

MINUTE ITEM

This Calendar Item No. C37 was approved as
Minute Item No. 37 by the California State Lands
Commission by a vote of 3 to 0 at its
2/8/00 meeting.

**CALENDAR ITEM
C37**

A 3
S 1

02/08/00
PRC 7740.1
B. Young

**ACCEPTANCE OF QUITCLAIM DEED
TERMINATION OF GENERAL LEASE – RECREATIONAL USE
ISSUANCE OF RECREATIONAL PIER LEASE**

APPLICANTS:

Douglas C. Wallway and Becky Wallway
15849 Donner Pass Road
Truckee, CA 96161

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Donner Lake, near Truckee, Nevada County.

AUTHORIZED USE:

Continued use and maintenance of a pier with a gangway and floating dock as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning November 30, 1998.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. On April 1, 1994 the Commission issued a General Lease - Recreational Use to Douglas C. Wallway and Becky Wallway for the construction and maintenance of a pier with a gangway and a floating dock utilized for recreational boating, for a term of ten years. Mr. and Mrs. Wallway did not qualify for a rent-free lease due to the fact that the littoral parcel was a common area owned by the Donner Lakeside Landing Homeowners Association.

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2. As a result of a Lot Line Adjustment survey, the littoral property was segregated among the upland property owners. Lessee is now the littoral owner and, therefore, qualifies and has applied for a rent-free lease.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. 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. Location and site map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

CALENDAR ITEM NO. C37 (CONT'D)

SIGNIFICANT LANDS INVENTORY FINDING:

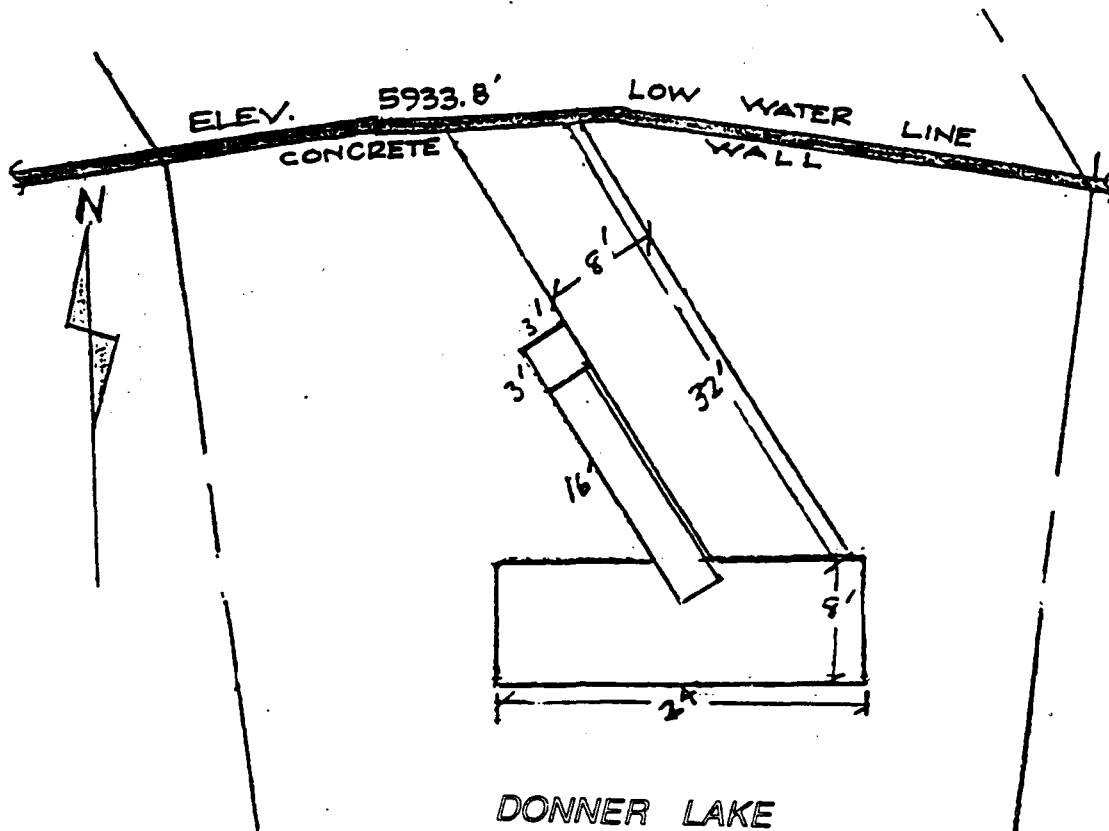
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE ACCEPTANCE OF A LEASE QUITCLAIM DEED, FOR GENERAL LEASE – RECREATIONAL USE LEASE NO. PRC 7740.1 EFFECTIVE NOVEMBER 29, 1998.

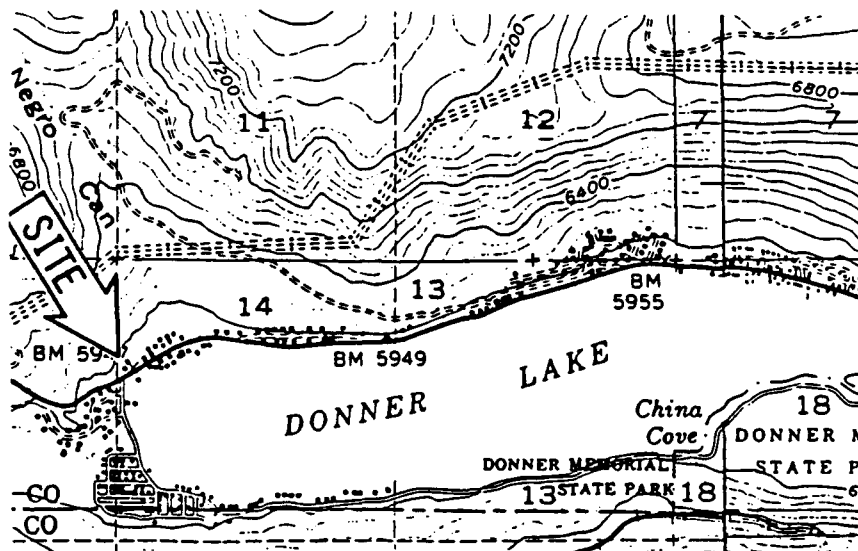
AUTHORIZE THE TERMINATION OF GENERAL LEASE – RECREATIONAL USE LEASE NO. PRC 7740.1, ISSUED BY THE CALIFORNIA STATE LANDS COMMISSION ON APRIL 1, 1994.

AUTHORIZE ISSUANCE TO DOUGLAS C. WALLWAY AND BECKY WALLWAY OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING NOVEMBER 30, 1998, FOR A PIER WITH A GANGWAY AND FLOATING DOCK ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$300,000.



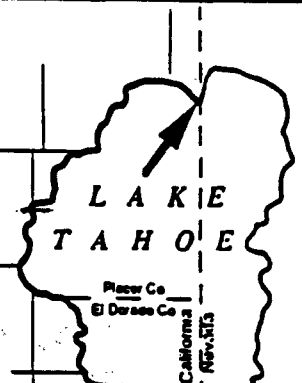
NO SCALE

LOCATION MAP



NO SCALE

EXHIBIT "A"
 PRC 7740.1
 APN 17 - 160 - 29
 Donner Lake
 NEVADA COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, 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.

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