

MINUTE ITEM

This Calendar Item No. C16
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 3
to 0 at its 03/08/94
meeting.³

CALENDAR ITEM

C16

03/08/94
W 25084
Gordon
PRC7740

S 1

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Douglas C. Wallway and Becky Wallway
15849 Donner Pass Road
Truckee, California 96161

AREA, TYPE LAND AND LOCATION:

A 0.042-acre parcel of submerged land located in Donner Lake
at Truckee, Nevada County.

LAND USE:

Construction and maintenance of pier with a gangway and a
floating dock utilized for recreational boating.

PROPOSED LEASE TERMS:

Lease period:

Ten (10) years beginning April 1, 1994.

Public liability insurance:

Combined single limit coverage of \$500,000.

Special:

(1) The lease is conditioned on the consent of the
littoral owner.

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

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

(4) The lease 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:

\$397.44 per annum; with the State reserving the right to fix
a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

| | |
|---------------|----|
| CALENDAR PAGE | 44 |
| MINUTE PAGE | 94 |

CALENDAR ITEM NO. C16 (CONT'D)

APPLICANT STATUS:

Applicant is not the owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fees 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:

07/15/94

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 lease 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 639, State Clearinghouse No. 94012063. 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.

| | |
|---------------|----|
| CALENDAR PAGE | 45 |
| MINUTE PAGE | 95 |

CALENDAR ITEM NO. C16 (CONT'D)

APPROVALS OBTAINED:

Town of Truckee

FURTHER APPROVALS REQUIRED:

State Lands Commission; California Department of Fish and Game and the Lahontan Regional Water Quality Control Board.

EXHIBITS:

- A. Land Description
- B. Location Map
- C. Local Government Comment
- D. Proposed Negative Declaration
- E. Mitigation Monitoring Program

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A PROPOSED NEGATIVE DECLARATION, EIR ND 639, STATE CLEARINGHOUSE NO. 94012063, 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 DOUGLAS C. WALLWAY AND BECKY WALLWAY OF A TEN-YEAR GENERAL LEASE - RECREATION USE BEGINNING APRIL 1, 1994; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$397.44, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE, AND PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR THE CONSTRUCTION AND MAINTENANCE OF A PIER WITH ONE GANGWAY AND ONE FLOATING DOCK UTILIZED FOR RECREATIONAL BOATING ON THE LAND DELINEATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

| | |
|---------------|----|
| CALENDAR PAGE | 46 |
| MINUTE PAGE | 96 |

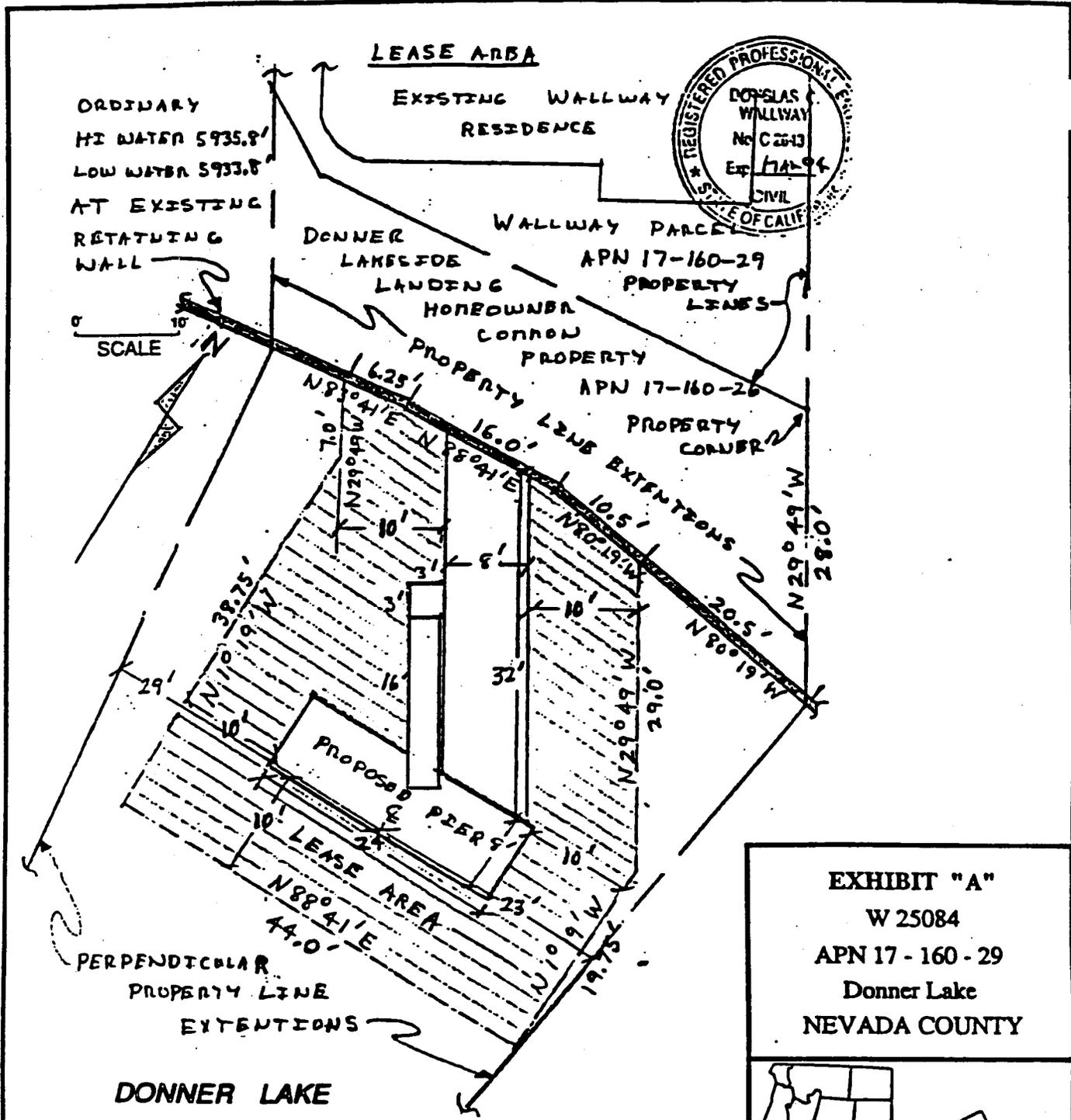


EXHIBIT "A"
 W 25084
 APN 17 - 160 - 29
 Donner Lake
 NEVADA COUNTY



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.



Planning Division
(916) 582-7876

Building & Safety Division
(916) 582-7876

Mr. Gerald D. Gordon
STATE LANDS COMMISSION
1807 13th Street
Sacramento, CA 95814

Re: Proposed Residential Pier Permit for Mr. Doug Wallway

Owner: Doug Wallway
Parcel No.: 17-160-29 000

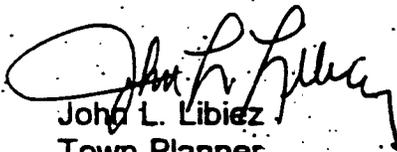
Dear Mr. Gordon:

The Town of Truckee has received notice of the above-referenced activity in Donner Lake and has no objection to the project or to the issuance of a permit or lease by the State Lands Commission for such use of sovereign lands.

If you have any questions, please contact me at (916) 582-7876 or (916) 582-7820.

