

MINUTE ITEM
This Calendar Item No. 3
was approved as Minute Item
No. 3 by the State Land
Commission by a vote of 3
to 0 at its 5/25/88
meeting.

MINUTE ITEM

03

05/25/88
W 24148
PRC 7208
Martinez

DREDGING PERMIT
TAHOE BOAT COMPANY

Approval of Calendar Item 3 was conditioned upon Commission receipt and approval of Tahoe Boat Company's Percent of Gross Annual Report.

Without objection, Calendar Item 3 was approved as amended.

Attachment: Calendar Item 3

CALENDAR ITEM

A 7

03

05/25/88
W 24148 PRC 7208
Martinez

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DREDGING PERMIT

APPLICANT: Tahoe Boat Company
Attn: John Kearns
700 N. Lake Boulevard
Tahoe City, California 95730

AGENT: Dena L. Schwarte
P.O. Box 10530
South Lake Tahoe, California 95731

AREA, TYPE LAND AND LOCATION:
Sovereign lands in Lake Tahoe at Tahoe Boat
Company Marina in Tahoe City, Placer County.

LAND USE: Dredge a maximum 2,450 yards of material that
has accumulated along the existing steel
bulkhead, and fueling pier at the marina.

The material will be removed by a backhoe
stationed on the backshore adjacent to the
steel bulkhead, and then transferred to a dump
truck to be transported to the Old Tahoe City
Sanitary Landfill as approved by the Tahoe
Regional Planning agency and the Lahontan Water
Quality Control Board. Prior to commencement
of dredging a turbidity screen will be placed
around the perimeter of the project site.

TERMS OF PROPOSED PERMIT:

Initial period: One (1) year commencing
May 25, 1988.

Royalty: \$0.25 per cubic yard for
material placed at the
approved disposal site.

CALENDAR ITEM NO. 03 (CONT'D)

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing and processing fees have been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 11/15/88.

OTHER PERTINENT INFORMATION:

1. The current low level of Lake Tahoe has created a serious problem within the marina with respect to adequate depth for power and sail boats.
2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staffs' consultation with the persons nominating such lands and through the CEQA review process, it is the staffs' opinion that the project, as proposed, is consistent with its use classification.
3. A finding of No Significant Impact (FONSI) was prepared and adopted for this project by the United States Army Corps of Engineers, Sacramento District. The document was circulated for public review as broadly as State and local law may require, and notice was given meeting the standards in 14 CAC 15072(a). Therefore, pursuant to 14 CAC 15225, the staff recommends the use of the federal FONSI in place of a Negative Declaration.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency, Corps of Engineers, Regional Water Quality Control Board, Department of Fish and Game.

EXHIBITS:

- A. Location Map.
- B. Permit.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE FINDINGS OF NO SIGNIFICANT IMPACT PREPARED AND ADOPTED FOR THIS PROJECT BY THE UNITED STATES ARMY CORPS OF ENGINEERS MEETS THE REQUIREMENTS OF THE CEQA. ADOPT SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF A NEGATIVE DECLARATION PURSUANT TO CAC 15225.
2. AUTHORIZE STAFF TO ISSUE TO TAHOE BOAT COMPANY, THE DREDGING PERMIT AUTHORIZING DREDGING A MAXIMUM 2,450 CUBIC YARDS OF MATERIAL FOR ONE YEAR COMMENCING MAY 25, 1988, FROM LAKE TAHOE AT TAHOE BOAT COMPANY MARINA, PLACER COUNTY, AND DISPOSAL AT THE OLD TAHOE CITY SANITARY LANDFILL AS APPROVED BY THE TAHOE REGIONAL PLANNING AGENCY AND THE LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD. A ROYALTY OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR MATERIAL PLACED AT THE APPROVED DISPOSAL SITE. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

