

**CALENDAR ITEM
C14**

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10/14/14
PRC 4916.9
M. J. Columbus

AMENDMENT OF LEASE

LESSEE:

Truckee-Donner Recreation and Park District

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use, maintenance and repair of 37 existing public piers.

LEASE TERM:

49 years, beginning August 1, 1974.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

PROPOSED AMENDMENT:

Amend the lease to:

1. Authorize the construction, use, and maintenance of an additional uncovered floating boat dock with two anchors, two galvanized chains, and two shore pins.
2. Include special lease provisions related to construction.
3. Revise Section 3 to add Exhibit A, Land Description, and Exhibit B, Site and Location Map.

All other terms and conditions of the lease shall remain in effect without amendment.

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OTHER PERTINENT INFORMATION:

1. Lessee owns the upland shoreline property adjoining the lease premises adjacent to Assessor's Parcel Number 17-340-23 and Donner Pass Road.
2. On June 6, 1974, the Commission authorized a General Permit – Public Agency Use (Permit) No. PRC 4916.9 with Truckee-Donner Recreation and Park District (District) for use and maintenance of 10 existing piers. It was discovered during the processing of the first lease amendment that there were in fact 11 existing piers maintained by the District. This permit will expire on July 31, 2023.
3. On August 21, 1996, the Commission authorized an amendment of the permit for the construction of a pier with access for the physically disabled, for a total of 12 piers. On June 19, 1998, the Commission authorized a second amendment to include an additional 25 existing piers obtained by the District through shoreline acquisitions. On December 9, 2013, the Commission authorized a third amendment for the replacement of two damaged piers. In total, there are 37 piers, all for use by the public.
4. The Lessee is now applying to amend Permit No. PRC 4916.9 for the construction, use, and maintenance of an uncovered floating boat dock with two anchors, two galvanized chains, and two shore pins. Construction is expected to be completed by June 15, 2015.
5. The project location is a park and launching area for kayaks and other small hand launch vessels.
6. The dock will be for the use of a 7-week sailing program between 10:00 a.m. and 4:00 p.m., Monday through Thursday. The dock will be open to the public for the remaining hours.
7. 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 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

8. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et

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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
U.S. Army Corps of Engineers
Town of Truckee
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 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

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 the amendment of Permit No. PRC 4916.9, a General Permit – Public Agency Use, effective October 14, 2014, to authorize the construction, use, and maintenance of an uncovered floating boat dock with two anchors, two galvanized chains, and two shore pins; include special lease provisions related to construction; and revise Section 3 to add Exhibit A, Land Description, and Exhibit B, Site and Location Map. All other terms and conditions of the lease will remain in effect without amendment.

EXHIBIT A

PRC 4916.9

LAND DESCRIPTION

A parcel of submerged land situated in the bed of Donner Lake, lying adjacent to Lot 3 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:

All those lands underlying a proposed pier with two 3/8" galv. chains and 2 foot by 2 foot anchors lying adjacent to that parcel described in Full Reconveyance as recorded July 21, 1970 in Volume 520 at Page 436 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

This description is based on Applicant provided site plan for a proposed floating dock, together with any and all appurtenances pertaining thereto, to be built at a later date within the Lease time frame. This description is to be updated once final as-built plans are submitted.

Prepared 08/25/2014 by the California State Lands Commission Boundary Unit.





APN 17-340-34

APN 17-340-23

APN 17-340-24

DONNER PASS ROAD

APROX. L.W.M.
(EL. 5933.8')

2 SHORE PINS

9' IMPACT AREA

APROX. SHORELINE

PROPOSED DOCK

PROPOSED ANCHOR 2'X2'

29.3'

9' IMPACT AREA

24.5'

5' 3/8" galv. chain

PROPOSED ANCHOR 2'X2'

60'

DONNER LAKE

EXHIBIT A

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LAND DESCRIPTION PLAT
PRC 4916.9, TRUCKEE DONNER
RECREATION & PARK DISTRICT
NEVADA COUNTY

