MINUTE ITEM
This Calendar Item No. 29
was approved as Minute Item
No. 29 by the State Lands
Commission by a vote of 3
to 0 at its 7/10/89
meeting.

CALENDAR ITEM
29

A 7

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07/10/89
PRC 3940
J. Ludlow

APPROVAL OF A RECREATIONAL PIER PERMIT

APPLICANT: Walter Morris Hart Noble and
Charles Edward Noble
1170 Sacramento Street
Sacramento, California 94108

AREA, TYPE LAND AND LOCATION:
A parcel of submerged land in Lake Tahoe near Emerald Bay, El Dorado County.

LAND USE: Partial reconstruction of an existing pier, boathouse reconstruction, and the addition of a boathoist.

TERMS OF PROPOSED PERMIT:
Initial period: Five-years beginning July 10, 1989.

CONSIDERATION: Rent-free, pursuant to Section 6503.5 of the P.R.C.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and 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 2, Div. 3;
Title 14, Div. 6.

AB 884: 11/15/89.

OTHER PERTINENT INFORMATION:

1. 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 460, State Clearinghouse No. 89022711. 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))

2. In lieu of total reconstruction, the applicant proposes to reconstruct only the most lakeward 36 feet of the pier. Therefore the first three, twelve-foot sections of the pier shall remain as-is. It has been found that the most landward 36 feet is in safe and serviceable condition and is not in need of reconstruction at this time.

3. The work, as proposed, will be done from a barge that will be located in the lake. First, the existing sections of the pier to be replaced will be removed, placed on the barge, and hauled away to a nearby marina. From there, the barge will load the debris onto trucks so that it may be disposed of at an appropriate location.

   Once the barge is unloaded, the materials to construct the new sections of the pier will be placed on the barge and taken to the construction site. The new portion of the pier and the boathouse will be constructed entirely from the barge with a crane and a pile driver that are located on the floating platform.

4. Materials will be neither stored or placed, nor will any activity associated with construction, be constructed above the low water line on the subject property. This will prevent any disturbance to what may be considered a Tahoe Yellow Cress (Rorippa) habitat.

5. In order to determine the other potential trust uses in the area of the proposed project, the staff contacted representatives of the following agencies: TRPA, Department of Fish and Game, County of El Dorado, and the Tahoe Conservancy. None of these agencies expressed a concern that the proposed project would have a significant effect on trust uses in the area. The agencies did not identify any trust needs which were not being met by existing facilities in the area. Identified trust uses in this area would include swimming, boating, walking along the beach, and views of the lake.

6. 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.

7. All permits covering structures in Lake Tahoe will include a condition subsequent that if any structure authorized is found to be in nonconformance with the Tahoe Regional Planning Agency's shorezone ordinance, and if any alterations, repairs, or removal required pursuant to said ordinance are not accomplished within the designated time period, then the permit will be automatically terminated, effective upon notice by the State, and the site shall be cleared pursuant to the terms thereof.

APPROVALS OBTAINED:

El Dorado County, Tahoe Regional Planning Agency, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, and United States Army Corps of Engineers (GP016).

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

A. Land Description.
B. Location Map.
C. El Dorado County Letter of Approval.
D. Negative Declaration.
E. Revised Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 460, STATE CLEARINGHOUSE NO. 89022711, 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. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

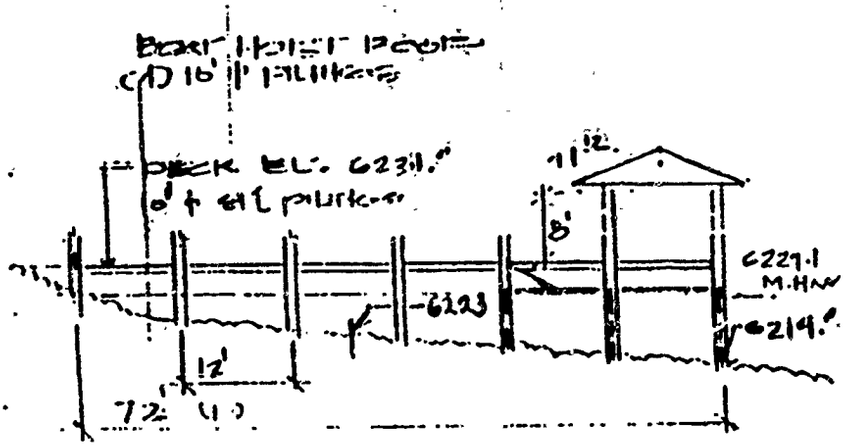
3. AUTHORIZE ISSUANCE TO WALTER MORRIS HART NOBLE AND CHARLES EDWARD NOBLE OF A FIVE-YEAR RECREATIONAL PIER PERMIT, BEGINNING JULY 10, 1989; FOR THE PARTIAL RECONSTRUCTION OF AN EXISTING PIER, RECONSTRUCTION OF AN EXISTING BOATHOUSE, AND ADDITION OF A BOATHOIST ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

