

**CALENDAR ITEM
C29**

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08/19/15
W 8670.34
M. Schroeder

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Jay L. Verkler and Tamiko K. Verkler as Trustees of the Verkler Family Donner Lake Cabin Revocable Trust, dated 22 Dec 2012; and Dena E. Gaherty

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Donner Lake, adjacent to 14530 South Shore Drive, near the town of Truckee, Nevada County.

AUTHORIZED USE:

Reconstruction, use and maintenance of an existing pier not previously authorized by the Commission and the installation, use and maintenance of two jet-ski lifts.

LEASE TERM:

10 years, beginning August 19, 2015.

CONSIDERATION:

\$749 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

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

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. The existing pier was never authorized but has existed at this location for many years. The pier will be demolished and reconstructed. The new pier will be constructed of piles driven into the lakebed from a boat. Construction will also consist of welded steel beams and joists utilizing stainless steel hot-dipped galvanized hardware and fasteners throughout with a Trex decking. In addition, the pier will have two jet-ski lifts installed. The in-water work will take place between October 1 and April 1 during low water level periods. The Applicant has submitted applications to other permitting agencies. The Applicant is now applying for a General Lease – Recreational Use. Staff recommends authorization of these facilities.

CALENDAR ITEM NO. **C29** (CONT'D)

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 2, Replacement or Reconstruction; California Code of Regulations, Title 14, section 15302.

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

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.

APPROVALS REQUIRED:

California Regional Water Quality Control Board, Lahontan Region
U.S. Army Corps of Engineers
California Department of Fish and Wildlife
Town of Truckee

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 2, Replacement or Reconstruction; California Code of Regulations, Title 14, section 15302.

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 Jay L. Verkler and Tamiko K. Verkler as Trustees of the Verkler Family Donner

CALENDAR ITEM NO. **C29** (CONT'D)

Lake Cabin Revocable Trust, dated 22 Dec 2012; and Dena E. Gaherty, beginning August 19, 2015, for a term of 10 years, for the reconstruction, use and maintenance of an existing pier not previously authorized by the Commission and the installation, use and maintenance of two jet-ski lifts, 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 \$749, with an annual Consumer Price Index adjustment; and liability insurance in the amount of \$1,000,000 per occurrence.

EXHIBIT A

W 8670.34

LAND DESCRIPTION

A parcel of submerged land situated in the bed of Donner Lake, lying adjacent to Government Lot 5 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, two jet-ski lifts, swim step and floating steps lying adjacent to that parcel described in Grant Deed recorded January 23, 2013 as Document Number 20130002003 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 an existing pier, together with any and all appurtenances pertaining thereto, at the date of this description. Said existing pier and appurtenances are to be removed and a new proposed pier and appurtenances are to be built per lease Applicant's provided design plans. This description is to be updated once final as-built plans are submitted.

Prepared 07/06/2015 by the California State Lands Commission Boundary Unit.





