MINUTE ITEM
This Calendar Item No. 40
was approved as Minute Item
No. 40 by the State Lands
Commission by a vote of 3
to 0 at its 4-28-93
meeting.

MINUTE ITEM

40

04/28/93
W 24866
Gordon

GENERAL PERMIT — RECREATIONAL USE

Calendar Item 40 was moved from Regular Calendar to Consent Calendar.

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CALENDAR PAGE
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CALENDAR ITEM

40

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04/28/93
W 24866
Gordon
PRC 7689

GENERAL PERMIT - RECREATIONAL USE

APPLICANT:
Valerie W. Lusk
7440 Willow Lane
Loomis, California 95650

AREA, TYPE LAND AND LOCATION:
A 0.0244-acre parcel of submerged land located in Donner Lake at Truckee, Nevada County.

LAND USE:
Construction and maintenance of a pier to be utilized for recreational boating.

PROPOSED PERMIT TERMS:
Permit period:
Ten (10) years beginning March 1, 1993.

Public liability insurance:
Combined single limit coverage of $500,000.

Special:
(1) The permit is conditioned on the consent of the littoral owner.

(2) The permit prohibits the use of the facilities for residential purposes.

(3) The permit conforms to the Lyon/Fogerty decision.

(4) The permit is conditioned on the public's right of access along the shorezone up to the high water line at elevation 5,935.80 feet.

CONSIDERATION:
$229.82 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:
Applicant is not the owner of the upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and estimated processing costs have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:
06/01/93

OTHER PERTINENT INFORMATION:
1. Applicant is not the littoral owner. The proposed pier will extend into Donner Lake from common area littoral lands vested in the Donner Lakeside Landing Homeowners Association. Applicant is a homeowner and member of the association. The proposed permit is subject to the written consent and approval of the littoral owner, which has been received.

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15025), the staff has prepared a Proposed Negative Declaration identified as EIR ND 608, State Clearinghouse No. 92122009. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

   Based upon the Initial Study, the Proposed Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment. (14 Cal. Code Regs. 15074(b))

3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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 OBTAINED:

None.

FURTHER APPROVALS REQUIRED:

California Department of Fish and Game, Lahontan Regional Water Quality Control Board and the County of Nevada.

EXHIBITS:

A. Land Description
B. Vicinity/Location Map
C. Proposed Negative Declaration/Mitigation Monitoring Program

IT IS RECOMMENDED THAT THE COMMISSION:

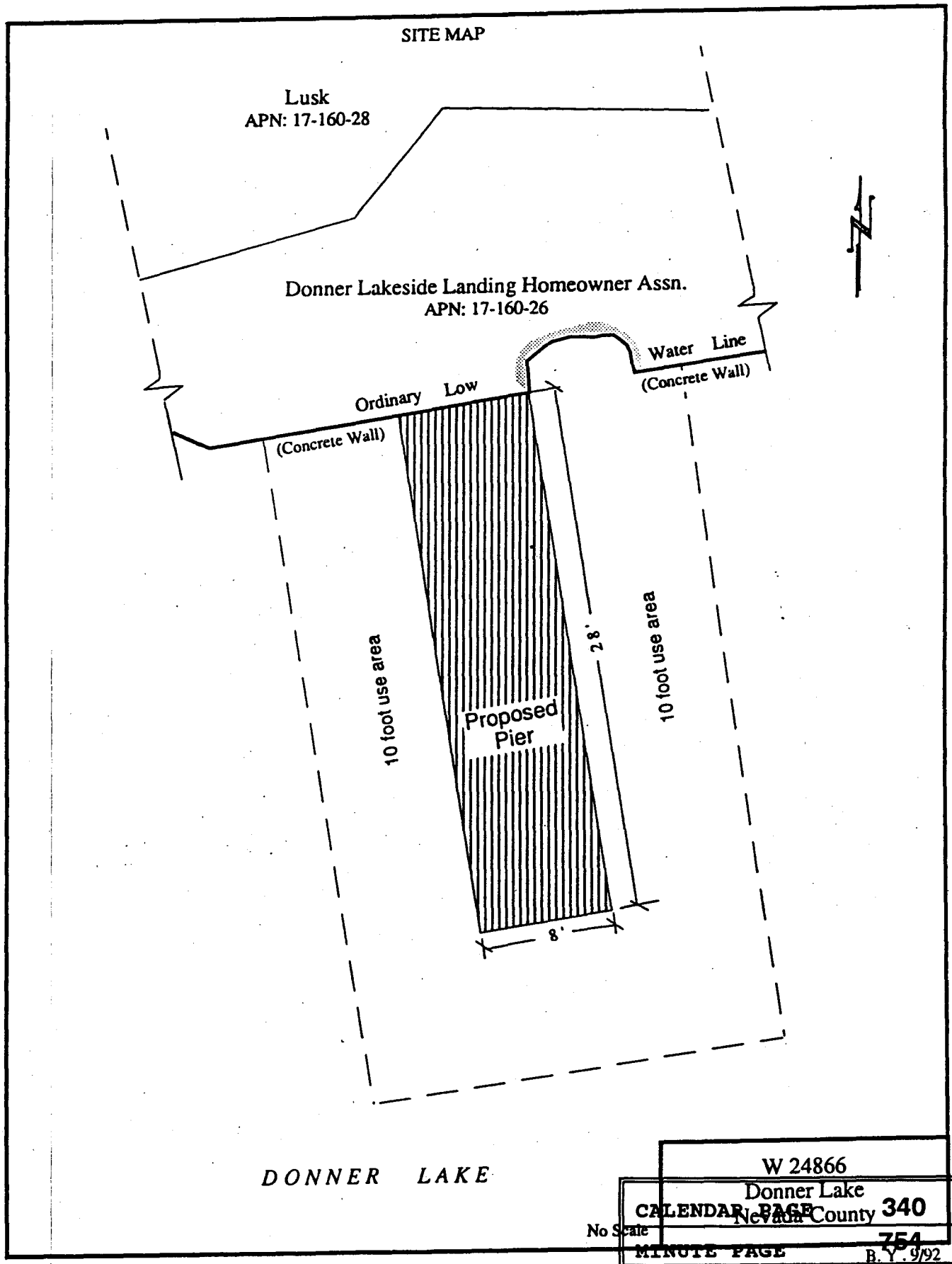
1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 608, STATE CLEARINGHOUSE NO. 92122009, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

2. ADOPT THE PROPOSED NEGATIVE DECLARATION AND THE MITIGATION MONITORING PROGRAM AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET. SEQ.

