

**CALENDAR ITEM
C09**

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S 1

08/14/12
PRC 8833.1
R. Barham

**TERMINATION OF A GENERAL LEASE – RECREATIONAL USE AND
ACCEPTANCE OF A LEASE QUITCLAIM DEED**

LESSEES:

Robert Manashi and Nahrin Manashi

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Donner Lake, adjacent to 14116 South Shore Drive, near the town of Truckee, Nevada County.

AUTHORIZED USE:

Removal of eight wood pilings and the construction, use, and maintenance of a pier.

LEASE TERM:

10 years, beginning August 11, 2009.

CONSIDERATION:

\$1,335 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:

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. On August 11, 2009, the Commission authorized a 10-year General Lease - Recreational Use to Robert Manashi and Nahrin Manashi for the removal of eight wood pilings and the construction, use, and maintenance of a pier, as shown on the attached Exhibit A.

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2. On June 25, 2010, Lessees notified staff requesting to terminate the lease because they had transferred ownership of the upland property on February 17, 2010. Lessees also stated that the proposed pier construction authorized under the lease at this location never occurred. The new upland owner was contacted and stated he had no plans to continue with the proposed pier construction. In January 2012, the new owner provided evidence that the eight wood remnant pilings were removed.
3. Upon approval of the lease, the Lessees paid the first year of annual rent up through August 10, 2010. Lessees signed and submitted a lease quitclaim deed in August 2010. Staff recommends that the Commission accept the quitclaim deed and approve termination of the lease effective August 10, 2010.
4. The staff recommends that the Commission find that the subject acceptance of a lease Quitclaim Deed and termination of lease does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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 subject acceptance of a lease Quitclaim Deed and termination of lease is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public

CALENDAR ITEM NO. **C09** (CONT'D)

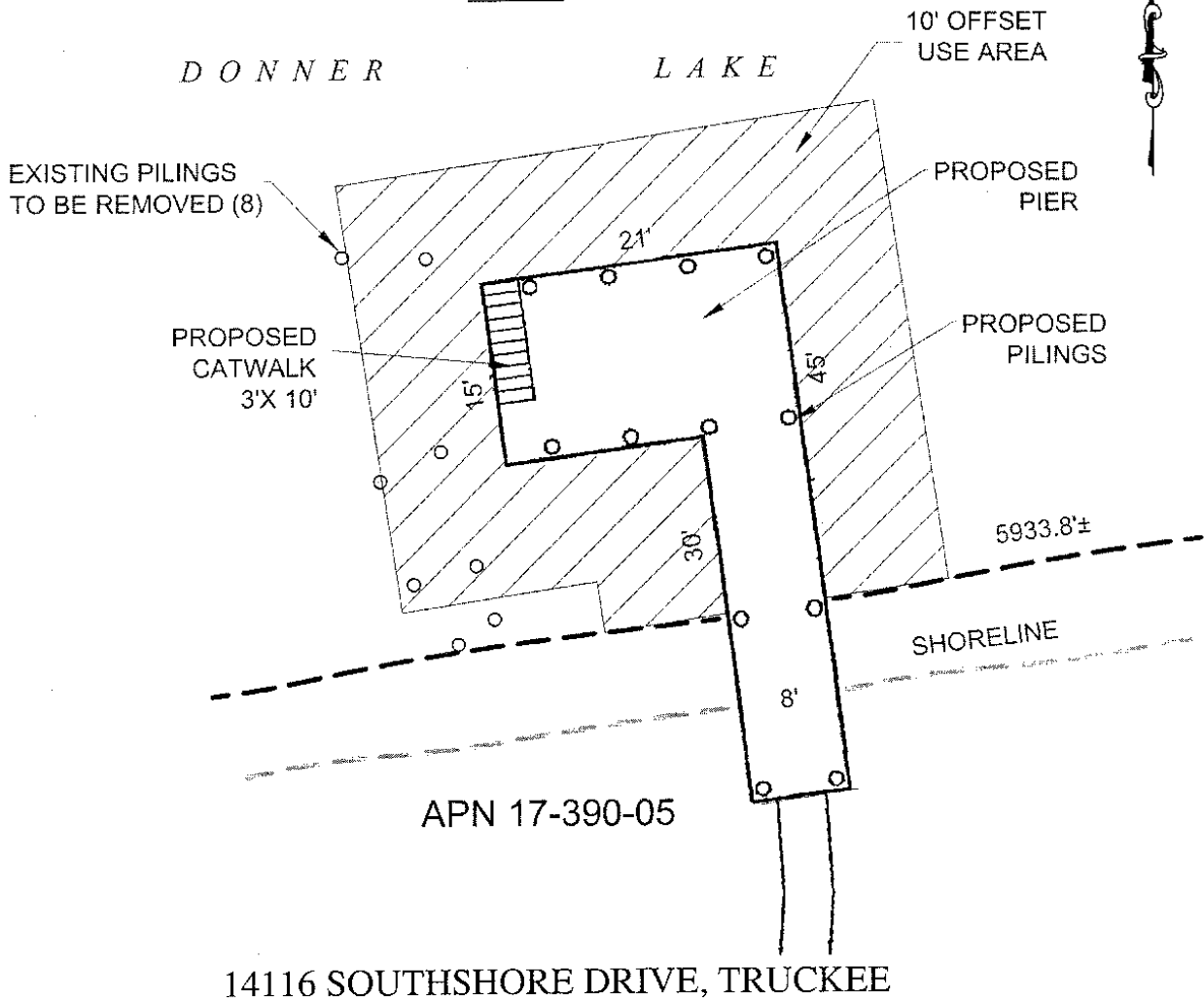
Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

1. Authorize acceptance of a Lease Quitclaim Deed and termination, , of Lease No. PRC 8833.1, a General Lease – Recreational Use, issued to Robert Manashi and Nahrin Manashi, effective August 10, 2010.

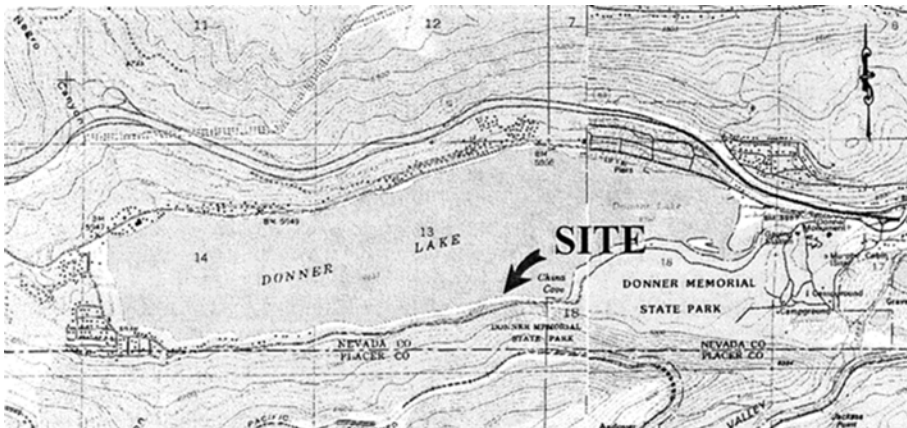
NO SCALE

SITE



NO SCALE

LOCATION



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 8833.1
 MANASHI
 APN 17-390-05
 GENERAL LEASE-
 RECREATIONAL USE
 NEVADA COUNTY



MJJ 06/09