

**CALENDAR ITEM  
C03**

A 3, 4  
S 1

10/19/12  
PRC 7241.1  
G. Asimakopoulos

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

123096 Holdings, LLC, a California Limited Liability Company

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

Sovereign land in Donner Lake, adjacent to 13800 South Shore Drive, near the town of Truckee, Nevada County

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier.

**LEASE TERM:**

10 years, beginning August 14, 2012.

**CONSIDERATION:**

\$582 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:**

Liability Insurance in the amount of no less than \$1,000,000.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland parcel adjoining the lease premises.
2. On August 14, 2002, the Commission authorized a 10-year Recreational Pier Lease with 123096 Holdings, LLC, a California Limited Liability Company. The lease expired on August 13, 2012. The Applicant is 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 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).

CALENDAR ITEM NO. **C03** (CONT'D)

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.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to 123096 Holdings, LLC, a California Limited Liability Company, beginning August 14, 2012, for a term of 10 years, for the continued use and maintenance of an existing pier 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 \$582, 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.

**EXHIBIT A**

**PRC 7241.1**

**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 Individual Grant Deed recorded August 16, 2002 as Document Number 2002-003220-00 in Official Records of said County.

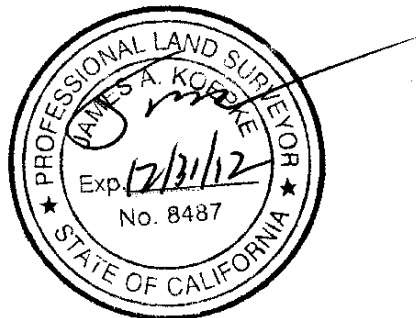
TOGETHER WITH a ten foot impact area.

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.

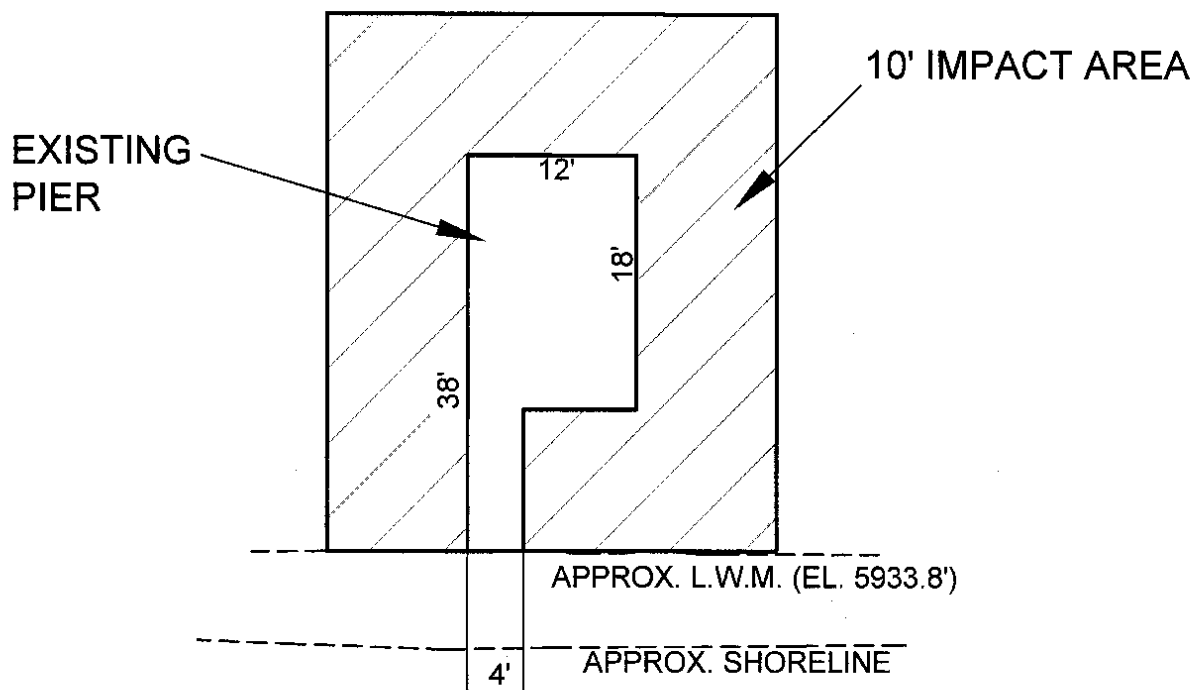
**END OF DESCRIPTION**

Prepared 03/30/2012 by the California State Lands Commission Boundary Unit.





