

MINUTE ITEM
This Calendar Item No. C09
was approved as Minute Item
No. 09 by the State Lands
Commission by a vote of 3
to 0 at its 9-9-93
meeting.

CALENDAR ITEM

C09

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09/09/93
W 24920 PRC 7709
Gordon

GENERAL PERMIT - RECREATIONAL USE

APPLICANT:

Donner Lake Vista Homeowner's Association
30 Toledo Drive
Lafayette, California 94549

AREA, TYPE LAND AND LOCATION:

A 0.058-acre parcel of submerged land located in Donner Lake
at Truckee, Nevada County.

LAND USE:

Construction and maintenance of a pier utilized for
multiple-use recreational boating.

PROPOSED PERMIT TERMS:

Permit period:

Ten (10) years beginning September 9, 1993.

Public liability insurance:

Combined single limit coverage of \$1,000,000.

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.

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CONSIDERATION:

\$136.08 per annum and non-monetary, pursuant to P.R.C. 6503.5; 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 the owner of 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:

12/05/93.

OTHER PERTINENT INFORMATION:

1. Applicant is a homeowners association. The subject facilities are utilized by its homeowner members, tenants, and guests. Because the membership currently includes 25 percent of non-natural persons as members, applicant does not fully meet the criteria of P.R.C. 6503.5 for rent-free status. Therefore, the monetary consideration applicable to this transaction is the result of a proration according to this percentage.
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 ND 628, State Clearinghouse No. 93082001. 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))

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3. A Mitigation Monitoring Plan has been prepared in conformance with the provisions of the CEQA (Section 21081.6, P.R.C.).
4. 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
- D. Mitigation Monitoring Program

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, ND 628, STATE CLEARINGHOUSE NO. 93082001, 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.

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4. AUTHORIZE ISSUANCE TO DONNER LAKE VISTA HOMEOWNER'S ASSOCIATION OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING SEPTEMBER 9, 1993; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$136.08 AND P.R.C. 6503.5; 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 \$1,000,000; FOR THE CONSTRUCTION AND MAINTENANCE OF A PIER UTILIZED FOR MULTIPLE-USE RECREATIONAL BOATING ON THE LAND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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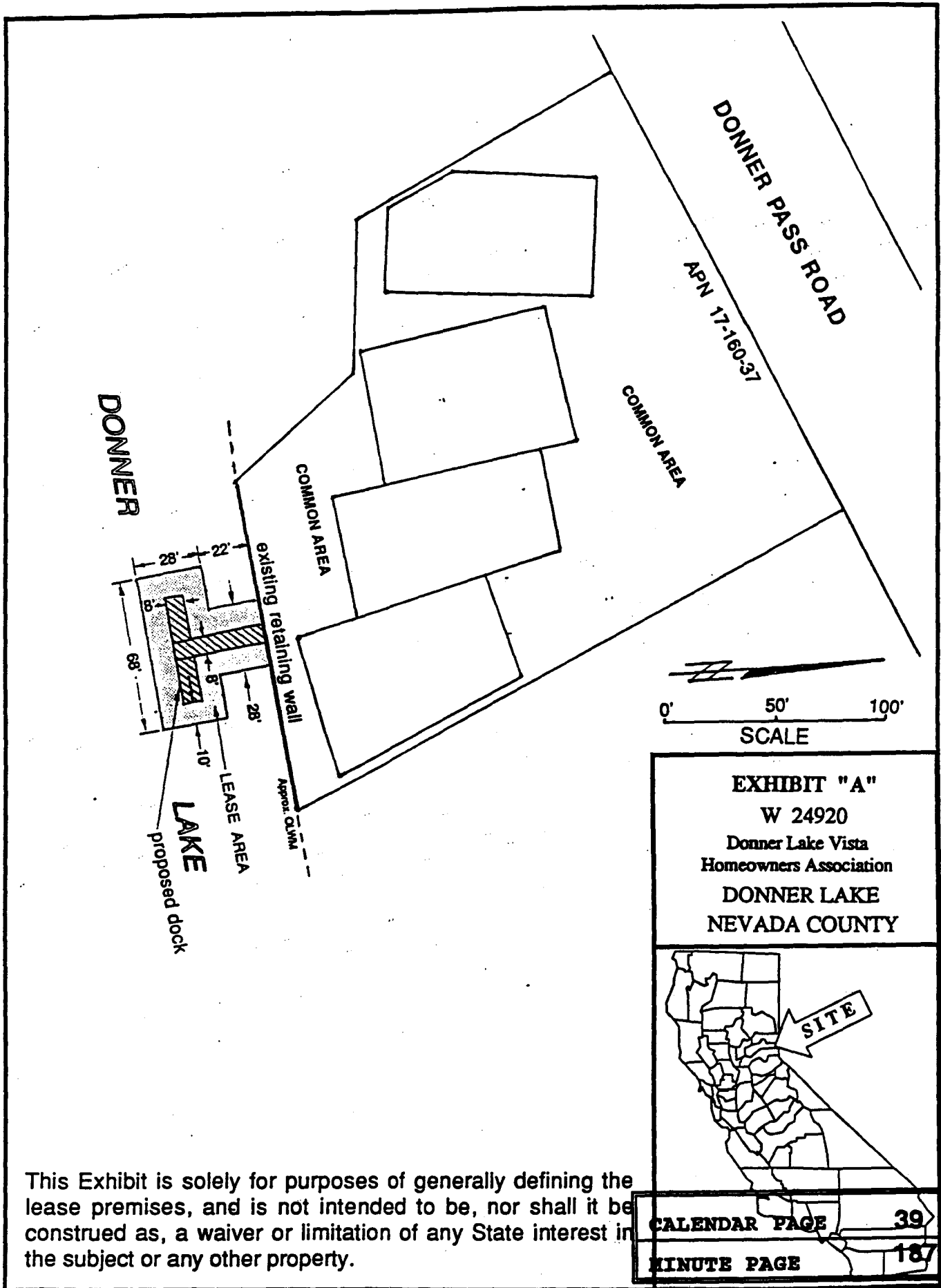


