

**CALENDAR ITEM
C38**

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04/23/14
PRC 8719.1
B. Terry

AMENDMENT OF LEASE

LESSEE:

Donner Lake Village Owners Association
15695 Donner Pass Road
Truckee, CA 96161

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Donner Lake, adjacent to 15695 Donner Pass Road, near the town of Truckee, Nevada County.

AUTHORIZED USE:

Continued use and maintenance of an existing commercial marina consisting of a floating dock and ramp with five slips, six personal watercraft lifts, and a kayak rack; and an existing recreational use facility consisting of two floating docks and ramps with five slips each, and a fixed pier.

LEASE TERM:

10 years, beginning May 1, 2006.

CONSIDERATION:

Commercial Marina: Minimum annual rent of \$5,712 per year due and payable in two equal installments on May 1 and October 1, against five percent (5%) of the annual gross income from the berthing of five boat slips, the rental of six personal watercraft, three ski boats, one pontoon boat, and 10 kayaks/canoes; and 10 percent (10%) of all other income generated on the Lease Premises.

Recreational Use Facility: \$923 per year.

PROPOSED AMENDMENT:

Amend the lease to include the rental operation of one additional pontoon boat, two additional ski boats, and six paddle boards under Authorized Activities.

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

CALENDAR ITEM NO. **C38** (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On November 21, 2006, the Commission authorized a 10-year General Lease – Commercial and Recreational Use for an existing commercial marina consisting of a floating dock and ramp with five slips, six personal watercraft lifts, and a kayak rack; and a recreational use facility consisting of ramps with five slips each, two existing floating docks, and a fixed pier. That lease will expire on April 30, 2016.
3. The Applicant is now applying to amend the lease to include one additional pontoon boat, two additional ski boats, and six paddle boards for its rental operation. The additional watercraft is needed to meet customer demand during peak hours and will be docked within the previously authorized docking facilities.
4. 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, 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.

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 California Code of Regulations, Title 14, section 15061 as a

CALENDAR ITEM NO. **C38** (CONT'D)

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

SIGNIFICANT LANDS INVENTORY FINDING:

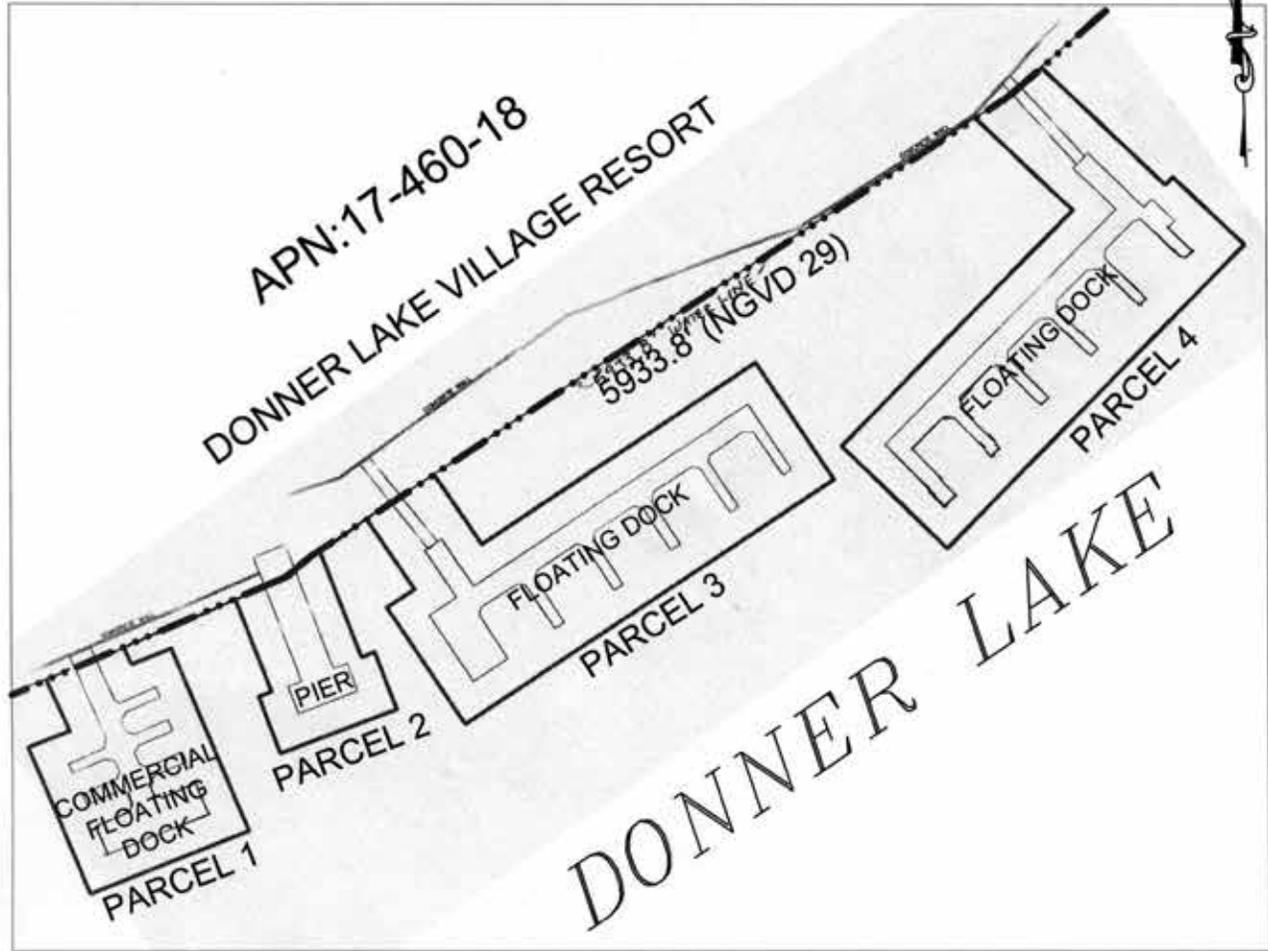
Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize the Amendment of Lease No. PRC 8719.1, a General Lease – Commercial and Recreational Use, effective April 23, 2014, to include the rental operation of one additional pontoon boat, two additional ski boats, and six paddle boards as authorized activities. All other terms and conditions of the lease will remain in effect without amendment.

NO SCALE

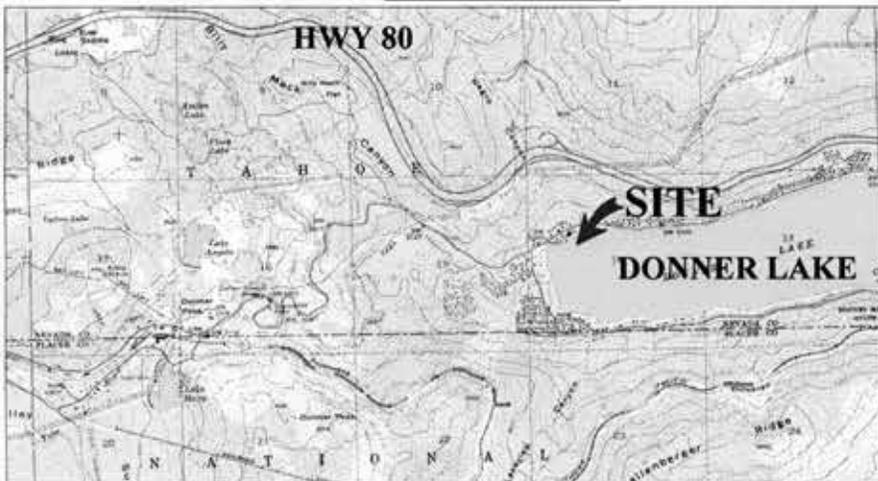
SITE



15695 DONNER PASS RD., TRUCKEE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

PRC 8719.1
 APN: 17-460-18
 DONNER LAKE VILLAGE
 OWNER'S ASSOCIATION
 GENERAL LEASE-COMMERCIAL
 AND RECREATIONAL USE
 NEVADA COUNTY



MIF 6/5/06

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.