Yours sincerely,

COMMUNITY DEVELOPMENT DEPARTMENT


John L. Libiez
Town Planner

JLL/et

JOHNGORDONLTR

| | |
|---------------|----|
| CALENDAR PAGE | 49 |
| MINUTE PAGE | 99 |

STATE LANDS COMMISSION

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

EXECUTIVE OFFICE
 1807 - 13th Street
 Sacramento, CA 95811
 CHARLES WARREN
 Executive Officer

PROPOSED NEGATIVE DECLARATION

File: W 25084
 ND 639
 SCH No. 94012063

Project Title: Wallway Recreational Pier

Project Proponent: Douglas & Betty Wallway

Project Location: APNs 17-160-29 & 17-160-26, northwest shore of Donner Lake, Nevada County.

Project Description: Proposed construction of an open piling recreational pier, 8' x 32', with an 8' x 24' floating platform attached to the pierhead by a 3' x 16' walkway alongside the pier. Total extent of structure angled to the east from the shoreline, perpendicular into the waterway is 32 feet. Two sets of non-corrosive steel frames would be set in two concrete footings which would be excavated by hand tools (less than 3 cubic yards). Construction would occur between September and April, as designated by the California Department of Fish and Game.

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:

that project will not have a significant effect on the environment.

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

| | |
|---------------|-----|
| CALENDAR PAGE | 50 |
| MINUTE PAGE | 100 |

I. BACKGROUND INFORMATION

A. Applicant: Douglas C. and Becky Walway
15849 Donner Pass Road
Truckee, CA 96161

B. Checklist Date: 01 / 18 / 94

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

D. Purpose: To construct a private recreational pier.

E. Location: Donner Lake, APN: 17 - 160 - 29 and 17 - 160 - 26 (common area) Lot 3, Lakeside Landing

F. Description: Construct an 8' X 32' fixed, open piling pier which contains a 3' X 16' walkway to access an 8' X 24' floating platform. Total perpendicular extent from shore into the waterway is 32 feet.

G. Persons Contacted: _____

Nancy Haley - US Army Corps of Engineers
Jean Solberg - City of Truckee
Russ Wickwire - California Department of Fish and Game

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

| A. Earth. Will the proposal result in: | Yes | Maybe | N |
|---|-----|-------|---|
| 1. Unstable earth conditions or changes in geologic substructures? | — | — | — |
| 2. Disruptions, displacements, compaction, or overcovering of the soil? | — | — | — |
| 3. Change in topography or ground surface relief features? | — | — | — |
| 4. The destruction, covering, or modification of any unique geologic or physical features? | — | — | — |
| 5. Any increase in wind or water erosion of soils, either on or off the site? | — | — | — |
| 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, | — | — | — |
| 7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | — | — | — |

| | |
|---------------|-----|
| CALENDAR PAGE | 5T |
| MINUTE PAGE | 101 |

- 1. Substantial air emissions or deterioration of ambient air quality?
- 2. The creation of objectional 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)?
- 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?

| | |
|---------------|-----|
| CALENDAR PAGE | 52 |
| MINUTE PAGE | 102 |

| | 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? | — | — | X |
| 2. Possible interference with emergency response plan or an emergency evacuation plan? | — | — | X |
| K. Population. Will the proposal result in: | | | |
| 1. The alteration, distribution, density, or growth rate of the human population of the area? | — | — | X |
| L. Housing. Will the proposal result in: | | | |
| 1. Affecting existing housing, or create a demand for additional housing? | — | — | X |
| M. Transportation/Circulation. Will the proposal result in: | | | |
| 1. Generation of substantial additional vehicular movement? | — | — | X |
| 2. Affecting existing parking facilities, or create a demand for new parking? | — | — | X |
| 3. Substantial impact upon existing transportation systems? | — | — | X |
| 4. Alterations to present patterns of circulation or movement of people and/or goods? | — | — | X |
| 5. Alterations to waterborne, rail, or air traffic? | — | — | X |
| 6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? | — | — | X |
| 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? | — | — | X |
| 2. Police protection? | — | — | X |
| 3. Schools? | — | — | X |
| 4. Parks and other recreational facilities? | — | — | — |
| 5. Maintenance of public facilities, including roads? | — | — | X |
| 6. Other governmental services? | — | — | X |
| O. Energy. Will the proposal result in: | | | |
| 1. Use of substantial amounts of fuel or energy? | — | — | X |
| 2. Substantial increase in demand upon existing sources of energy, or require the development of new sources? | — | — | X |
| P. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities: | | | |
| 1. Power or natural gas? | — | — | X |
| 2. Communication systems? | — | — | X |
| 3. Water? | — | — | X |
| 4. Sewer or septic tanks? | — | — | X |
| 5. Storm water drainage? | — | — | X |
| 6. Solid waste and disposal? | — | — | X |
| Q. Human Health. Will the proposal result in: | | | |
| 1. Creation of any health hazard or potential health hazard (excluding mental health)? | — | — | X |
| 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? | — | — | X |

| | |
|---------------|-----|
| CALENDAR PAGE | 53 |
| MINUTE PAGE | 103 |

S. Recreation. Will the proposal result in:

Yes Maybe No

1. An impact upon the quality or quantity of existing recreational opportunities?

T. Cultural Resources

1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site? ...

2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?

3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

4. Will the proposal restrict existing religious or sacred uses within the potential impact area?

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?

2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?

3. Does the project have impacts which are individually limited, but cumulatively considerable?

4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments 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: 01 / 26 / 94

Judy Brown

| | | |
|--|---------------|-----|
| For the State Lands Commission JUDY BROWN | CALENDAR PAGE | 54 |
| | MINUTE PAGE | 104 |

Existing Conditions

The high water elevation of the shoreline 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. Three other single-family dwellings exist along this segment of the shoreline. (Refer to Attachment B)

Project Description

This project proposes the construction of an open piling fixed recreational pier, 8' wide by 32' in length with an 8' wide by 24' floating platform attached at the pierhead. The fixed portion of the pier is perpendicular to the house and comes off the existing retaining wall at an angle; the total distance perpendicular from the retaining wall to the waterward edge of the floating section is 32'. The proposed pier would be placed lakeward of APN: 17-160-26 (common shoreline area) and APN: 17-160-29, lot owned by applicant located immediately behind common shoreline area (refer to Attachment B). The project would be located on the northwestern shore of Donner Lake, Nevada County.

The pier would be bolted to a concrete abutment placed behind the existing 4' retaining wall. Two sets of non-corrosive steel frames would be set in two concrete footings which would be excavated by hand tools (less than 3 cubic yards total). The concrete would be poured into forms which would be completely lined with visqueen so that there would be no contact between the wet concrete and the dry lake bed or the lake water. The dock would be framed with non-corrosive steel. The deck would be made of sand blasted aluminum with natural redwood bumpers around the perimeter. The floating section would be supported by foam filled plastic containers. (Refer to Attachment C)

The proposed construction would occur when water levels are lowest (between September and April), or as designated by the California Department of Fish and Game Streambed Alteration Agreement.

DISCUSSION OF ENVIRONMENTAL EVALUATION

A. Earth

1. Earth Conditions

The project involves construction of an 8' x 32' open piling recreational pier with a 3' x 16' walkway leading from the fixed pier to an 8' x 24' floating platform at the pierhead. This construction would not cause unstable earth conditions or changes in the geologic substructure of the project site.

Concrete footings would be buried a minimum of 18" into the lakebed. Soil removed for placement of the concrete footings would be redistributed evenly on the lakebed within the vicinity of the project. No significant impacts are anticipated.

2. Compaction, Overcovering of the Soil

The proposed pier pilings (4) would be attached to concrete footings. The footings would be buried a minimum of 18" into the lakebed which would cover and compact the soil a small amount. No significant impacts are anticipated.

3. Topography

This project would not involve grading or the placement of fill affecting the features of the region within the project area. Four concrete footings will be buried within the Lake Bed a minimum of 18". Displaced soil will be evenly distributed on the dry lake bed to conform to the natural configuration of the surrounding lake bed sediments. No significant impacts are anticipated.

