

**CALENDAR ITEM
C30**

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02/21/14
PRC 2754.9
M. Schroeder

AMENDMENT OF GENERAL PERMIT – PUBLIC AGENCY USE

LESSEES:

Tahoe City Public Utility District
P.O. Box 5249
Tahoe City, CA 96145

California Department of Fish and Wildlife
Acting through the Wildlife Conservation Board
1807 13th Street, Suite 103
Sacramento, CA 95811

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 2500 Lake Forest Road, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of a public recreational boating facility.

LEASE TERM:

49 years, beginning January 16, 1979.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest in the lease.

PROPOSED AMENDMENT:

Amend the Lease to:

1. Authorize the removal of the existing boat launching ramp and six trench plates, construction of a new boat launching ramp, one-time maintenance dredging, and partial rebuild of an existing rock revetment;

CALENDAR ITEM NO. **C30** (CONT'D)

2. Include additional special lease provisions related to construction, dredging, and the Commission's Best Management Practices;
3. Add Exhibit A, Site and Location Map, shown in this Calendar Item as Exhibit B attached.
4. Add Exhibit B, Best Management Practices for Guest Dock Users and Boaters, shown in this Calendar Item as Exhibit C attached.

All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. The California Department of Fish and Wildlife (CDFW), acting through the Wildlife Conservation Board (WCB), owns the uplands adjoining the lease premises. Under an agreement with the WCB, the Tahoe City Public Utility District (TCPUD) operates and maintains the public pier and boat launching ramp facility within the lease premises.
2. On June 27, 1979, the Commission authorized a General Permit – Public Agency Use with the TCPUD and the WCB. That permit will expire on January 15, 2028. On April 24, 1980, the Commission authorized an amendment to this permit for construction of an extension to the pier. A second amendment was authorized on April 24, 2001, for the expansion, relocation and reconstruction of the pier. On April 7, 2003, the Commission authorized a third amendment for the addition of seven temporary float sections to expand the existing pier and six temporary trench plates to extend the existing boat launch ramp. A fourth amendment was authorized on May 5, 2008, for the permanent installation of seven floating pier sections to expand the existing pier and six trench plates to extend the existing boat launching ramp.
3. Due to a structural failure of the existing boat launching ramp and the accumulation of sediment at the bottom of the boat launching ramp, safety concerns for the boating public have arisen. The existing boat launching ramp and six trench plates require removal and a new boat launching ramp will be constructed in order to meet guidelines established by the California Department of Parks and Recreation's Division of Boating and Waterways; therefore, allowing for a safer and more efficient use of the existing three launch lanes. Dredging of the fairway at the end of the existing boat launching ramp will bring the lake bottom at that location

CALENDAR ITEM NO. **C30** (CONT'D)

back to the original design elevation of 6,219 feet, Lake Tahoe Datum, allowing for the safe use of the newly constructed boat launching ramp during low water levels. TCPUD and WCB are now applying for a fifth amendment to the permit for removal of the existing boat launching ramp and six trench plates, construction of a new boat launching ramp, one-time maintenance dredging, partial rebuild of an existing rock revetment, and implementation of the Commission's Best Management Practices.

4. The lease premises were last dredged in 1989. Since then, material has accumulated in the boat launching ramp's fairway. Approximately 625 cubic yards of accumulated sediment material are expected to be removed from this area. The dredging will be accomplished by using a clam shell excavator mounted on a barge. A turbidity curtain will be placed around the area where the dredging will occur. The dredge material will be deposited into lined trucks, dewatered, and taken by truck to Eastern Regional Landfill near the town of Truckee. The dredged material being removed will not be sold. Additionally, the boat launching ramp will be removed by excavators. Construction equipment will be limited to only paved areas or a floating barge.
5. **Construction of a New Boat Launching Ramp:** The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 3, New Construction or Conversion of Small Structures; California Code of Regulations, Title 14, section 15303.
6. **Maintenance Dredging and Partial Rebuild of Rock Revetment:** The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. For partial rebuild of an existing rock revetment, the project is exempt under Class 4, Minor Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(2). For maintenance dredging, the project is exempt under Class 4, Minor Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(4).

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

CALENDAR ITEM NO. **C30** (CONT'D)

7. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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 REQUIRED:

Tahoe Regional Planning Agency
U.S. Army Corps of Engineers
Lahontan Regional Water Quality Control Board
California Department of Fish and Wildlife

EXHIBITS:

- A. Land Description
- B. Site and Location Map
- C. Best Management Practices for Guest Dock Users and Boaters

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Construction of a New Boat Launching Ramp:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 3, New Construction or Conversion of Small Structures, California Code of Regulations, Title 14, section 15303.

