MINUTE ITEM
This Calendar Item No. C56 was approved as Minute Item No. 56 by the California State Lands Commission by a vote of 3 to Ø at its 4-24-01 meeting.

CALENDAR ITEM
C56

A 4

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04/24/01
PRC 2754.9
N. Lee

AMENDMENT OF GENERAL PERMIT - PUBLIC AGENCY USE

LESSEES:

Tahoe City Public Utility District
P.O. Box 33
Tahoe City, CA 96145

California Department of Fish and Game,
acting through the Wildlife Conservation Board
1807 13th Street, Suite 103
Sacramento, CA 95814

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Tahoe City, Placer County.

AUTHORIZED USE:

Operation and maintenance of one (1) boat launching ramp, one (1) pier and existing fill.

PROPOSED AMENDMENT:

Amend the land description to include additional property covering a proposed expansion, relocation and reconstruction of an existing public pier and boat ramp as shown on the attached Exhibit A.

LEASE TERM:

Forty-nine (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.

SPECIFIC LEASE PROVISIONS:

Insurance:

Combined single limit coverage of $1,000,000.

OTHER PERTINENT INFORMATION:

1. On June 27, 1979, the Commission authorized a General Permit - Public Agency Use with the Tahoe City Public Utility District and the California Department of Fish and Game, acting through the Wildlife Conservation Board. That permit will expire on January 15, 2028. Applicants are now applying for an amendment to this permit to authorize a proposed expansion, relocation and reconstruction of the existing pier.

2. A Mitigated Negative Declaration was prepared and adopted for this project by the Tahoe City Public Utility District. The California State Lands Commission's staff has reviewed such document. A Mitigation Monitoring Plan (Program) was adopted by the Tahoe City Public Utility District.

3. 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:

Tahoe Regional Planning Agency

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers
Lahontan Regional Water Quality Control Board

EXHIBITS:

A. Location and site map
B. Land Description
C. Mitigation Monitoring Plan (Program)

PERMIT STREAMLINING ACT DEADLINE:

September 27, 2001

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PLAN (PROGRAM) WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE TAHOE CITY PUBLIC UTILITY DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PLAN (PROGRAM), AS CONTAINED IN EXHIBIT B ATTACHED HERETO.

SIGNIFICANT LANDS INVENTORY FINDING:

