

**CALENDAR ITEM
C10**

A 1
S 1

06/29/15
W 26849
S. Kreutzburg

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Matthew W. Shelton and Kelley M. Shelton, as Trustees of the Shelton Family Revocable Trust, dated December 22, 1997

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Donner Lake, adjacent to 14594 South Shore Drive, near the town of Truckee, Nevada County.

AUTHORIZED USE:

Use and maintenance of an existing pier not previously authorized by the Commission.

LEASE TERM:

10 years, beginning June 29, 2015.

CONSIDERATION:

\$692 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

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. The Applicant is applying for a General Lease – Recreational Use. The Applicant's pier has been in Donner Lake for many years but has not been previously authorized by the Commission. The pier was constructed in approximately 1971. The Applicant bought the upland parcel in 2009 and in 2015 contacted the Commission to get approval to repair the deck of the pier. Staff recommends bringing the existing pier under lease.
3. For the repair, the decking of the existing pier and its stairs will be removed and replaced with new decking material. No lakebed disturbance is proposed for this activity.

CALENDAR ITEM NO. **C10** (CONT'D)

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.

APPROVALS OBTAINED:

California Regional Water Quality Control Board, Lahontan Region
U.S. Army Corps of Engineers
California Department of Fish and Wildlife

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 Matthew W. Shelton and Kelley M. Shelton, as Trustees of the Shelton Family

CALENDAR ITEM NO. **C10** (CONT'D)

Revocable Trust, dated December 22, 1997, beginning June 29, 2015, for a term of 10 years, for the 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 \$692, with an annual Consumer Price Index adjustment; and liability insurance in the amount of \$1,000,000 per occurrence.

EXHIBIT A

W 26849

LAND DESCRIPTION

A parcel of submerged 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 22 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, shed and stairs lying adjacent to that parcel described in Grant Deed recorded August 14, 2009 as Document Number 20090022144 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

EXCEPTING THEREFROM any portion lying landward of the low water mark elevation of 5933.8 feet of said Donner Lake.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 04/01/2015 by the California State Lands Commission Boundary Unit.





DONNER LAKE

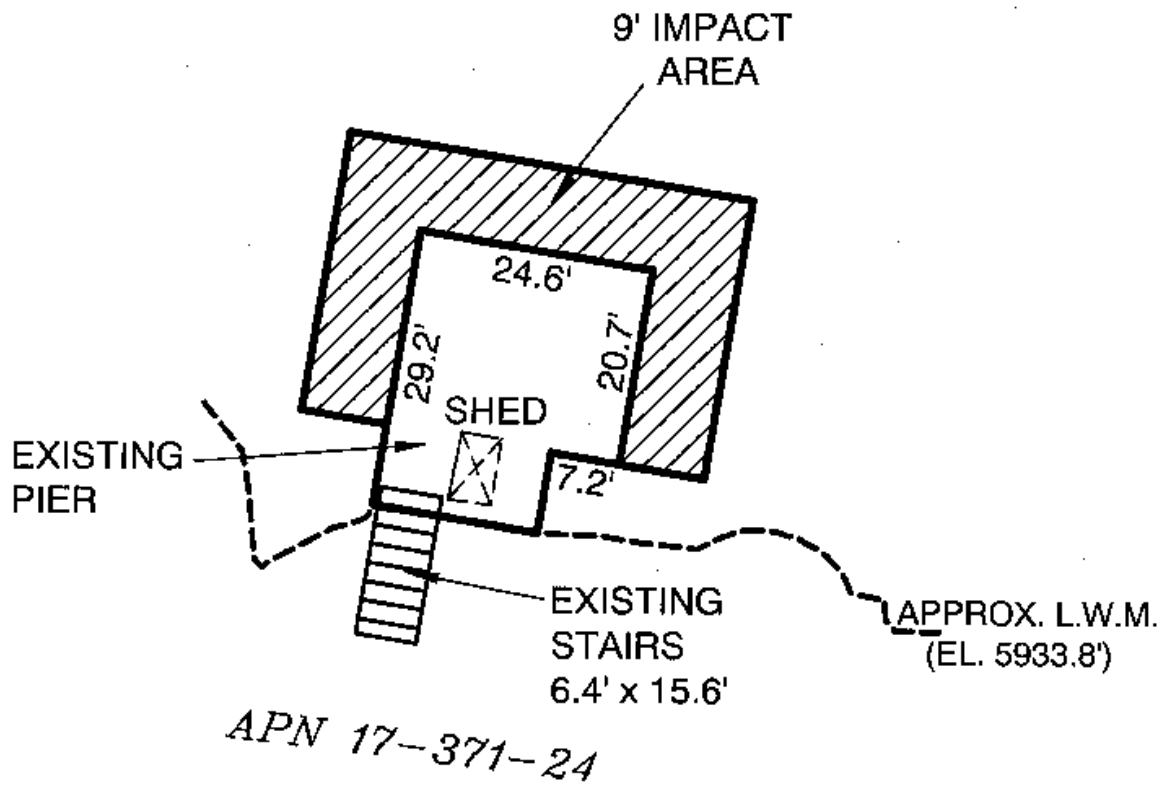


EXHIBIT A

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LAND DESCRIPTION PLAT
W 26849, SHELTON REVOCABLE TRUST
NEVADA COUNTY