4. AUTHORIZE ISSUANCE TO VALERIE W. LUSK OF A TEN-YEAR GENERAL PERMIT-RECREATIONAL USE BEGINNING MARCH 1, 1993; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $229.82, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT, AND PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $500,000; FOR THE CONSTRUCTION AND MAINTENANCE OF A PIER UTILIZED FOR RECREATIONAL BOATING ON THE LAND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"
LAND DESCRIPTION



W 24866
Donner Lake
Nevada County
No Scale

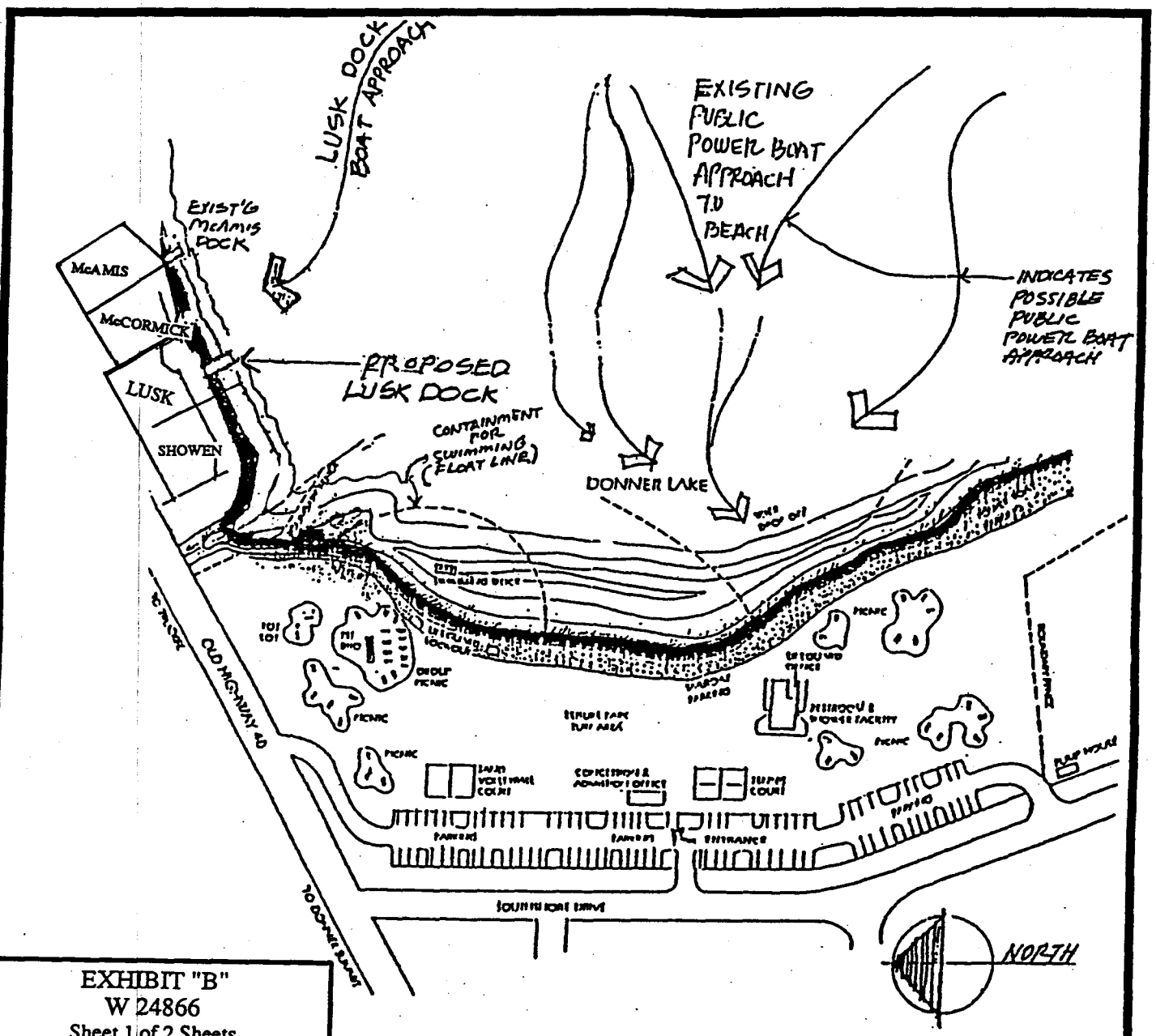


EXHIBIT "B"
W 24866
Sheet 1 of 2 Sheets

LUSK DOCK VICINITY MAP

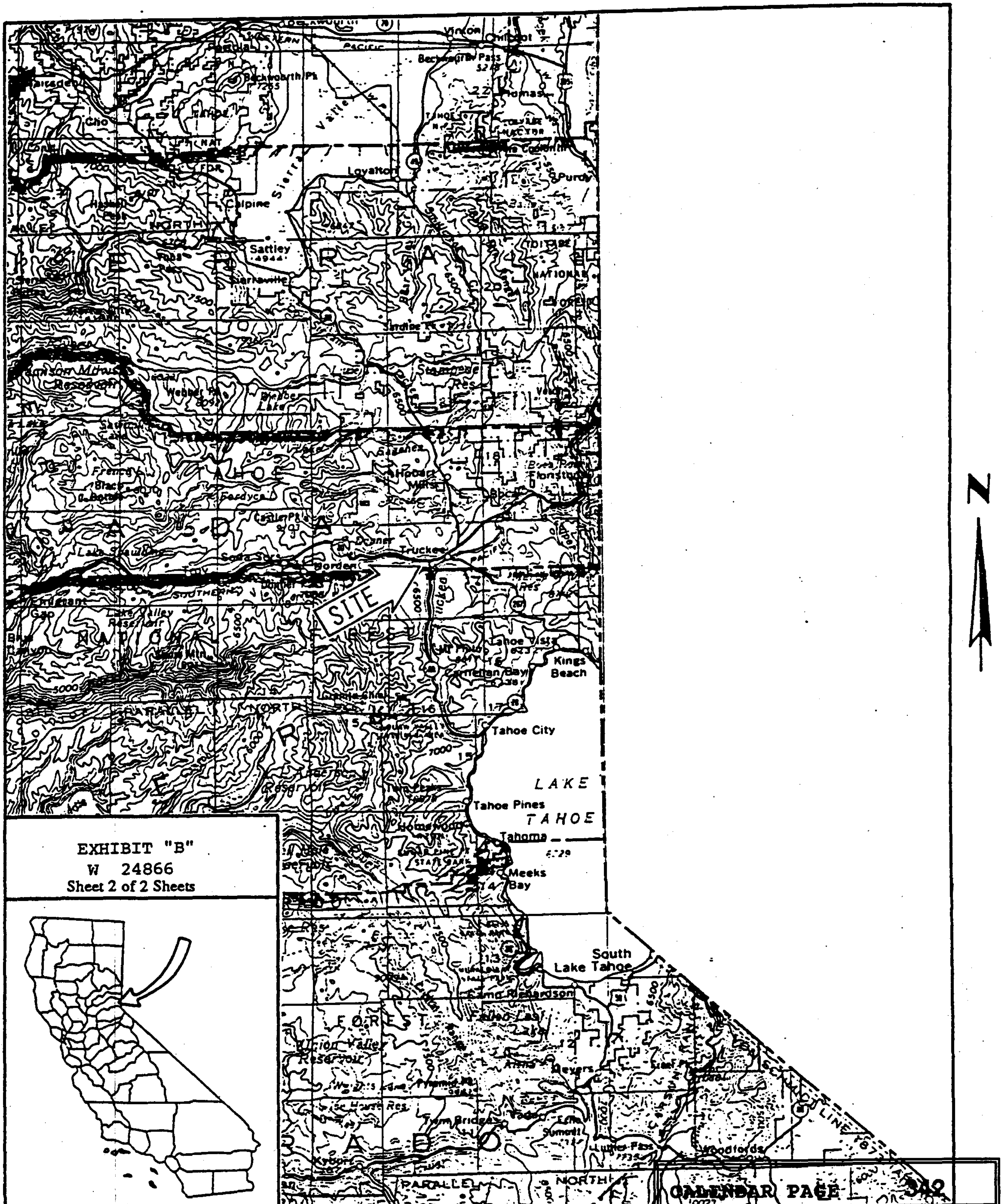


EXHIBIT "B"
W 24866
Sheet 2 of 2 Sheets

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EXHIBIT "C"

STATE OF CALIFORNIA — PETE WILSON, *Governor*

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
THOMAS W. HAYES, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814-7187

CHARLES WARREN
Executive Officer

PROPOSED NEGATIVE DECLARATION

File: W 24866
ND 608
SCH No.: 92122009

Project Title: Lusk Recreational Pier

Project Proponent: Valerie Wickland Lusk

Project Location: Northwest end of Donner Lake, adjacent to APN: 17-160-26 and 28, Nevada County.