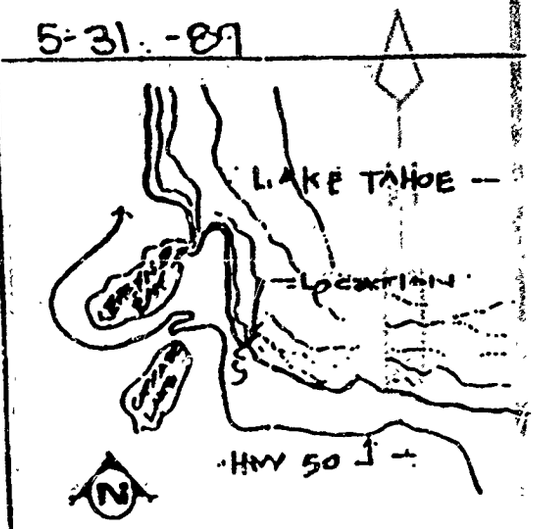
PRC 3940.9

REVISED PLAN 5-31-89



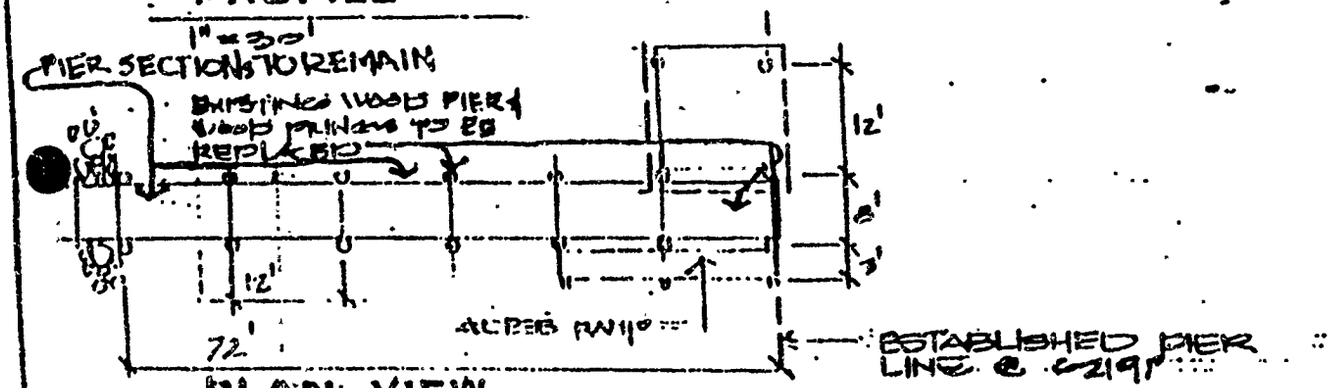
PROFILE

1" = 30'



VICINITY MAP

NO SCALE



PLAN VIEW

1" = 30'

BOTTOM TYPE:
COBBLES & SAND / BOULDERS.

PURPOSE: REPAIR MOST LAKEWARD 36 FEET OF EXISTING PIER W/ NEW MATERIALS.

DENA L. SCHWARTZ, ARC. PLANNING / DEVELOPMENT P.O. BOX 10530, S. LAKE TAHOE CA. 95731.

PROPOSED PIER AND BOAT HOIST REPAIR

CHARLES NOBLE, OWNER
APN # 18-191-191
ELDORADO, CO. CA.

REVIEWED JUNE 27, 1989 BY BIU 1.

