

MINUTE ITEM
This Calendar Item No. C12 was approved as
Minute Item No. 12 by the California State Lands
Commission by a vote of 3 to 0 at its
09-13-07 meeting.

CALENDAR ITEM

C12

A 4, 3

09/13/07

S 1

PRC 8757

W 26224

N. Lee

RECREATIONAL PIER LEASE

APPLICANTS:

John M. Nivinski and Brenda Allen Nivinski

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Construction, use and maintenance of a new pier as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning September 1, 2007.

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 property adjoining the lease premises.
2. Applicants qualify for a Recreational Pier Lease because they are natural persons who own the littoral land improved with a single-family dwelling. Applicants are now applying for a new lease for the construction of a new pier.
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

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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.

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.

APPROVALS REQUIRED:

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

EXHIBIT:

- A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

November 12, 2007

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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE

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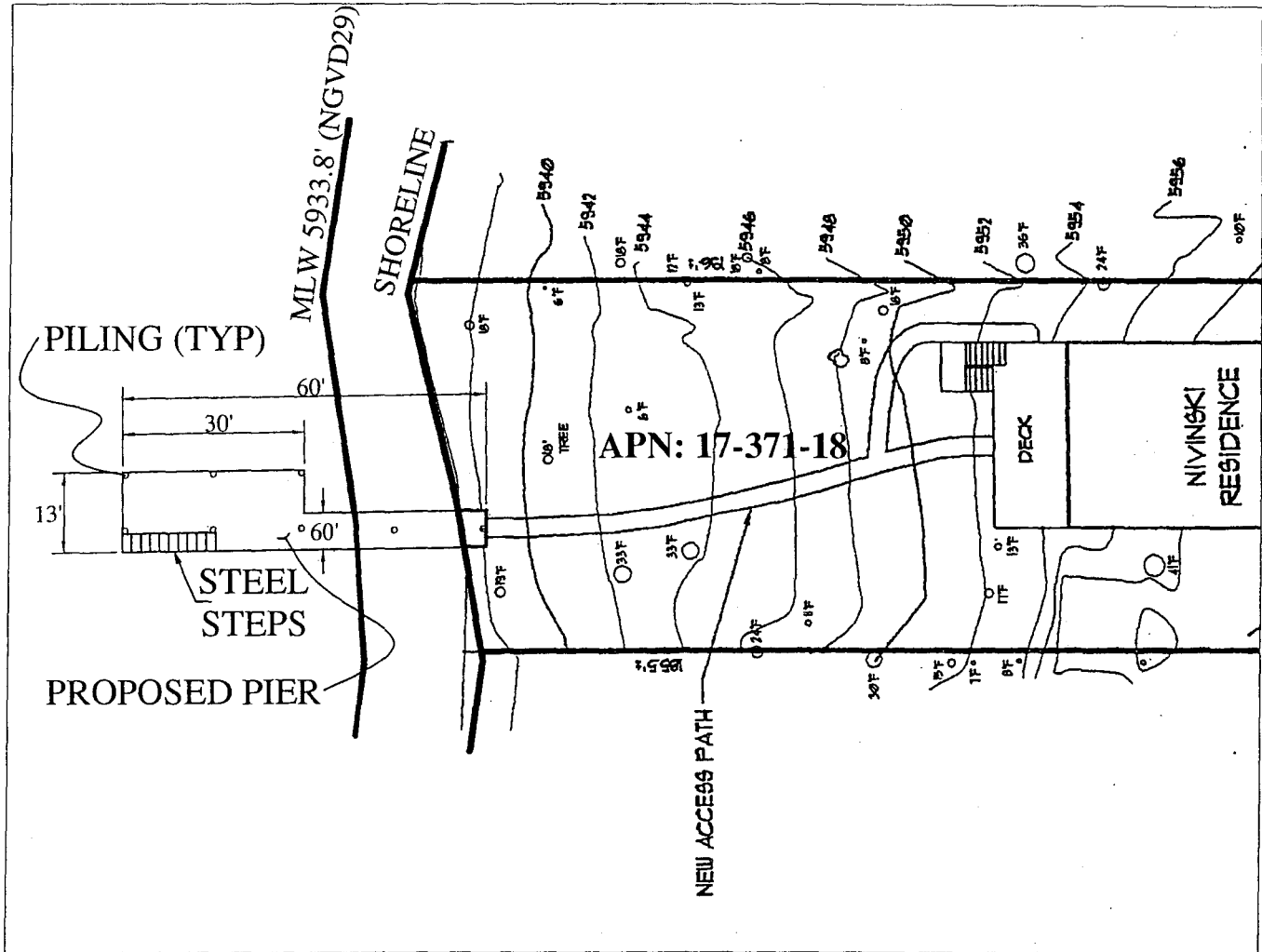
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO JOHN M. NIVINSKI AND BRENDA ALLEN NIVINSKI, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING SEPTEMBER 1, 2007, FOR THE CONSTRUCTION, USE AND MAINTENANCE OF A NEW PIER 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

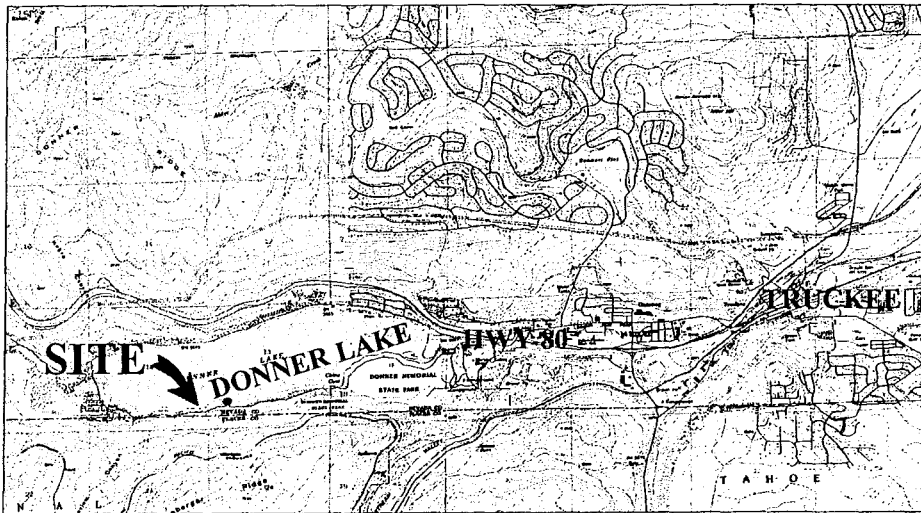
SITE



14630 South Shore Drive, Truckee

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

W 26224
 NIVINSKI
 APN:17-371-18
 RECREATIONAL PIER LEASE
 DONNER LAKE
 NEVADA COUNTY



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.