EXHIBIT "A"
W 24920
 Donner Lake Vista
 Homeowners Association
DONNER LAKE
NEVADA COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, 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.

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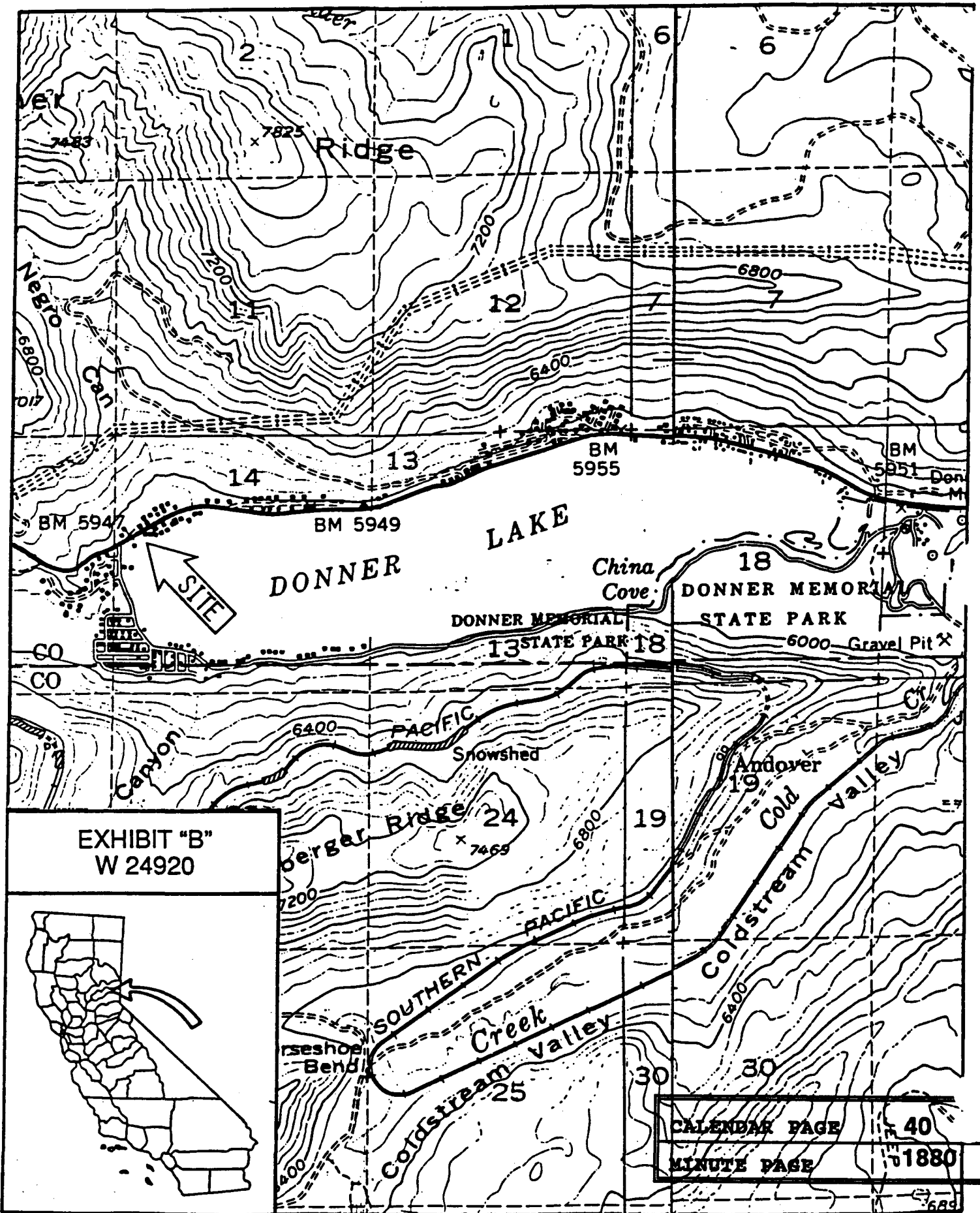


