

Staff Report 14

LESSEE/APPLICANT:

Truckee Donner Recreation and Park District

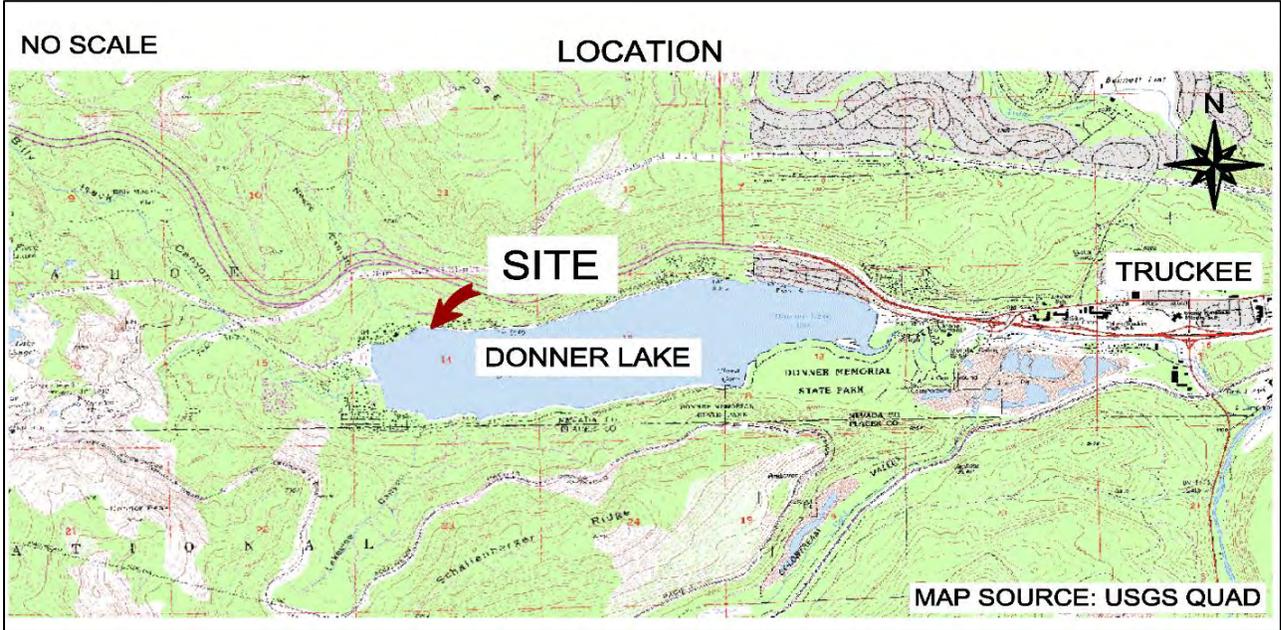
PROPOSED ACTION:

Acceptance of a Lease Quitclaim Deed and Issuance of a General Lease – Public Agency Use.

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Donner Lake, adjacent to 15511 Donner Pass Road, near Truckee, Nevada County (as shown in Figure 1).