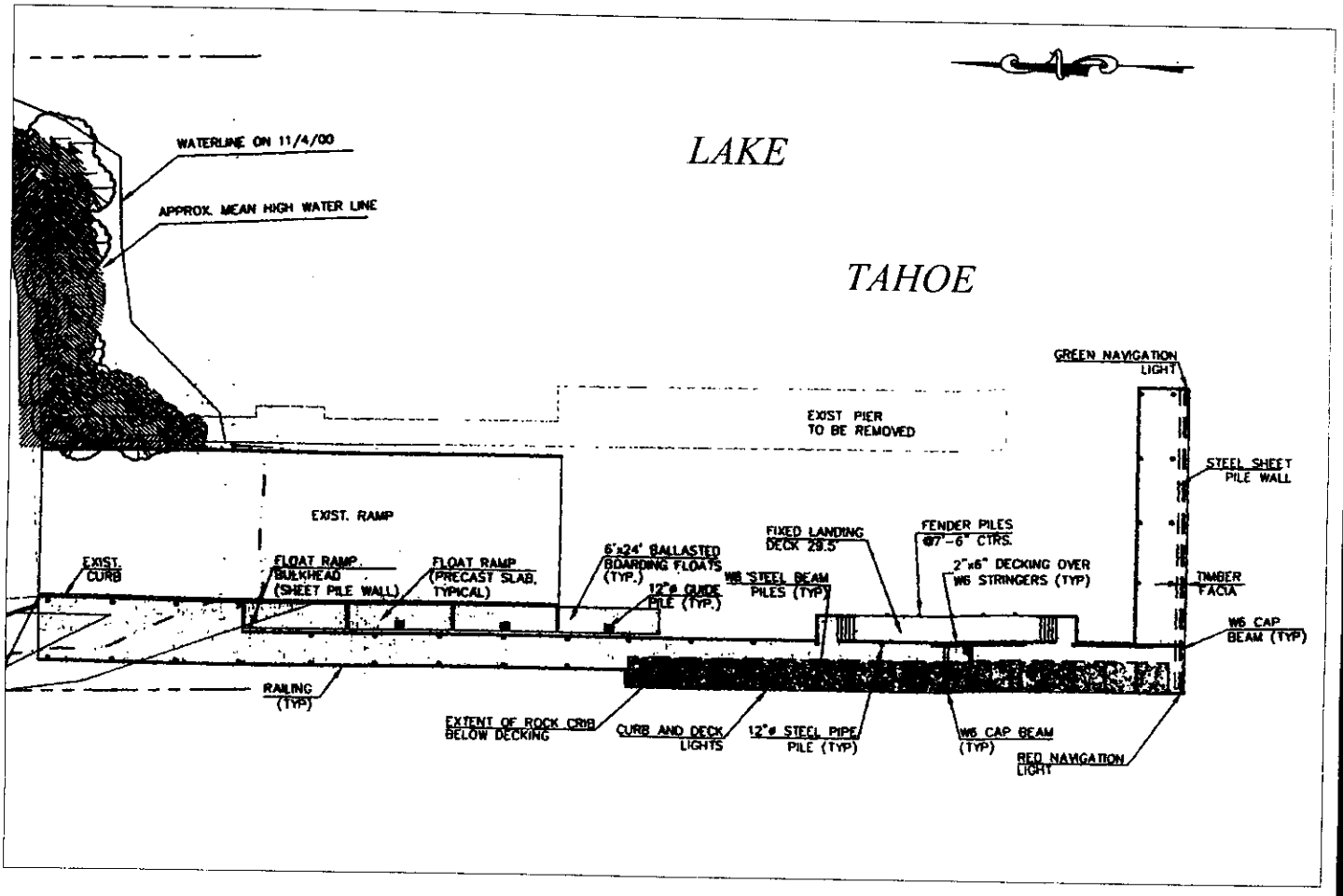
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE
.AMENDMENT OF LEASE NO. PRC 2754.9, A GENERAL LEASE - PUBLIC AGENCY USE, FOR THE EXPANSION, RELOCATION AND RECONSTRUCTION OF AN EXISTING PUBLIC PIER; ON LANDS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE APRIL 24, 2001, TO THE TAHOE CITY PUBLIC UTILITY