

**CALENDAR ITEM
C12**

A 1
S 1

04/23/14
PRC 4945.9
N. Lavoie

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

Truckee Donner Public Utility District

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Donner Lake, adjacent to 15775 Donner Pass Road, in the town of Truckee, Nevada County.

AUTHORIZED USE:

Continued maintenance of an existing eight-inch diameter freshwater intake pipeline previously authorized by the Commission; and maintenance of an existing 12-inch diameter freshwater intake pipeline not previously authorized by the Commission.

LEASE TERM:

20 years, beginning April 23, 2014.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the upland adjoining the lease premises.
2. On May 26, 1994, the Commission authorized a General Lease – Right-of-Way Use to Donner Lake Water Company for maintenance and operation of an eight-inch freshwater intake pipeline which provided fire flow protection and chlorinated, filtered potable water and a one-inch freshwater discharge pipeline. Donner Lake Water Company was purchased by the Del Oro Water Company and subsequently acquired by the Truckee Donner Public Utility District (TDPUD) at the request of the Donner Lake community. The Applicant is now applying for a new General Lease – Public Agency Use.

CALENDAR ITEM NO. C12 (CONT'D)

3. The Donner Lake water system was in a distressed state when it was acquired by the TDPUD in 2001. The entire water system, providing service to approximately 1,230 residences and business, was under a “boil water” order as a result of a June 2000 State Department of Health Services determination that chronic low pressure and numerous outages had created an unacceptable risk of system contamination.
4. The TDPUD rehabilitated most of the water system by constructing new pump stations, replacing tanks, casings, and miles of pipe in addition to the installation of a 12-inch diameter freshwater intake pipeline into Donner Lake without the authorization of the Commission. The new water intake was an invaluable resource during the construction of an almost entirely new domestic water system, as the previously authorized pipeline did not extend far enough into the lake to allow the pumps to operate properly at low water levels.
5. Both existing intake pipelines are not currently in use and the Applicant is requesting to keep both in place and under lease as emergency intakes. This would allow the TDPUD to react quickly to reactivate the pipelines if necessary to provide safe drinking water to the Donner Lake community.
6. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

7. 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.

CALENDAR ITEM NO. **C12** (CONT'D)

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the Truckee Donner Public Utility District beginning April 23, 2014, for a term of 20 years, for the continued maintenance of an existing eight-inch diameter freshwater intake pipeline previously authorized by the Commission; and maintenance of an existing 12-inch diameter freshwater intake pipeline not previously authorized by the Commission described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration being the public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interest.

EXHIBIT A

PRC 4945.9

LAND DESCRIPTION

A parcel of submerged land situated in the bed of Donner Lake, lying adjacent to Lot 4 of fractional Section 14, Township 17 North, Range 15 East, M.D.B.&M., as shown on Official Government Township Plat approved April 10, 1867, County of Nevada, State of California, more particularly described as follows:

All those lands underlying two existing deactivated emergency water intake pipes lying adjacent to that Parcel 1 (Common Area) of Condominium Map "DONNER VILLAGE UNIT 1" as recorded January 21, 1981 in Book 7 of Subdivisions at Page 4 in Official Records of said County.