Project Description: Proposed construction of an 8' x 28' open piling pier. The pier will be attached to the upland by a post and beam wood frame adjacent to the existing concrete retaining wall separating the lake from the upland at approximately high water. The pier pilings will be set in 2'6" steel drums which will be filled with concrete and will be set into the lakebed a minimum of 18". The holes for the footings will be dug by hand tools. The concrete will be poured into the drums prior to being placed into the lake bed. The deck will be constructed of wood material. Construction will take place at a time when the water level of the lake is low (between October and March). The actual construction period would be determined by the California Department of Fish and Game through issuance of its Streambed Alteration Agreement.

Contact Person: Judy Brown Telephone: (916) 324-4715

This document is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, California Code Regulations), and the State Lands Commission regulations (Section 2901 et seq., Title 2, California Code Regulations).

Based upon the attached Initial Study, it has been found that:

/ / this project will not have a significant effect on the environment.

/X/ mitigation measures included in the project will avoid potentially significant effects.

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STATE LANDS COMMISSION

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST – PART II

Form 13.20 (7/82)

File Ref.: W24866

I. BACKGROUND INFORMATION

A. Applicant: Valerie W. Lusk
7440 Willow Lane
Loomis CA 95650

B. Checklist Date: 11 / 2 / 92

C. Contact Person: Judy Brown
Telephone: (916) 324-4715

D. Purpose: Proposed construction of an 8'X 28' recreational boat dock.

E. Location: Donner Lake, ApN: 17-160-26 (common area) and 17-160-28 (applicant's residence)

F. Description: Proposed construction of an 8' X 28' recreational dock with wood frame and deck. Footing holes would be hand dug during low water; concrete poured into steel containers and post harware set in place before placement into the lake bed.

G. Persons Contacted:

II. ENVIRONMENTAL IMPACTS. *(Explain all "yes" and "maybe" answers)*

A. *Earth.* Will the proposal result in:

	Yes	Maybe	No
1. Unstable earth conditions or changes in geologic substructures?	☐	☐	X
2. Disruptions, displacements, compaction, or overcovering of the soil?	☐	X	☐
3. Change in topography or ground surface relief features?	☐	X	☐
4. The destruction, covering, or modification of any unique geologic or physical features?	☐	☐	X
5. Any increase in wind or water erosion of soils, either on or off the site?	☐	X	☐
6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake?	☐	☐	X
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	☐	☐	X

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	Yes	Maybe	No
B. *Air.* Will the proposal result in:			
1. Substantial air emmissions or deterioration of ambient air quality?	☐	☐	☒
2. The creation of objectionable odors?	☐	☐	☒
3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	☐	☐	☒
C. *Water.* Will the proposal result in:			
1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters?	☐	☐	☒
2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?	☐	☐	☒
3. Alterations to the course or flow of flood waters?	☐	☐	☒
4. Change in the amount of surface water in any water body?	☐	☐	☒
5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	☐	☐	☒
6. Alteration of the direction or rate of flow of ground waters?	☐	☐	☒
7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	☐	☐	☒
8. Substantial reduction in the amount of water otherwise available for public water supplies?	☐	☐	☒
9. Exposure of people or property to water-related hazards such as flooding or tidal waves?	☐	☐	☒
10. Significant changes in the temperature, flow or chemical content of surface thermal springs?	☐	☐	☒
D. *Plant Life.* Will the proposal result in:			
1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	☐	☐	☒
2. Reduction of the numbers of any unique, rare or endangered species of plants?	☐	☐	☒
3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	☐	☐	☒
4. Reduction in acreage of any agricultural crop?	☐	☐	☒
E. *Animal Life.* Will the proposal result in:			
1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)? INCREASE SEASONAL	☐	☐	☒
2. Reduction of the numbers of any unique, rare or endangered species of animals?	☐	☐	☒
3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	☐	☐	☒
4. Deterioration to existing fish or wildlife habitat?	☐	☐	☒
F. *Noise.* Will the proposal result in:			
1. Increase in existing noise levels?	☐	☐	☒
2. Exposure of people to severe noise levels?	☐	☐	☒
G. *Light and Glare.* Will the proposal result in:			
1. The production of new light or glare?	☐	☐	☒
H. *Land Use.* Will the proposal result in:			
1. A substantial alteration of the present or planned land use of an area?	☐	☐	☒
I. *Natural Resources.* Will the proposal result in:			
1. Increase in the rate of use of any natural resources?	☐	☐	☒
2. Substantial depletion of any nonrenewable resources?	☐	☐	☒

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	Yes	Maybe	No
J. *Risk of Upset.* Does the proposal result in:			
1. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions?	☐	☐	☒
2. Possible interference with emergency response plan or an emergency evacuation plan?	☐	☐	☒
K. *Population.* Will the proposal result in:			
1. The alteration, distribution, density, or growth rate of the human population of the area?	☐	☐	☒
L. *Housing.* Will the proposal result in:			
1. Affecting existing housing, or create a demand for additional housing?	☐	☐	☒
M. *Transportation/Circulation.* Will the proposal result in:			
1. Generation of substantial additional vehicular movement?	☐	☐	☒
2. Affecting existing parking facilities, or create a demand for new parking?	☐	☐	☒
3. Substantial impact upon existing transportation systems?	☐	☐	☒
4. Alterations to present patterns of circulation or movement of people and/or goods?	☐	☐	☒
5. Alterations to waterborne, rail, or air traffic?	☐	☒	☐
6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	☐	☐	☒
N. *Public Services.* Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
1. Fire protection?	☐	☐	☒
2. Police protection?	☐	☐	☒
3. Schools?	☐	☐	☒
4. Parks and other recreational facilities?	☐	☐	☒
5. Maintenance of public facilities, including roads?	☐	☐	☒
6. Other governmental services?	☐	☐	☒
O. *Energy.* Will the proposal result in:			
1. Use of substantial amounts of fuel or energy?	☐	☐	☒
2. Substantial increase in demand upon existing sources of energy, or require the development of new sources?	☐	☐	☒
P. *Utilities.* Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
1. Power or natural gas?	☐	☐	☒
2. Communication systems?	☐	☐	☒
3. Water?	☐	☐	☒
4. Sewer or septic tanks?	☐	☐	☒
5. Storm water drainage?	☐	☐	☒
6. Solid waste and disposal?	☐	☐	☒
Q. *Human Health.* Will the proposal result in:			
1. Creation of any health hazard or potential health hazard (excluding mental health)?	☐	☐	☒
2. Exposure of people to potential health hazards?	☐	☐	☒
R. *Aesthetics.* Will the proposal result in:			
1. The obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	☐	☒	☐
S. *Recreation.* Will the proposal result in:			
1. An impact upon the quality or quantity of existing recreational opportunities?	☐	☒	☐

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	Yes	Maybe	No
T. *Cultural Resources.*			
1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?	☐	☐	X
2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?	☐	☐	X
3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	☐	☐	X
4. Will the proposal restrict existing religious or sacred uses within the potential impact area?	☐	☐	X
U. *Mandatory Findings of Significance.*			
1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	X
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	X	☐
3. Does the project have impacts which are individually limited, but cumulatively considerable?	☐	☐	X
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	X

III. DISCUSSION OF ENVIRONMENTAL EVALUATION *(See Comments Attached)*

SEE COMMENTS ATTACHED

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation: INITIAL STUDY FOR CONSULTATION.

