

**CALENDAR ITEM
C19**

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S 1

06/01/09
W 8670.102
B. Terry

RECREATIONAL PIER LEASE

APPLICANT:

Amanda Dill

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Donner Lake, adjacent to 15438 South Shore Drive, near Truckee, Nevada County.

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning June 1, 2009.

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 \$500,000.

Other:

The public will be allowed to pass and re-pass around the landward end of the pier to provide continuous shoreline access to the Public Trust Easement below elevation 5,935.8-feet, NGVD (1929).

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. Applicant has applied for a Recreational Pier Lease to construct a new 56-foot long pier with steel pilings that will be installed by an amphibious vehicle. The remaining construction will be performed using hand tools and hand-held power tools with no heavy equipment.

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3. Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who owns the littoral land that is improved with a single-family dwelling.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), 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.

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.

APPROVALS REQUIRED:

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

EXHIBIT:

- A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

July 31, 2009

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).

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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 OF A TEN-YEAR RECREATIONAL PIER LEASE TO AMANDA DILL, BEGINNING JUNE 1, 2009, FOR CONSTRUCTION, USE, AND MAINTENANCE OF A 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; AND LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$500,000.