CALENDAR ITEM

C10

A 4, 3 08/11/09

W 26322

S 1 R. Barham

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Robert Manashi and Nahrin Manashi

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Donner Lake, adjacent to 14116 South Shore Drive, near Truckee, Nevada County.

AUTHORIZED USE:

Removal of eight wood pilings and the construction, use, and maintenance of a pier as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 11, 2009.

CONSIDERATION:

$1,335 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:

Insurance:

Liability insurance of no less than $1,000,000.

Other:

The public will be allowed to pass and re-pass around the landward end of the pier to provide continuous shoreline access to the Public Trust Easement below elevation 5,935.8 feet, NGVD (1929).

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.

2. Applicants do not qualify for rent-free status pursuant to Public Resource Code section 6503.5 because the littoral land is not improved with a single-family dwelling.

3. Applicants have applied for a General Lease - Recreational Use to completely remove eight existing wood pilings and related concrete filled drums, and to construct a new pier. It is unknown when the eight wood pilings were placed in the Lake, however, they were never authorized by the Commission. The California Department of Fish and Game has provided guidelines for the piling removal and the installation of the new pilings. The new pier will be supported by 12 steel pilings driven into the Lake bottom using an amphibious vehicle to allow access to the site from the Lake. This method will be used to minimize disturbance to the lakebed. Construction equipment and materials will not be stored on the shoreline. As necessary, a turbidity curtain will be placed around the project site to minimize movement of disturbed sediment into the Lake. The time period for completing the work within the stream zone of Donner Lake is restricted to periods of dry weather and low water to minimize sediment disturbance.

4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

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

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. 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 Department of Fish and Game
Lahontan Regional Water Quality Control Board

FURTHER APPROVALS REQUIRED:

Town of Truckee
U.S. Army Corps of Engineers

EXHIBIT:

A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:
October 8, 2009

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

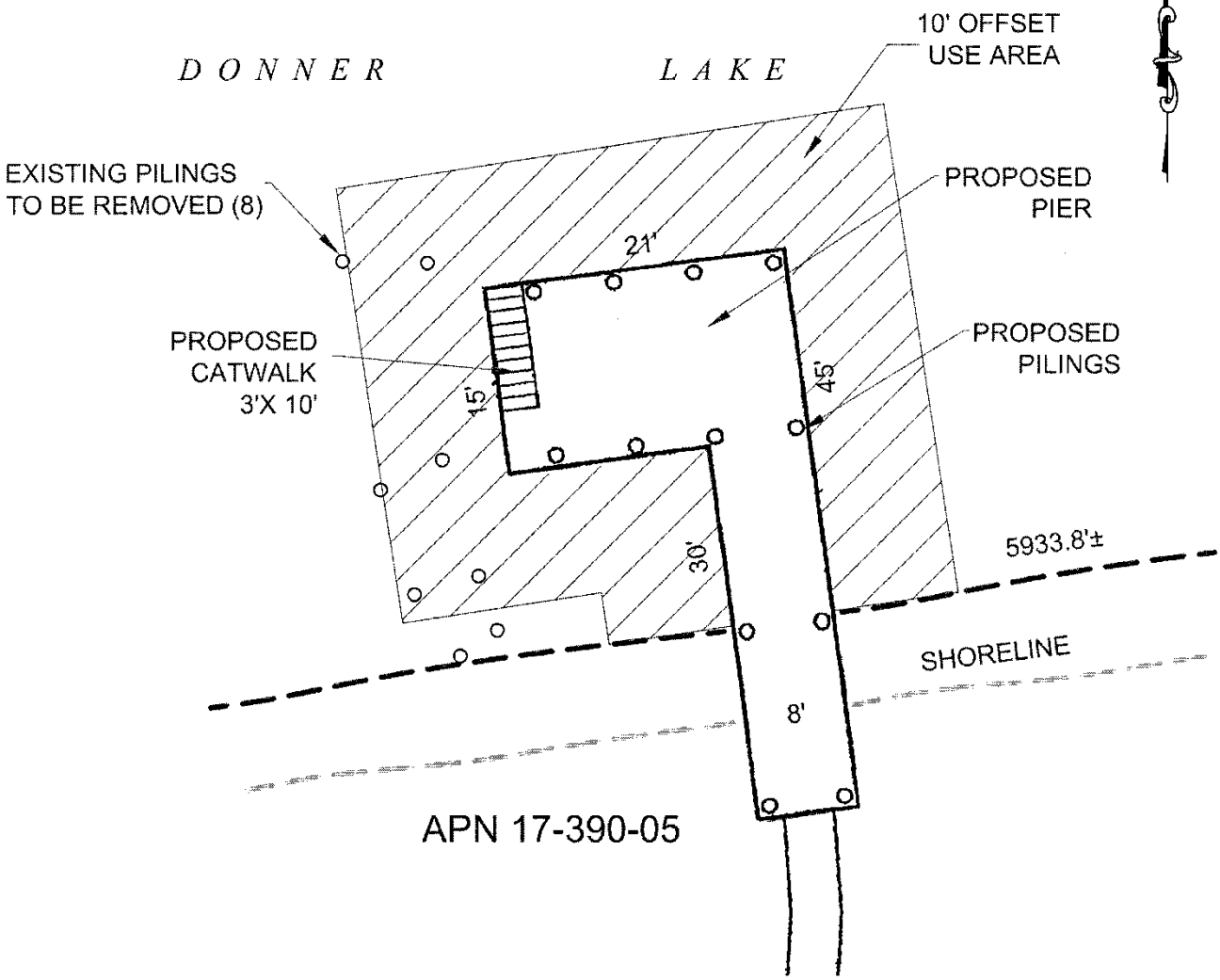
CEQA FINDING:
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