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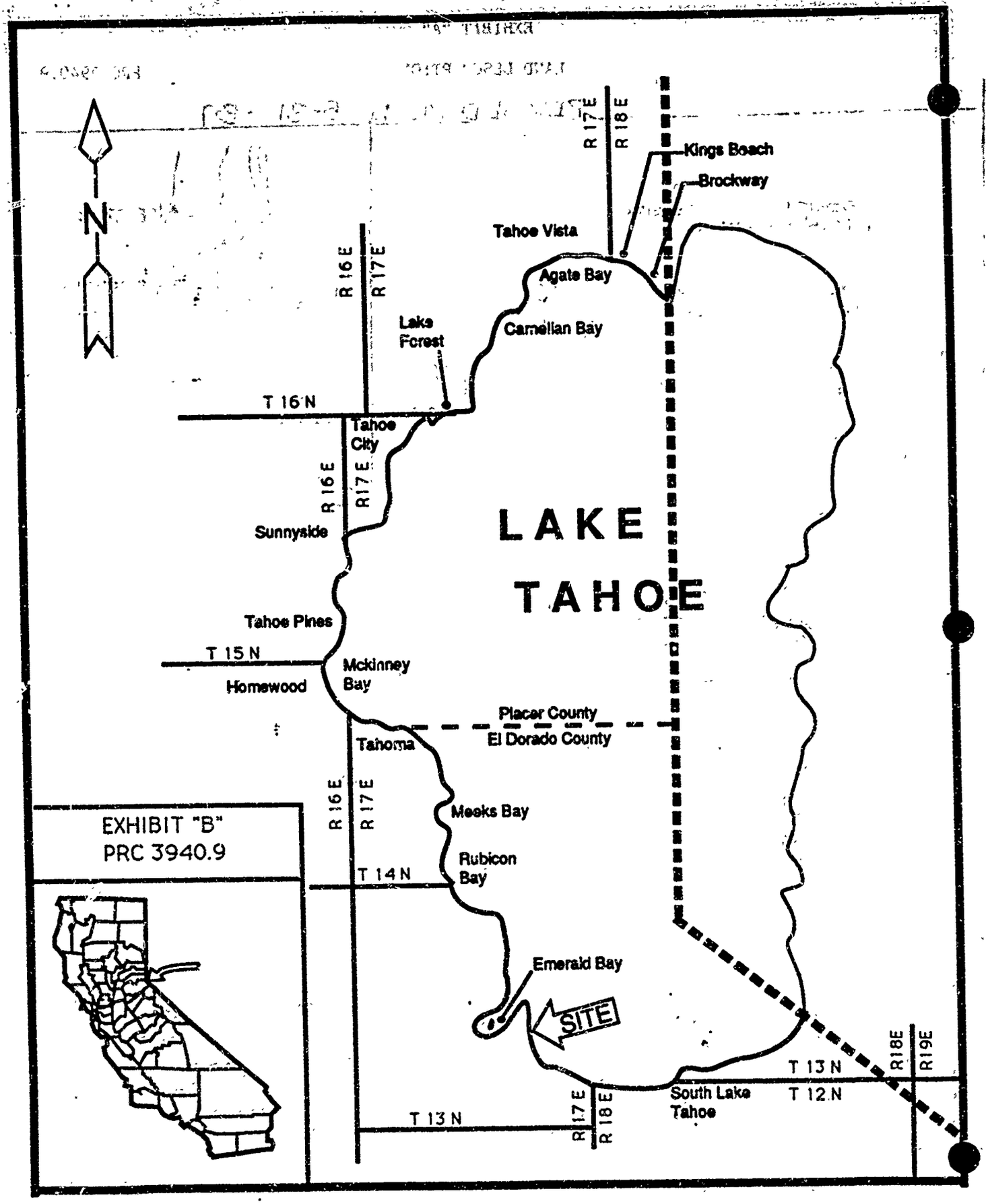

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EXHIBIT "C"

Date 12-15-88 File Ref: PRC 3940

Ms. Judy Ludlow
California State Lands Commission
1807 13th Street
Sacramento, California 95814

Subject: Building Permit for Pier

Name: Charles and Walter Noble

Address: 1170 Sacramento Street, San Francisco, CA 94108

Tahoe Address: Lots 4, 5, 6, 7 & 8, Subd. No. 91, Tallac Mar

County Assessor's Parcel No. 018-191-191

Dear Ms. Ludlow:

The County of El Dorado has received notice of the above-referenced project in Lake Tahoe and has no objection to the pier repair/construction or to the issuance of the State Lands Commission's permit.

If you have any questions, you may reach me at (916) 573-3145.