EXHIBIT "B"
W 24920



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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 24920
ND 628
SCH No. 93082001

Project Title: Donner Lake Vista Homeowners Association Dock Construction
Project Proponent: Thomas Hart
Project Location: 10083 Lake Edge Court, Truckee, Donner Lake Village, APNs 17-160-33, 34, 35, 36 & 37, Nevada County.
Project Description: Proposed construction of an open piling wood dock.
Contact Person: Doug Miller Telephone: (916) 322-7826

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:

- that project will not have a significant effect on the environment.
- mitigation measures included in the project will avoid potentially significant effects.

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PROJECT DESCRIPTIONPROJECT NARRATIVE

This proposed project authorizes construction of a pier in Donner Lake near Truckee, California for the Donner Lake Vista Homeowners Association. This pier will serve a multiple family complex occupying their parcels seasonally. This proposed project is located at 10083 Lake Edge Court, Truckee, CA, Nevada County, APN 17-160-37 which also includes APN 17-160-33, 17-160-34, 17-160-35, and 17-160-36 all of which are located on the northwestern shore of Donner Lake.

The proposed pier is of an open piling design. This project proposes construction of a "T" shaped recreational pier with 8' wide deck extending 40' over the water from the shoreline. The external width of the "T" shaped pier is 48 feet. The two legs forming the top of the "T" are floating sections. See exhibit "A". Pier pilings will be attached to 2'6" diameter concrete footings which are implanted 18" into the lake bed below the frost line.

CONSTRUCTION NARRATIVE

The pier will be attached to the upland by an open post and beam wood frame affixed to the existing rock wall separating the lake from the upland. The two 6"x 6" posts, adjacent to the rock wall, will be set in 16" diameter sona tubes which will be filled with concrete for footings. The remaining 10 - 6"x 6" posts supporting the pier will be set in half of a steel 55 gallon drum filled with concrete for footings. The pilings will later be implanted 18' deep in the dry lake bed utilizing hand tools. The piles will be capped with a 6"x 10" girder upon which will rest the five 4"x 8" joists which will support the 2"x 6" decking.

The construction will take place during low water, when the lake is lowered after the tourist season and project area is dry in the fall, but before November 1, as designated by the Department of Fish and Game (D.F.&G.). Each 2'6" diameter 55 gallon drum base will displace approximately five square feet of surface area. Each 16" sona tube will displace about two square feet of surface area. The total area displaced by the piling bases will be 54 square feet of basal area, and there will be 3 cubic yards of lake bed to be hand spread.

Best construction practices as specified by D.F.&G. will be employed which include the exclusion of construction debris from entering Donner Lake by using small boats, ~~carps, skimmer nets,~~ etc. beneath the dock during construction. All construction waste shall be removed from the construction site and dumped at a legal

point of disposal. No construction materials treated with wood preservatives will be used which might come in contact with the water. Disturbance of the lake bed shall be kept to a minimum during construction.

