

MINUTE ITEM

This Calendar Item No. C6
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 2
to 0 at its 5-27-76
meeting.

CALENDAR ITEM
C6.

5/76
WP 4945
GDG

EXTENSION OF RIGHT OF WAY PERMIT

APPLICANT: California Blue Valley, Inc., Trustee
c/o Larue & Francis
207 North Pine Street
Nevada City, California 95959

AREA, TYPE LAND AND LOCATION:
An 0.055 acre parcel of submerged land in the
north-west corner of Donner Lake, Nevada
County.

LAND USE: Temporary maintenance of one 8-inch diameter
intake pipeline capable of providing 2,000
GPM for fire protection purposes only.

TERMS OF PROPOSED REPLACEMENT PERMIT:
Period: 6 additional months, from May 4,
1976.

Surety Bond: \$1,500.

Public liability insurance: \$300,000 per occurrence
for bodily injury and \$50,000
for property damage.

CONSIDERATION: \$100.

BASIS FOR CONSIDERATION:
\$100 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is trustee of subject fire control
system and easement across the upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Divl 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

- 1. Minute Item 8, dated August 29, 1974,
authorized the execution of temporary
emergency Right of Way PRC 4945.1 to
Donner Pines, Inc., for a water intake
pipeline capable of providing 2,000 GPM
for fire protection purposes only, with

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a term of no longer than 6 months; provided that the lease will not be renewed unless affirmative action has been taken for a more permanent solution at the end of 6 months.

2. Alternatives being pursued for more permanent solution to the existing fire hazard:

- a. Cranmer Engineering, Inc., P. O. Box 943, Grass Valley, California 95945, has entered into an agreement with Donner Lake Utility (DLUC), a licensed water purveyor at Donner Lake, to provide engineering services necessary to form a local assessment district for the purpose of financing the cost increasing the water supply and service in the area. The assessment district, if approved, will provide a more permanent solution to the existing fire hazard. However, this alternative is currently in a state of abeyance and progressing slowly.
- b. Effective May 5, 1975, DLUC is charged by the authority of the Public Utilities Commission to provide for fire protection standards in its water system as set forth in amendment to PUC General Order 103, Decision No. 84334, dated April 15, 1975. Pursuant to the request of the Truckee Fire Protection District of Nevada County, consideration is being given to the feasibility of acceptance by DLUC of the ownership and operation of the subject intake facility for the time period required until DLUC's proposed master plan for expansion is completed. It is proposed in the master plan that DLUC's existing "West Beach" well will be the ultimate water source for fire flow protection and domestic use. Use of the subject intake facility would be terminated upon completion of the master plan.

In an action to further the concept of this alternative, Donner Pines, Inc., et al, have conveyed to California Blue Valley, Inc., in trust, the subject intake pipeline and the fire control system for operation and maintenance until such time that the system may be

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conveyed to DLUC or the nominee of the Truckee Fire Commission.

By letters dated April 14, 1976, the Truckee Fire Commission has advised staff their engineer has approved and does confirm that the subject system conforms to the engineering standards required by the Truckee Fire District.

Further study of this concept is required to determine whether the benefits will, in fact, provide a more permanent solution to the existing fire hazard during the interim until DLUC's master plan for expansion is completed.

3. An Environmental Impact Report has not been prepared for this activity as such report is not required for an emergency project of this type under the provisions of PRC 21172; 14 Cal. Adm. Code 15071; and 2 Cal. Adm. Code 2903(d).
4. This project is situated on State land identified as possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B: Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THE EMERGENCY TEMPORARY FACILITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PUBLIC RESOURCES CODE 21172, 14 CAL. ADM. CODE 15071, AND 2 CAL. ADM. CODE 2903(D).
2. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ. OF THE PUBLIC RESOURCES CODE.

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3. AUTHORIZE THE ISSUANCE TO CALIFORNIA BLUE VALLEY, INC., TRUSTEE, OF A 6-MONTH RIGHT OF WAY, FROM MAY 4, 1976; IN CONSIDERATION OF THE MINIMUM RENT IN THE AMOUNT OF \$100; THE PROVISION OF A \$1,500 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$300,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR THE TEMPORARY MAINTENANCE OF ONE 8-INCH DIAMETER INTAKE PIPELINE CAPABLE OF PROVIDING 2,000 GPM FOR FIRE PROTECTION PURPOSES ONLY; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4945

All that land owned by the State of California, by virtue of its sovereignty, lying in the bed of Donner Lake and being within the following described parcel:

BEGINNING at the northeasterly corner of Lot 1, Block B as shown on that certain map filed for record in the Office of the Recorder of Nevada County, State of California in Book 1 of Maps at page 83; thence S 29° 49' E 348 feet along the easterly line of said Lot 1; thence N 60° 11' E 40 feet; thence N 29° 49' W 348 feet; thence S 60° 11' W 40 feet to the point of beginning.

END OF DESCRIPTION

Prepared *J. Collins* Checked *John K. Hervey*
Reviewed *[Signature]* Date 10/23/74
Revised by *Donald Britton*
Date 4/27/76