DISTRICT AND THE CALIFORNIA DEPARTMENT OF FISH AND GAME, ACTING THROUGH THE WILDLIFE CONSERVATION BOARD; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

NO SCALE

SITE MAP



Tahoe City Public Utilities District, WCB and F&G, Lake Forest, Lake Tahoe

NO SCALE

LOCATION MAP

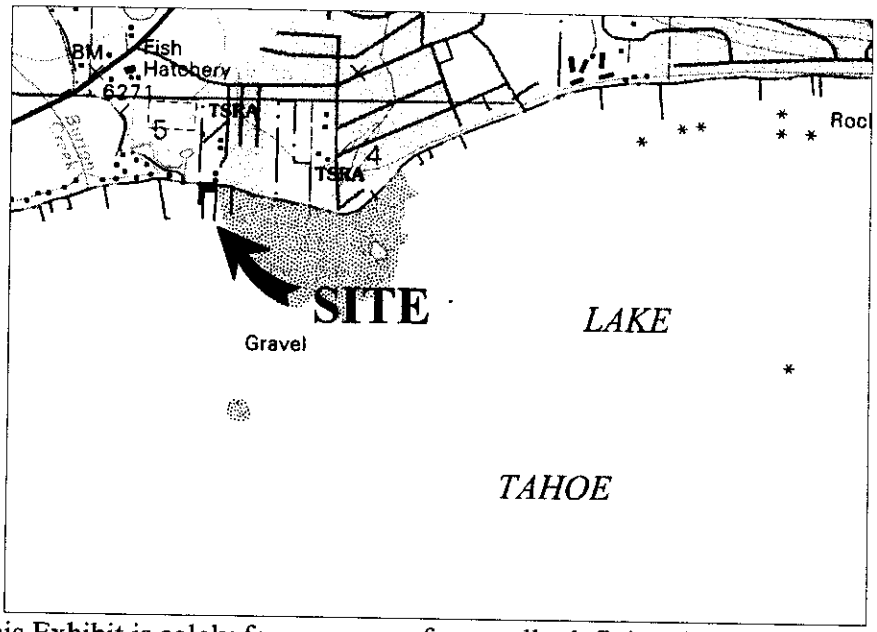
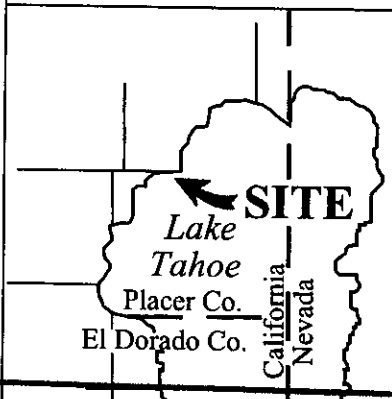