Best practicable control technology shall be used to keep suspended earthen materials out of Donner Lake. In this case construction will proceed when the lake is lowered after the tourist season. If the lake bottom sediments have been disturbed during construction, the affected areas will be hand rolled and/or rock cobble will be hand picked to reconsolidate the lake bottom sediments along with the material removed for implanting the piles.

ENVIRONMENTAL SETTING

Donner Lake in this specific project area abuts a rock retaining wall, and there is no shore area. The topography of the area is relatively level with slopes of 2% decreasing to the lake wall. The wall was constructed in the early 1960's prior to acquisition by the Donner Lake Vista Homeowners Association. The site has a heavy tree cover consisting of lodgepole pine, poplar, and quaking aspen which are typical of the north side of Donner Lake.

The adjacent property to the east is developed with a facility known as "Donner Village". The Donner Village pier is located 128 feet to the east and abuts to a concrete wall. The adjacent western property, "Donner Pines West Recreational Association", has a shore area and a gazebo in the lake with a floating dock which is located 120 feet to the west of the Donner Lake Vista Homeowners Association's proposed pier.

The lake bottom is comprised of cobble and sand which is a result of the glacial till and alluvium which have been deposited in this area over the last 10,000 years.

This entire area has been converted from a natural lake surrounded by a pine-fir forest to a recreational subdivision. The original natural riparian vegetation no longer exists.

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

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: W 24920

I. BACKGROUND INFORMATION

A. Applicant: Donner Lake Vista Homeowners Association
Thomas Hart
30 Toledo Drive
Lafayette, CA 94549

B. Checklist Date: 7 / 28 / 93

C. Contact Person: Doug Miller
Telephone: (916) 322-7826

D. Purpose: Proposed dock for recreational use.

E. Location: 10083 Lake Edge Court, Truckee, CA 95734, APNs 17-160-33, 34, 35, 36 & 37, Nevada County.

F. Description: Proposed construction of an open piling wood dock.

G. Persons Contacted: Peter Gerdin, Architect
Dale Creighton, Director of Planning, Sylvester Engineering Inc.

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

Table with 3 columns: Question, Yes, Maybe, No. Row 1: Unstable earth conditions... Row 2: Disruptions, displacements... Row 3: Change in topography... Row 4: The destruction, covering, or modification... Row 5: Any increase in wind or water erosion... Row 6: Changes in deposition or erosion... Row 7: Exposure of all people or property to geologic hazards...

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Yes Maybe No

B. Air. Will the proposal result in:

- 1. Substantial air emissions or deterioration of ambient air quality? Yes Maybe No
- 2. The creation of objectionable odors? Yes Maybe No
- 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? Yes Maybe No

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? Yes Maybe No
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff? Yes Maybe No
- 3. Alterations to the course or flow of flood waters? Yes Maybe No
- 4. Change in the amount of surface water in any water body? Yes Maybe No
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? Yes Maybe No
- 6. Alteration of the direction or rate of flow of ground waters? Yes Maybe No
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? Yes Maybe No
- 8. Substantial reduction in the amount of water otherwise available for public water supplies? Yes Maybe No
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves? Yes Maybe No
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs? Yes Maybe No

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)? Yes Maybe No
- 2. Reduction of the numbers of any unique, rare or endangered species of plants? Yes Maybe No
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? Yes Maybe No
- 4. Reduction in acreage of any agricultural crop? Yes Maybe No

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)? Yes Maybe No
- 2. Reduction of the numbers of any unique, rare or endangered species of animals? Yes Maybe No
- 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? Yes Maybe No
- 4. Deterioration to existing fish or wildlife habitat? Yes Maybe No

F. Noise. Will the proposal result in:

- 1. Increase in existing noise levels? Yes Maybe No
- 2. Exposure of people to severe noise levels? Yes Maybe No

G. Light and Glare. Will the proposal result in:

- 1. The production of new light or glare? Yes Maybe No

H. Land Use. Will the proposal result in:

- 1. A substantial alteration of the present or planned land use of an area? Yes Maybe No

I. Natural Resources. Will the proposal result in:

- 1. Increase in the rate of use of any natural resources? Yes Maybe No
- 2. Substantial depletion of any nonrenewable resources? Yes Maybe No

CALENDAR PAGE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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			1885

