

MINUTE ITEM
This Calendar Item No. C36 was approved as
Minute Item No. 36 by the California State Lands
Commission by a vote of 2 to 0 at its
10-30-07 meeting.

**CALENDAR ITEM
C36**

A 4, 3
S 1

10/30/07
PRC 7974 WP 7974.1
B. Terry

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Carle and Carle, a Partnership

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing pier as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning June 1, 2007.

CONSIDERATION:

\$1,003 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicants owns the uplands adjoining the lease premises.
2. On July 11, 1997, the Commission authorized a ten-year Recreational Pier Lease with Carle and Carle, a Partnership. That lease expired on May 31, 2007. Applicants are now applying for a new General Lease-Recreational Use.
3. Applicants do not qualify for rent-free status because the Applicants do not own the littoral property as a natural person(s) pursuant to Public Resource Codes section 6503.5.

CALENDAR ITEM NO. C36 (CONT'D)

4. 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. 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:

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).

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 CARLE AND CARLE, A PARTNERSHIP, OF A GENERAL LEASE – RECREATIONAL USE, BEGINNING

CALENDAR ITEM NO. C36 (CONT'D)

JUNE 1, 2007, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$1,003, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000.

NO SCALE

SITE

APN 18-352-01

APPROX. SHORELINE

EXISTING DOCK
15'x45'

APPROX. 5933.8'

EXISTING PIER
8'x26'

D O N N E R

L A K E

13869 DONNER PASS ROAD, NEAR TRUCKEE

NO SCALE

LOCATION

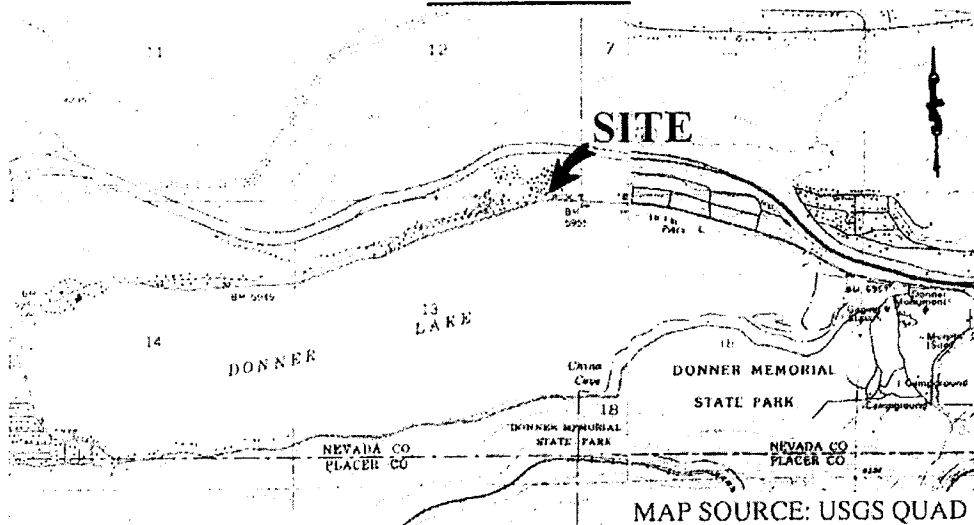


Exhibit A

PRC 7974.1
 CARLE & CARLE
 APN 18-352-01
 GENERAL LEASE
 RECREATIONAL USE
 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.