

**CALENDAR ITEM
C40**

A 4
S 1

08/22/08
WP 7205.9
B. Terry

DREDGING LEASE

APPLICANT:

Walsh Family LLC
dba North Tahoe Marina, Inc.
P.O. Box 189
Tahoe Vista, CA 96148

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, adjacent to 7360 North Lake Boulevard,
near Tahoe Vista, Placer County.

AUTHORIZED USE:

Maintenance dredge a maximum of 250 cubic yards of material annually
from North Tahoe Marina, as shown on the attached Exhibit A.

LEASE TERM:

Two years, beginning June 16, 2008.

CONSIDERATION:

No royalty will be charged, as the project will result in a public benefit.
The dredged material may not be sold.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland property adjoining the lease premises.
2. On April 26, 2005, the Commission authorized issuance of a one-year Dredging Lease to North Tahoe Marina, Inc., to dredge 250 cubic yards of material from Lake Tahoe.
3. Due to the lower Lake level in 2008 and the accumulation of sediment at the North Tahoe Marina entrance, the Applicant reports that it has become critical to remove the sediment to re-establish and maintain functional and safe ingress, egress and berthing within the Marina.

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4. The Applicant has now applied for a new dredging lease. However, because of the critical need to provide safe passage for boats, the Applicant submitted a request to Commission staff in order to proceed with the project prior to the formal consideration and authorization by the Commission. On June 16, 2008, Commission staff provided the Applicant a letter of non-objection to proceed with the dredging project, subject to formal approval by the Commission and in compliance with all other applicable permits from federal, state and local government agencies having jurisdiction over the project. On June 16, 2008, the Applicant accepted the conditions contained in the letter of non-objection.
5. The Applicant proposes to dredge a maximum of 250 cubic yards of material during 2008 and, if needed, an additional 250 cubic yards the following year and in 2010 if completed by June 15, 2010. The Marina entrance will be suction dredged to a previously approved elevation of 6,219 feet, Lake Tahoe Datum, and the material will then be pumped directly into a "vactor-jet" (water truck). Dredged materials will be dewatered on the upland and disposed of at a Lahontan Regional Water Quality Control Board approved upland disposal site.
6. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alteration to Land; Title 2, California Code of Regulations, section 2905 (d)(4).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

7. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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:

U. S. Army Corps of Engineers, Lahontan Regional Water Quality Control Board, and Department of Fish and Game

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EXHIBITS:

- A. Location and Site map
- B. Land Description

PERMIT STREAMLINING ACT DEADLINE:

September 11, 2008

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d)(4).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE ISSUANCE OF A TWO-YEAR DREDGING LEASE TO THE WALSH FAMILY LLC, DBA NORTH TAHOE MARINA, INC., BEGINNING JUNE 16, 2008, FOR MAINTENANCE DREDGING A MAXIMUM OF 250 CUBIC YARDS OF MATERIAL ANNUALLY ON THE LANDS SHOWN ON EXHIBIT A (FOR REFERENCE PURPOSES ONLY) AND AS DESCRIBED IN EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; DREDGED MATERIAL WILL BE DISPOSED OF AT AN AGENCY APPROVED UPLAND DISPOSAL SITE. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTS; NO MONETARY CONSIDERATION WILL BE CHARGED AS THE DREDGING PROJECT WILL RESULT IN A PUBLIC BENEFIT. THE DREDGED MATERIAL MAY NOT BE SOLD.