

MINUTE ITEM

This Calendar Item No 40
was approved as Minute Item
No 40 by the State Lands
Commission by a vote of 3
to 0 at its 4/28/77
meeting.

CALENDAR ITEM

40

4/77
WP 4945
GDG
PRC 4945

EXTENSION OF GENERAL LEASE -
RIGHT OF WAY USE

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

AREA, TYPE LAND AND LOCATION:
An 0.035 acre parcel of submerged land in
the northwest 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: 4 additional months from May 4, 1977.

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: Div. 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
a term of no longer than 6 months;

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provided that the lease would not be renewed unless affirmative action has been taken for a more permanent solution at the end of 6 months.

2. In considering the approval of the fourth additional 6-month term granted at their meeting of October 28, 1976, the Commission expressed the desire that a decisive solution of this transaction be found.
3. The decisive activity being pursued by applicant provides for the tie-in of applicant's private fire flow system on the upland with the existing service line of Donner Lake Utility Company. A 4-month extension of this lease will allow applicant to lay a 985 foot connecting pipeline and replace the utility company's wellhead pump with a larger pump capable of providing the 2,000 GPM fire flow required by the Truckee Fire Protection District of Nevada County. The proposed plan will be carried out with the approval of said District and utility company.
4. Without the temporary fire flow protection provided by this lease, applicant's upland improvements and other private improvements in the area will exist without fire flow protection; thus, constituting a fire hazard to the general area. The completion of applicant's proposed plan will be a public benefit. Applicant assures staff that every effort will be made to expedite this decisive action and bring it to completion within the specified term.
5. 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 14 Cal. Adm. Code 15071 and 2 Cal. A. n. Code 2903(d).
6. 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.

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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 PIPELINE 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 LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ., OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE THE ISSUANCE TO CALIFORNIA BLUE VALLEY, INC., TRUSTEE, OF A 4-MONTH GENERAL LEASE - RIGHT OF WAY USE; FROM MAY 4, 1977; IN CONSIDERATION OF THE MINIMUM RENT IN 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 THE 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

A strip of submerged land 20 feet wide in the State owned bed of Donner Lake, Nevada County, California, said strip being 10 feet on each side of the following described centerline:

BEGINNING at a point on the easterly line of Parcel 1, S 29° 49' 00" E, 10.24 feet from the intersection of the said easterly line of Parcel 1 and the southerly line of Donner Pass Road as shown on the map of Donner Village Unit One, filed in Book 5 of Maps, page 13, Nevada County Records; thence westerly along a line parallel with and 10 feet distant southerly of said southerly line of Donner Pass Road on a curve to the left having a radius of 1,550.00 feet and a central angle of 12° 35' 39" for a distance of 40.71 feet; thence S 60° 11' 00" W, 103.00 feet to a point that lies 57 feet from the westerly line of said Parcel 1; thence S 19° 08' 17" E, 358 feet, more or less, to the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Donner Lake.

END OF DESCRIPTION

Prepared *M. L. Shaf* Checked *R. T. Hill*
Reviewed *John W. Hill* Date *9/21/76*
JWB