4. Unique Features

The proposed project is of open piling design. The shoreline fronting the common use area (APN: 17-160-26) has been modified with a rock retaining wall which exists at approximately the high water line. The placement of buried concrete footings would cause a minor amount of fill to be placed into the lake bed. Unique features at the project site include the beauty of the lake at high water (April - September) surrounded by a forested residential community. This project would blend in with the existing setting. No significant impacts are

| | |
|---------------|-----|
| CALENDAR PAGE | 56 |
| MINUTE PAGE | 106 |

anticipated.

5. Erosion

The proposed pier is of open piling design. Each of four pier pilings would be attached to 2'6" concrete footings, buried a minimum of 18" in the lake bed. The pier would be constructed during the season when water elevations are at their lowest, typically September - April annually, or as designated by the California Department of Fish and Game. The construction and placement of this pier and floating platform would not increase wind or water erosion of soils. No significant impacts are anticipated.

6. Siltation

The proposed project would be constructed within the lake bed during low water levels, typically September - April. Minor siltation from displaced soils resulting from burial of concrete footings into the lake bed may occur as the water level rises after completion of the project. No significant impacts are anticipated.

7. Geologic Hazards

Disturbance to the lake bed would occur when the water level within the lake is at its lowest level (between September and April). Four 2'6" concrete footings would be buried a minimum of 18" into the lake bed substrate. The shallow depths of disturbance would not induce seismic instabilities or ground failures. No significant impacts are anticipated.

B. Air

1. Emissions

The pier would be constructed with hand tools. Construction crew would arrive to the project site via existing improved upland roads. Some emissions would result from the arrival and departure of construction vehicles to the upland housing site. This impact would be small and temporary lasting during the construction of the pier. Emissions may be generated from fuel-powered boats which may use the pier. This would be an ongoing seasonal impact to the Donner Lake area. No significant impacts are anticipated.

2. Odors

The construction activity would create some odors from crew vehicles arriving to and leaving the project site. This impact would be minor and temporary, lasting until construction would be completed. Intermittent fuel odors would be noticeable from seasonal use of the pier as fuel-powered boats arrive and leave the pier site. No significant impacts are anticipated.

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. No significant impacts are anticipated.

4. Surface Water

The proposed pier would be placed within the body of Donner Lake. The small number of pilings proposed would not affect the surface water volume of Donner Lake. No significant impacts are anticipated.

5. Turbidity

The proposed pier construction would occur on the dry lake bed or when water levels are at their lowest, as indicated by the Department of Fish and Game through issuance of its Streambed Alteration Agreement (Attachment "C") to reduce impacts to fish and wildlife resources. A minor amount of turbidity from disturbed sediments may occur as the lake levels rise after completion of pier construction. A minor amount of sediment disturbance may occur seasonally from motorized

boat usage at and near the pier. No significant impacts are anticipated.

6. Ground Water Flows

The proposed pier footings would be set at relatively shallow depths (minimum of 18"). This impact would not affect ground water flows. No significant impacts are anticipated.

7. Ground Water Quantity

The proposed pier would not serve as a water acquisition facility. It would not affect ground water supplies. No significant impacts are anticipated.

8. Water Supplies

The proposed pier would not serve as a water acquisition facility. It would not affect water supplies. No significant impacts are anticipated.

9. Flooding

The cumulative volume of four pier pilings would not induce flooding. The structure would not interfere with water movements or otherwise induce flooding. No significant impacts are anticipated.

10. Thermal Springs

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

D. Plant Life

1. Species Diversity

Introduction of the structure could temporarily furnish a new substrate for sessile aquatic plants. This impact would be minimal as the water elevation within the lake is artificially lowered each year, between September and April. A rock retaining wall exists between the upland common area and the lake's normal high water elevation. Small amounts of seasonal grasses grow along the retaining wall. Some disturbance to these grasses may occur during placement of the concrete abutment behind

the retaining wall and during attachment of the pier to the abutment. No other plant life would be affected. No significant impacts are anticipated.

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. No significant impacts are anticipated.

4. Agricultural Crops

The proposed pier would be located within the body of Donner Lake. No agriculture or aquaculture are carried out in this area. There would be no impacts to agricultural crops.

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 September and March, leaving all or most waterward structures exposed. - This would not be a new impact, as other pier structures exist along the lake's shoreline.

The proposed 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, in between two existing pier structures. The use of this pier may cause fish dispersal when motorized boats arrive and depart the pier; however, recreational use of the pier during seasonal motorized boating should not cause fish mortality. No significant impacts are anticipated.

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. This impact would be seasonally beneficial until water levels are drawn down. No new animal species would be introduced as a result of this project. No significant impacts are anticipated.

4. Habitat Deterioration

The proposed project involves construction of a new private recreational pier. 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 project site, fish would disperse; however, there should be no significant impact to lakebed substrate which could constitute seasonal fish habitat. No significant impacts are anticipated.

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 would occur at the beginning and ending of each work day.

Seasonal use of the pier by motorized boats would also cause brief, intermittent increases in noise levels. No significant impacts are anticipated.

2. Severe Noise

No severe noise levels are anticipated from 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 activity is proposed. No navigational lighting on the pier is proposed. No reflections or glare would be created from the proposed finished surfaces. No significant impacts resulting from light or glare 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. The City of Truckee has indicated no objection to this project (refer to Attachment "D"). No significant impacts are anticipated.

I. Natural Resources

1. Increase in Use

The proposed pier construction and use would not propose consumptive uses of natural resources. No significant impacts are anticipated.

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 for private recreational purposes. No significant impacts are anticipated.

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 significant 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. The proposed pier and float would be placed a safe navigational distance between two existing pier structures. The proposed pier would not extend into Donner Lake a distance greater than structures within the project vicinity. No significant impacts are anticipated.

K. Population

1. The proposed project does not include residential development or commercial facilities which would affect the alteration or distribution, density or growth rate of the population of the area. Population in the Donner Lake area is controlled by residential development considered by and through the City of Truckee.

L. Housing

1. A single-family dwelling has been approved by Nevada County and is currently in the construction stage on the upland lot owned by the applicant which is located immediately behind the homeowner's common-use shoreline area. Other dwellings exist along the shoreline of Donner Lake within this vicinity. This project would not create a demand for additional housing, but is rather a reactive project to housing already approved. No significant impacts are anticipated.

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 upland to the project site. This impact would be minimal and temporary.

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

2. Parking

Refer to response, 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 used for commercial

purposes.

4. Circulation

The proposed pier would be located at the northwest end of Donner Lake, (refer to Attachment B). The project would be placed between two existing recreational piers, a shoreline distance of 50' from each pier.

A speed limit buoy exists approximately 200 feet from shore to protect a nearby designated public swim area (refer to Attachment B), and to reduce interference with topline trollers who fish from the extreme northwest corner into the lake.

Trollers fishing from the shoreline out into the Lake must avoid one other pier to the west, approximately 48 feet in distance from the western most point of the proposed floating dock. Construction and placement of the proposed pier would have minimal impact on navigational uses of the shoreline as construction would occur between September and March, as specified by the California Department of Fish and Game Streambed Alteration Agreement.

Semi-annually, the Truckee-Donner Recreation District hosts a public swim-a-thon which begins at the west end of the lake and ends at the east end of the lake. These two events are reported by the District to 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 are affected by the placement of piers which exist along the Donner Lake shoreline. This is an existing impact and one for which this proposal would not be considered significant. No significant impacts have been identified.