Maintenance Dredging and Partial Rebuild of Rock Revetment:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 4, Minor Alteration to Land, California Code of Regulations, Title 2, section 2905, subdivision (d)(2), and section 2905, subdivision (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 section 6370 et seq.

CALENDAR ITEM NO. **C30** (CONT'D)

AUTHORIZATION:

Authorize the Amendment of Permit No. PRC 2754.9, a General Permit – Public Agency Use, effective February 21, 2014, to authorize the removal of the existing boat launching ramp and six trench plates, construction of a new boat launching ramp, one-time maintenance dredging, and partial rebuild of an existing rock revetment; to include special provisions related to construction, dredging, and the Commission's Best Management Practices; and to include Exhibit A, Site and Location Map (for reference purposes only), and Exhibit B, Best Management Practices for Guest Dock Users and Boaters; all other terms and conditions of the lease will remain in effect without amendment.

EXHIBIT A

PRC 2754.9

LAND DESCRIPTION

Being a parcel of land in the bed of Lake Tahoe, Placer County, California, and more particularly described as follows:

Commencing at the southwest corner of Section 32, Township 16 North, Range 17 East, Mount Diablo Base and Meridian; thence, North 88°45' East 1058.94 feet; thence, South 01° West 762 feet, to the point of beginning; thence, leaving said line, South 6°09'05" West 74.83 feet; thence, South 2°24'47" West 293.08 feet; thence, South 87°39'56" East 163.82 feet; thence, North 01°00'00" East 371.34 feet; thence, North 89°00'00" West 149.83 feet; to the point of beginning.

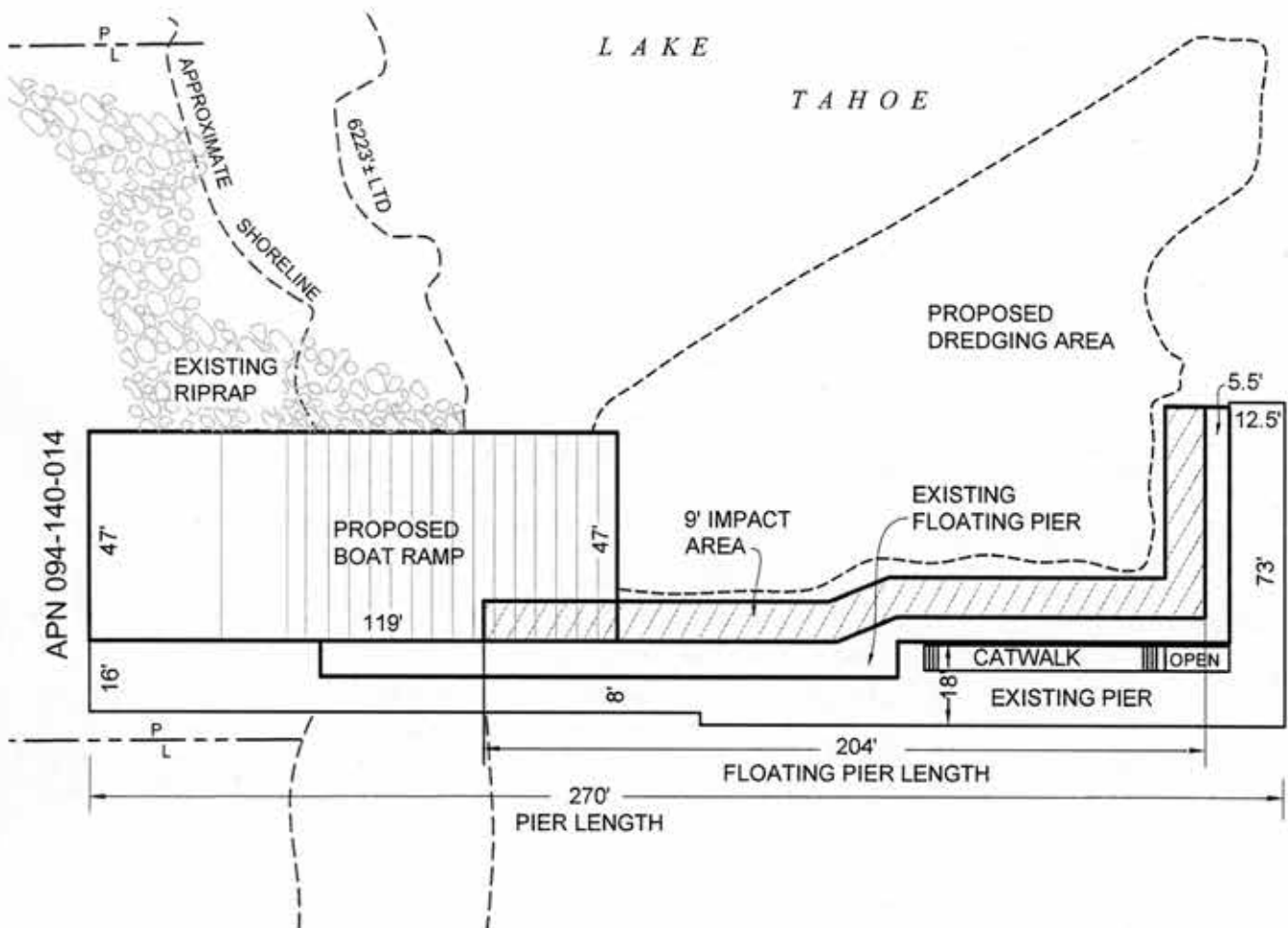
Excepting therefrom, any portion lying landward of the ordinary low water mark of Lake Tahoe.