EXHIBIT A

PRC 2754
APN 094-140-014
Lake Tahoe
PLACER COUNTY



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

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MJB 04-05-01

EXHIBIT B
Pier Lease Area 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.

LICENSED LAND SURVEYOR
MATTHEW S. WEBB
Exp. 12-31-20
No. 7429
STATE OF CALIFORNIA

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RESOLUTION NO. 01-02
OF
TAHOE CITY PUBLIC UTILITY DISTRICT
APPROVING
THE
WCB BOAT RAMP RENOVATION
MITIGATION MONITORING PLAN

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF TAHOE CITY PUBLIC UTILITY DISTRICT as follows:

1. That said Board of Directors does hereby approve the provisions contained in that certain plan attached hereto and by this reference incorporated herein, said plan being for the purpose of **WCB Boat Ramp renovation mitigation monitoring.**

PASSED AND ADOPTED on February 16, 2001 at a regular meeting of the Board of Directors of Tahoe City Public Utility District by the following vote:

AYES: Directors Treabess, Winter, Reinkens, Atchley, Henrikson

NOES: None

ABSENT: None

TAHOE CITY PUBLIC UTILITY DISTRICT

BY: _____
Ron Treabess, President

ATTEST:

_____
Dee A. Malone, District Clerk &
Ex-officio Board Secretary thereof

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Table 1

WCB Boat Ramp Renovation Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
Scenic Quality			
Landscape screening shall be provided at the south end of the existing parking lot within the planters and along the perimeter. All landscaping shall be conducted with primarily native species and include substantial tree planting to visually integrate the developments with their natural surroundings. Screening does not need to totally obscure the parking areas or obstruct desirable views from the recreational area to the lake, but it should significantly reduce the visibility of the parking lot from the lake.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction, Post-construction
The new parking lot addition should require a substantial set-back from the shoreline to accommodate adequate vegetative screening. Modifications to the restrooms and kiosk should utilize materials and colors that blend with the natural environment rather than contrast with it. These measures would lessen the visual impacts of the existing parking lot and expansion by breaking up the large expanse of asphalt and vehicles.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction, During construction, Post-construction
The T.R.P.A. Scenic Quality Improvement Program (SQIP) contains the relevant standards for exterior lighting. The primary aspects of these provisions include lighting which is not obtrusive, but rather acts to facilitate safety and use, and avoids lighting of adjacent structures and properties.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction, During construction, Post-construction
The Design Review Guidelines for Exterior Lighting (Standard 30.8) also recommend that "Area lighting should be directed downward with no splay of lighting directed offsite."	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction, During construction, Post-construction
Lighting at the boat ramp facility should consist of low level convenience lighting on the pier and lighting for the parking lot and boat ramp from elevated light standards directed downward with a cutoff shield to prevent the light source from being visible offsite. Under no circumstances should light from these standards be allowed to exceed the height of the surrounding forest canopy.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction, During construction, Post-construction
Color and material samples for the proposed pier and parking improvements shall be submitted to T.R.P.A.. All colors and materials will be approved by T.R.P.A.. All colors and materials shall be designed to blend, rather than contrast with existing vegetation and natural background.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
Littoral Drift			
Major structural repair to, and expansion of, existing structures in the nearshore or foreshore must comply with the standards set forth in Subsection 52.3.G of the T.R.P.A. Code of Ordinances, 1987.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction, During construction, Post-construction
The new pier and breakwater must be designed with openings which do not impede sediment transport (T.R.P.A. Code 54.11.B(1)). The size, number, and locations of the openings in the breakwater must be designed to avoid interference with littoral drift and shoreline erosion (T.R.P.A. Code 54.11.B(3)). Implementation of these measures would reduce the impact to less than significant.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction, During construction, Post-construction
Land Coverage			
T.C.P.U.D. shall comply with Subparagraphs 20.5.A (1) and (2) of the T.R.P.A. Code of Ordinances. Subparagraph 20.5.A (1) sets the formula for determining the excess coverage of a project area. A T.R.P.A. land coverage verification should be performed to determine the exact amount of existing land coverage and to verify the existing land capability of the site. Much of the site may have been man-modified and is no longer Class 1b. Subparagraph 20.5.A (2) outlines the options for mitigating excess land coverage. These options include: a) Reduce coverage onsite b) Reduce coverage offsite; or c) Provide coverage mitigation fees. Either option, or a combination of the three options can be used to comply with Subparagraph 20.5.A (2). Acceptable mitigation shall be determined by T.R.P.A. and T.C.P.U.D. during field verification of the project site.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction
To reduce the impact of fill within the Lake Tahoe shorezone to a level that is less than significant, T.R.P.A. shall make findings to permit the proposed construction activities in the shorezone. The findings shall be consistent with Subparagraph 52.3.G (2), 54.8.D (1) and Subsections 54.41.B, and C of the T.R.P.A. Code of Ordinances.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
Subsection 54.8.B states that for multiple-use facilities, such as the proposed pier and breakwater, Subparagraph 54.4.A (4), the location standard for piers, shall serve as a guideline and not a standard. In order to implement the guideline, the Code provides Subparagraph 54.8.D (1), which states that the proposed pier and breakwater may deviate from the length guideline if T.R.P.A. recognizes it as a multiple-use facility. The extent of deviation from the guideline shall be approved by T.R.P.A. and shall be dependent on: a) The reduction in development potential of shorezone facilities associated with the application such that the facility will be shared by other littoral property owners; and b) The number of people utilizing the facility or the extent to which the facility is available for general public use.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction
Section 54.14 of the Code allows fill to be placed in the lakezone or shorezone if T.R.P.A. finds that the fill is beneficial to existing shorezone conditions or water quality and clarity, or is associated with bypass dredging, beach replenishment or shorezone protective structures.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction
The Regional Water Quality Control Board, Lahontan Region must also make findings to allow the breakwater and pier fill.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction
To reduce the impact new permanent land coverage within the site area to a level that is less than significant, required mitigation for new permanent land coverage would be complied with by T.C.P.U.D. as determined by T.R.P.A. during field verification of the project site.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction
Fishery Resources			
To reduce potential impacts to fisheries habitat construction activities shall be undertaken in ways that minimize impacts on the fishery resources of the area. Mitigation measures that shall be implemented include: a) Limiting the construction period to the non-spawning season: October 1st through April 30th (as specified by T.R.P.A. and CDFG) b) Use of turbidity curtains to minimize silt dispersal c) Conducting surveys prior to and after construction to determine the specific impacts of the project on the fishery resources (particularly non-game fishes) of the area d) Enhancement of fish habitat, the design of which would have to be approved by DFG.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction, During construction, Post-construction