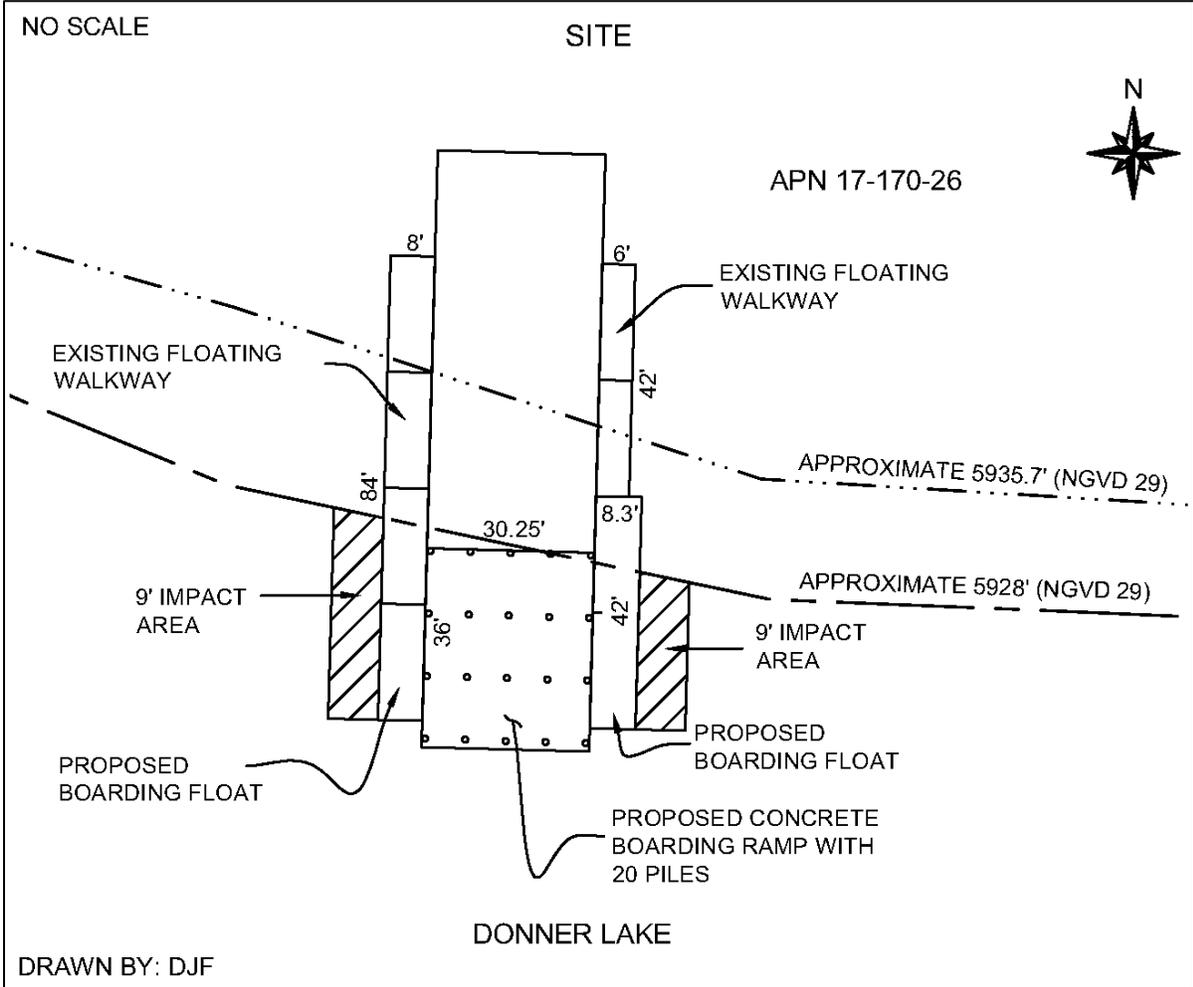
Figure 1. Location



AUTHORIZED USE:

Expansion and repair of an existing concrete boat launch facility (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

23 years, beginning February 9, 2026.

CONSIDERATION:

The public use and benefit, with the State reserving the right to set monetary rent if the Commission finds such an action to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

- No refueling or maintenance of vehicles, equipment, or watercraft shall take place within the Lease Premises.
- Lessee shall safely conduct all grading and disposal operations in accordance with accepted grading and disposal methods and practices for similar project types and with due regard for the protection of life and property, and preservation of the environment.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6501.1, and 6503; California Code of Regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

On November 29, 2017, the Commission authorized a General Lease – Public Agency Use to Truckee Donner Recreation and Park District (Lessee) for the use of an existing concrete boat launching ramp, two boat docks, raised boardwalk, and bank protection ([Item 3, November 17, 2017](#)). The lease will expire on April 30, 2037. On October 24, 2019, the Commission authorized the Boundary Line and Easement Agreement that set the ordinary low water mark at Donner Lake at 5928 feet elevation, except in areas that have been filled or in areas where the Commission and the upland property owner have previously entered into a boundary line agreement or settlement agreement ([Item 69, October 24, 2019](#)). As a result, the raised boardwalk and bank protection do not extend waterward of the ordinary low water mark and are no longer within the Commission's leasing jurisdiction.

The Lessee is now applying for a new General Lease - Public Agency Use for the replacement of the existing boat launch facility that extends onto State sovereign land. The Lessee will submit a lease quitclaim deed, releasing its interest in the lease premises. Staff recommends acceptance of a lease quitclaim deed from the Lessee, effective February 8, 2026.