Sincerely,

El Dorado County
Building Division

John S. Walker

JOHN S. WALKER
Building Inspector III

cc: Dena L. Schwarte
P.O. Box 10530
South Lake Tahoe, CA 95731
542-1711
66311

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EXHIBIT "D"

STATE OF CALIFORNIA—STATE LANDS COMMISSION

GEORGE DEUKMEJIAN, Governor

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

PROPOSED NEGATIVE DECLARATION

EIR ND 460

File Ref.: PRC 3940

SCH#: 8902 2711

Project Title: NOBLE PIER RECONSTRUCTION

Project Proponent: Charles Noble

Project Location: In Lake Tahoe southerly of the mouth of Emerald Bay, El Dorado County.

Project Description: Reconstruction of an existing pier and boat hoist.

Contact Person: TED T. FUKUSHIMA Telephone: (916)322-7813

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:

/X/ the 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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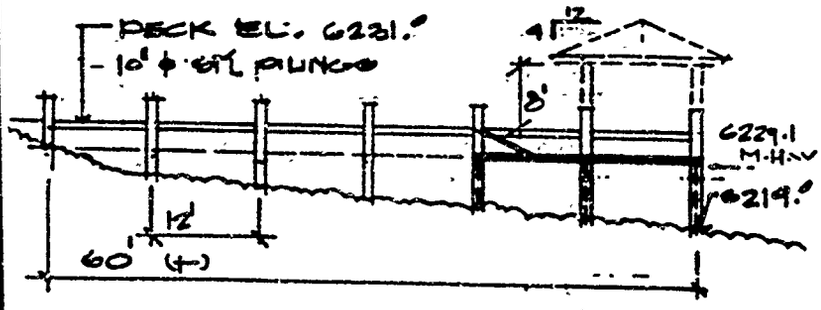
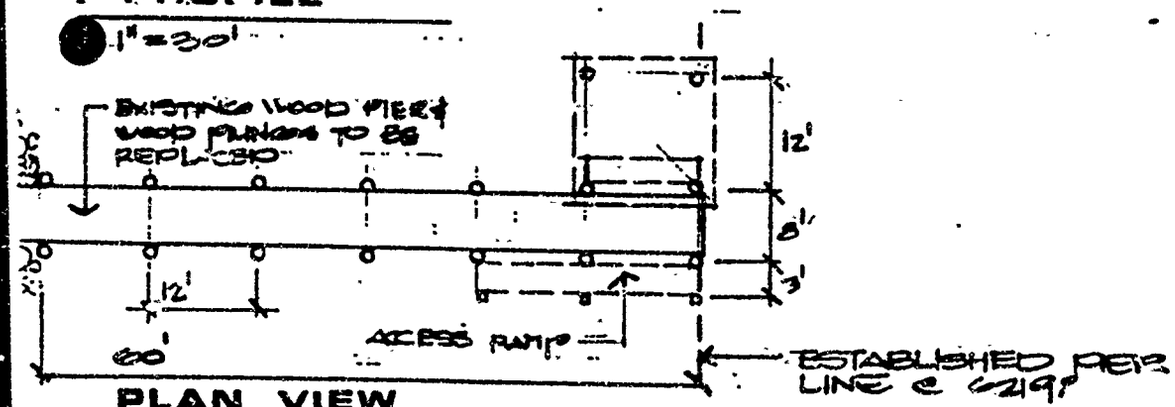
Form 13.17 (2/89)



PROFILE

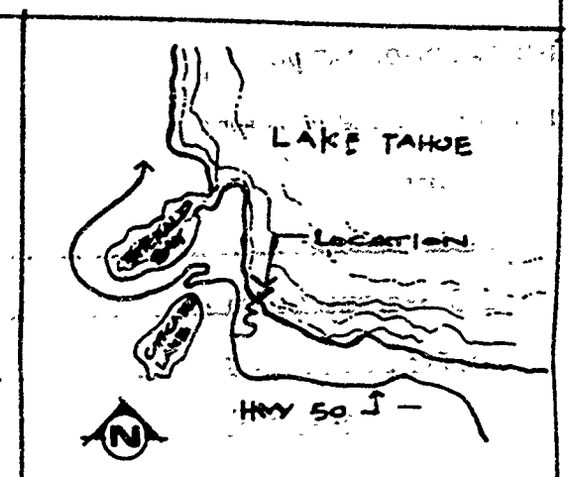
1" = 30'



PLAN VIEW

1" = 30'

BOTTOM TYPE:
COBBLES & SAND / BOULDERS.



VICINITY MAP
NO SCALE

RPOSE:
PLACE EXISTING PIER
NEW MATERIALS.