☐ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.

☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is requied.

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Date: 11 / 18 / 92

For the State Lands Commission

Project Description

This project proposes the construction of an open piling recreational pier, 8' wide by 28' in length. The proposed pier will be placed lakeward of APN: 17-160-26 (common shoreline area) and APN: 17-160-28 (applicant's lot within the homeowner area). Please refer to attached Exhibit "A" Land Description. The project would be located on the northwestern shore of Donner Lake, Nevada County.

The pier will be attached to the upland by a post and beam wood frame adjacent to the existing concrete retaining wall separating the lake from the upland. The pier pilings will be set in 2'6" steel drums which will be filled with concrete and will be set into the lakebed a minimum of 18". The holes for the footings will be dug by hand tools. The concrete will be poured into the drums prior to being placed into the lake bed.

The deck will be constructed of wood material. The proposed construction will take place within Donner Lake when water levels are lowest (between October and March), or as designated by the California Department of Fish and Game through issuance of its Streambed Alteration Agreement. The pier pilings will not be treated with wood preservatives. No material will be used that might come in contact with the lake water.

Environmental Setting

The high water elevation of the shore contains a concrete wall which fronts four lots which share a common-use area. The wall existed prior to applicant's acquisition of the upland property. Two other single-family dwellings exist along this segment of the shoreline.

Immediately east of the proposed project site lies a vacant lot. Approximately 110 feet to the east of the proposed project location is a recreational pier owned by one of the four lot owners of the common-use area.

The Truckee-Donner Recreation District owns and operates a public day use area located approximately 150' to the west of the proposed project. Uses of the day area include shoreline fishing, a delineated swimming area, power and manually-operated boats and public use of floating devices, sunbathing and picnicking.

The existing recreational uses of the lake within the proposed project are seasonal and may include swimming, use of recreational floating devices, boating, shoreline fishing and trolling.

III. DISCUSSION OF ENVIRONMENTAL EVALUATION
LUSK RECREATIONAL PIER INITIAL STUDY

A. Earth

1. Earth Conditions

The project involves construction of an 8′ x 28′ open piling recreational pier. This construction will not cause unstable earth conditions or changes in the geologic substructure of the project site.

2. Compaction, Overcovering of the Soil

The proposed pier will be supported by eight pilings attached to concrete footings which consist of a 2′6" drum filled with concrete. These footings will be buried a minimum of 18" into the lakebed, which will cover and compact the soil. This impact is not considered to be significant.

3. Topography

This project would not involve grading or the placement of fill to upgrade the ground surface. There will be no impact to the existing topography of the project site.

4. Unique Features

This proposed project is designed with open construction to reduce impacts on the lake bed. The shore line at high water was previously modified by a rock retaining wall. This project would involve the placement of a minor amount of fill into the bed of Donner Lake with regard to the placement of eight concrete footings which will support the pier piles. This project will not have an impact on unique features.

5. Erosion

The proposed pier is of open piling design. Pier pilings will be attached to 2′6" concrete footings which will be placed within the lake bed. The pier will be constructed during the low-water months between October - March, or as designated by the California Department of Fish and Game. The construction and placement of this pier will not increase wind or water erosion of soils.

6. Siltation

The proposed project would be constructed on the lake bed during low water levels. Water level rise might cause minor siltation after the project is completed. Some minor prevailing currents may exist during normal lake levels but siltation will be minimal.

7. Geologic Hazards

The pilings for the proposed project are attached to concrete footings which will be placed in the lake bed a minimum of 18" and upon the shore by the retaining wall. The depths of installation will be shallow and should not induce seismic instabilities or ground failures. No impacts are expected.

B. Air

1. Emissions

The pier will be constructed with hand tools. Construction crew will arrive to the project site via existing improved roads on the upland. Some emissions will result from the arrival and departure of construction vehicles to the upland site. This impact will be small and temporary, lasting during the construction of the pier. Emissions may be generated from fuel-powered boats which may use the pier but this will be an ongoing impact to the Donner Lake area. Fuel-powered boats have been operated in this area of the lake prior to consideration of the pier.

2. Odors

The construction activity will create some odors from crew vehicles arriving to and leaving the project site. This impact will not be significant and will be temporary, lasting until construction is completed. Seasonal use of the pier may create some odors as fuel-powered boats arrive and leave the pier site. This impact will be minimal.

C. Water

1. Currents

The proposed pier would be constructed with an open piling design. This design would not create a significant impact on currents or water movements.

2. Runoff

The proposed pier would be placed within the body of Donner Lake. It would not affect existing surface water drainage patterns.

3. Flood Waters

The proposed pier would be placed within the body of Donner Lake. It would not alter the flow of flood waters.

4. Surface Water

The proposed pier would be placed within the body of Donner Lake. The pilings would not affect the surface water volume of Donner Lake.

5. Turbidity

The proposed pier would be constructed on the lake bed when water levels are at their lowest, and as indicated by the Department of Fish and Game through issuance of its Streambed Alteration Agreement, and by the California Regional Water Quality Control Board, through its water quality certification. A minor amount of turbidity may arise from disturbed sediments settling as the lake water rises. Some sediments may be disturbed from seasonal boat movements at the pier. These impacts should be minimal.

6. Ground Water Flows

The proposed pier would be set at relatively shallow depths (minimum of 18"). They should not affect ground water flows.

7. Ground Water Quantity

The proposed pier will be set at relatively shallow depths and would not serve as a water acquisition facility. It should not affect ground water quantity.

8. Water Supplies

The proposed pier would not serve as a water acquisition facility. It should not affect water supplies.

9. Flooding

The cumulative volume of the pier pilings would not induce flooding. The structure would not interfere with water movements or otherwise induce flooding.

10. Thermal Springs

There are no known thermal springs within the vicinity of this project. There should be no impact upon any thermal springs.

D. Plant Life

1. Species Diversity

Introduction of the structure could furnish a new substrate for sessile aquatic plants. This impact would be minimal as this site is dominated by a cobble substrate and can furnish habitat for sessile aquatic plants currently. A rock retaining wall exists between the upland property and normal lake levels. Small amounts of seasonal grasses grow along the retaining wall. Some disturbance to these grasses may occur during the placement of posts and concrete footings in the shore area. No other plant life would be impacted.

2. Endangered Species

No unique, rare or endangered species of plants would be impacted as none have been identified for the Donner Lake area.

3. Introduction of Plants

This proposal does not include landscaping which would introduce new plants to the project site.

4. Agricultural Crops

The proposed pier would be located in Donner Lake. No agriculture or aquaculture are carried out in this area. There would be no impact.

Discussion of Environmental Evaluation
Lusk Initial Study

E. Animal Life

1. Species Diversity

The proposed pier pilings and concrete footings could affect access to the lake bottom by burrowing organisms. The water level of Donner Lake is lowered each year between October and March, leaving all or most waterward structures exposed. This would not be a new impact as other piers exist within the vicinity to the east of the project site.

The construction activity would occur on the dry lake bed when water levels within the lake are at their lowest. The pier is proposed to be constructed in an area east of an identified shoreline fishing area. The use of this pier may cause fish dispersal during the use of boats arriving and leaving the pier; however, recreational use of the pier during motorized boating should not cause fish mortality.

2. Rare Species

No impacts to rare species of animals are anticipated as none have been identified for the Donner Lake area.