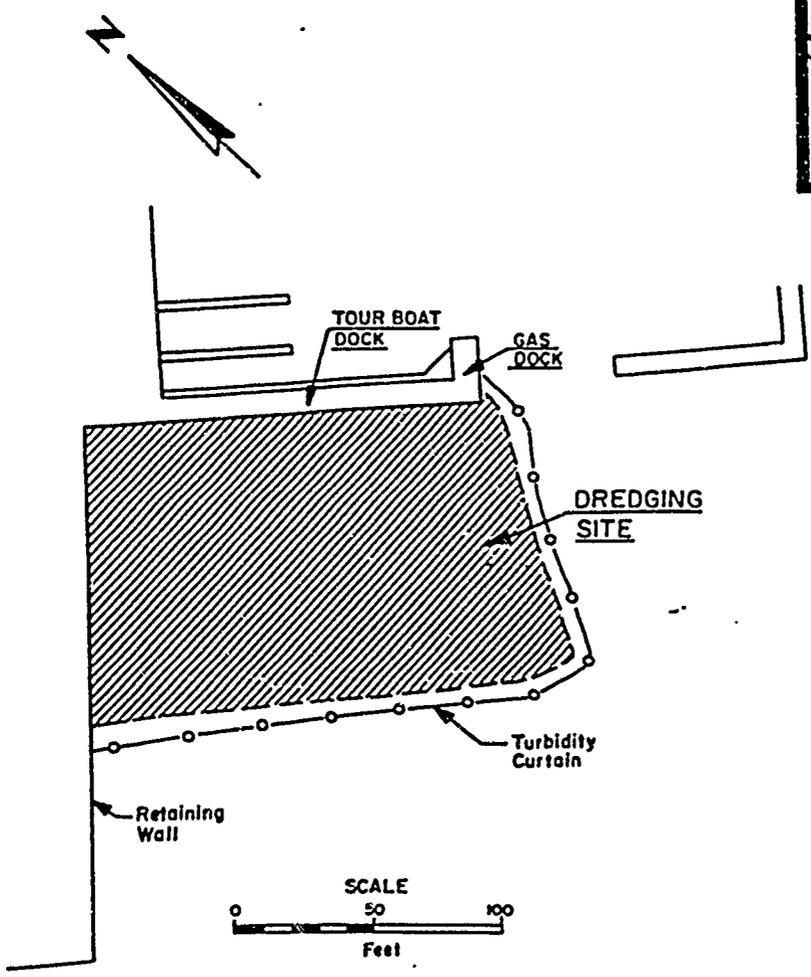
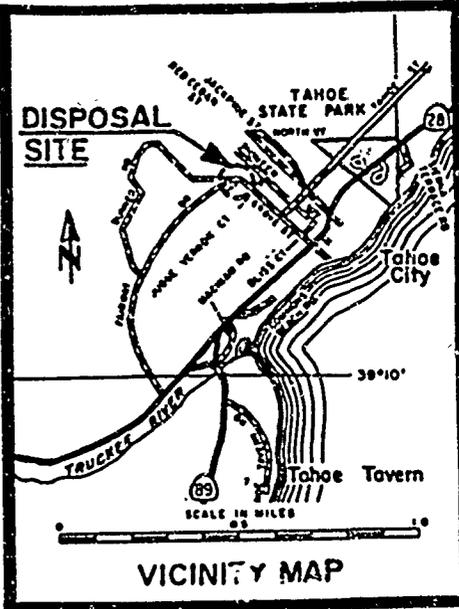


EXHIBIT "A"
APPLICATION FOR DREDGING
TAHOE BOAT CO.
W24148
LAKE TAHOE
PLACER COUNTY



STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814



May 25, 1988

File Ref.: W 24148

Tahoe Boat Company
Attn: John Kearns
700 N. Lake Blvd.
Tahoe City CA 95730

Gentlemen:

Pursuant to your application received April 15, 1988 and by the authorization of the State Lands Commission in May, 1988 you are hereby granted permission to dredge, during the term of the permit, a maximum 2,450 cubic yards of sand, silt, clay and gravel, excluding all other minerals, including but not limited to oil, gas and geothermal from an area of sovereign lands in Lake Tahoe at Tahoe Boat Company Marina in Tahoe City, Placer County as designated in Exhibit "A" attached hereto, which is by this reference expressly made a part hereof. Said permission includes the right to deposit dredge spoils at the Old Tahoe City Sanitary Landfill.

A royalty of \$0.25 per cubic yard shall be paid for material placed at the approved disposal site. Said permission is given on the condition that all dredging and spoils deposition shall be done in accordance with all applicable Federal, State, and local government laws, rules, and regulations. Said permission shall be effective from May 25, 1988 through May 24, 1989.

It is hereby agreed that the operations authorized under this permit shall be performed with diligence, in a good and workmanlike manner, and with the use of due care and safety precautions.

It is further agreed that you shall submit copies of reports or contracts with the dredging operator substantiating the volume of materials dredged and any royalties due to the Commission on a quarterly basis, on forms supplied by the Commission (Form 30.9NC). It is agreed that you shall submit said forms on or before the fifteenth (15th) day of the month following the end of each permit quarter, together with payment for the royalty due on the volume removed during that quarter. The first permit quarter shall be the first three months following the effective date of this permit, and every three-month period thereafter shall be a permit quarter.

It is hereby agreed that, pursuant to Public Resources Code Section 6224, any installments of royalty accruing under the provisions of this permit that are not paid when due shall be

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subject to a five percent (5%) penalty and shall bear interest at the rate of one and one-half percent (1½%) per month from the date when the same was payable by the terms hereof.

It is agreed that you shall furnish the Commission with copies of final surveys or copies of any other computations used as a basis to verify dredge volumes within twenty-five (25) days of completion of the activity authorized hereunder.

It is agreed that you shall indemnify, save harmless and at the option of the State of California, defend said State, its officers, agents and employees, against any and all claims, demands, causes of action, or liability of any kind which may be asserted against or imposed upon the State of California or any of its officers, agents or employees by any third person or entity, arising out of or connected with the issuance of this permit, operations hereunder, or the use by you or your agents, employees or contractors, of the above-described lands.