5. Traffic

The proposed pier would have minimal impact on boat traffic, as it will be placed a safe distance between two existing recreational piers. There would be no impacts to water skiing as this activity must be conducted at least 200' from the shoreline beyond the speed limit buoy. This project would have minimal impact on topline trollers boating from an easterly direction to the western end of Donner Lake, as they must avoid an existing pier with gazebo (150' to the east), and one other recreational pier (55' to the east). Trolling from the west to the east was discussed in M.4., above. No

significant impacts have been identified.

6. Traffic hazards.

This proposed project is not of a magnitude or nature which would affect existing roadways, bike lanes, or pedestrian walkways. The project would be constructed on the shore and into the bed of Donner Lake. No significant impacts have been identified.

N. Public Services

1. Fire protective services are provided for the upland residential dwelling. No new services would be needed for this proposed project.
2. Police protective services are provided for the existing upland dwelling. No new services would be needed for this proposed project.
3. This proposed project would not include a residential structure or multi-dwelling unit which would create a demand for new schools. The upland residential dwelling has been approved by the Nevada County Planning Department.
4. The proposed project is located approximately 200' east of the Truckee-Donner Recreation District's public day use area. The proposed construction of this pier would be angled from the shoreline away from the west end of the lake (refer to Attachments A and B). The area proposed for construction of this pier is within the influence of a 5 mph speed limit buoy. 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. Power is available to the upland residential dwelling, and could be obtained from that source. No significant impacts have been identified.
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. This utility is provided for at the upland residential dwelling.
5. This project would not require the need for additional storm or water drainage systems, as it will occur within the shoreline and on the bed of Donner Lake.
6. This project would not require the need for additional solid waste disposal. This utility is provided and available at the upland residential dwelling.

Q. Human Health

1. This project would not have a significant health effect on humans. Once constructed, boating uses at this and other existing pier sites along the shoreline of Donner Lake would affect swimmers' use of the shoreline during the Truckee Donner Park and Recreation District semi-annual swim events. The Truckee-Donner Park and Recreation District would be responsible for swimmer safety during these events.
2. See response Q.1., above.

R. Aesthetics

1. The proposed pier would be located between two recreational piers, a distance of approximately 50' from each pier.

The west end of Donner Lake is occupied by Truckee-Donner Park and Recreation District day use facilities which

includes a delineated swim area. A majority of lakefront lots surrounding Donner Lake have private recreational piers. The construction of this 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 of the project area. They have each submitted their consent for the construction of this project. No significant impacts have been identified.

S. Recreation

1. Recreational opportunities at Donner Lake include swimming, floating, boating, wind surfing, jet skiing, fishing and sunbathing. Existing recreational opportunities at this site would not be significantly impacted, as this pier would be located a safe distance between two existing recreational piers, and within the influence area of a 5 mph speed limit buoy. No significant impacts have been identified.

T. Cultural Resources

1-4.

There are no known prehistoric or historic archaeological sites, building, structures, or objects located at the proposed project site; therefore, there would be no impact.

U. Mandatory Findings of Significance

1. This proposed project would not degrade the quality of the environment as previously discussed in environmental issue areas above.
2. The proposed project would not achieve short-term to the disadvantage of long-term environmental goals. The waters of Donner Lake are artificially drawn down each year between a time in September until March, leaving many recreational structures and the bed of Donner Lake exposed. Residential structures have been reviewed and approved by the upland planning authority. These impacts, and not the construction of small recreational structures, has created man-made influences setting a precedent for impacts to Donner Lake. No significant impacts have been identified from this proposed project.
3. The preceding environmental discussion indicates that there would not be significant impacts which would result

from the construction of this proposed project. To date there has been no substantiation that the proposed project would have individually limiting but cumulatively considerable impacts. No significant impacts would occur from this proposed project.

4. This project would have no substantial impact to human beings as previously discussed in environmental issue areas above.