- J. Risk of Upset.** Does the proposal result in:
- | | Yes | Maybe | No |
|---|--------------------------|--------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Possible interference with emergency response plan or an emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- K. Population.** Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. The alteration, distribution, density, or growth rate of the human population of the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|
- L. Housing.** Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Affecting existing housing, or create a demand for additional housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|
- M. Transportation/Circulation.** Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Generation of substantial additional vehicular movement? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Affecting existing parking facilities, or create a demand for new parking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Substantial impact upon existing transportation systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Alterations to present patterns of circulation or movement of people and/or goods? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Alterations to waterborne, rail, or air traffic? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Parks and other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Other governmental services? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- O. Energy.** Will the proposal result in:
- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 1. Use of substantial amounts of fuel or energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Substantial increase in demand upon existing sources of energy, or require the development of new sources? .. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- P. Utilities.** Will the proposal result in a need for new systems, or substantial alterations to the following utilities:
- | | | | |
|------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Communication systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Sewer or septic tanks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Storm water drainage? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Solid waste and disposal? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- Q. Human Health.** Will the proposal result in:
- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 1. Creation of any health hazard or potential health hazard (excluding mental health)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Exposure of people to potential health hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|
- S. Recreation.** Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. An impact upon the quality or quantity of existing recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|

T. Cultural Resources.

Yes Maybe No

- 1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site? Yes Maybe No
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? Yes Maybe No
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? Yes Maybe No
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area? Yes Maybe No

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? Yes Maybe No
- 2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? Yes Maybe No
- 3. Does the project have impacts which are individually limited, but cumulatively considerable? Yes Maybe No
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Yes Maybe No

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

(See attached)

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

- 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 required.

Date: 7 / 28 / 93

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Doug Miller
 For the State Lands Commission
HLJ

DISCUSSION OF ENVIRONMENTAL EVALUATION
DONNER LAKE VISTA HOMEOWNERS ASSOCIATION DOCK

A. Earth

1. Earth Conditions

The project involves construction of a "T" shaped pier. The pier is supported by open piles. This open style of construction is on the surface and will not cause unstable earth conditions or changes in the geologic substructure of the project site.

2. Compaction, Overcovering of the Soil

The proposed project will displace three cubic yards of material which will be re-incorporated onto the dry lake bed and spread by hand to maintain the configuration of the lake bed. This proposed project is not considered to be significant impact to the lake bed.

3. Topography

This project will involve the removal of three cubic yards of material to set the pile feet. This material will be spread by hand so as not to change the lake bed surface relief. There will be no significant impact to the existing topography of the project site.

4. Unique Features

This proposed pier project is designed with open construction to reduce impacts on the lake bed. The shore was modified in the early 1960's with a rock retaining wall. No unique geological or physical features have been identified in this area of the lake bed of Donner Lake. 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" diameter concrete footings which are implanted 18" into the lake bed below the frost line. The construction and placement of this pier and its pilings will not increase wind or water erosion of soils.

6. Siltation

The proposed project would be constructed on the dry 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 the accrual of silts will be minimal.

7. Geologic Hazards

The pilings for the proposed project are embedded in concrete footings which are implanted 18" into the lake bed. The pier will be supported by pilings and its base will be affixed to the rock retaining wall. The depth of the hand installed piling bases will be 18" deep and will not induce seismic instabilities or ground failures. No impacts are expected.

B. Air

1. Emissions

The pier will be constructed with hand tools, and no heavy equipment will be used. The construction crew will access the project site via existing improved roads on the upland. Some emissions will result from the commute of construction vehicles to the upland site. This impact will be minimal, lasting only during the construction of the pier. Emissions may be generated from fuel-powered boats which may use the pier, but this intermittent use is not considered a significant impact to the Donner Lake area.

2. Odors

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

C. Water

1. Currents

The proposed pier would be constructed with an open piling design. This design will 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 will not affect existing surface water drainage patterns.

3. Flood Waters

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The proposed pier would be placed within the body of Donner Lake. It will not affect flood waters or stream flows.

4. Surface Water

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

5. Turbidity

The proposed pier would be constructed on the dry lake bed when water levels are at their lowest, and as indicated by the Department of Fish and Game. Turbidity may arise from disturbed sediments settling as the lake water rises. Some sediments may be disturbed from boat movements at the pier. These impacts should be minimal.

6. Ground Water Flows

The proposed pier footings will be implanted 18" below the surface of the lake bed as specified by Nevada County to avoid frost heaving. They should not affect ground water flows at this depth. This is not a ground water consuming project.

