

**CALENDAR ITEM
C19**

A 1
S 1

09/20/13
PRC 8504.1
M. J. Columbus

GENERAL LEASE - RECREATIONAL USE

APPLICANTS:

James M. McClenahan and Margaret Ann McClenahan, as Trustees of the McClenahan Family Trust dated February 22, 2001

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Donner Lake, adjacent to 15102 Point Drive, near the town of Truckee, Nevada County

AUTHORIZED USE:

Continued use and maintenance of an existing pier.

LEASE TERM:

10 years, beginning December 1, 2013.

CONSIDERATION:

\$739 per year, with the State reserving the right to fix a different rent periodically during the term of the lease, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On December 9, 2003, the Commission authorized a Recreational Pier Lease to James M. McClenahan and Margaret Ann McClenahan, as Trustees of the McClenahan Family Trust dated February 22, 2001. That lease expires on November 30, 2013. The Applicants are 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 the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1,

CALENDAR ITEM NO. **C19** (CONT'D)

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.

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 James M. McClenahan and Margaret Ann McClenahan, as Trustees of the McClenahan Family Trust dated February 22, 2001 beginning December 1, 2013, 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 \$739, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in an amount of no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8504.1

LAND DESCRIPTION

A parcel of submerged land situated in the bed of Donner Lake, lying adjacent to Government Lot 8 of fractional Section 14, 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 an existing pier lying adjacent to that parcel described in Grant Deed recorded February 25, 2003 as Document Number 2003-0009430-00 in Official Records of said County.

TOGETHER WITH a ten foot impact area.

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

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 04/10/2013 by the California State Lands Commission Boundary Unit.