DONNER LAKE

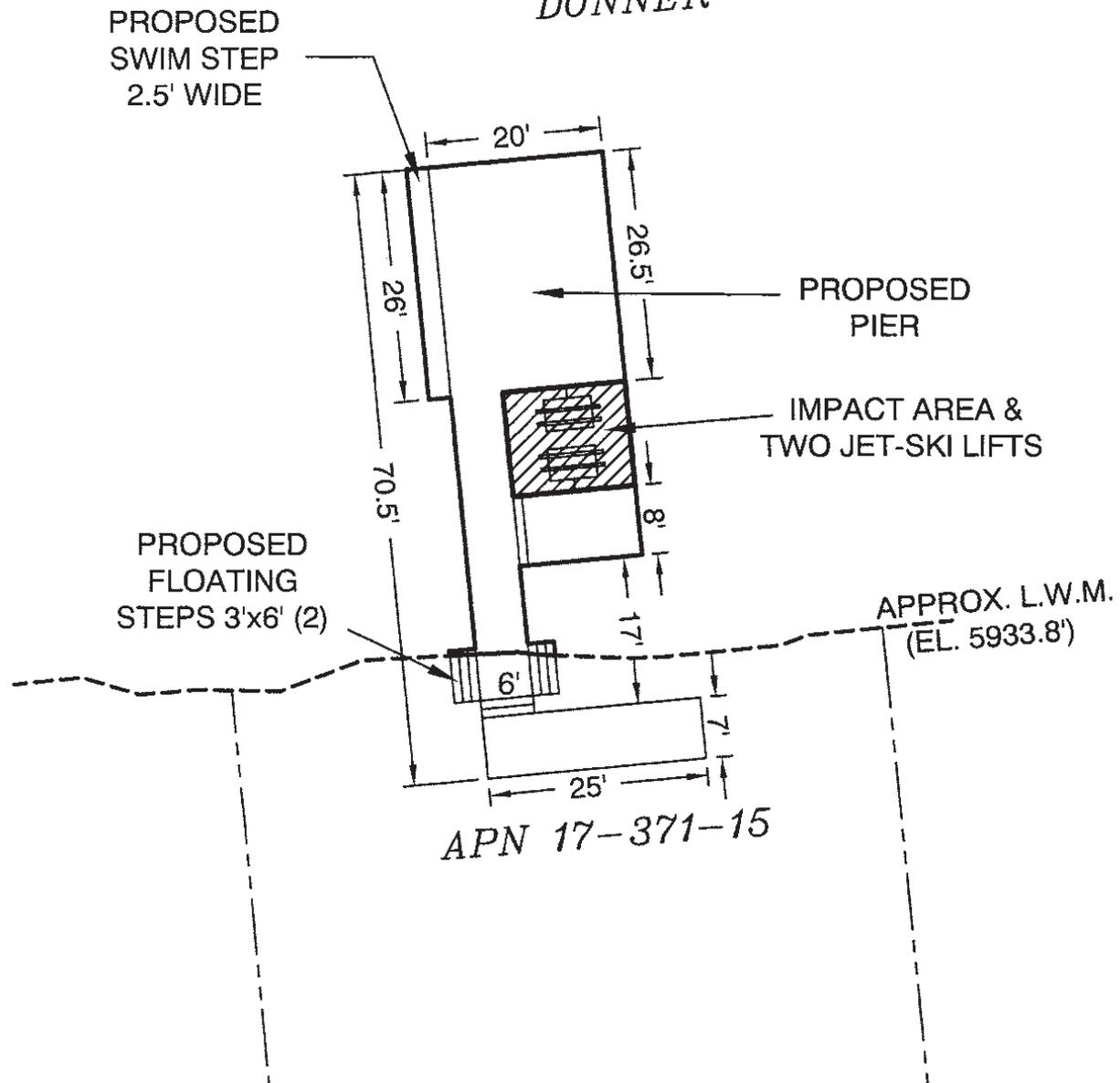


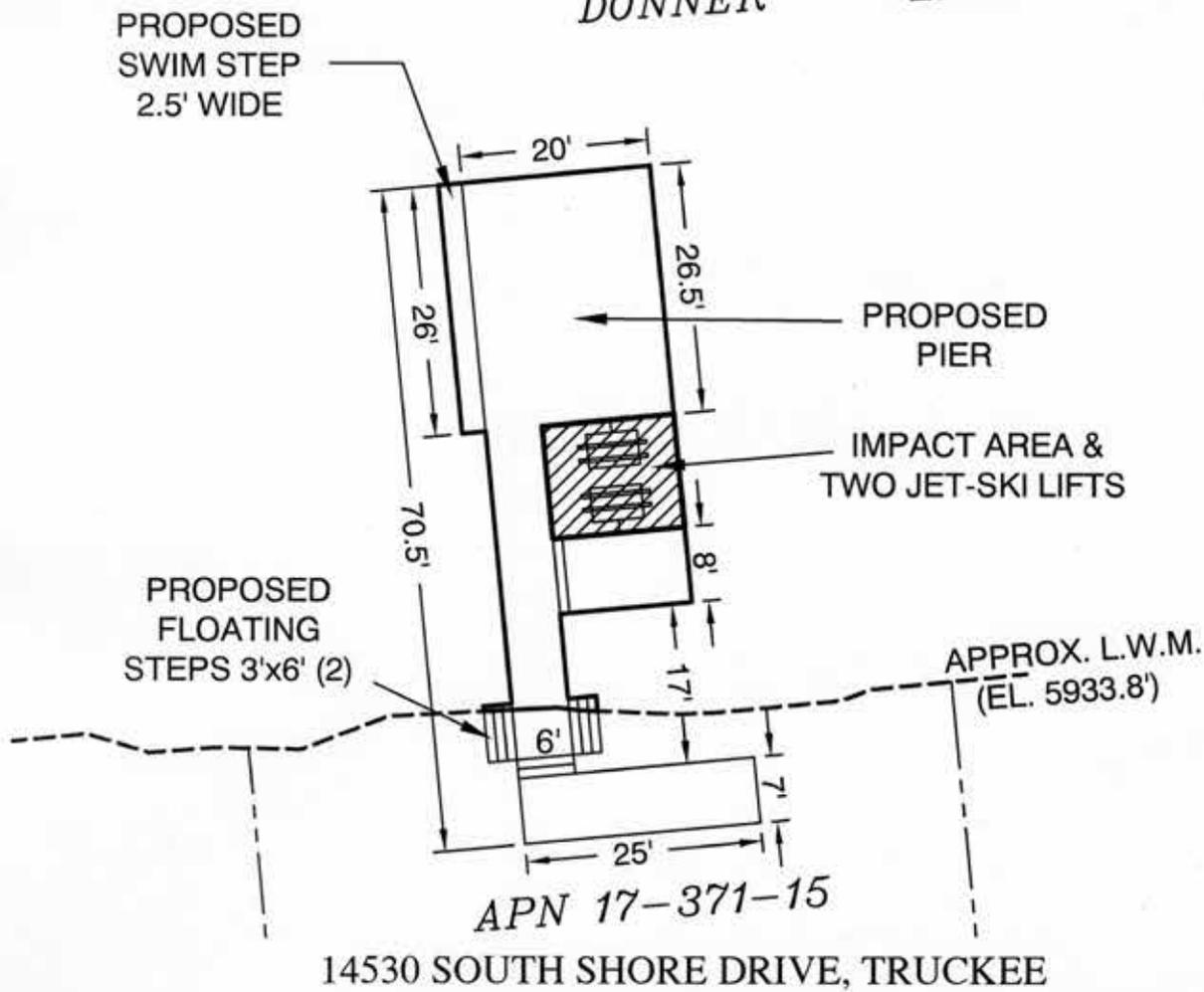
EXHIBIT A



NO SCALE

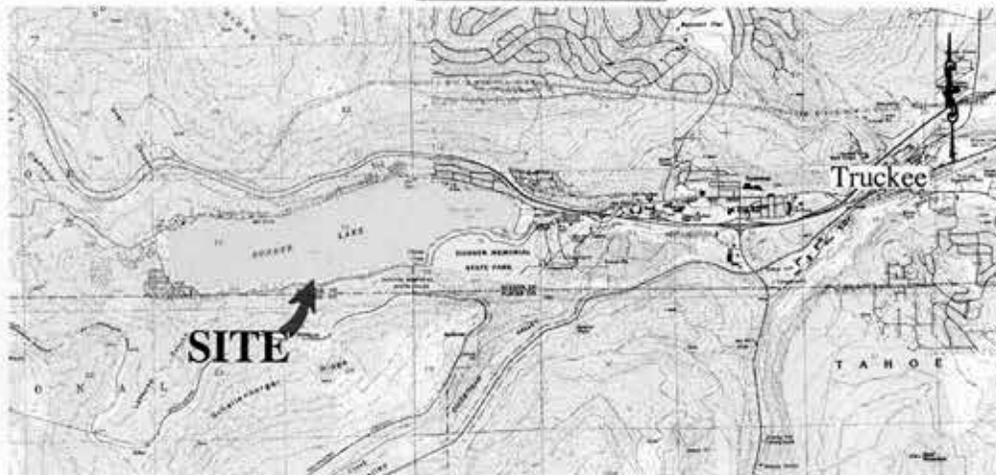
SITE

DONNER LAKE



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 B

W 8670.34
 VERKLER TRUST & GAHERTY
 APN 17-371-15
 GENERAL LEASE -
 RECREATIONAL USE
 NEVADA COUNTY



TS 07/06/15