The replacement of the boat launch facility will include pile-guided boarding floats; repair and modification of sheet pile; and an approximately 40-foot extension of the existing concrete ramp. The ramp extension will be constructed using a pile-

driven steel structure with v-grooved concrete surface panels and concrete surface panels allowing safe low-water usage of the facility.

The Town of Truckee requires a three-year grace period for construction to issue the necessary non-discretionary grading and building permits to allow initiation of the project. The **Lessee's grant** from the California State Parks Division of Boating and Waterways (DBW) is conditional, requiring a 20-year Lease for the facilities that does not include the construction duration.

This project involves a two-phased construction approach due to the competing construction timelines (i.e., in-water ramp extension work during the low water Fall/Winter season versus the Spring/Summer upland site work), shared area of the project construction operation with different equipment and staging needs, and consideration for the limited seasonal conditions in the Town of Truckee. The construction timeline is elongated over many months and multiple seasons and is expected to take approximately 2 to 3 years to complete.

To satisfy the requirements of the Town of Truckee and the DBW grant requirements, staff recommends the lease be issued for a term of 23 years starting February 9, 2026.

The Lessee owns and maintains the uplands adjoining the lease premises. The subject improvements and proposed expansion will facilitate recreational boating and support public access to Donner Lake. The facilities are connected to a public recreation area on the upland that includes Americans with Disabilities Act (ADA) compliant access facilities, a public picnic area, and restrooms. The launch facilities provides a public benefit by expanding recreational access to the public, and will represent one of the limited ADA compliant lake access locations. Recreational boating is a water-dependent use that is generally consistent with the common law Public Trust Doctrine. The California Legislature has identified private recreational boating facilities as an authorized use of Public Trust land. (Pub. Resources Code, § 6503.5.)

The proposed lease does not alienate the State's fee simple interest or permanently impair public rights. The lease is limited to a 23-year term, does not grant the lessee exclusive rights to the lease premises, and reserves an easement to the public for Public Trust-consistent uses. Upon termination of the lease, the lessee may be required to remove all improvements from State land and restore the lease premises to their original condition.

CLIMATE CHANGE:

INTRODUCTION:

Climate change significantly affects inland non-tidal lakes such as Donner Lake, and its effects are increasing throughout the Sierra Nevada mountains. According to [California's Fourth Climate Change Assessment](#) (2018), the most significant impacts of climate change in the Sierra Nevada Region are more intense heat, precipitation extremes, declining snowpacks, and changes in streamflow timing. These impacts create hazardous conditions like flooding, landslides, wildfire, drought, extreme heat, and severe storms. Structures along the shores of inland lakes are particularly vulnerable to the more frequent and extreme weather events, year-to-year changes in total precipitation, and shifts in seasonal characteristics.

DATA & PROJECTIONS:

Temperatures in the Sierra Nevada are expected to increase six to ten degrees Fahrenheit on average by the end of the century, causing the snowline to shift upslope 1,500 to 3,000 feet in elevation ([California's Fourth Climate Change Assessment](#), 2018). The long-term warming trend will lead to warmer and shorter winters and longer and drier summers. The warmer winters will reduce winter snowpacks by up to 60 percent across most of the Sierra Nevada and will result in increased winter streamflows and floods and decreased spring and summer runoff. Loss of snowpack is expected to dry soils 15 to 40 percent below their historical norms. Hotter, drier summer seasons and low water years will increase stress to vegetation, elevating wildfire risk and fire severity in the greater Tahoe Basin.

Dry winters will be punctuated with exceedingly wet years and higher temperatures will result in more rain-on-snow events ([Integrated Vulnerability Assessment of Climate Change in the Lake Tahoe Basin](#), 2020). Atmospheric river systems will become more common. These events produce both flash floods and higher than normal seasonal flooding which may shift earlier in the year. Higher soil moisture will increase erosion and elevate landslide risk, particularly following intense wildfire seasons.

ANALYSIS:

The greatest vulnerability to recreational facilities is from flooding, landslides, and wildfire hazards ([Integrated Vulnerability Assessment of Climate Change in the Lake Tahoe Basin](#), 2020). The Sierra Nevada is expected to experience year-to-year variability in precipitation and may shift between extreme wet and dry periods.