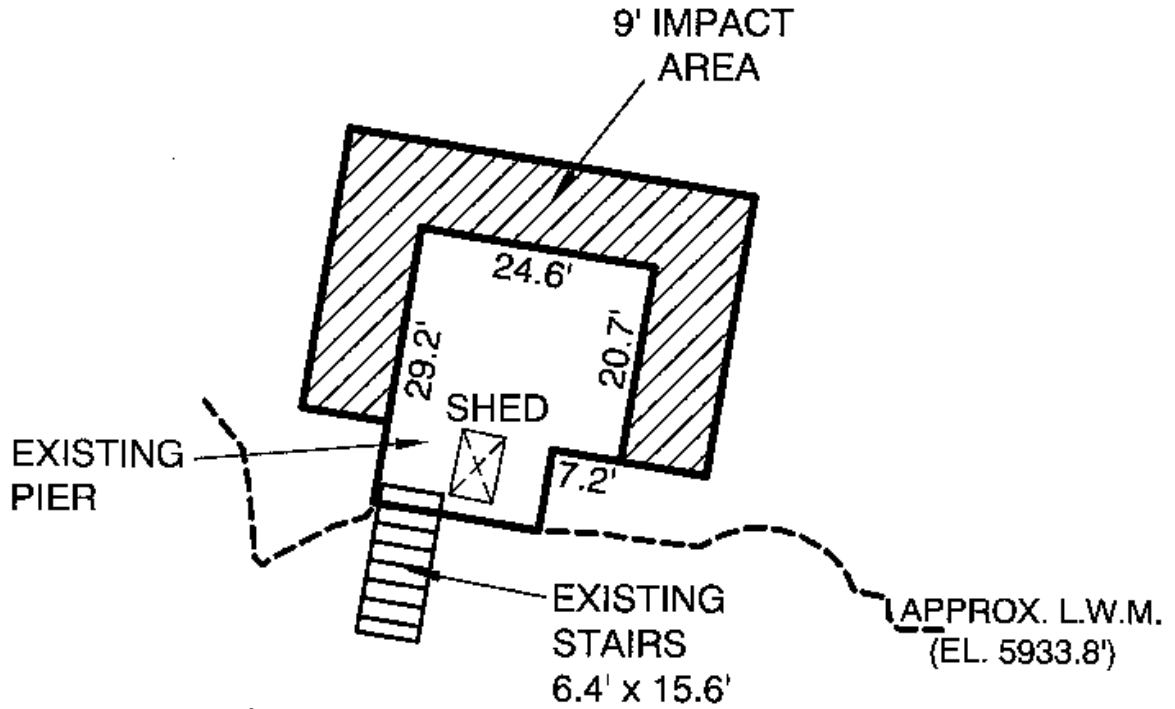
CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

DONNER LAKE

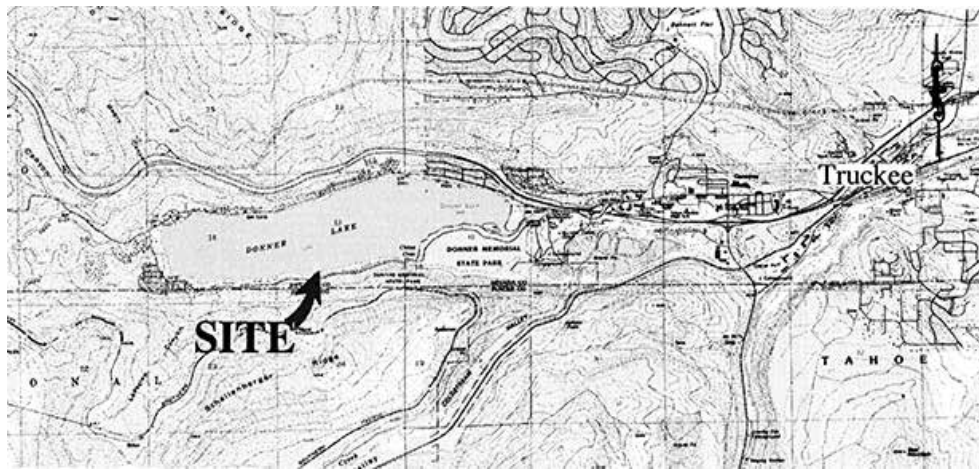


APN 17-371-24

14594 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

W 26849
 SHELTON REVOCABLE
 TRUST
 APN 17-371-24
 GENERAL LEASE -
 RECREATIONAL USE
 NEVADA COUNTY



TS 04/01/15