3. New Species

The proposed pier construction will introduce fish feeding habitat and cover to this site. The impact will be minimal. No new animal species would be introduced as a result of this project.

4. Habitat Deterioration

The proposed project involves construction of a new recreational pier at the site. This project would be constructed on the dry lake bed when water levels of the lake are at their lowest. No impact to animal habitat is anticipated from construction. During the seasonal use of fuel-powered boats at the proposed pier site, fish would disperse; however, there should be no significant impact to water quality that would affect fish habitat resulting from this project as the water level of the lake is lowered annually between October and March.

Discussion of Environmental Evaluation
Lusk Initial Study

F. Noise

1. Increases

The construction of the proposed pier would involve a temporary period of moderate increases to existing noise levels. Noise from work crew vehicles arriving and leaving the site will occur at the beginning and ending of work days.

Seasonal use of the pier by motorized boats would also cause a temporary increase in noise levels. These occurrences would be brief.

2. Severe Noise

No severe noise levels are anticipated from the proposed construction, placement or use of the proposed pier.

G. Light and Glare

1. The proposed project would be constructed during daylight hours. No lighting for construction ativity would occur. No navigational lighting on the pier is proposed. No reflections or glare would be created from the proposed finished surfaces. No light or glare impacts are anticipated.

H. Land Use

1. The land use designations for Donner Lake are primarily residential with some commercial and open space zonings. The proposed project site is located in an area zoned residential use and is consistent with that land use classification.

I. Natural Resources

1. Increase in Use

The proposed pier construction and use would not propose consumptive uses of natural resources.

2. Depletion of any Nonrenewable Resources

The proposed pier construction would not increase resource depletion or loss of non-renewable resources. The pier would be used only for private recreational purposes.

J. Risk of Upset

1. Risk of Explosion

Explosion of fuel could occur during operation of motorized boats at the proposed pier site. This possibility would be remote. The proposed construction of the project would not include the use or storage of hazardous substances. No impacts are anticipated.

2. Emergency Response Plan

The proposed project would not interfere with any emergency response plan, as it is proposed to be constructed in the shorezone of Donner Lake, and will not extend an extraordinary distance out into the body of the lake. The nearest private pier to the east extends approximately 32′ from the shore, while this pier is proposed to extend 28′.

K. Population

1. The proposed project would not include residential development or commercial facilities which would affect the alteration or distribution, density or growth rate of the population of the area.

L. Housing

1. A single-family dwelling exists on the upland lot immediately behind the homeowner's common-use shoreline area. Other dwellings exist along the shoreline of Donner Lake within this area. This project would not create a demand for additional housing.

Discussion of Environmental Evaluation
Lusk Initial Study

M. Transportation/Circulation

1. Vehicular Movement

The construction of the proposed pier may cause a minor additional amount of traffic as the construction crew arrives and leaves the project site. This impact would be insignificant and temporary.

The proposed pier is intended for applicant's use only. A single-family dwelling exists on the upland behind the homeowner's common-use shore area which provides for parking for the dwelling. No new vehicular traffic would result from the use of the proposed pier.

2. Parking

Refer to M.1., above.

3. Transportation Systems

The proposed project would not create new impacts on existing or future transportation systems for this area. The proposed pier would not be for commercial use.

4. Circulation

The proposed pier would be located toward the northwest end of Donner Lake, within 110 feet to the west of an existing pier. The nearest waterward facility to the west would be approximately 150+ feet where a seasonal swim line is placed by the Truckee Donner Park and Recreation District to delineate a public swimming area.

A speed limit buoy exists approximately 200 feet from shore to protect the designated public swim area, and to reduce interference with topline trollers who fish the extreme northwest corner of the lake.

The shoreline fishing area is located immediately east and adjacent to the Truckee-Donner Park and Recreation District swim area, and approximately 100 feet to the west of the proposed project.

Trollers must avoid two other existing piers located to the east of the proposed project site, approximately 100 and 200 feet respectively. Construction and placement of the proposed pier may have a small impact on existing navigational uses of the shoreline in this vicinity; however, this impact is considered to be insignificant.

Semi-annually, the Truckee-Donner Recreation District hosts a public swimathon which begins at the west end of the lake and ends at the east end of the lake. These two events attract large numbers of the public which would utilize the shallow areas adjacent to the shore for swimming. Inexperienced swimmers using the shallow water areas of the shoreline would be affected by the proposed pier and would need to swim around it, as they do for other piers which exist along the Donner Lake shoreline.

5. Traffic

The proposed pier would affect boat traffic, driving it waterward to avoid collision with the structure. Waterskiing must be conducted out into the water beyond the speed limit buoy, so there would be no affect to waterskiing. Topline trolling must avoid the existing pier with gazebo, and the other recreational pier located approximately 200 feet and 100 feet respectively to the east of the proposed project. This impact is considered to be insignificant.

6. Traffic Hazards

This proposed project would not include any development which would affect existing roadways, bike lanes, or pedestrian walkways.

N. Public Services

1. This proposed project would not increase the existing need for fire protective services for this area.

2. This proposed project would not increase the existing need for police protective services for this area.

3. This proposed project would not include a residential structure or multi-dwelling unit which would create a demand for new schools.

4. The proposed project is located approximately 150' east of the Truckee-Donner Recreation District's public day use area. The proposed construction of the pier would be angled from the shoreline away from the west end of the lake. A 5mph speed limit buoy is located in the water within the proximity of the area proposed for construction of this pier. Placement of the proposed pier would not significantly change the existing compatibility of uses occurring at the northwest end of the lake.

5. This project would not change the need for maintenance of existing public facilities.

O. Energy

1. This project would not include the direct use of substantial amounts of fuel or energy.

2. This project would not involve any substantial demand upon existing sources of energy.

P. Utilities

1. This project would not include the need for additional sources of power or natural gas.

2. This project would not require additional communication systems.

3. This project would not require the need for additional water systems.

4. This project would not require the need for additional sewer or septic tank systems.

5. This project would not require the need for additional storm or water drainage systems.

6. This project would not require the need for additional solid waste disposal.

Discussion of Environmental Evaluation
Lusk Initial Study

Q. Human Health

1. This project would not directly create any health hazard. To the extent swimmers use the shoreline of Donner Lake for the semi-annual swim events, every pier constructed within the shorezone which would involve boat uses on that day would contribute to swimming safety. The Truckee-Donner Recreational District would be responsible for swimmer safety during these events.

2. See #1 above.

R. Aesthetics

1. The proposed pier would be located in an area of the lake where few waterward structures exist. The nearest facility to the west is the public swim area, which is delineated by a swim line and marker buoys, located approximately 150 feet west of the proposed project. The nearest facility to the east is a private recreational pier which is approximately 110' in distance from the proposed pier.

   The west end of Donner Lake is occupied by Truckee Donner Park and Recreation District facilities previously mentioned. A majority of the lakefront lots surrounding Donner Lake have private recreational piers. The construction of this multi-use pier would not significantly change the visual aesthetics of the area. The persons most affected by this project would be the immediate upland owners which share the common-use shoreline area. All owners have provided written non-objections to the proposed construction and placement of this pier.

S. Recreation

1. Recreational opportunities at Donner Lake include swimming, boating, windsurfing, jetskiing, fishing, and sunbathing. Recreational opportunities potentially affected would include swimming, shoreline fishing and topline trolling.

   The placement and use of this pier could interfere with the existing water areas presently accessed by the public for trolling and shoreline fishing. However, construction of this pier will not eliminate those uses.

