C10

A   4, 3   10/16/08
                                                                                        PRC 7211.9
S   1   B. Terry

RECREATIONAL PIER LEASE

APPLICANT:
Tinkers Landing Homeowners Association
5203 Castlereigh Court
Granite Bay, CA 95746

AREA, LAND TYPE, AND LOCATION:
Sovereign lands in Donner Lake, adjacent to 13741 Donner Pass Road, 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 October 16, 2008.

CONSIDERATION:
No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:
Liability insurance in the amount of no less than $1,000,000.

OTHER PERTINENT INFORMATION:
1.   Applicant owns the upland adjoining the lease premises.

2.   On June 30, 1988, the Commission authorized a ten-year Recreational Pier Lease with Kavanaugh K. Koch. That lease expired on June 29, 1998. The ownership of the upland property has since been deeded to Tinkers Landing Homeowners Association. Applicant is now applying for a new Recreational Pier Lease.

3.   The prior lease authorized the use and maintenance of two piers. Based on additional information and research, staff has determined that the pier

located on the west side of the littoral property does not extend onto State-owned sovereign land. Therefore, it is not required to be under lease with the Commission.

4.   Tinkers Landing is a Homeowners Association that consists of six members, all of whom are natural persons and qualify for rent-free status pursuant to Public Resources Code section 6503.5.

5.   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.

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:
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.

<u>CALENDAR ITEM NO. **C10** (CONT'D)</u>

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO TINKERS LANDING HOMEOWNERS ASSOCIATION BEGINNING OCTOBER 16, 2008, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING 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 $1,000,000.
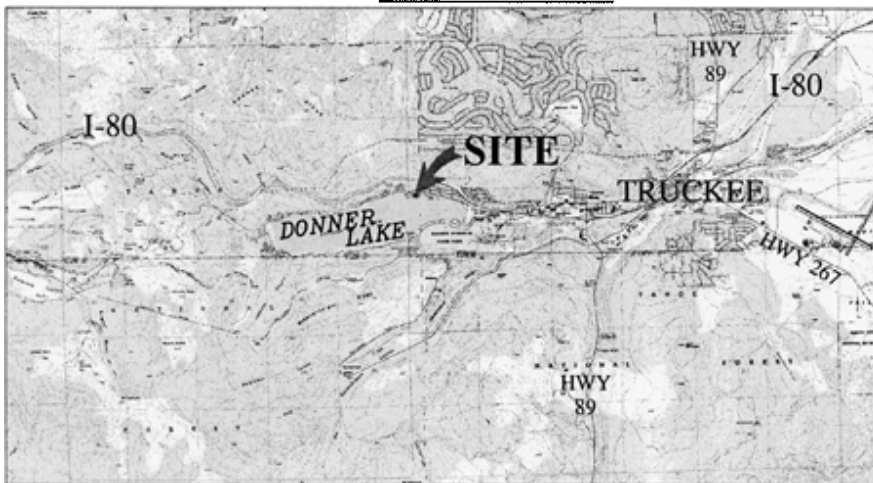
NO SCALE ## SITE

APN
18-352-27

5933.8'

DONNER LAKE

18'
8'
24'
4'
27'
8'
50'
5933.8'
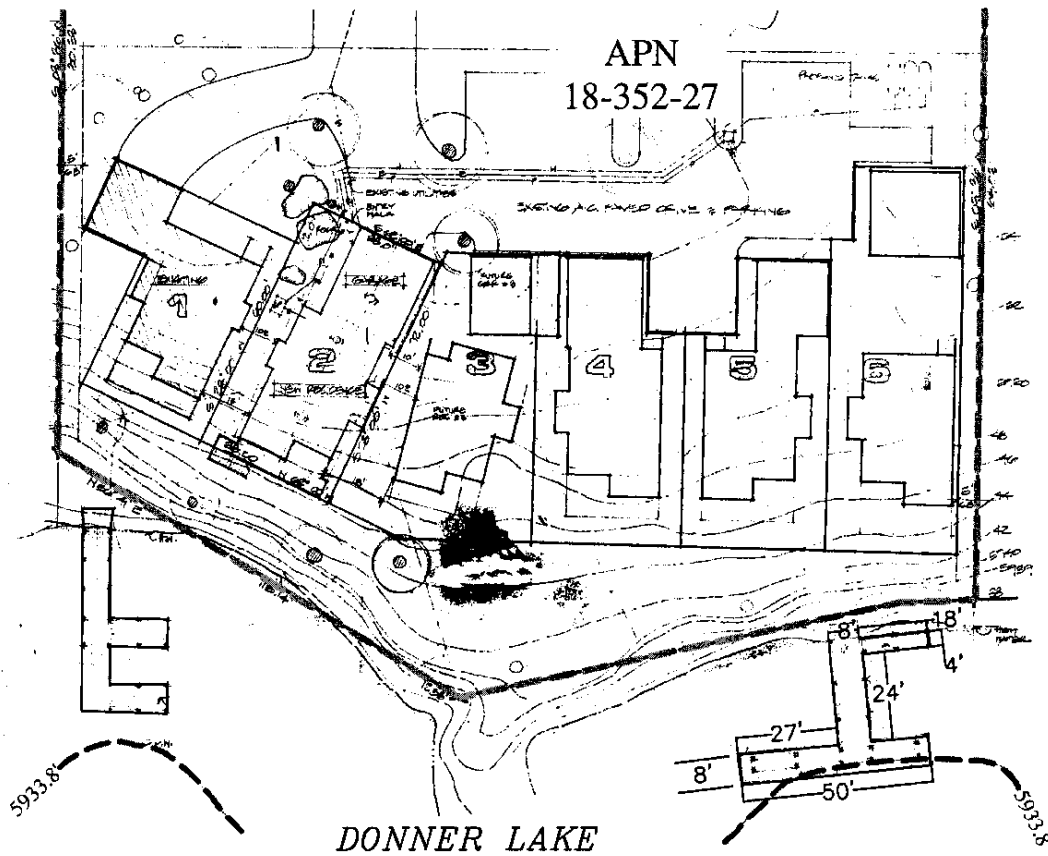
13741 DONNER PASS RD., NEAR TRUCKEE

NO SCALE ## LOCATION

HWY
89
I-80

I-80

SITE

TRUCKEE

DONNER
LAKE

HWY 267

HWY
89

MAP SOURCE: USGS QUAD

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.

Exhibit A
PRC 7211.9
TINKERS HOA
APN: 18-352-27
RECREATIONAL PIER
LEASE
NEVADA COUNTY

SITE

JL 6-10-08