| | |
|---------------|-----|
| CALENDAR PAGE | 68 |
| MINUTE PAGE | 118 |

ATTACHMENT A

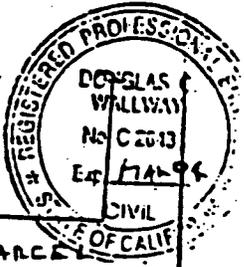
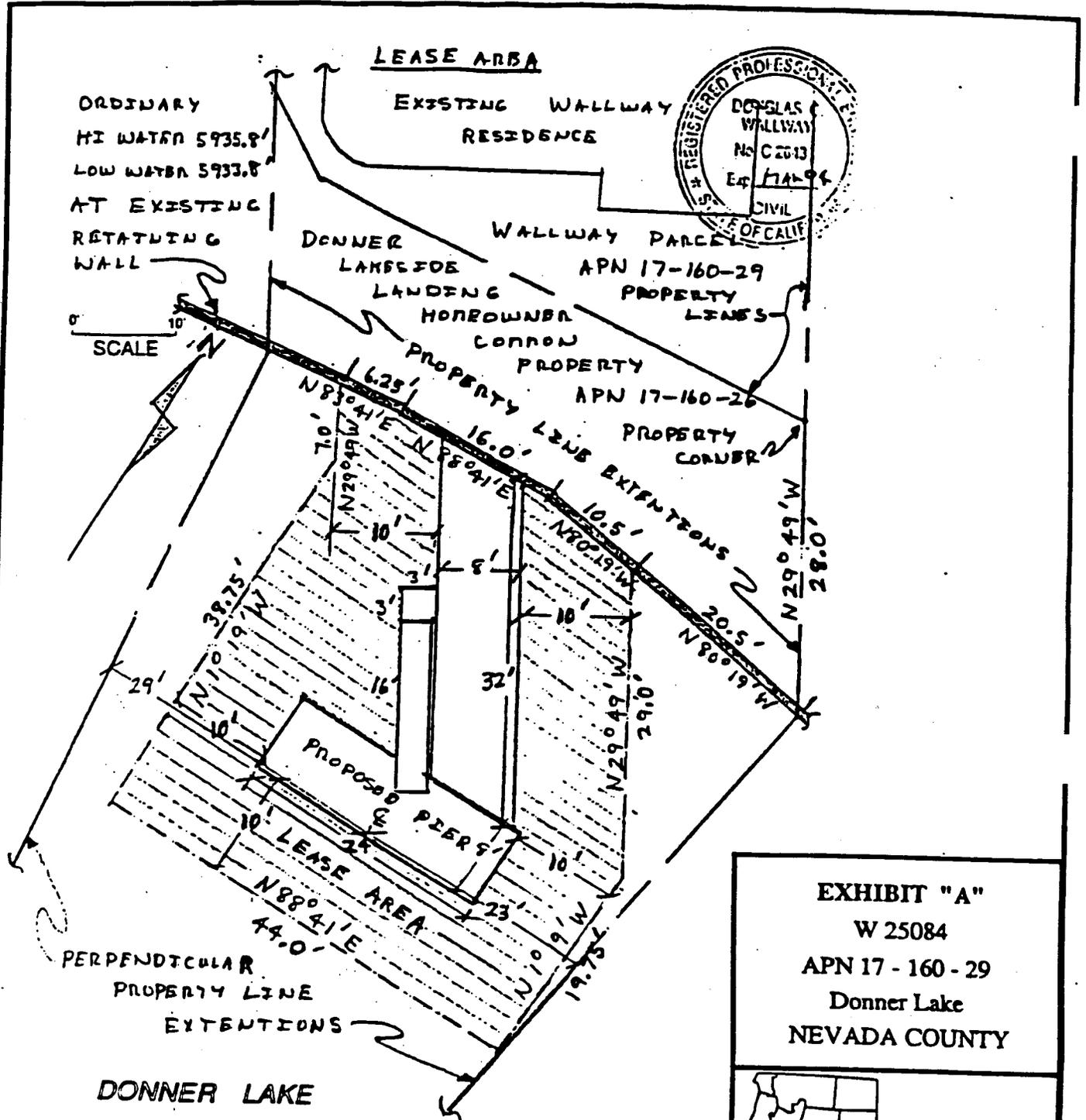
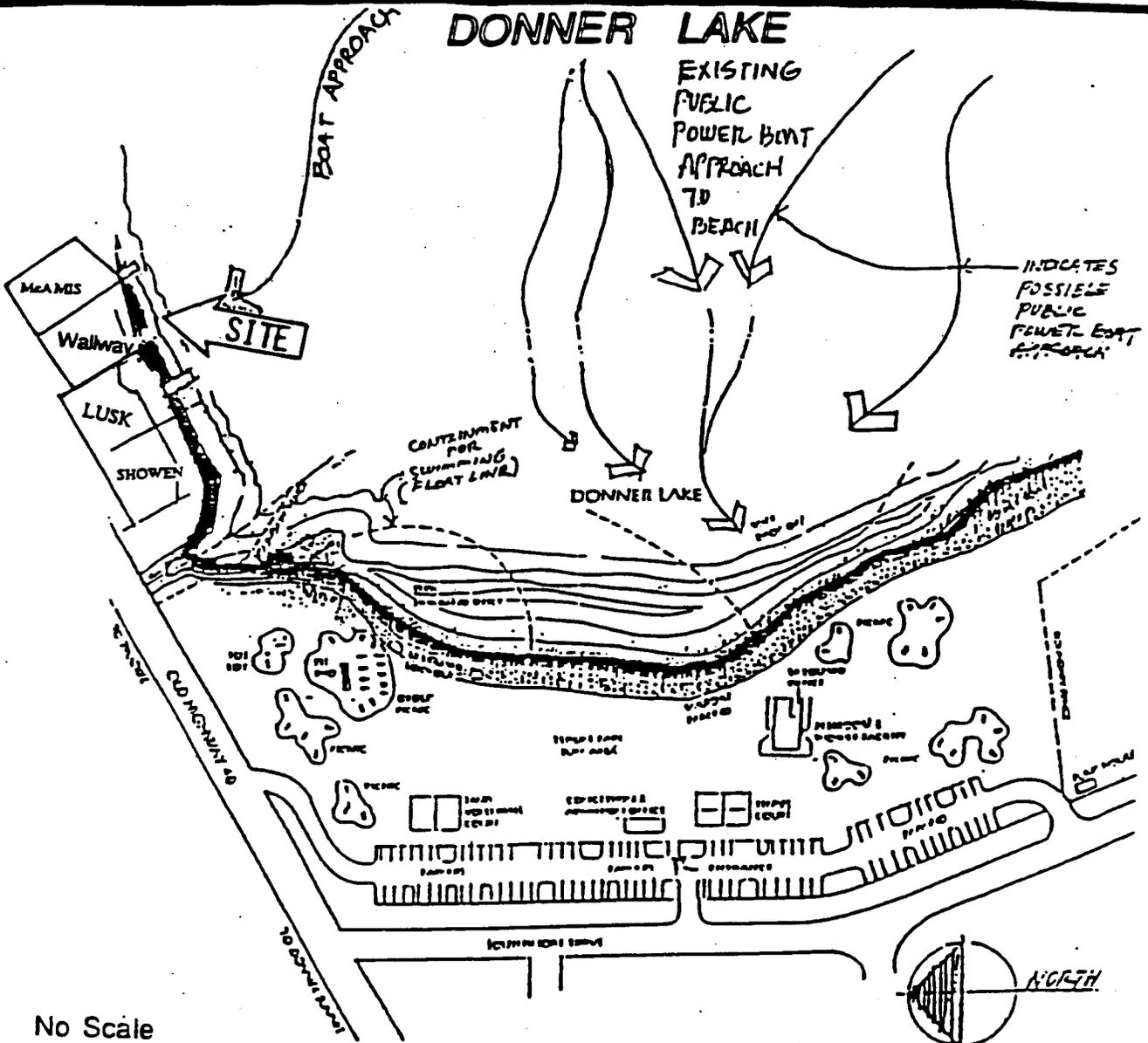


EXHIBIT "A"
 W 25084
 APN 17 - 160 - 29
 Donner Lake
 NEVADA COUNTY



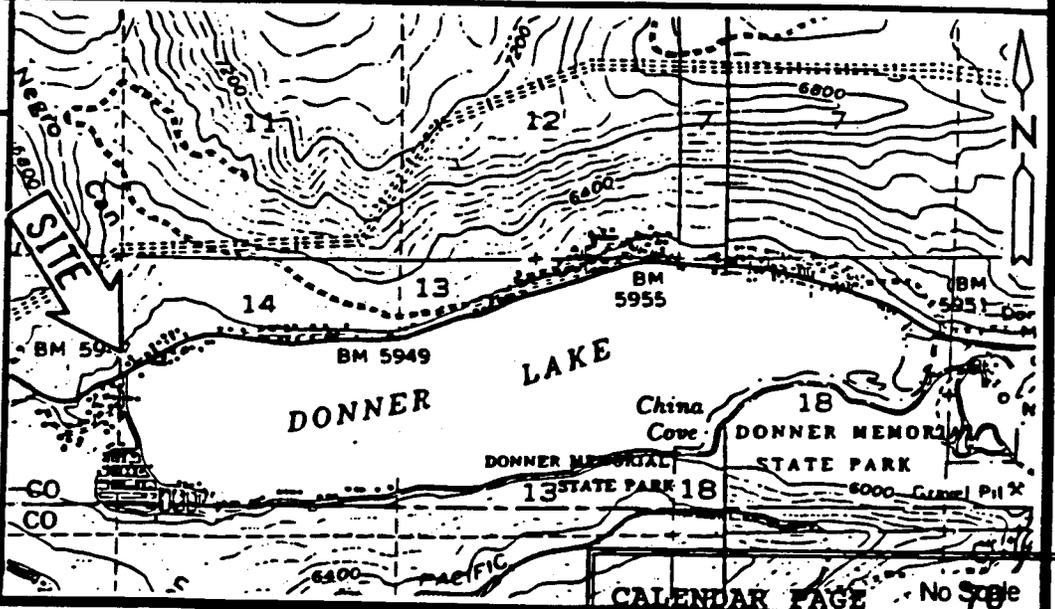
This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