One of the more popular fishing areas of Donner Lake is located within the northwest corner immediately adjacent to the Truckee Donner Recreation Area, located approximately 100' west of where the pier will be constructed.

T. Cultural Resources

1.-4. This project would not alter or destruct a known prehistoric or historic archaeological site, building, structure, or object. The project area is not currently used for religious or sacred uses; therefore, there would be no impact.

U. Mandatory Findings of Significance

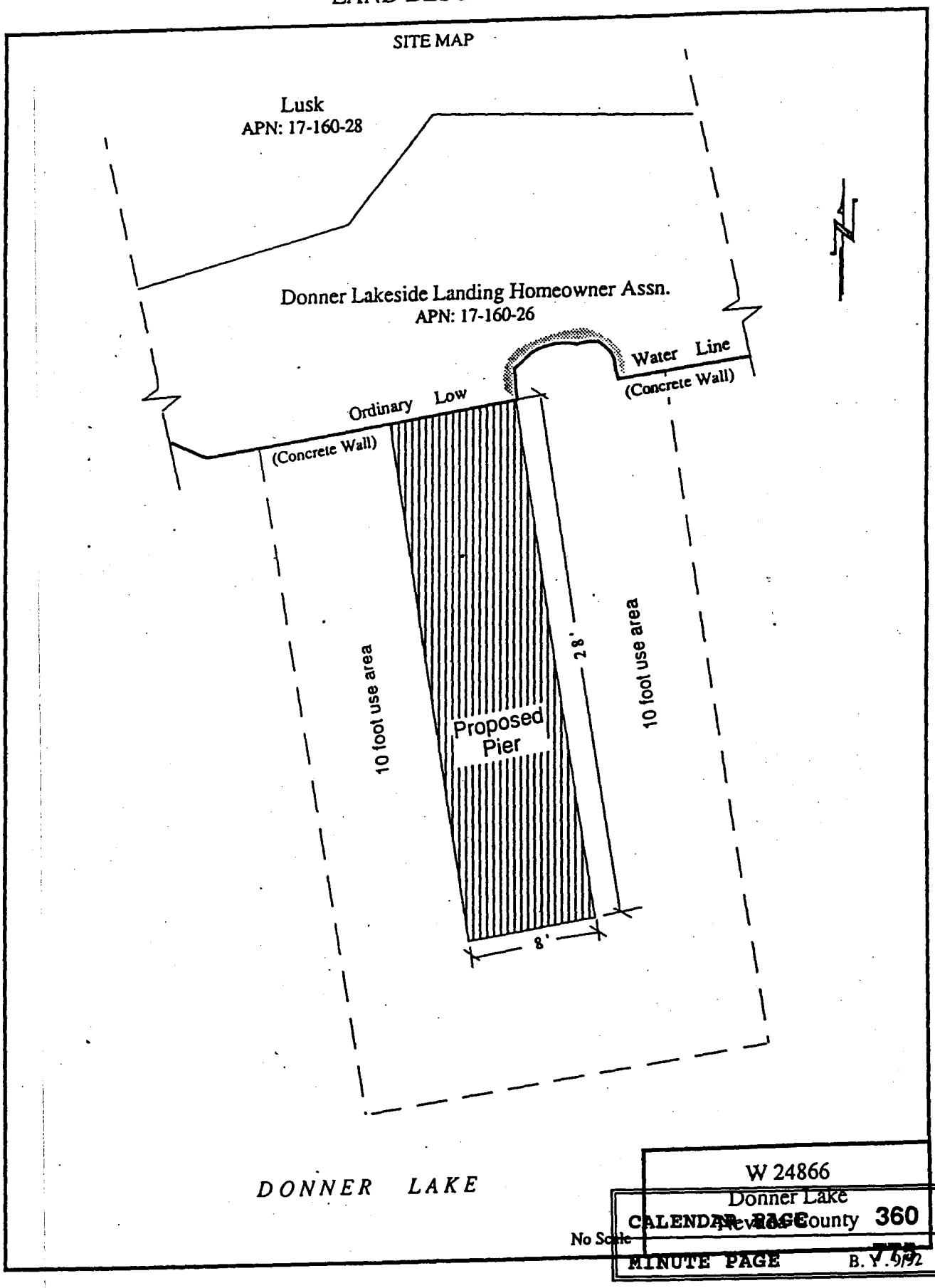
1. It is anticipated that this proposed project would not degrade the quality of the environment as previously discussed in environmental issue areas above.

2. Given the information known to date, the project would not achieve short-term to the disadvantage of long-term environmental goals, as no significant impacts have been identified.

3. Preceding environmental discussion indicates that there would not be significant impacts which would occur from this proposed project. To date there has been no substantiation that the proposed project would have individually limiting but cumulatively considerable impacts.

4. It is anticipated that no substantial impacts would occur to human beings as previously discussed in environmental issue areas above.

