

MINUTE ITEM

This Calendar Item No. C09 was approved as Minute Item No. 09 by the California State Lands Commission by a vote of 3 to 0 at its 11-21-06 meeting.

**CALENDAR ITEM
C09**

A 4, 3
S 1

11/21/06
PRC 7284 WP 7284.9
B. Terry

RECREATIONAL PIER LEASE

APPLICANTS:

Dirk Mellema and Joann Mellema, as Trustees of the Dirk Mellema and Joann Mellema 1979 Trusts dated April 30, 1979

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing pier and the retention of two existing boat hoists as shown on Exhibit A.

LEASE TERM:

Ten years, beginning October 1, 2006.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On March 23, 1989, the Commission authorized a Recreational Pier Lease with Dirk Mellema and Joann Mellema. That lease has expired and the Applicants are now applying for a new Recreational Pier Lease for an existing pier, previously authorized by the Commission, and the retention of two boat hoists, not previously authorized by the Commission.
3. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for a

CALENDAR ITEM NO. C09 (CONT'D)

single-family dwelling.

4. **PIER:** 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.

5. **BOAT HOISTS:** 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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

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

6. 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. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A

CALENDAR ITEM NO. C09 (CONT'D)

CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

BOAT HOISTS: 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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(3).

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.

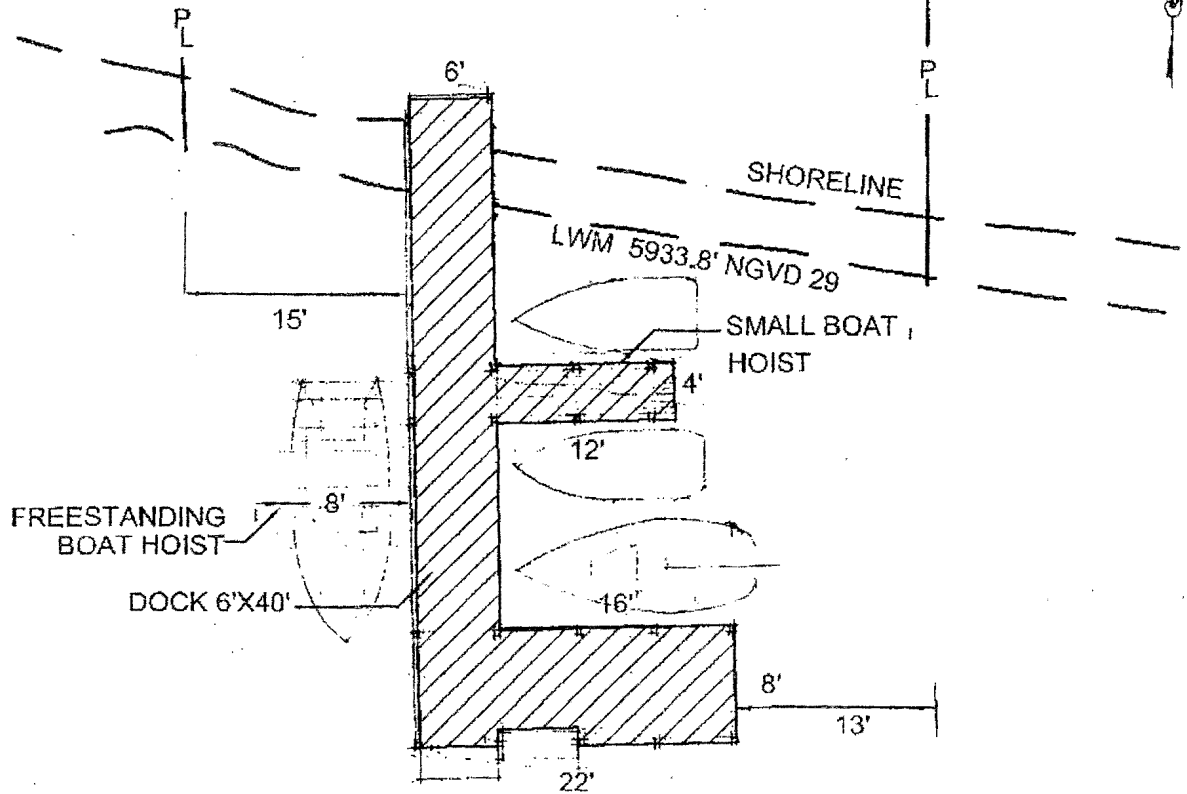
AUTHORIZATION:

AUTHORIZE ISSUANCE TO DIRK MELLEMA AND JOANN MELLEMA, AS TRUSTEES OF THE DIRK MELLEMA AND JOANN MELLEMA 1979 TRUSTS DATED APRIL 30 1979, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING OCTOBER 1, 2006, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, AND THE RETENTION OF TWO EXISTING BOAT HOISTS AS 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 IN THE AMOUNT OF NO LESS THAN \$300,000.

NO SCALE

SITE

APN 18-352-13

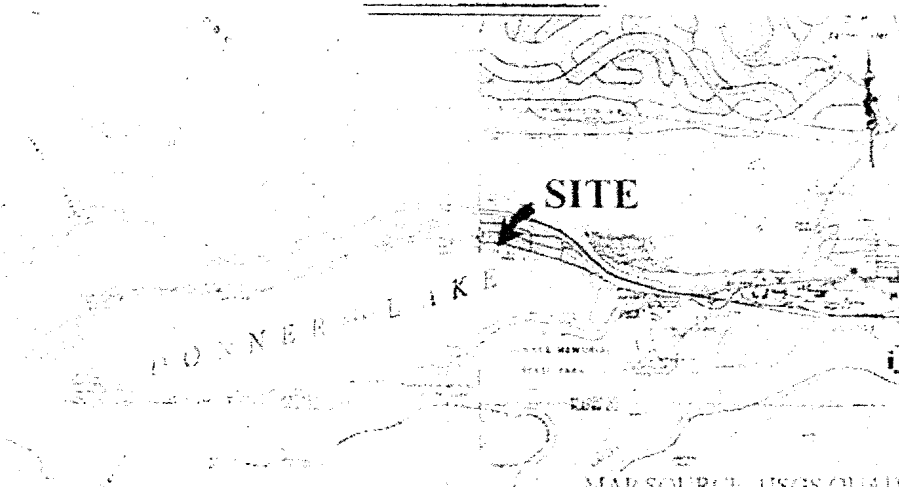


DONNER LAKE

13671 DONNER PASS RD., NEAR TRUCKEE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

PRC 7284.9
 MELLEMA
 APN 18-352-13
 RECREATIONAL PIER LEASE
 NEVADA COUNTY



MI 09/06

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.