DONNER LAKE



No Scale

EXHIBIT "B"
W 25084



CALENDAR PAGE No Scale

MINUTE PAGE

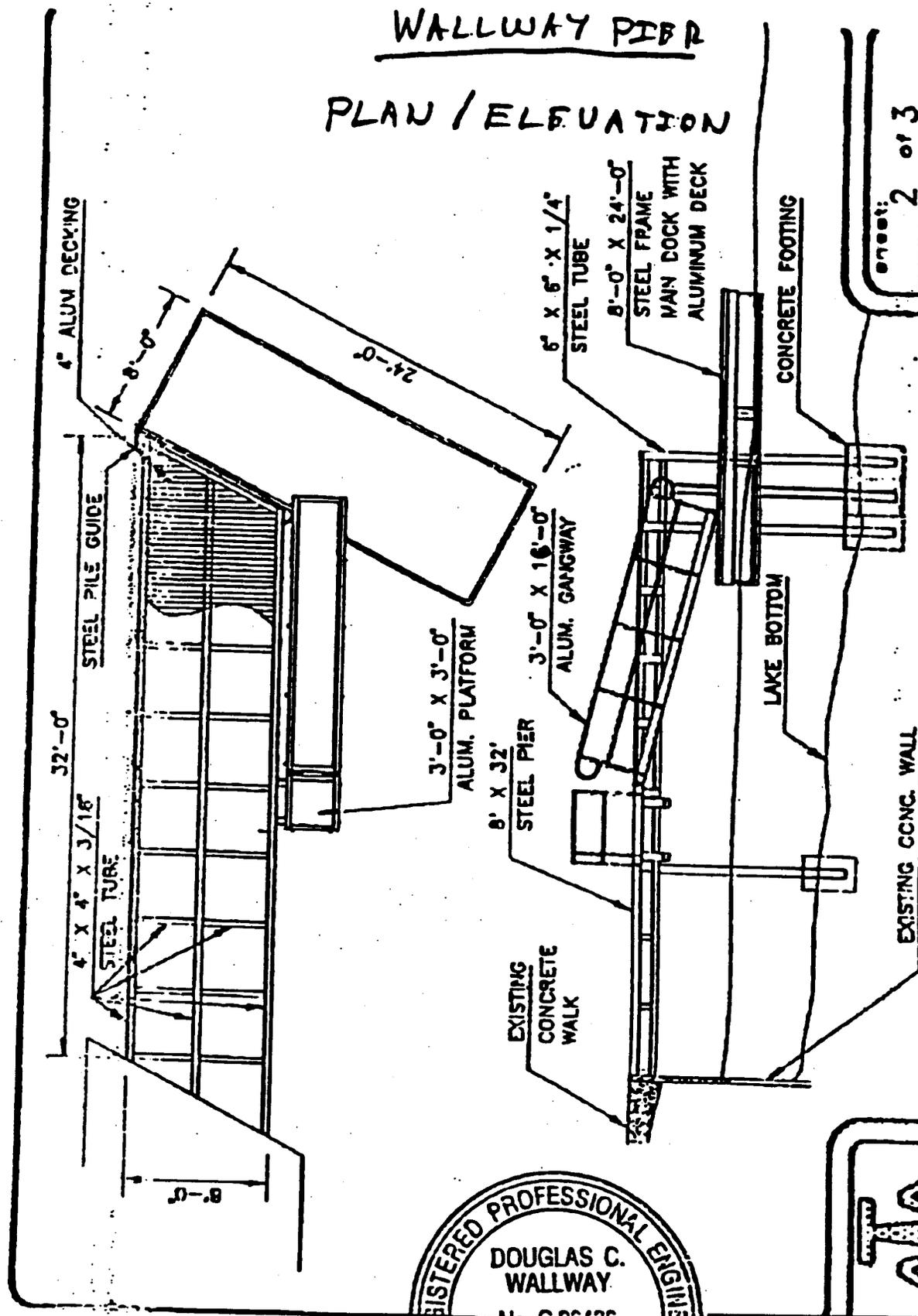
1/4

DOUG WALLWAY

ATTACHMENT C

15849 DONNER PASS RD
DONNER LAKE, CA 94568

WALLWAY PIER PLAN / ELEVATION

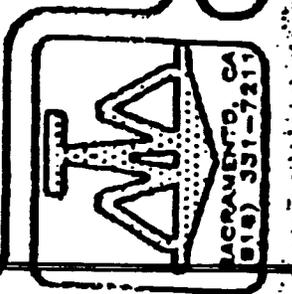
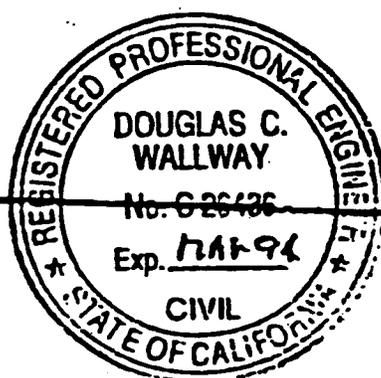


sheet: 2 of 3
 date: 28 MAY 93
 design by: J. HALLSTEN
 drawn by: T. VARNY

drawing number: A335

DOUG WALLWAY

© 1993, HALLSTEN CORPORATION
 EXISTING CONC. WALL



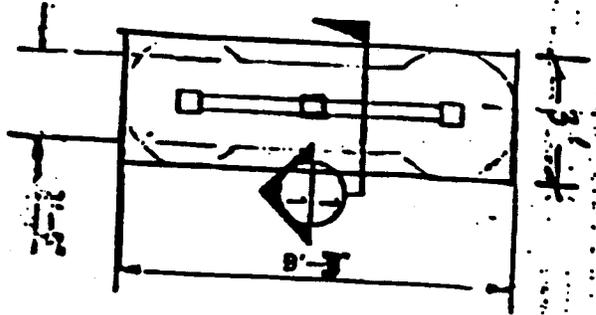
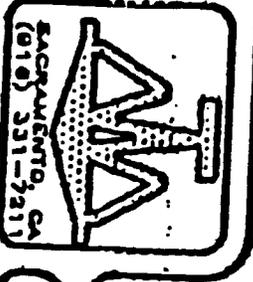
CALENDAR PAGE 71
 MINUTE PAGE 121
 SHEET 1 of 5

582-1861

15849 DONNER PASS
DONNER LAKE, CA 9

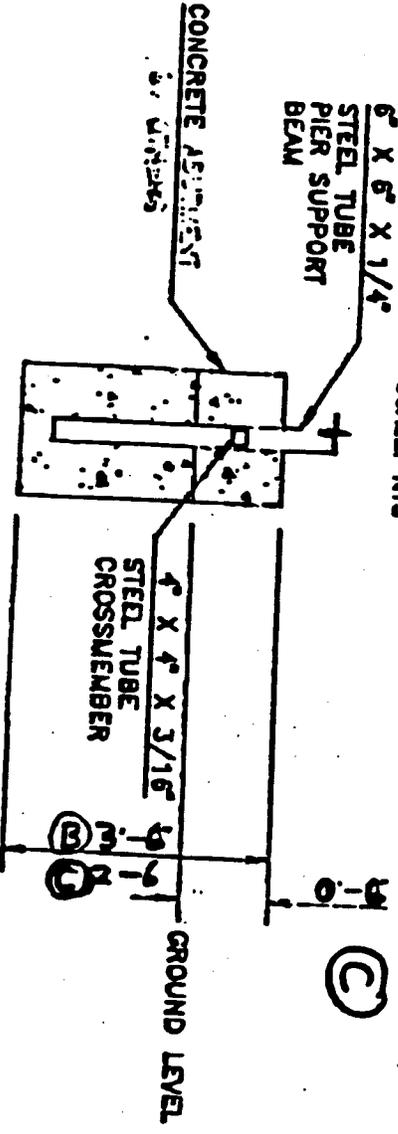
WALLWAY PIER

FND. PLAN & SECTION



ABUTMENT LAYOUT

SCALE: NTS



SECTION

SCALE: NTS



DOUG WALLWAY

© 1993, HALSTEN CORPORATION

drawing number: A335

| | |
|------------|------------|
| sheet: | 3 of 3 |
| date: | 28 MAY 93 |
| design by: | J. HALSTEN |
| drawn by: | T. VARNIEY |