7. Ground Water Quantity

The proposed pier footings will be set at relatively shallow depths and would not serve as water acquisition facilities. It should not affect ground water supplies. This is not a ground water consuming project.

8. Water Supplies

The proposed pier footings would not serve as water acquisition facilities. It should not affect water supplies. This is not a water consuming project.

9. Flooding

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

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1. Species Diversity

Introduction of the structure could furnish a new substrate for sessile aquatic plants. This impact will be minimal when compared to the seasonal elevational fluctuation of Donner Lake. No other plant life would be impacted by this project.

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 activities have been identified in this area. There would be no impact.

E. Animal Life

1. Species Diversity

The proposed pier pilings and concrete footings could affect access to the lake bottom by burrowing organisms. This open pier construction would not restrict the movement of animals or fish in or about the pier. This proposed project would not be a new impact as piers exist on either side of the project site. The construction activity would occur on the dry lake bed in the fall when the lake level is at its minimum. This project will not create any new significant change in animal diversity.

2. Rare Species

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

3. New Species

The proposed pier construction will introduce fish feeding habitat 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 intermittent use of fuel-powered boats at the proposed pier site, fish would temporarily disperse; however, there should be no significant impact to water quality that would affect fish habitat over the long term resulting from this project.

F. Noise

1. Increases

The construction period of the proposed pier would involve a period of moderate noise levels. Noise from work crew vehicles commuting to and from the site will occur at the beginning and ending of work days. The temporary construction period will be during the off-tourist season. Use of the pier by motorized boats would also cause a temporary increase in noise levels. These occurrences would be brief and minimal.

2. Severe Noise

No severe noise levels are anticipated from the proposed construction and placement of the proposed pier.

G. Light and Glare

1. The proposed project would be constructed during daylight hours. No lighting for construction activity 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 zoning. 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 or induce 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

This proposed pier has no fuel facility, but explosion of fuel fumes 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

This project proposes construction of a pier in the shoreline of Donner Lake and will not extend an unusual distance out into the body of the lake. It is very unlikely that this project would interfere with any emergency response or evacuation plan.

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. Although dwellings exist along the shoreline of Donner Lake within this area, this project would not create new housing or a demand for additional housing by attracting more people.

M. Transportation/Circulation

1. Vehicular Movement

The construction of the proposed pier may cause a minor additional amount of temporary traffic as the construction crew arrives and leaves the project site. The period of construction will be outside the normal tourist season when the normal traffic will be minimal; therefore, this impact would be insignificant. The proposed pier is intended for applicant's use. The homeowner's dwellings exist on the immediate upland parcels which provides for parking for the dwellings. 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 is not for general public or commercial use.

4. Circulation

The proposed pier would be located on the northwest end of Donner Lake and is centered between two existing piers. There is one pier 120 feet to the west and another pier 128 feet to the east. There is a speed limit of 5 mph within 200 feet of the end of each pier on Donner Lake. This project does not appear to interfere with trolling in the area. Construction and placement of the proposed pier may have a small impact on existing navigational uses of the shoreline; however, this type of impact is acceptable to this recreational residential area and is considered to be insignificant.

5. Traffic

The proposed pier would have a minimal intermittent affect on boat traffic because of the existing piers on either side of the proposed project property. All boating in this area is restricted to the 5 mph speed limit by the Nevada County Sheriff's Department because of the existing piers, anglers, etc. Any impact created by this proposed project would be considered as 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. Fire Protection

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

2. Police Protection

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

3. Schools

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

4. Parks and Recreational Facilities

There is currently a 5 mile per hour speed limit in this area. The proposed pier is for the private recreational use of the applicants and would not generate any new significant boating traffic. This project will not create any new demands on any park or recreational facility.

5. Maintenance of Public Facilities

This proposed pier project will not create any new demands which would create additional maintenance of public facilities.

6. Government Services

This proposed private recreational pier project will not create any new significant impacts on government services.

O. Energy.

1. Fuel and Energy

This project is not a fuel consuming project. This proposed private recreational pier project will not generate any new significant demands or uses of fuel or energy.

2. Existing Energy Sources

This proposed private recreational pier project will not generate any new demands on energy sources which could be considered significant.

P. Utilities.

1. Power or Natural Gas

This proposed private recreational pier will not create any new significant demands or alterations to power or natural gas systems.

2. Communications Systems

This proposed private recreational any new significant demands

pier will not create of alterations to	CALENDAR PAGE 55
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communication systems.

