CALENDAR ITEM

C02

A 3, 4 06/23/11

WP 7377.9

S 1 R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

Theodore G. Erler, III and Adrian K. Erler, as Trustees under the Trust Agreement created by Theodore G. Erler, III and Adrian K. Erler on May 27, 1992

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Donner Lake, adjacent to 13900 Southshore Road, near the town of Truckee, Nevada County.

AUTHORIZED USE:

Continued use and maintenance of an existing boat dock as shown on Exhibit A.

LEASE TERM:

10 years, beginning March 27, 2010

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than $500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.

2. On June 27, 2000, the Commission authorized a Recreational Pier Lease with Theodore G. Erler, III and Adrian K. Erler, as Trustees under the Trust Agreement created by Theodore G. Erler, III and Adrian K. Erler on May 27, 1992. That lease expired on March 26, 2010. Applicants are now applying for a new Recreational Pier Lease.

3. Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who own the littoral land that is improved with a single-family dwelling.

4. Pursuant to the Commission's delegation of authority and State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under

Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

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 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.

EXHIBIT:

A. 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 Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

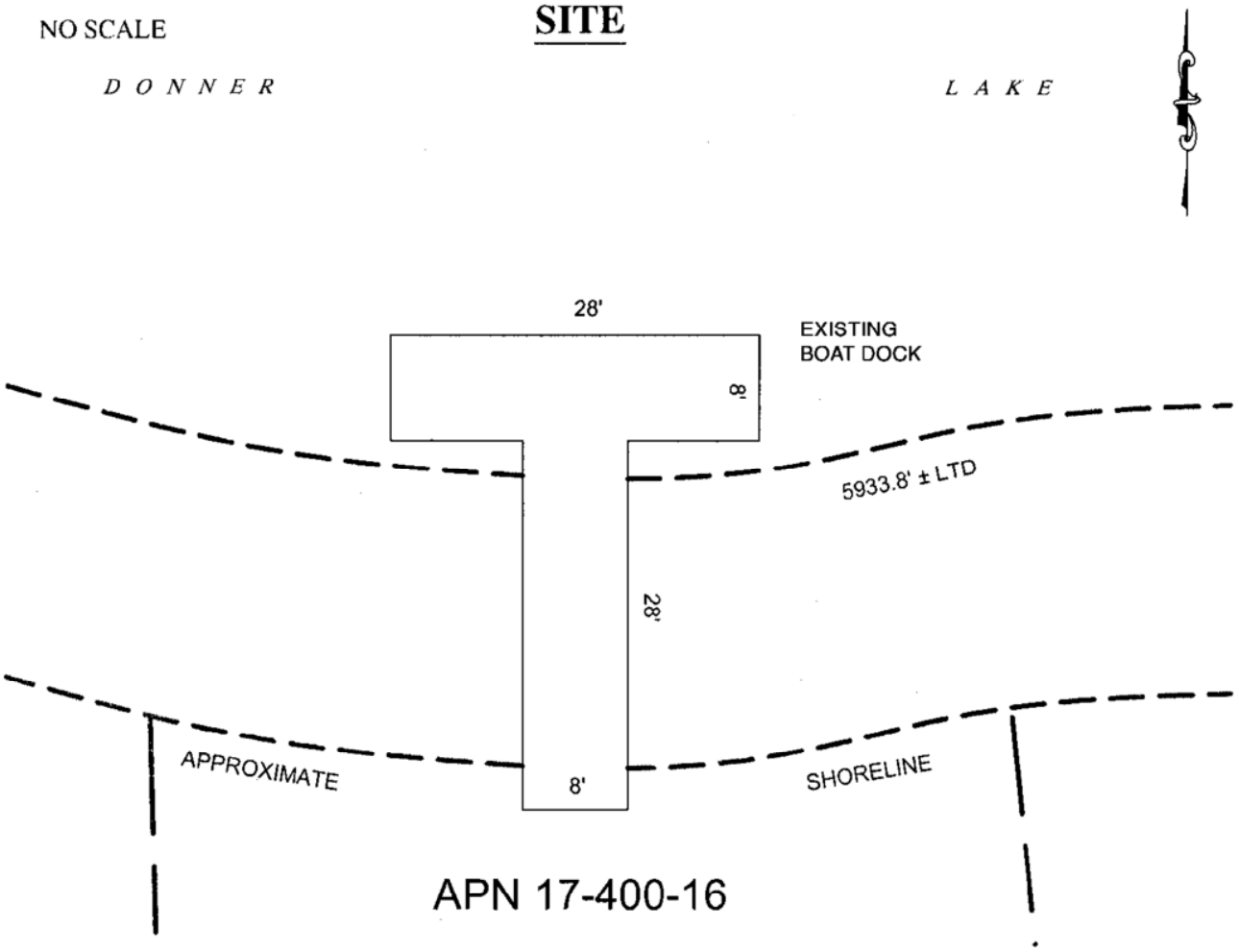
Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370, et seq.

AUTHORIZATION:

Authorize issuance of a 10-year Recreational Pier Lease to Theodore G. Erler, III and Adrian K. Erler, as Trustees under the Trust Agreement created by Theodore G. Erler, III and Adrian K. Erler on May 27, 1992, beginning March 27, 2010, for the continued use and maintenance of an existing boat dock shown on Exhibit A, attached and by this reference made a part hereof; no monetary consideration pursuant to Public Resources Code section 6503.5; and liability insurance in the amount of no less than $500,000.

NO SCALE

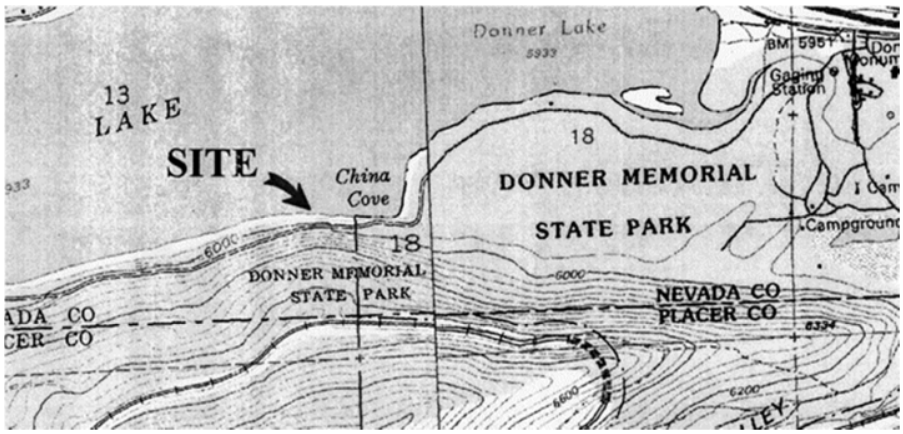
SITE



13900 SOUTHSHORE ROAD, TOWN OF 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

WP 7377.9
ERLER
APN 17-400-16
RECREATIONAL PIER LEASE
NEVADA COUNTY

MJJ 07/10