High precipitation years or successive years will result in higher lake levels, causing beaches to narrow and reducing public access. Surface runoff may carry more sediment into the lake, adversely impacting water quality, clarity, and increasing risk of algal blooms ([UC Davis Tahoe Environmental Research Center](#), 2024).

Conversely, low lake levels will become normal during periods of extended drought. Low lake level conditions can create more expansive beaches and increased shoreline access in dry months. However, these conditions could make some shoreline areas too shallow for effective recreational use of piers, boat docks, and mooring buoys. During drought, structures will also be exposed to heat and wind that may accelerate deterioration or reduce the structural integrity of certain structures.

Additionally, atmospheric rivers and extreme weather events are expected to increase in the high Sierra. Storms may deviate from prevailing wind patterns for the region. Wind-driven waves can accelerate shoreline erosion in some areas or cause erosion in areas not typically subject to erosion. Winds can also increase wave damage on structures and boats along the lake.

RECOMMENDATIONS:

Improvements authorized under this lease may require more frequent inspection and maintenance to ensure they are not displaced during storm events. Watercraft moored to buoys, piers, or docks are also vulnerable to high wind events and damaging waves. Any future construction or activities on State land would require a separate authorization from the Commission.

Regular maintenance, as required by the lease, may reduce the risks from extreme temperatures and rain. Pursuant to the proposed lease, the Applicant acknowledges that the lease premises and adjacent upland are located in an area that may be subject to the effects of climate change.

CONCLUSION:

For all the reasons above, staff believes approval of this lease will not substantially interfere with Public Trust needs at this location, at this time, and for the term of the lease; is consistent with the Public Trust Doctrine; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of an application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands. If the Commission denies the application, the Lessee may not expand and repair the existing concrete boat launch facility and may be required to remove the improvements and restore the premises to their original condition. The lessee has no right to a new lease or to renewal of any previous lease.
2. This action is consistent with the "Leading Climate Activism" and "Meeting Evolving Public Trust Needs" Strategic Focus Areas of the Commission's 2021 - 2025 Strategic Plan.
3. Acceptance of the quitclaim deed is not a project as defined by the California Environmental Quality Act (CEQA) because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15060, subdivision (c)(3), and 15378, subdivision (b)(5).

4. Replace boat ramp and boarding floats: Staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction; California Code of Regulations, title 14, section 15302.

Extension of boat ramp and installation of steel piles: Staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction or Conversion of Small Structures; California Code of Regulations, title 14, section 15303.

Authority: Public Resources Code section 21084 and California Code of Regulations, title 14, section 15061.

APPROVALS REQUIRED:

- U.S. Fish and Wildlife Service
- California Department of Fish and Wildlife
- Lahontan Regional Water Quality Control Board

APPROVALS OBTAINED:

- U.S. Army Corps of Engineers
- Truckee Donner Recreation and Park District

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that issuance of the lease is exempt from the requirements of CEQA pursuant to California Code of Regulations, title 14, section 15061 as a categorically exempt project through the combination of the following exemptions: Class 2, Replacement or Reconstruction; California Code of Regulations, title 14, section 15302, and Class 3, New Construction or Conversion of Small Structures; California Code of Regulations, title 14, section 15303.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease will not substantially interfere with Public Trust needs and values at this location, at this time, and for the term of the lease; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

AUTHORIZATION:

1. Accept a lease quitclaim deed for Lease 3952, a General Lease – Public Agency Use, issued to the Lessee, effective February 8, 2026.
2. Authorize issuance of a General Lease – Public Agency Use to the Applicant beginning February 9, 2026, for a term of 23 years, for the expansion and replacement of an existing boat launch facility; consideration being the public use and benefit, with the State reserving the right to set a monetary rent if the

Commission finds such an action to be in the State's best interests; grading material shall be used for the benefit of the project and may not be sold, nor used for commercial resale, environmental mitigation credits, or other private benefit without the Commission's prior written consent.

3. Authorize the Executive Officer or designee to replace Exhibits in the lease upon submission, review, and approval of as-built plans detailing the final location of the improvements following construction.