3. Water

This proposed private recreational pier will not create any new significant demands or alterations to water systems.

4. Sewer or Septic Tanks

This proposed private recreational pier will not create any new significant demands of alterations to existing sewer or septic tanks.

5. Storm Water Drainage

The open construction of this proposed private recreational pier will not create and new significant demands or alterations on storm water drains.

6. Solid Waste Disposal

This project will not create any changes in the demands for new or alterations to the existing solid waste and its disposal.

Q. Human Health.

1. Health Hazard

This private recreational pier project will not create any new significant health hazard to the public.

2. Exposure of People to Health Hazards

This private recreational pier will not expose people to any new significant health hazards.

R. Aesthetics.

1. There are existing piers on either side of the project parcel. This is a lake oriented second home subdivision which includes piers and boats. This pier will not significantly affect the aesthetics of this recreational subdivision of homes, piers and boats.

S. Recreation.

1. Seasonal recreation opportunities within Donner Lake include swimming, tube and mattress floating, boating, wind surfing, jet skiing, fishing, sunbathing, and observing wildlife. The uses of the shore within the area of the proposed project would be trolling, wind surfing, and tube and mattress floating. There are three

known public access areas on the lake. Additionally, the Department of Fish and Game periodically stock the lake with fish to enhance angling opportunities. The proposed construction and use of this pier would not have a significant impact of these uses as these opportunities are available throughout many areas of the lake.

T. Cultural Resources.

1. Archaeological Site

No cultural resource sites were identified by the Nevada County Planning Department in their 1987 Environmental Impact Analysis for the upland parcel as it was being developed. It is highly unlikely that any will be found on the lake bed. If any sites are discovered during construction, operations will cease and an archaeologist will be consulted to evaluate the site.

2. Historic Buildings

No prehistoric buildings, structures, or objects were found during the early development of the property. Since none were found, it is not likely that this project would affect any prehistoric structures or structures. If any prehistoric structures or objects are found during construction, operations will cease and an archaeologist will be consulted to evaluate objects found.

3. Ethnic Cultural Values

Refer to T.1. above.

4. Religious/Sacred Uses

Refer to T.1. above.

U. Mandatory Findings of Significance

1. Environmental Quality Degradation

This proposed project will not degrade the quality of the environment to significantly affect fish, wildlife, plants, or historical or anthropological sites.

2. Short Term vs. Long Term Environmental Goals

There will be a short term disruption of the environment during the proposed pier construction period which will be done in the fall during low water and the non-tourist season. This is a seasonal recreation residential community, and recreational piers for the residents are common. The State Lands Commission

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to obtain permits for extended seasonal mooring of boats in Donner Lake, and the Nevada County Sherries Department enforces these permits. This is done because water is drawn out of the lake in the fall after the tourist season. This proposed project would not jeopardize the long term goals of protecting the environmental integrity of Donner Lake.

3. Cumulative Impacts

The project would cumulatively contribute one more pier to the shore of Donner Lake; however, this parcel has no shore during the normal lake level because of the existing rock wall. In this marine oriented recreational community, the pier would be aesthetically more pleasing than the existing flat rock retaining wall. There are existing private recreational piers for the homeowners associations on either side of the project parcel. Although this proposed project would add an additional pier cumulatively to Donner Lake it, would not create a significant impact to the environmental integrity of Donner Lake.

4. Adverse Effects on Human Beings

This proposed project would be located in a navigational area which is already identified for significantly reduced boating speeds (5 mph). There are currently homeowners associations private recreational piers on the adjacent parcels to the proposed project. This proposed project would be compatible with the existing homeowners associations recreational uses of Donner Lake. This project will not create any new significant effects on human beings.

EXHIBIT "D"
MONITORING PROGRAM FOR THE
DONNER LAKE VISTA HOMEOWNERS ASSOCIATION DOCK

1. **Impact:** The proposed project may cause minimal turbidity to lake waters during the hand placement of pilings into the lake bed, and there is the possibility of an upset or spill of construction materials or debris.

