

MINUTE ITEM

This Calendar Item No. 4
was approved as Minute Item
No. 4 by the State Lands
Commission by a vote of 3
to 0 at its 5-25-88
meeting.

CALENDAR ITEM

A 7

04

05/25/88
WP 6454 PRC 7209
Martinez

S 1

DREDGING PERMIT

APPLICANT: Fleur Du Lac Estate Association
P. O. Box 628
Homewood, California 95718

AGENT: Donald A. Hale
P. O. Box 5399
Tahoe City, California 95730

AREA, TYPE LAND AND LOCATION:
Sovereign lands in Lake Tahoe at Fleur Du Lac
Marina, Tahoe Pines, Placer County.

LAND USE: Dredge a maximum 1,300 cubic yards of sand and
gravel from the area outside the Fleur Du Lac
Marina entrance to maintain the channel into
the marina at a navigable depth previously
authorized by the Army Corps of Engineers. The
spoils will be deposited at the Eastern Placer
County landfill site as approved by the Tahoe
Regional Planning Agency and the Regional Water
Quality Control Board.

The purpose of the project is to reopen the
marina entrance and re-establish fire flow
reserves for the Fleur Du Lac Estates
Association complex. The fire system that
serves the complex depends on the water from
the marina for reserve storage. Currently,
there is an insufficient volume of water to
provide the fire flow requirements established
by the Tahoe City Fire Protection District.

TERMS OF THE PROPOSED PERMIT:

Initial Period: One year commencing May 25,
1988.

CALENDAR ITEM NO. 04 (CONT'D)

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

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. 14 Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 08/23/88.

OTHER PERTINENT INFORMATION:

1. 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.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 4(g), Maintenance Dredging, where the spoil is deposited in a spoil area authorized by all applicable State and Federal regulatory agencies, 14 Cal. Adm. Code 15104.

APPROVALS REQUIRED:

- A. United States Army, Corps of Engineers.
- B. Regional Water Quality Control Board.
- C. Tahoe Regional Planning Agency.
- D. Department of Fish & Game.

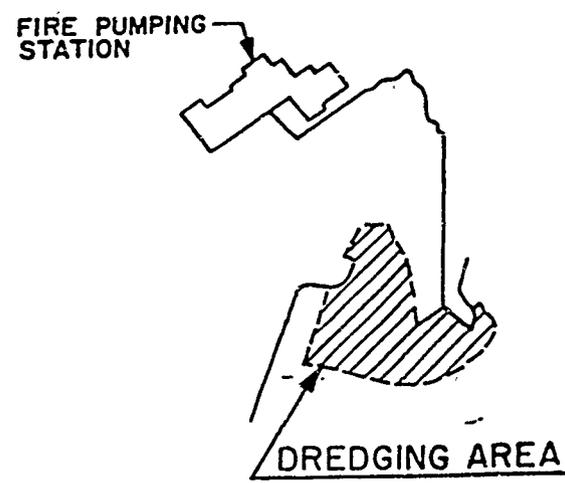
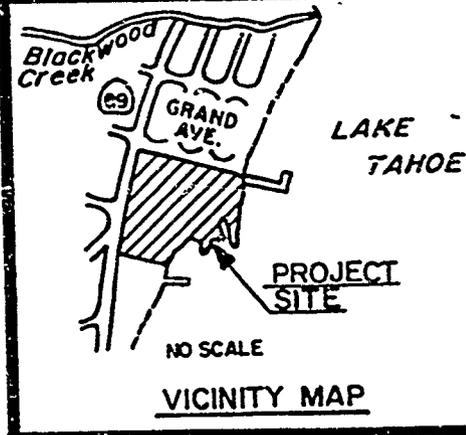
EXHIBITS:

- A. Vicinity and Site Map.
- B. Dredging Permit.

CALENDAR ITEM NO. 04 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 4(g), MAINTENANCE DREDGING, 14 CAL. ADM. CODE 15104.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE STAFF TO ISSUE TO THE FLEUR DU LAC ESTATES ASSOCIATION THE DREDGING PERMIT AUTHORIZING DREDGING A MAXIMUM VOLUME OF 1,300 CUBIC YARDS OF MATERIAL TO MAINTAIN A NAVIGABLE DEPTH PREVIOUSLY AUTHORIZED BY THE ARMY CORPS OF ENGINEERS FOR ONE YEAR COMMENCING MAY 25, 1988 FROM LAKE TAHOE AT FLEUR DU LAC MARINA, PLACER COUNTY AND DISPOSAL AT THE EASTERN PLACER COUNTY LANDFILL, AS APPROVED BY THE TAHOE REGIONAL PLANNING AGENCY AND THE 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.



NO SCALE

EXHIBIT "A"
 APPLICATION FOR
 DREDGING PERMIT
 FLEUR DU LAC ESTATES
 ASSOCIATION
 WP 6454
 LAKE TAHOE
 PLACER COUNTY



"B"

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814



May 25, 1988

File Ref.: PRC 6454

Fleur Du Lac Estates Association
P. O. Box 628
Homewood CA 95718

Gentlemen:

Pursuant to your application received January 27, 1988 and by the authorization of the State Lands Commission on May 25, 1988 you are hereby granted permission to dredge, during the term of the permit, a maximum 1,300 cubic yards of sand, silt, clay, and gravel, excluding all other minerals, including, but not limited to oil, gas and geothermal for one year from an area of sovereign lands in Lake Tahoe at Fleur Du Lac Marina in Tahoe Pines, 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 Eastern Placer County Landfill.

A royalty of \$0.25 per cubic yard shall be paid for material placed at the approved disposal site or used for any private or commercial benefit. 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.

June 1, 1988

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 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.

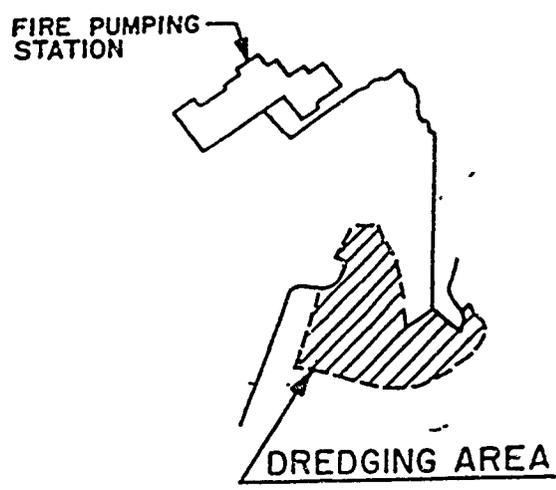
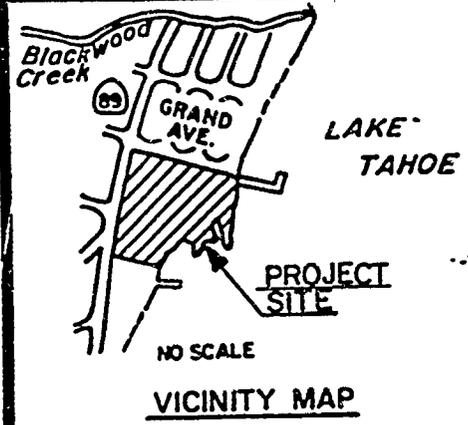
STATE OF CALIFORNIA
STATE LANDS COMMISSION

W. M. THOMPSON, Chief
Extractive Development Program

DATE

ACCEPTED:
By:

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NO SCALE

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LAKE TAHOE
PLACER COUNTY