EXHIBIT "A"
LAND DESCRIPTION

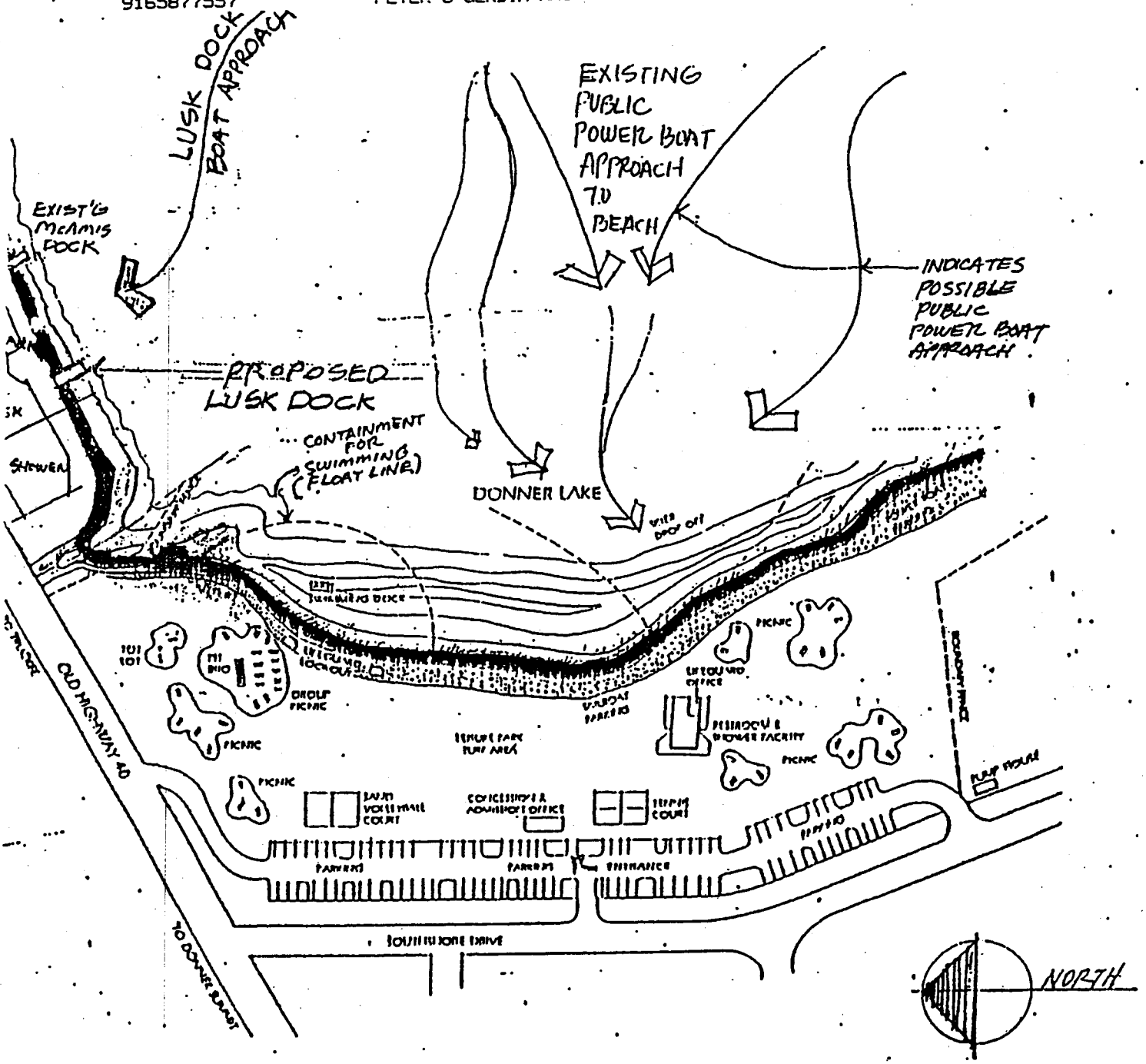


W 24866

Donner Lake
Nevada County

CALENDAR PAGE 360

MINUTE PAGE B.Y.9/92



LUSK DOCK VICINITY MAP

(MAP OF BEACH AREA FACILITIES IS FROM THE TRUCKEE-DONNER REC. PARK DISTRICT.)

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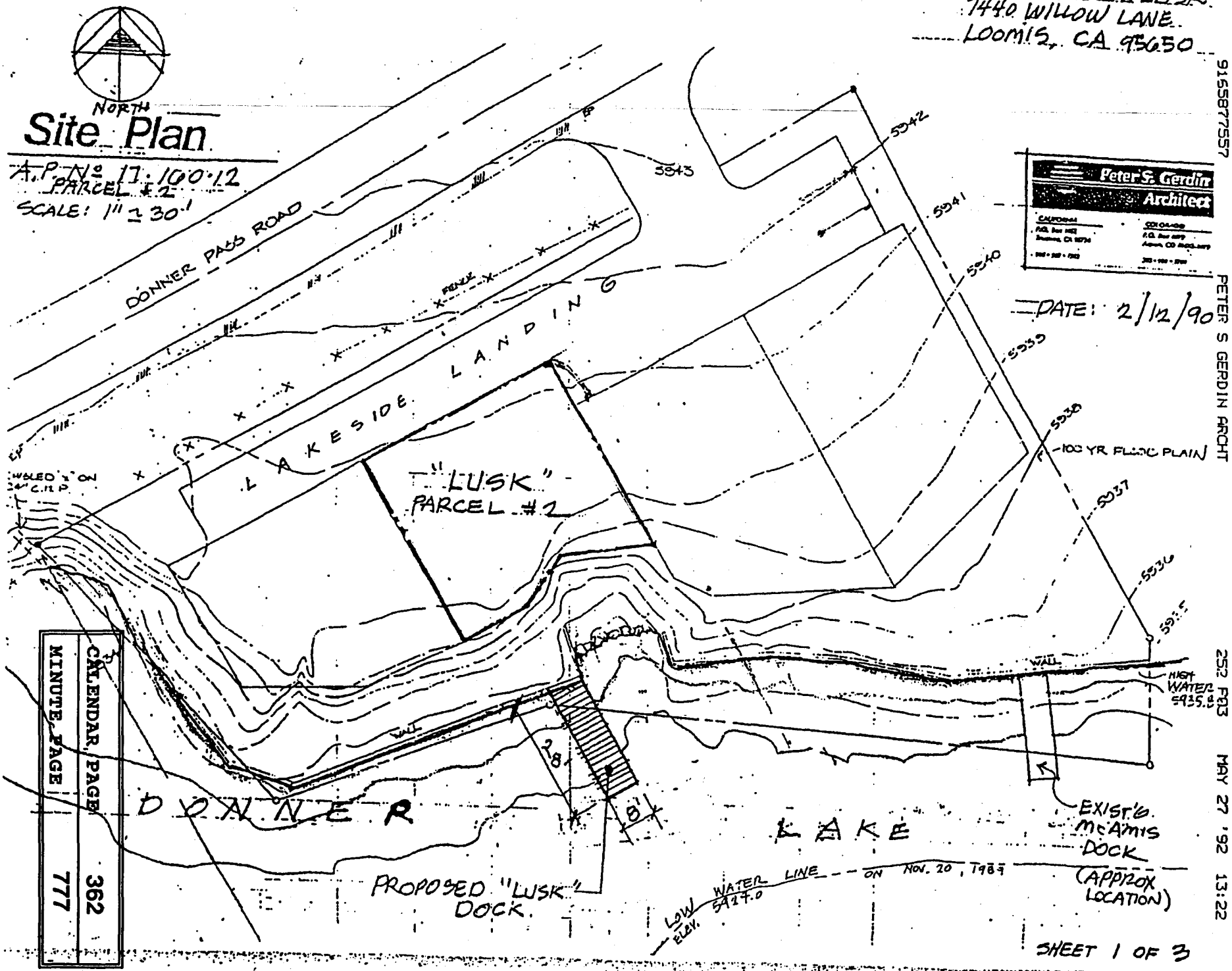
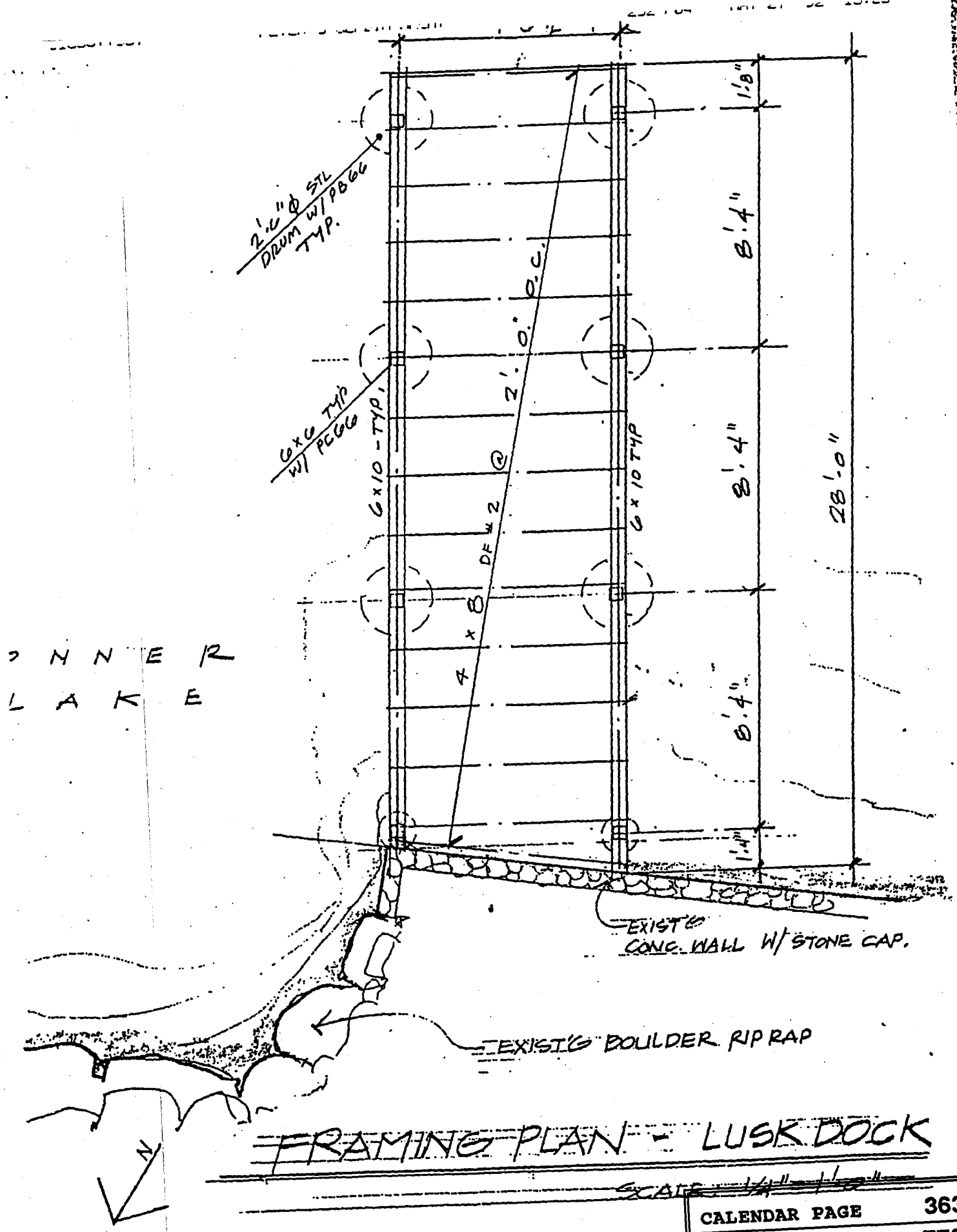