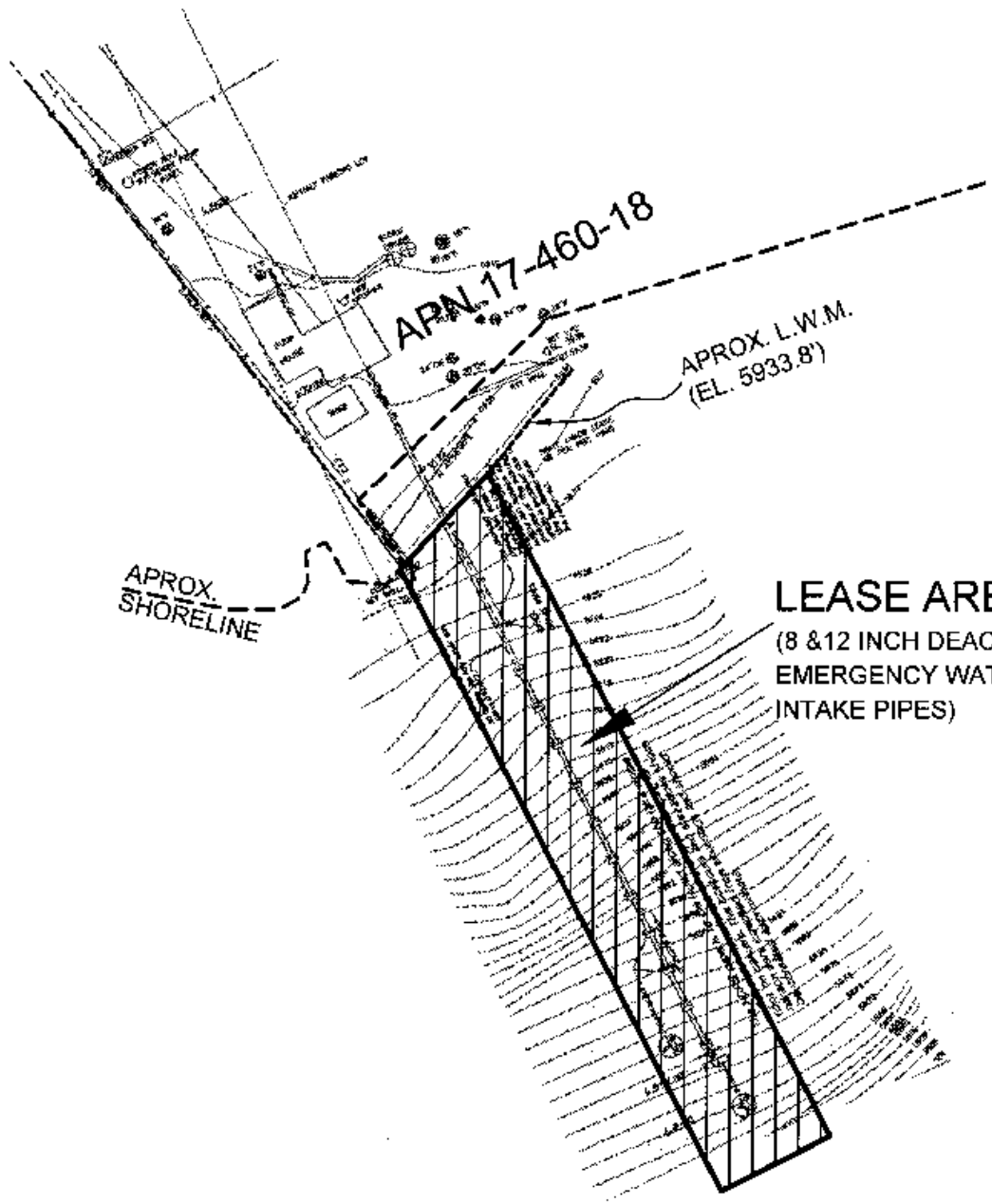
EXCEPTING THEREFROM any portion lying landward of the low water mark of said Donner Lake.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 03/12/2014 by the California State Lands Commission Boundary Unit.





APROX. SHORELINE

APN 17-460-18

APROX. L.W.M.
(EL. 5933.8')

LEASE AREA
(8 & 12 INCH DEACTIVATED
EMERGENCY WATER
INTAKE PIPES)