The basis of bearings for the above described parcel is from that certain document recorded in Book 881, at Page 82, in the Office of the Recorder of Placer County, California.



NO SCALE

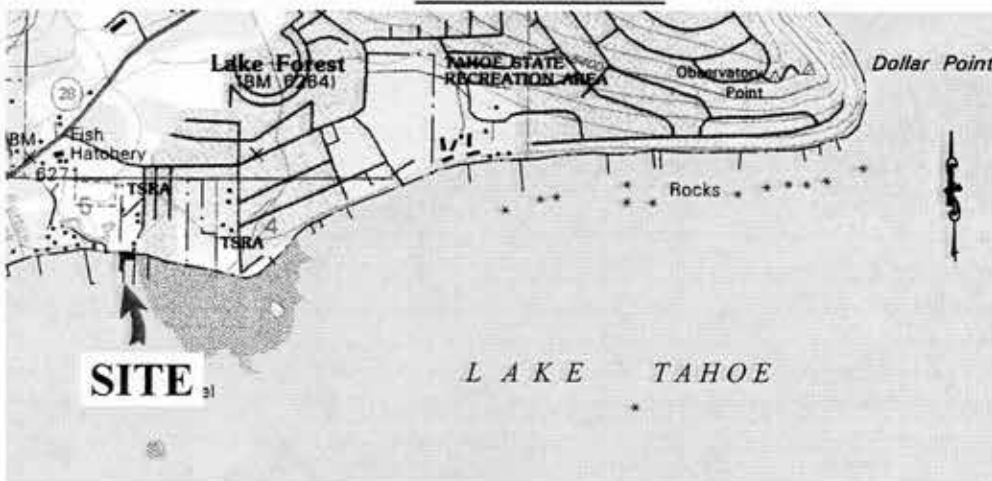
SITE



2500 LAKE FOREST ROAD, NEAR TAHOE CITY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 2754.9
 TAHOE CITY PUBLIC
 UTILITY DISTRICT
 APN 094-140-014
 GENERAL LEASE -
 PUBLIC USE
 PLACER COUNTY



MJJ 01/22/14

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.

EXHIBIT C

BEST MANAGEMENT PRACTICES FOR GUEST DOCK USERS AND BOATERS

Bilge Water Management

Keep bilge area as dry as possible

Regularly check fittings, fluid lines, engine seals, and gaskets

Fix all oil and fuel leaks in a timely manner

Do not drain oil into the bilge

Fit a drain pan, if feasible, underneath the engine to collect drips and leaks

Consider the use oil-absorbent pads, even in small boats.

If a bilge contains oil, absorb as much free oil as possible with a pad. Then pump the bilge dry and wipe down the bilge and equipment. If a bilge is severely contaminated, use a pump out service. Never pull the drain plug on a boat with a bilge full of oil, especially if it is on a launch ramp.

Dispose of oil-soaked absorbents at a proper facility. Check with the marina operator for guidance.

Do not use detergents or bilge cleaners unless the bilge can be pumped into an appropriate facility.

Petroleum Containment

Fill portable fuel containers on land or on the fuel dock to reduce the chance of fuel spills into the water.

Avoid overfilling fuel tanks and attend the fuel nozzle at all times.

Perform all major engine maintenance away from surface water. Any maintenance work on an engine must be done in compliance with rules and regulations governing the marina.