| | |
|---------------|-----|
| CALENDAR PAGE | 72 |
| MINUTE PAGE | 122 |

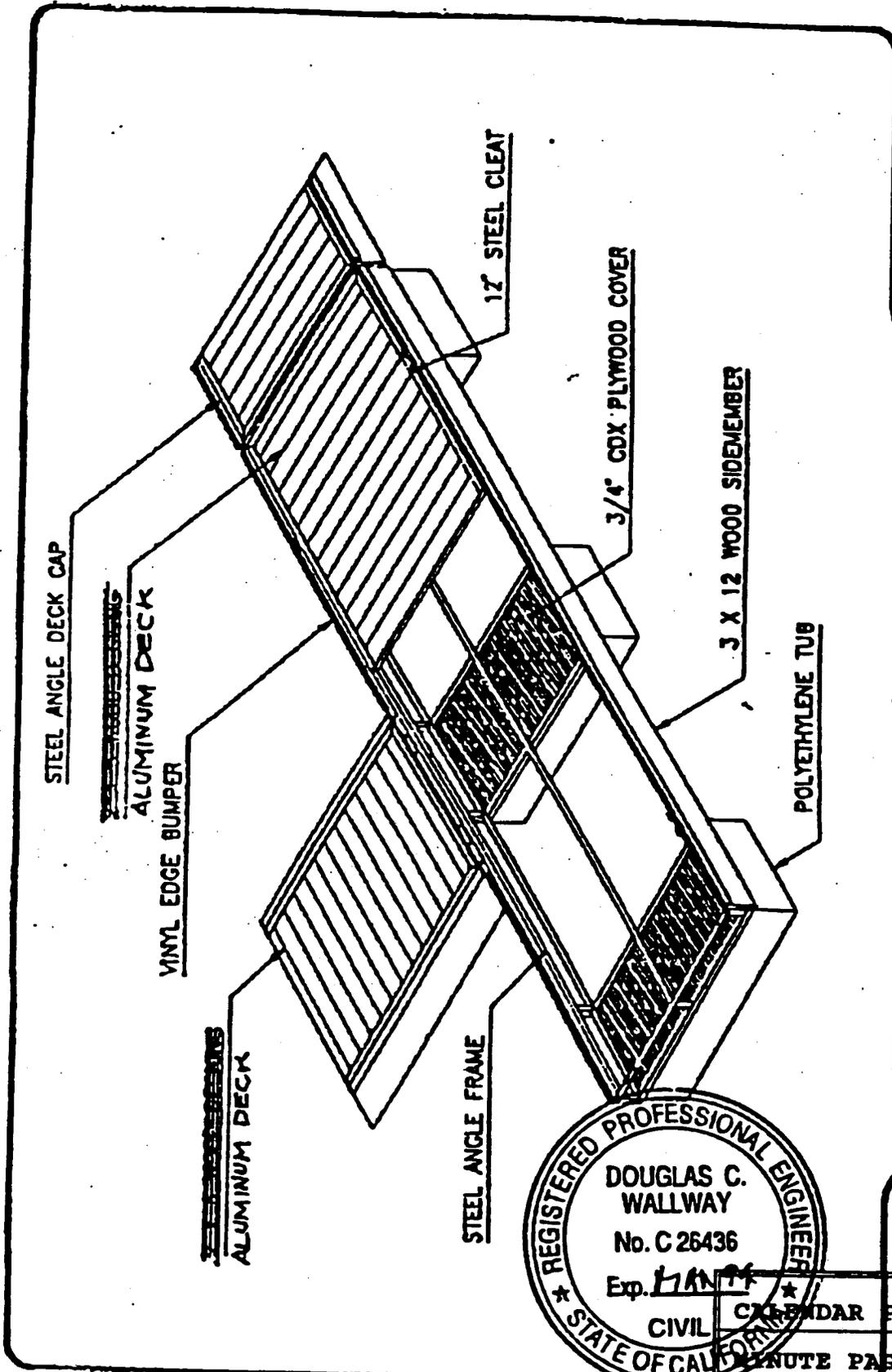
3/4

DOUG WALLWAY
582-1861

WALLWAY PERM

15849 DONUBA PA
DONUBA LAKE, CA 9

TYPICAL FLOATING DOCK

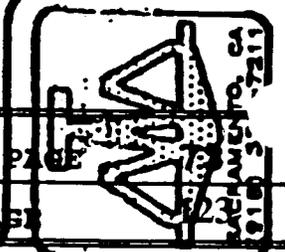
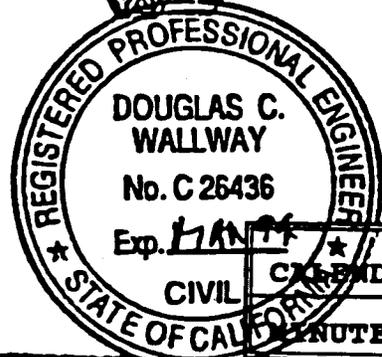


| |
|------------------------|
| sheet: 1 of 1 |
| date: 17 FEB 93 |
| design by: J. HALLSTEN |
| drawn by: G. REEVES |

STEEL FRAMED DOCK W/ WOOD DECK
SCALE: 1/4" = 1'-0"

© 1993, HALLSTEN CORPORATION

HALLSTEN CORPORATION
drawing A324
number



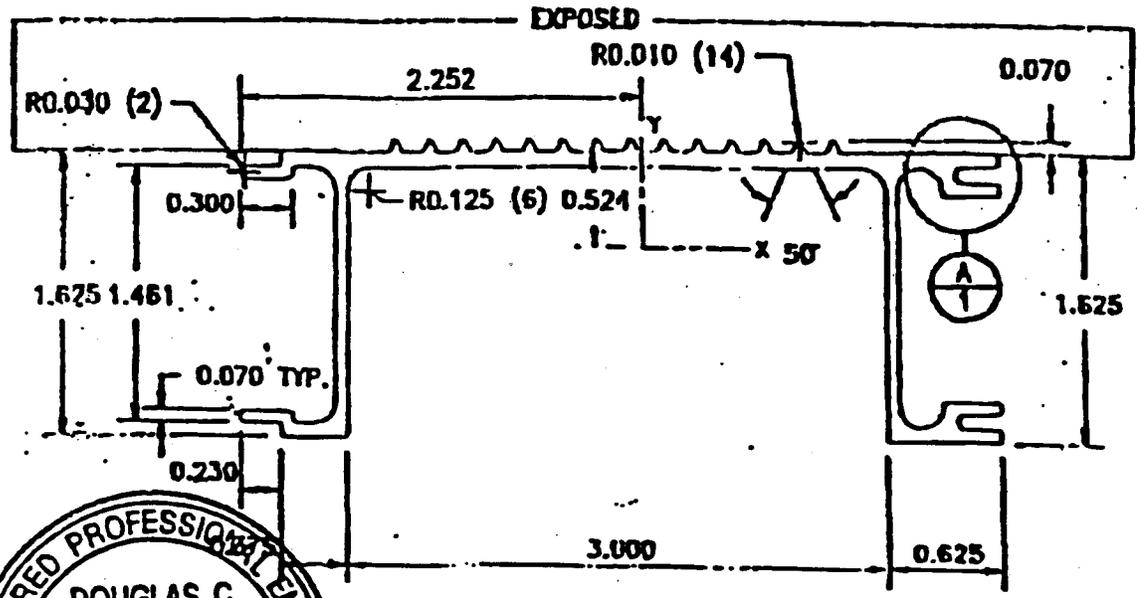
414

DOUG WALLWAY
582-1861

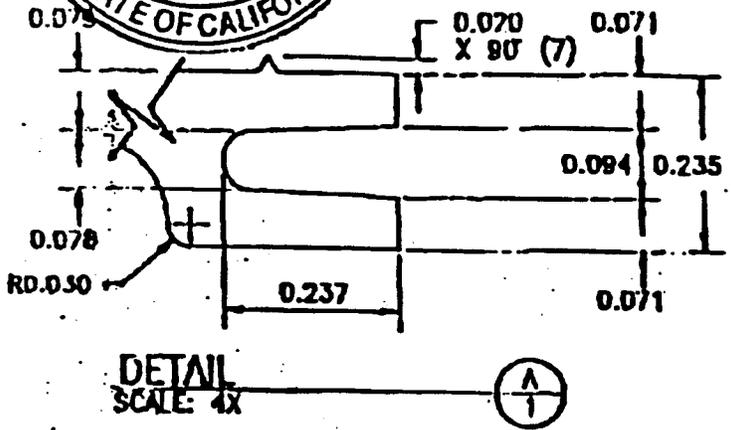
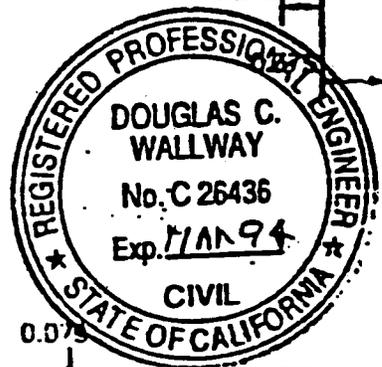
WALLWAY PIER