CALIFORNIA STATE
LANDS COMMISSION



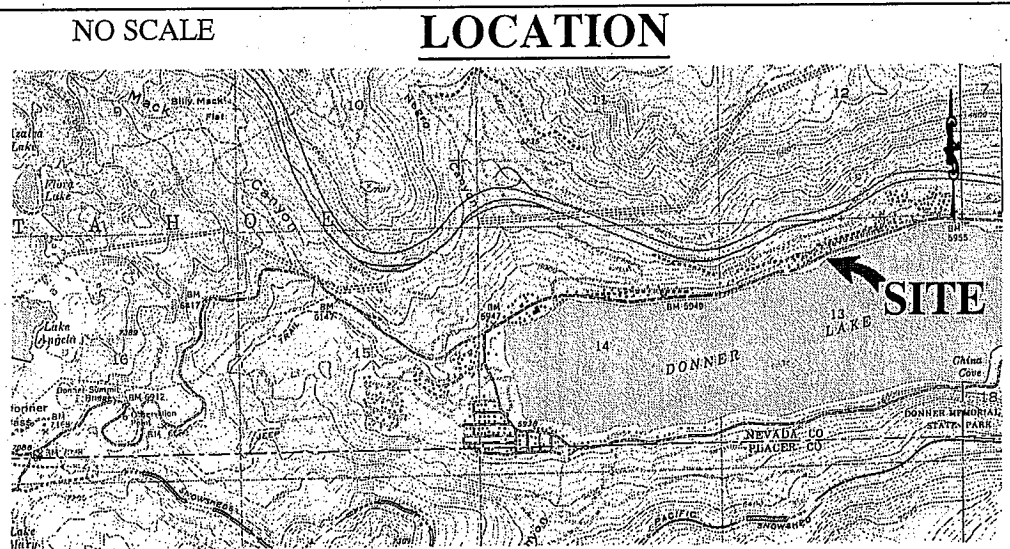
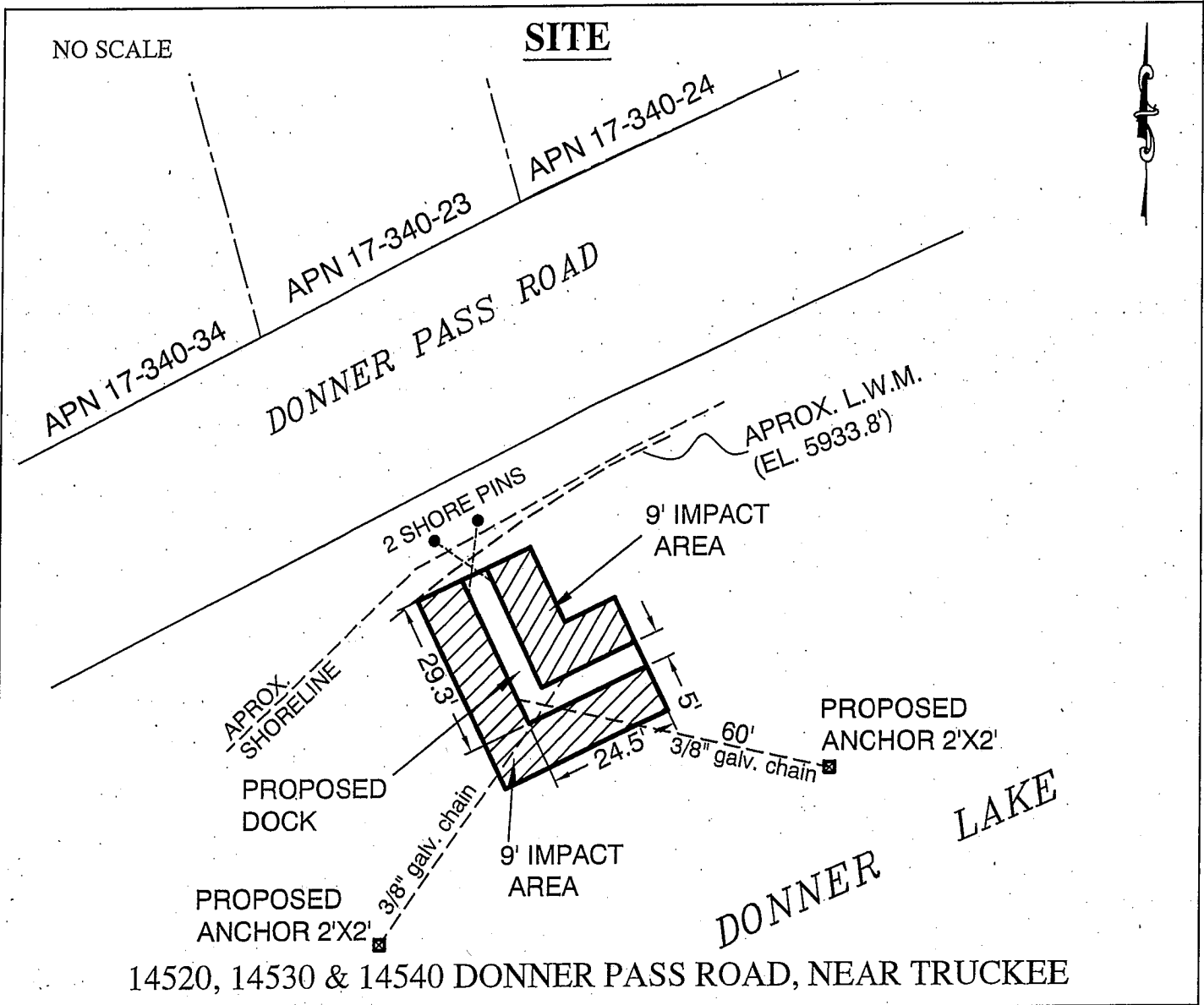


Exhibit B

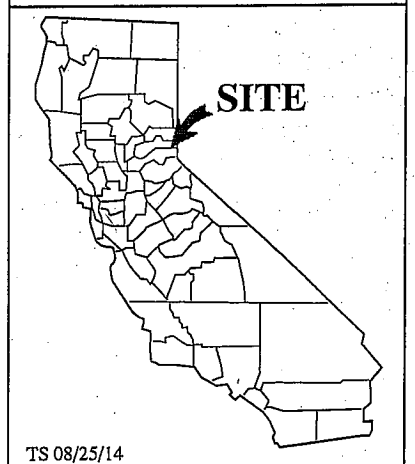
PRC 4916.9

TRUCKEE DONNER RECREATION & PARK DISTRICT

APNs 17-340-23, 24 & 34

GENERAL LEASE - PUBLIC AGENCY 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 08/25/14