*DONNER LAKE*



*APN 17-360-05*

**EXHIBIT A**

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LAND DESCRIPTION PLAT  
PRC 7241.1, 123096 HOLDINGS LLC  
NEVADA COUNTY

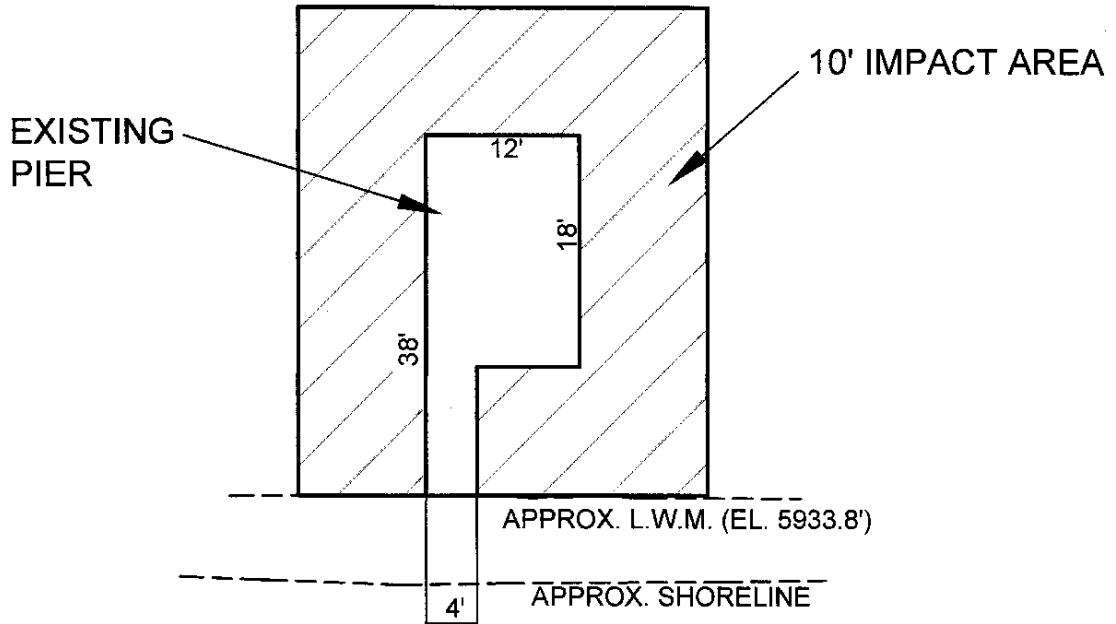
CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

# SITE

*DONNER LAKE*

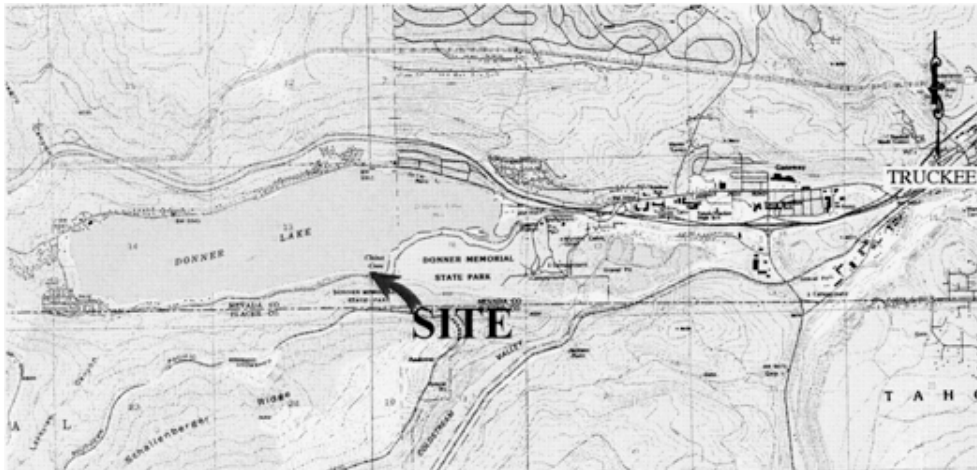


*APN 17-360-05*

13800 SOUTH SHORE DRIVE, NEAR TRUCKEE

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

# **Exhibit B**

PRC 7241.1  
 123096 HOLDINGS LLC  
 APN 17-360-05  
 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.

TS 03/29/12