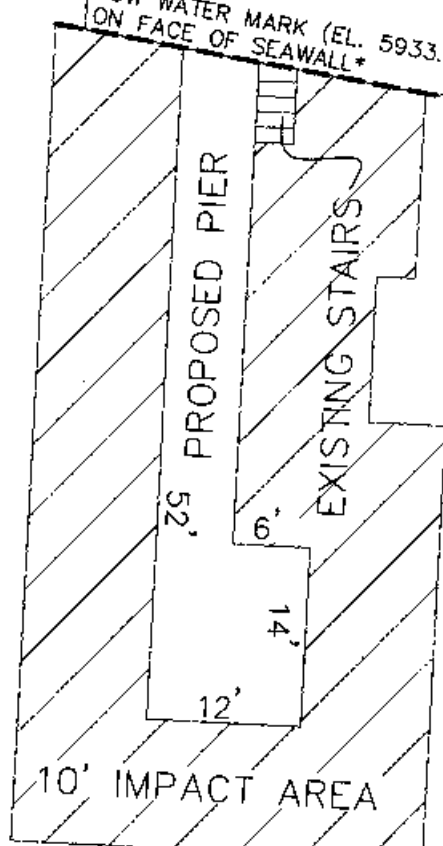
SITE

EAST 1/2 OF LOT 3
DONNER PINES TRACT

APN 18-352-35

LOW WATER MARK (EL. 5933.8')
ON FACE OF SEAWALL*

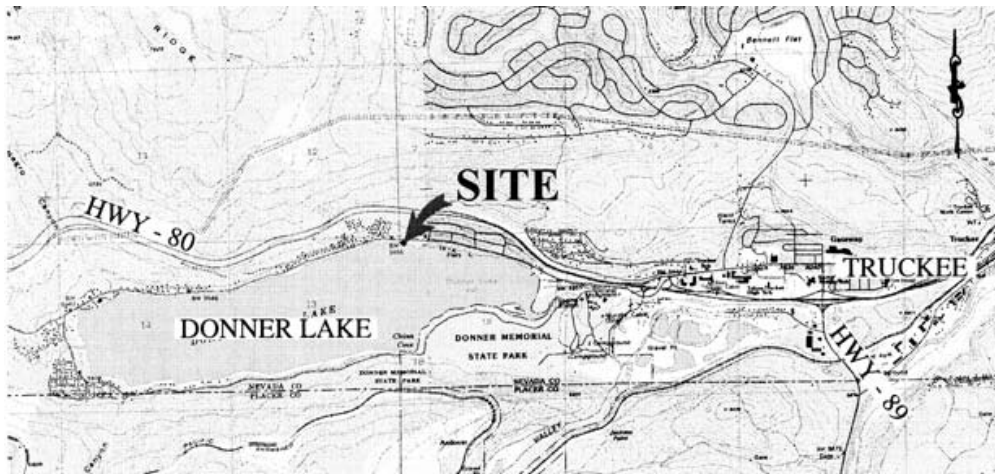
*DONNER
LAKE*



13825 Donner Pass Rd., Truckee

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 8670.123

DALRYMPLE

APN 18-352-35

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.

MJF 4/09/13