PROPOSED PIER AND BOAT HOIST (RECONSTRUCTION)

CHARLES NOBLE, OWNER
APN # 18-191-191
ELDORADO, CO. CA.

L. SCHWARTE, ASCO.
MINING / DEVELOPMENT
BX 10530, S. LAKE TAHOE
95731.

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STATE LANDS COMMISSION

Date Filed: / /

File Ref.: PRC 3940

ENVIRONMENTAL IMPACT ASSESSMENT FORM – Part I

(To be completed by applicant)

FORM 69.3(11/82)

A. GENERAL INFORMATION

1. Name, address, and telephone number:

a. Applicant

Charles Noble
1170 Sacramento Street
San Francisco, CA 94108
(415) 956-2424

b. Contact person if other than applicant:

Dena L Schwarte, R.E.A.
POB 10530
South Lake Tahoe, CA 95731
(916) 542-1711

2. a. Project location: (Please reference to nearest town or community and include county)

El Dorado County, on the waters of Lake Tahoe off Highway 89 between the City of South Lake Tahoe and Emerald Bay.

b. Assessor's parcel number: 18-191-191

3. Existing zoning of project site: Residential uplands, open water project site.

4. Existing land use of project site: Residential uplands, residential pier

5. Proposed use of site: Reconstruction of a residential pier, the proposed pier is consistent with the existing pier. There is also an existing boat house which is proposed to be partially reconstructed.

6. Other permits required: LOP Army Corps of Engineers, Tahoe Regional Planning Agency, Lahontan Regional Water Quality Control Board, California Department of Fish and Game

B. PROJECT DESCRIPTION

1. For building construction projects, complete "ATTACHMENT A".

2. For non-building construction projects: Describe fully, the proposed activity, its purpose and intended use, e.g. for proposed mineral prospecting permits, include the number of test holes, size of holes, amount of material to be excavated, maximum surface area of disturbance, hole locations, depth of holes, etc. Attach plans or other drawings as necessary.

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C. ENVIRONMENTAL SETTING

1. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical, or scenic aspects. Describe any existing structures on the site, and the use of the structures.

2. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.).

D. ENVIRONMENTAL IMPACT ASSESSMENT

Answer the following questions by placing a check in the appropriate box. Discuss all items checked "yes" or "maybe". (Attach additional sheets as necessary)

Will the project involve:	YES	MAYBE	NO
1. a change in existing features of any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours?	☐	☐	☒
2. a change in scenic views or vistas from existing residential areas or public lands or roads?	☐	☐	☒
3. a change in pattern, scale, or character of the general area of project?	☐	☐	☒
4. a significant effect on plant or animal life?	☐	☐	☒
5. significant amounts of solid waste or litter?	☐	☐	☒
6. a change in dust, ash, smoke, fumes, or odors in the vicinity?	☐	☐	☒
7. a change in ocean, bay, lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns?	☐	☒	☐
8. a change in existing noise or vibration levels in the vicinity?	☐	☐	☒
9. construction on filled land or on slope of 10 percent or more?	☐	☐	☒
10. use or disposal of potentially hazardous materials, such as toxic or radioactive substances, flammables, or explosives?	☐	☐	☒
11. a change in demand for municipal services (police, fire, water, sewage, etc.)?	☐	☐	☒
12. an increase in fossil fuel consumption (electricity, oil, natural gas, etc.)?	☐	☐	☒
13. a larger project or a series of projects?	☐	☐	☒

E. CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: 10-5-84

Signed: Don H. Sherwin

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STATE LANDS COMMISSION

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST – PART II

Form 13.20 (7/82)

File Ref.: PRC 3940

I. BACKGROUND INFORMATION

A. Applicant: Charles Noble
1170 Sacramento Street
San Francisco, CA 94108

B. Checklist Date: 2 / 28 / 89

C. Contact Person: TED T. FUKUSHIMA

Telephone: (916) 322-7813

D. Purpose: Replace existing pier with new materials.

E. Location: In Lake Tahoe southerly of the mouth of Emerald Bay, El Dorado County.

F. Description: Reconstruction of an existing pier and boat hoist.

G. Persons Contacted:

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

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

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

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

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	Yes	Maybe	No
J. *Risk of Upset.* Does the proposal result in:			
1. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions?			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?			X
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?			X
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
S. *Recreation.* Will the proposal result in:			
1. An impact upon the quality or quantity of existing recreational opportunities?			X