Use petroleum absorption pads while fueling to catch splash back and the any drops when the nozzle is transferred back from the boat to the fuel dock.

Keep engines properly maintained for efficient fuel consumption, clean exhaust, and fuel economy. Follow all manufacturers' specifications.

Immediately report oil and fuel spills to the marina office and the U.S. Coast Guard National Response Center (Phone # 1 (800) 424-8802) and other appropriate agencies.

Hazardous Materials

Improper handling of hazardous materials can cause harm to human health and the environment and can result in serious penalties and expensive cleanup costs if contaminations occur.

Hazardous wastes generated by recreational boaters are considered household hazardous waste. Dispose of household hazardous waste in properly marked containers if provided by the marina or at the nearest appropriate site.

Vessel Sewage

Boaters should never pump out any holding tank in waters inside the three nautical mile limit. Always remember that it is illegal to discharge raw sewage from a vessel into U.S. waters.

Pumpout facilities should be used to dispose of stored waste whenever possible. They are fast, clean, and inexpensive.

Marine sanitation devices (MSDs) must be maintained to operate properly. Keep your disinfectant tank full, use biodegradable treatment chemicals, and follow the manufacturer's suggested maintenance program.

Do not dispose of fats, solvents, oils, emulsifiers, disinfectants, paints, poisons, phosphates, diapers, and other similar products in MSDs.

Whenever possible, use land-based rest rooms rather than onboard ones.

Vessel Cleaning and Maintenance

Ask your marina manager what types of maintenance projects are allowed in the slip.

Minimize the use of soaps and detergents by washing your vessel more frequently with plain water.

Do not use cleaners that contain ingredients such as ammonia, sodium, chlorinated solvents, or lye.

Use hose nozzles that shut off when released to conserve water and reduce the runoff from boat washing.

Ventilate your space to prevent the accumulation of flammable or noxious fumes.

Use eye protection and a respirator when there is the possibility that dust and debris could damage eyes or lungs.

Remove oil, debris and clutter from your immediate work area and dispose of properly.

Avoid spills in the water of all solvents, paints and varnishes.

Carefully read labels to ensure the products are used in a manner that is safe and won't harm the environment.

Use teak cleaners sparingly and avoid spilling them or fiberglass polishers in the water.

Sanding and Painting

When working in marinas, use designated sanding and painting areas. Check with the marina manager for the location and proper use of these areas.

Work indoors or under cover whenever wind can potentially blow dust and paint into the open air.

Where feasible, use environmentally friendly tools, such as vacuum sanders and grinders, to collect and trap dust. Some marinas have this equipment for rent, check with the manager.

Clean up all debris, trash, sanding dust, and paint chips immediately following any maintenance or repair activity.

Use a drop cloth beneath the hull to catch sanding dust and paint drops when working over unpaved surfaces.

When sanding or grinding hulls over a paved surface, vacuuming or sweeping loose paint particles is the preferred cleanup method. Do not hose the debris away.

Buy paints, varnishes, solvents, and thinners in sizes appropriate for the proposed work to avoid having to dispose of stale products.

When possible, use water-based paints and solvents.

Switch to longer lasting, harder, or non-toxic antifouling paint at your next haul out.

Paints, solvents, and reducers should be mixed far from the water's edge and transferred to work areas in tightly covered containers of 1 gallon or less.

Keep in mind that solvents and thinners may be used more than once by allowing the solids to settle out and draining the clean product off the top.

When in doubt about proper disposal practices, check with your marina and/or appropriate government agency.

Boaters should report any illegal discharge of boat sewage to the marina office or appropriate agency.

Boaters should use environmentally sensitive cleaning supplies that may end up in your gray water.

Boat Hull Cleaning and Maintenance

Ensure hull paint is properly applied and maintained to protect the hull from fouling organisms and thus improve your boat's performance.

Wait 90 days after applying new bottom paint before underwater cleaning.

Schedule regular hull cleaning and maintenance to reduce the build up of hard marine growth and eliminate the need for hard scrubbing.

Regularly scheduled gentle cleaning will also increase the effectiveness of the antifouling hull paint and extend its useful life.

Repair paint bonding problems at haul out to avoid further chipping and flaking of paint in the water.

Use, or ask your diver to use, non-abrasive scrubbing agents, soft sponges or pieces of carpet to reduce the sloughing of paint and debris.

Boaters are encouraged to use boat hull cleaning companies and individuals that practice environmentally friendly methods.

Solid Waste

Do not dump plastic or any other trash into the water.

Use the dumpsters, trash receptacles and other approved containers to dispose of garbage and other waste.