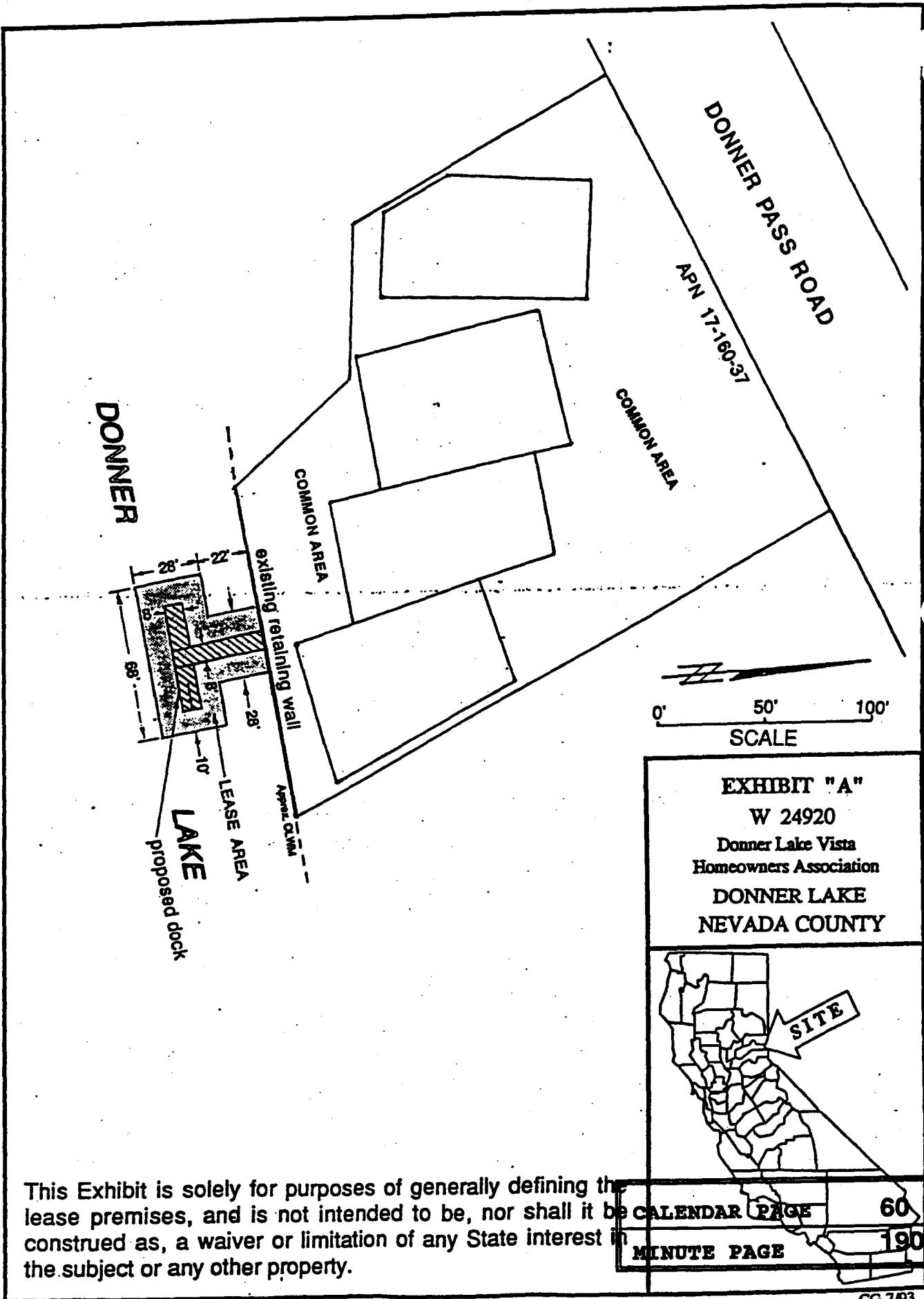
Project Modification:

- a) Construction will commence at low water in the fall, after the tourist season, when the lake level is at minimum. The use of a turbidity screen surrounding the project area will be installed prior to the commencement of operations if water still occupies the construction site. The material removed during pile emplacement will be re-incorporated back onto the lake bed and spread by hand rake to maintain uniformity in the lake bed at the construction site.
- b) In the case of high water, small boats and/or tarps will be placed under the reconstruction area as necessary to collect construction debris, and in the case of low water, tarps will be spread under the construction area to collect the construction debris.
- c) Construction debris and waste materials will be collected and removed from the project site to be transported by the contractor to dumpsters for disposal at an approved landfill site.

Monitoring:

Staff of the State Lands Commission, or its designated representative, will periodically monitor the pier construction project during construction and completion stages.

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This Exhibit is solely for purposes of generally defining the lease premises, 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.

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