NORTH
Site Plan
A.P.No. 17:100:12
PARCEL #2
SCALE: 1" = 30'
OWNER: VALERIE W. LUSK
7440 WILLOW LANE
LOOMIS, CA 95650
Peter S. Gerdin
Architect
DATE: 2/12/90
DONNER PASS ROAD
LAKESIDE LANDING
"LUSK"
PARCEL #2
100 YR FLOOD PLAIN
DONNER
LAKE
PROPOSED "LUSK" DOCK
EXIST'G. McAMIS DOCK
(APPROX LOCATION)
LOW WATER LINE ELEV. 5917.0 ON NOV. 20, 1989
HIGH WATER 5935.8
WALL
20'
8'
5943
5942
5941
5940
5939
5938
5937
5936
5935
SHEET 1 OF 3
CALENDAR PAGE 362
MINUTE PAGE 777
9165877557 PETER S GERDIN ARCHT 252 P03 MAY 27 '92 13:22
SCALE IS APPROXIMATE... FOR ILLUSTRATIVE PURPOSES ONLY.



FRAMING PLAN - LUSK DOCK

SCALE: 1/4" = 1'-0"

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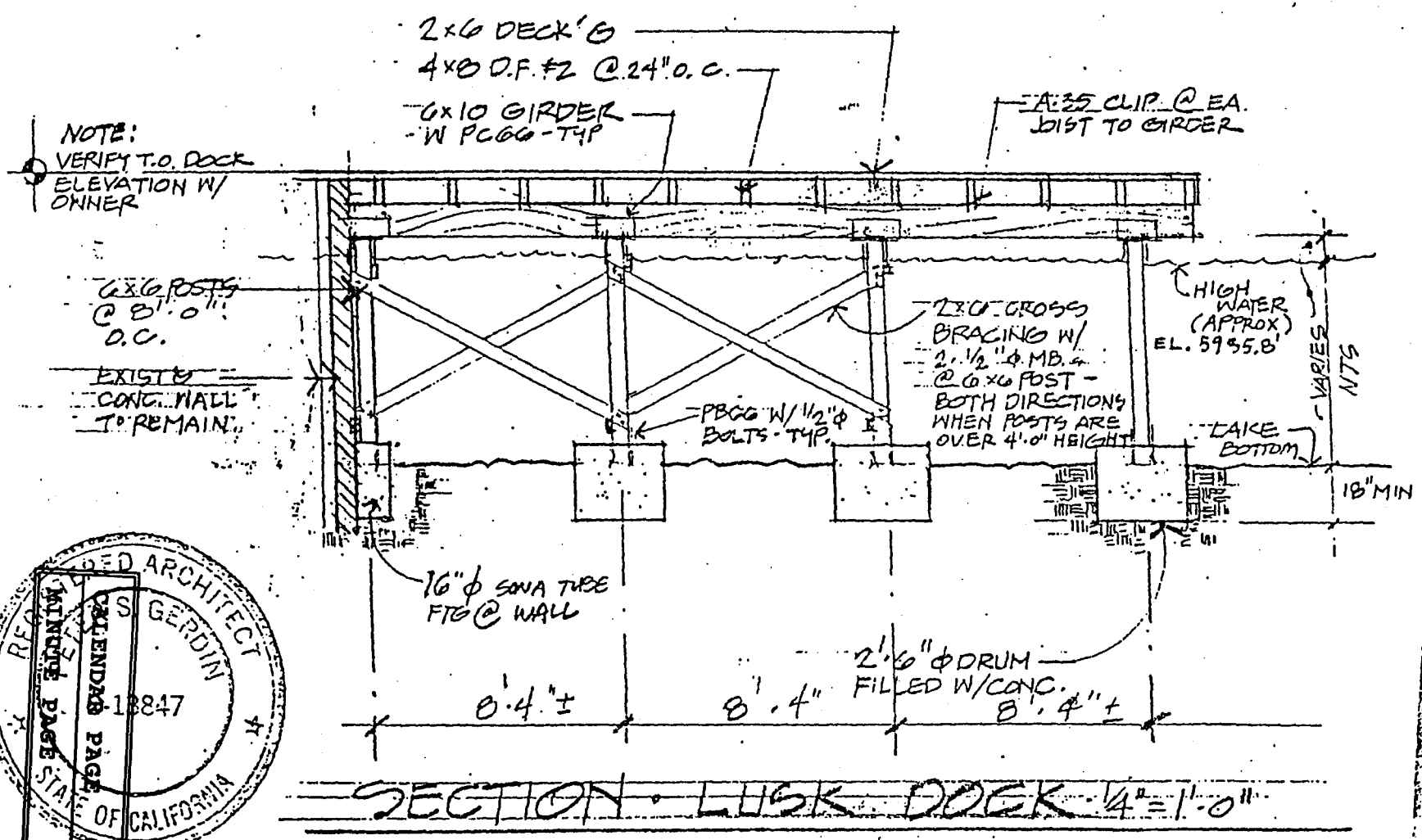

SECTION - LUSK DOCK 1/4" = 1'-0"

NOTE: USE OF PRESSURE TREATED WOOD PROHIBITED BY CALIF DEPT OF FISH & GAME

REGISTERED ARCHITECT S GERDIN 13847 OF CALIFORNIA

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SHEET 3 OF 3

MONITORING PROGRAM

LUSK RECREATIONAL BOAT DOCK

DONNER LAKE

1. Impact: Construction and placement of the proposed pier within the waters of Donner Lake may affect the water quality and seasonal fisheries within the Lake when the pier pilings are set in the lakee bed.

Project Modification:
Construction of the piling will occur when the lake level is at its lowest, between October and March, or as designated by the California Department of Fish and Game, through issuance of the Streambed Alteration Agreement.

Monitoring:
The applicant must notify staff of the California Department of Fish and Game prior to commencement of construction pursuant to the Streambed Alteration Agreement. This requirement will ensure compliance with the required construction window.