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 SECTIONS 6370, ET SEQ.

AUTHORIZATION:
AUTHORIZE ISSUANCE OF A GENERAL LEASE – RECREATIONAL USE TO ROBERT MANASHI AND NAHRIN MANASHI, BEGINNING AUGUST 11, 2009, FOR A TERM OF TEN YEARS, FOR THE COMPLETE REMOVAL OF EIGHT WOOD PILINGS AND CONCRETE FILLED STEEL DRUMS, AND THE CONSTRUCTION, USE, AND MAINTENANCE OF A PIER AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF $1,335, 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.

NO SCALE

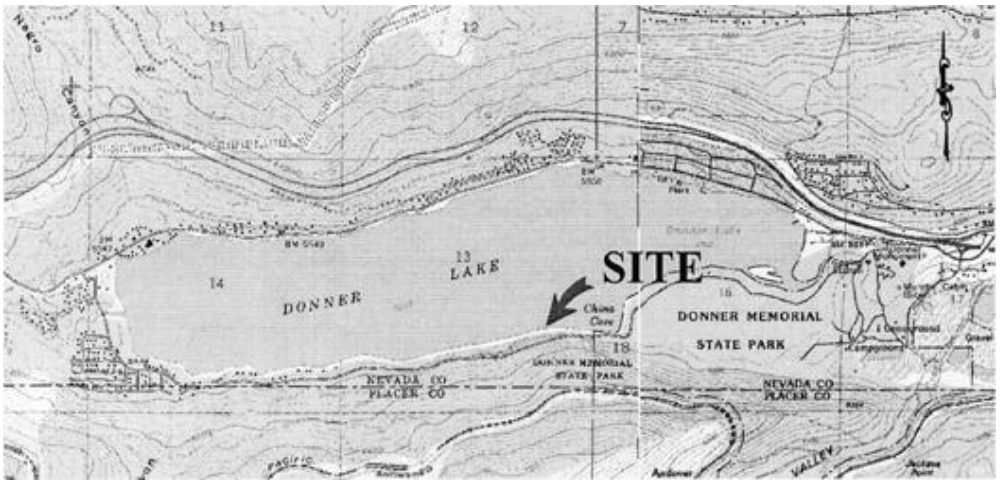
SITE



14116 SOUTHSHORE 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 A

W 26322
MANASHI
APN 17-390-05
GENERAL LEASE
RECREATIONAL PIER USE
NEVADA COUNTY

MJJ 06/09