15849 DONNER PASS R.
DONNER LAKE, CA 94

DECKING DETAIL



INTERLOCKING DECK-SLAT SCALE: FULL



| | | |
|------|---|-----------------------|
| Area | = | 0.781 in ² |
| Ixx | = | 0.295 in ⁴ |
| Iyy | = | 1.597 in ⁴ |
| Iz | = | 1.891 in ⁴ |
| Rxx | = | 0.614 in |
| Ryy | = | 1.429 in |
| WPF | = | 0.920 lbs |

- NOTES:
- 1) MATES WITH ITS SELF.
 - 2) ALL CORNERS ARE .015 R.
 - 3) TYPICAL WALL THICKNESS IS .070
 - 4) MAT. = 6061-T6



© 1992, HALLSTEN RD/MR/ENV

HALLSTEN R&D drawing number: A203

sheet: 1 of 1
 date: REV. 1992
 design by: J. HALLSTEN
 drawn by: G. REEVES

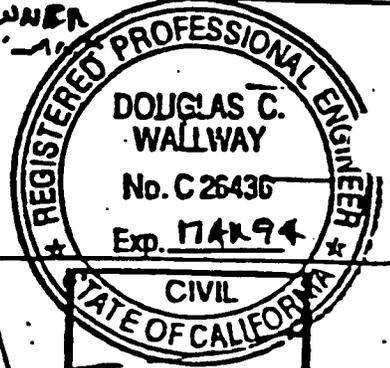
EXHIBIT "A"

DONNER LAKE SIDE LANDING HOME OWNER

COMMON PROPERTY

APN 17-160-26

SITE PLAN



PARCEL #2
LUSK

APN 17-160-28

EXISTING HOME

PARCEL #3
WALLWAY

APN 17-160-29

PARCEL #4
MCAMIS

APN 17-160-12

28'

100 YR. FLOOD PLAIN ELEV. 593'

ORDINARY HIGH WATER 5935
ORDINARY LOW WATER 5935
BOTH AT WALL

LUSK PIER
(AS APPROVED)

EXISTING 4'
CONCR. WALL

WALLWAY PIER
(PROPOSED)

32'

32'

PERPENDICULAR PROPERTY

LINE EXTENTIONS

DONNER LAKE

| | |
|---------------|------|
| MCAMIS PIER | 73.2 |
| CALENDAR PAGE | |
| (AS APPROVED) | 125 |
| MINUTE PAGE | |

SWIMMING DECK

EXHIBIT "E"

MONITORING PROGRAM

Wallway Recreational Pier ND639

1. **Impact:** Disturbance to the lakebottom substrate during excavation of 4.5 cubic yards of soil for placement of pier footings.

Project Modification:

Excavation would be completed by hand shovels and wheel barrow. Visqueen would be used for containment of wet concrete during construction of pier footings. All lakebed disturbance would occur between March 1, 1994 and April 15, 1994, or as directed by the Department of Fish and Game.

Monitoring:

Compliance with the above project modifications are the responsibility and jurisdiction of the California Department of Fish and Game through issuance of its Streambed Alteration Agreement, dated November 15, 1993, attached.

| | |
|----------------------|------------|
| CALENDAR PAGE | 74 |
| MINUTE PAGE | 126 |

receipt of a completed application in which to make its recommendations. This time period does not begin until the department receives the appropriate fee (see attached fee schedule).

Notification No. _____ Received _____

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME

NOTIFICATION OF REMOVAL OF MATERIALS AND/OR ALTERATION
OF LAKE, RIVER, OR STREAMBED BOTTOM, OR MARGIN

A. APPLICANT Pursuant to Sections 1601-1607 of the California Fish and Game Code

I DOUGLAS C. WALLWAY of 15849 DONNER PASS RD
Name of Applicant of DONNER LAKE, CA. 96161
Representing N/A DONNER LAKE, CA. 96161
Name and address of Individual, Agency, Company, etc. owning property or doing work.

Hereby notify the California Department of Fish and Game of operations to be carried out by or for me

from 1 MARCH 1994 to 15 APRIL 1994 on or after
Starting Date Ending Date

DONNER LAKE of NEVADA County, tributary to _____
Name of Stream, River, or Lake Major Water Body

Located 15849 DONNER PASS RD (LAKESIDE LANDING), DONNER LAKE
Distance and Direction to Landmark

Section 14 Township 17 Range NORTH 15

USGS Map EAST N.D.B. - M Co. Assessor's Parcel No. 17-160-29

Property owners name and address (if different from applicant) N/A

APPLICANT
Name of Person to Be Contacted at Site During Operations

He/she can be reached at SAME AS ABOVE is responsible for operations at the _____
Mailing Address Telephone

B. Description of operation 1. The nature of said operations will be as follows:
Check all squares which apply.

- Soil, sand, gravel, and/or boulder removal or displacement
- Water diversion or impoundment
- Mining—other than aggregate removal
- Road or bridge construction
- Levee or channel construction
- Timber harvesting or any related activity required for harvesting timber
- Temporary, recreational or irrigation dam
- Fill or spoil in bed, bank, or channel
- Other—Describe below

2. Type of material removed, displaced or added Soil Sand Gravel Boulders
Volume 4.5 C.Y.

3. Equipment to be used in the described site HAND SHOVELS & WHEEL BORROWS

4. Use of water (i.e., domestic, irrigation, gravel, washing, etc.) NONE

5. Describe type and density of vegetation to be affected, and estimate area involved. NONE Quantity _____

6. What actions are proposed to protect fish and wildlife resources and/or mitigate for project impacts? VISQUEEN CONTAINMENT OF ALL CONCRETE IN FOOTINGS.

7a. Does project have a local or state lead agency or require other permits? Yes No

7b. If 7a answer is yes, please attach or identify any available environmental document.

7c. For state-designated wild and scenic rivers, a determination of the project's consistency with the California Wild and Scenic Rivers Act must be made by the Secretary for Resources. Until the Secretary determines the project is consistent with the Act, the Department cannot issue a valid agreement. A tentative agreement will be issued, conditioned upon a finding of consistency by the Resource Secretary.

7d. THIS AGREEMENT IS NOT INTENDED AS AN APPROVAL OF A PROJECT OR OF SPECIFIC PROJECT FEATURES BY THE DEPARTMENT OF FISH AND GAME INDEPENDENT REVIEW AND RECOMMENDATIONS WILL PROVIDED BY THE DEPARTMENT AS APPROPRIATE ON THOSE PROJECTS WHERE LOCAL, STATE, OR FEDERAL PERMITS OR OTHER ENVIRONMENTAL REPORTS ARE REQUIRED.

8. Briefly describe proposed construction methods. Attach diagram or sketch of the location of your operation to clearly indicate the stream or other water and access and distance from named public road. Indicate locked gates with an "X". Show existing features with a solid line (————) and proposed features with a broken line (-----). Show compass direction. Attach large-scale map, if necessary.

9. Project Cost \$ 10,000.00

CALENDAR PAGE 75
MINUTE PAGE
MINUTE PAGE 127

Doug Wallway 15 NOV. 1993
Signature of Applicant