Without limiting the generality of the foregoing, such indemnification shall include any claim, demand, cause of action or liability of any kind asserted against or impounded upon the State of California or any of its officers, agents or employees, arising out of or connected with any alleged or actual violation by you, your agents, employees or contractors of the property or contractual rights of any third persons or entity. It is agreed that you shall, at the option of the Commission, procure and maintain liability insurance for the benefit of the State in an amount satisfactory to the Commission.

You agree to comply with the terms and conditions hereof, and you further agree that any violation thereof shall constitute grounds for termination of this permit and shall allow the Commission to pursue any other remedy available to it under the law. It is further agreed that this permit may be suspended, modified or terminated, whenever the State Lands Commission deems such action to be in the best interests of the State, and that no such action by the Commission shall be deemed to be a basis for any claim or cause of action for damages against the State or any officer, employee or agency thereof.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

W. M. THOMPSON, Chief
Extractive Development Program

Date: _____

ACCEPTED:

BY: _____, TITLE: _____

DATE: _____

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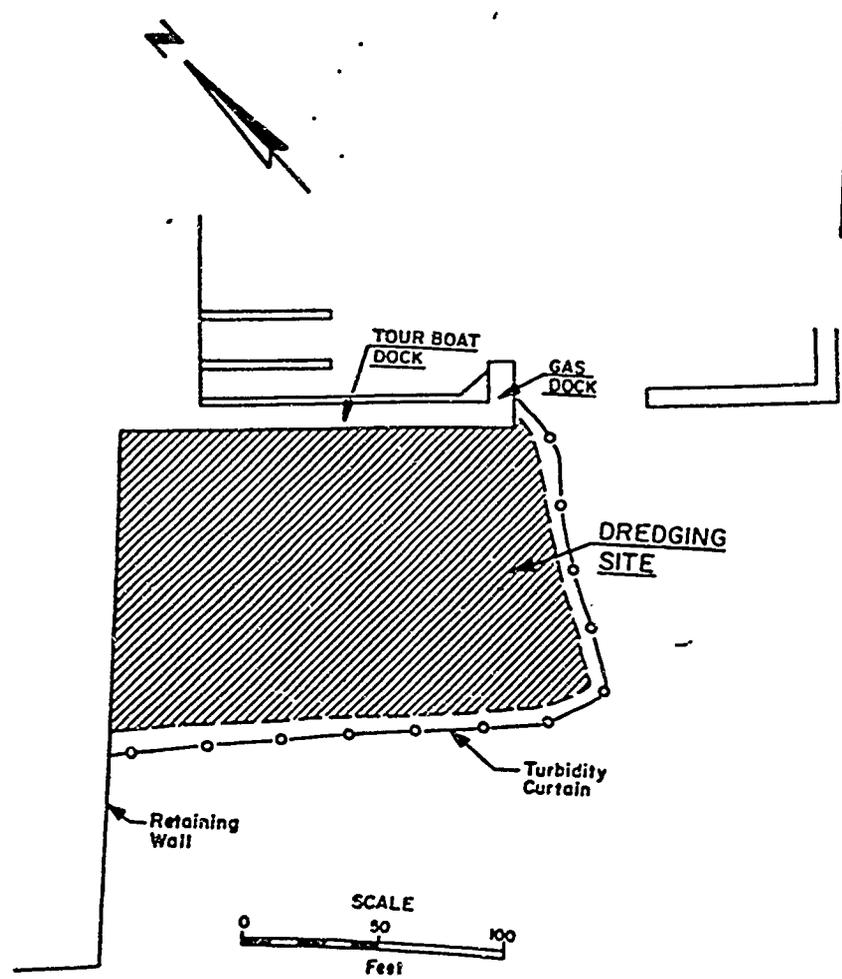
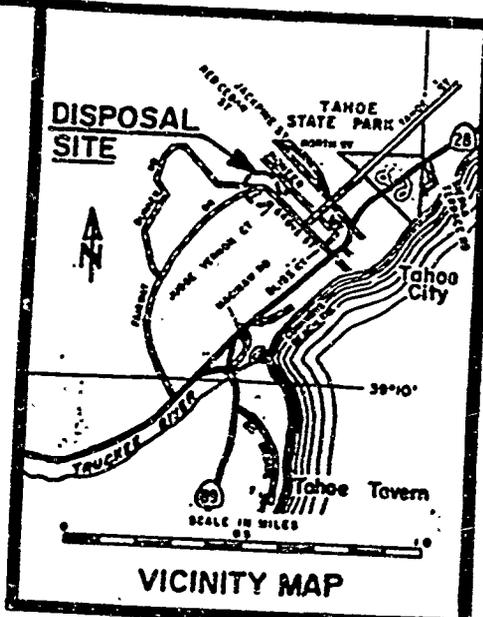


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