DONNER LAKE

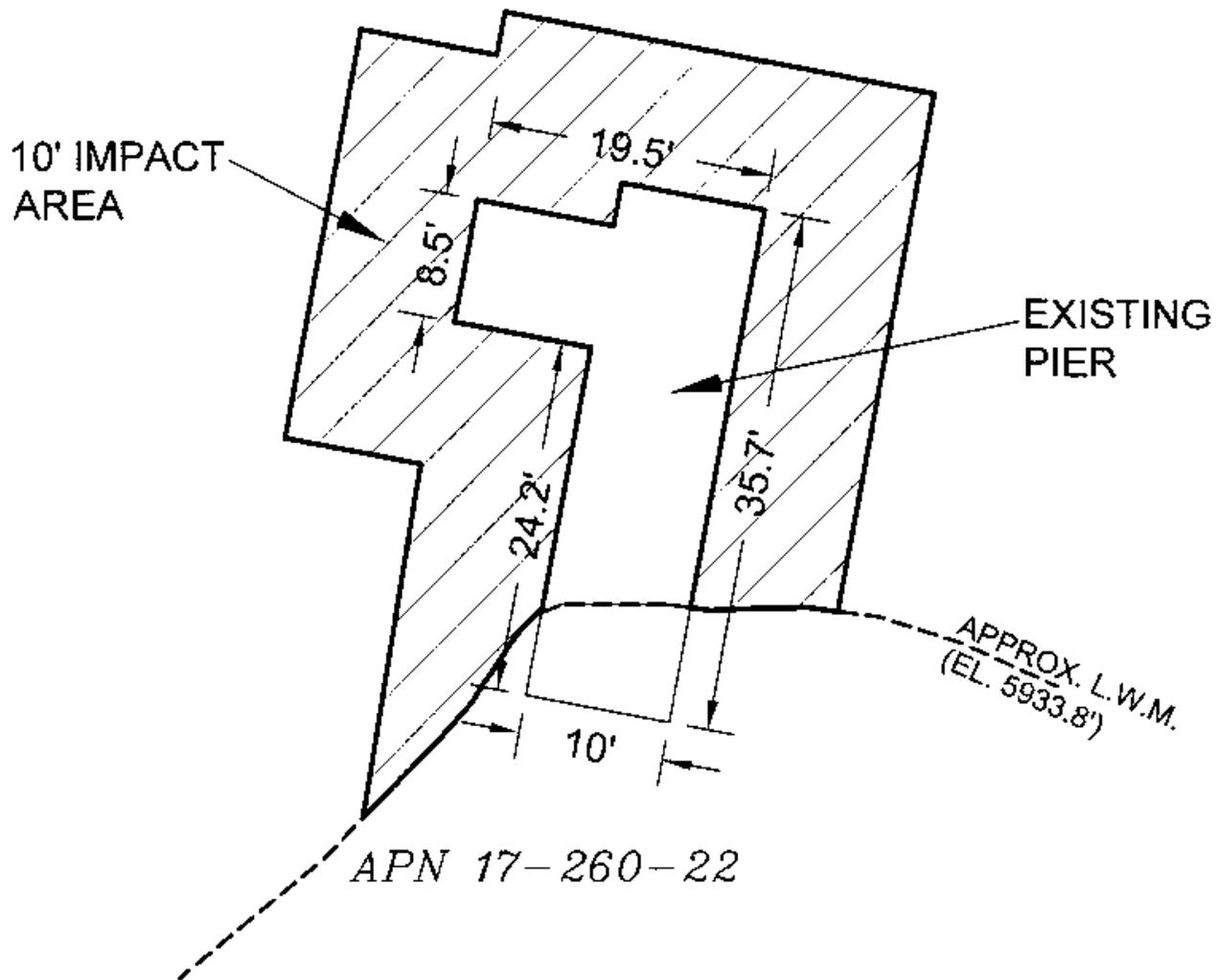


EXHIBIT A



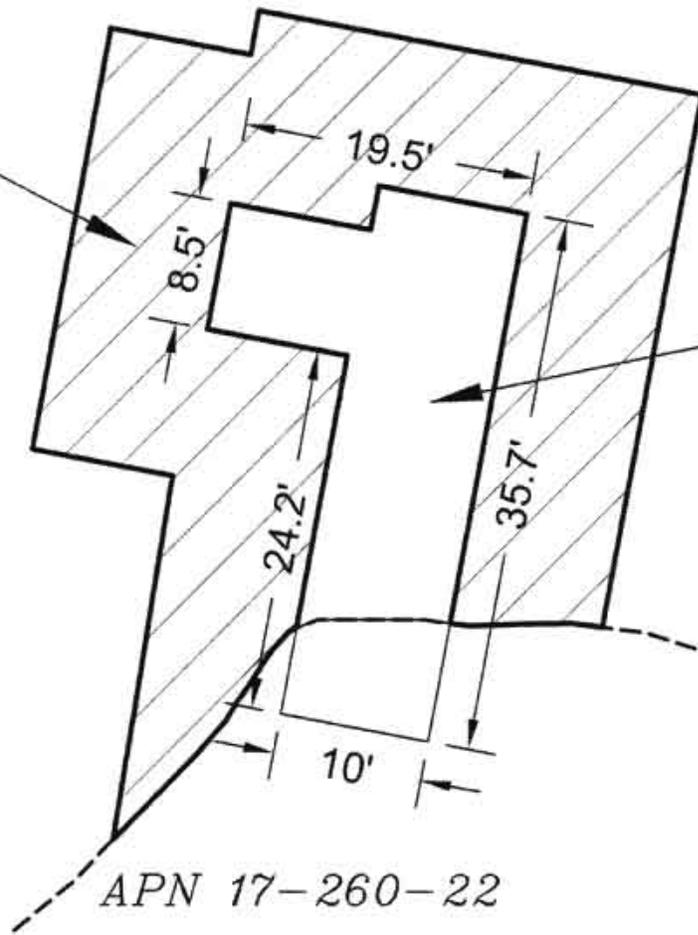
NO SCALE

SITE

DONNER LAKE



10' IMPACT AREA



EXISTING PIER

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

APN 17-260-22

15102 POINT DRIVE, TRUCKEE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8504.1
 MCCLENAHAN
 APN 17-260-22
 GENERAL LEASE -
 RECREATIONAL USE
 NEVADA COUNTY



SITE

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.