DONNER LAKE

EXHIBIT A

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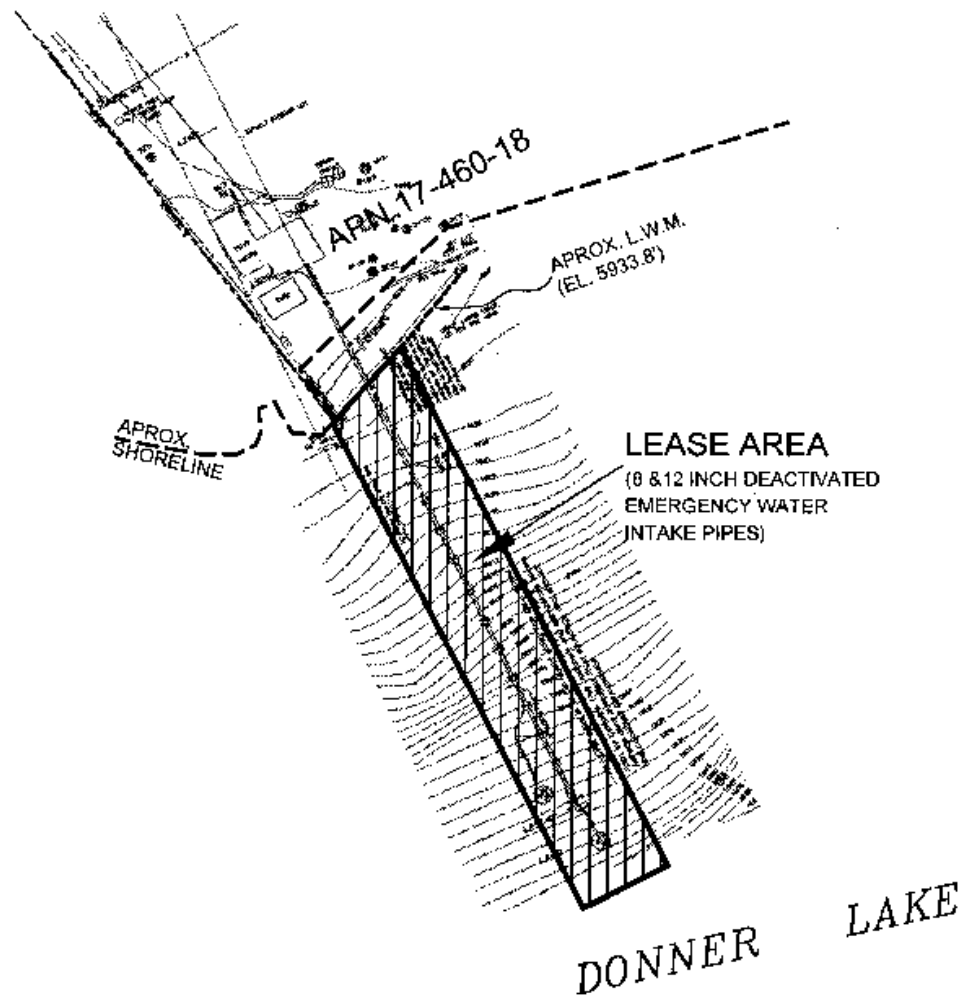
LAND DESCRIPTION PLAT
PRC 4945.9, TRUCKEE DONNER
PUBLIC UTILITY DISTRICT
NEVADA COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

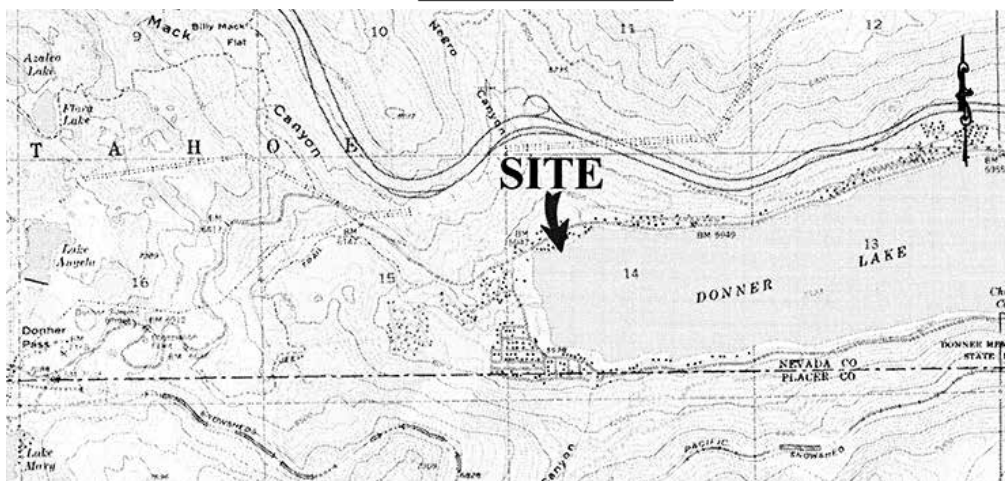
SITE



15775 DONNER PASS ROAD, NEAR TRUCKEE

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 B

PRC 4945.9
 TRUCKEE DONNER PUBLIC
 UTILITY DISTRICT
 APN 17-460-18
 GENERAL LEASE -
 PUBLIC AGENCY USE
 NEVADA COUNTY



TS 03/12/14