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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?	[ ]	[ ]	[x]
2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?	[ ]	[ ]	[x]
3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	[ ]	[ ]	[x]
4. Will the proposal restrict existing religious or sacred uses within the potential impact area?	[ ]	[ ]	[x]
U. *Mandatory Findings of Significance.*			
1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	[ ]	[ ]	[x]
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	[ ]	[ ]	[x]
3. Does the project have impacts which are individually limited, but cumulatively considerable?	[ ]	[ ]	[x]
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	[ ]	[ ]	[x]

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

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

[X] 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: 2 / 28 / 89

For the State Lands Commission

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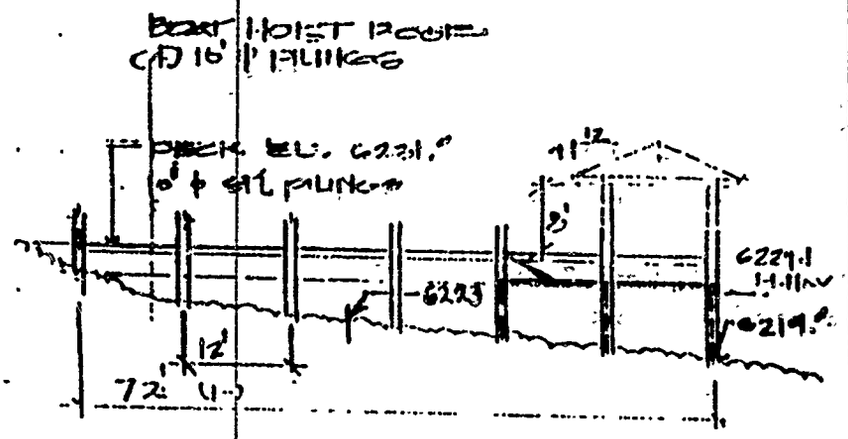
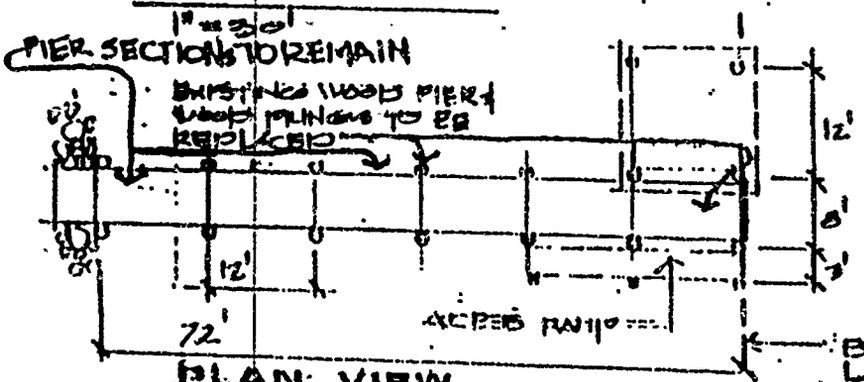
EXHIBIT "E"

REVISED PLAN 5-31-89



PROFILE

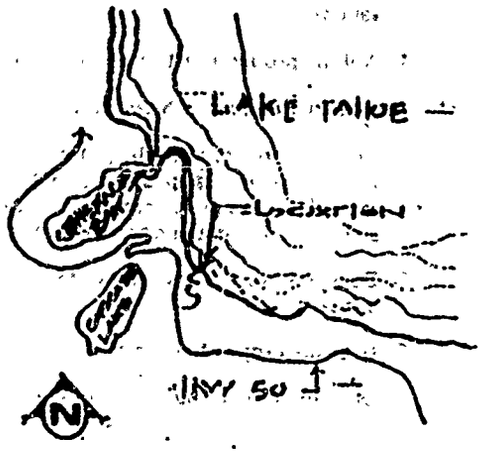
1" = 30'



PLAN VIEW

1" = 30'

BOTH TYPES:
COBBLES & SAND / BOULDERS.



VICINITY MAP
NO SCALE

PURPOSE: REPAIR MOST LAKEWARD 36 FEET OF EXISTING PIER W/ NEW MATERIALS.

PROPOSED PIER AND BOAT HOIST REPAIR

DENA L. SCHWARTE, ARCO.
PLANNING / DEVELOPMENT
P.O. BOX 10530, S. LAKE TAHOE
CA. 95731.

CHARLES NOBLE, OWNER
APN # 18-191-191
ELDORADO, CO. CA.

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