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
Best practical control technology shall be employed to prevent earthen materials to be resuspended as a result of pier construction and from being transported to adjacent lake waters. The exact location of the turbidity curtain will be field verified by T.R.P.A. and the contractor to insure protection of lake clarity during construction. The contractor shall submit proposed construction methods and procedures to T.R.P.A. to verify the actual need and extent of the turbidity curtain. This screen may be removed upon project completion only upon satisfactory inspection by T.R.P.A. to insure that all suspended materials have settled. If T.R.P.A. determines that a turbidity curtain is not required, then the contractor shall have contingency provisions available to insure that the clarity of the lake is not damaged during construction.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction, During construction, Post-construction
Cultural Resources			
In the event that any cultural resources are discovered during the course of project activities, project operations shall cease until a qualified archaeologist has evaluated the situation.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
Water Quality			
The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. All surplus construction materials shall be removed from the project and deposited only at approved points of disposal.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction, Post-construction
No containers of fuel, paint, or other hazardous materials may be stored on the pier	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction, During construction, Post-construction
All rock used for the cribbing shall be washed prior to placement in the pier. The use of rock from the lake is prohibited.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
The use of wood preservatives on wood in contact with the water is prohibited and extreme care shall be taken to insure that wood preservatives are not introduced into Lake Tahoe. Spray painting and the use of tributyltin is prohibited.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction, Post-construction
Disturbance of the lake bed materials shall be kept to a minimum necessary for project construction.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
Samples of the bottom sediments shall be collected and analyzed prior to any dredging and construction activities. Prior to the start of dredging, a composite background water sample shall be collected from the area to be dredged. This sample must be representative of the typical conditions at the project site, and must not be taken during a runoff event. The sample shall be analyzed for the following constituents: a. Turbidity (NTU) b. Total Nitrogen (mg/l as N) c. Total Phosphorus (mg/l as P) d. Total Iron (mg/l)	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
Turbidity curtain to be installed around Stage 1 activities, including construction of the float ramp and initial pier, and removal and replacement of rock rip-rap. Exact location of the turbidity curtain for all other construction activities below the high water line of Lake Tahoe will be field verified by TRPA and the contractor to insure protection of the lake clarity during construction. The contractor shall submit the proposed construction methods and procedures to TRPA to verify the actual need and extent of the curtain. If TRPA determines that a turbidity curtain is not required, then the contractor shall have contingency provisions available to insure that the clarity of the lake is not damaged during construction.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction, During construction
Caissons or sleeves shall be used during pile driving to prevent sedimentation or suspension of nutrients.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
Methods of dredging that stir up bottom sediments (bucket or clam shell) shall not be permitted. Only suction dredging shall be allowed, and disposal of dredged materials must follow practices to prevent sediments from being discharged back into Lake Tahoe.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
To limit the movement of suspended sediments and nutrients into adjacent lake waters, turbidity barriers shall be installed around areas being suction dredged and maintained until the enclosed waters meet the pre-project background levels.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
Composite water samples from the area immediately outside of the turbidity barriers shall be collected each day of construction in the lake. Constituent levels from these water samples shall not exceed the constituent levels of the composite background water sample by more than 10 percent. If these levels are exceeded, construction shall halt until TCPUD has conferred with Lahontan and implemented additional mitigation measures to reduce the constituent levels to the appropriate levels.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
All dredged sediments shall be removed from the lake and disposed of in the basin above the lake's highwater rim in accordance with Best Management Practices for erosion control. Proposed disposal sites and disposal procedures shall be reviewed by staff prior to the start of dredging. Water-tight trucks shall be used to transport dredged sediments to the final disposal site. Preferential use of dredged sediments as fill materials in basin areas slated for reclamation (e.g. abandoned quarries and mines, areas needing topsoil) shall be considered.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction, Post-construction
All required permits (i.e. from the Corps, DFG, SLC, TRPA and Lahontan) must be acquired prior to the commencement of any dredging activities.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
As required pursuant to Board Order No. 6-89-185, TCPUD shall notify Lahontan of maintenance dredging operations that will be required for the proposed project. TCPUD shall comply with all BMPs and monitoring provisions specified by Lahontan for maintenance dredging at the project site including but not limited to: a. Removal of all dredged sediments from the Lake and disposal of the sediments above the highwater rim of Lake Tahoe. b. Transport of dredged sediments in lined or sealed trucks. c. Installation of turbidity barriers around mechanical dredging areas and temporary suction dredge discharge areas. d. Analysis of water samples collected prior to the start of dredging operations and daily until turbidity barriers are removed.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	Pre-construction, During construction, Post-construction
There shall be no grading or land disturbance performed with respect to the project between October 15 and May 1 unless proper approvals are obtained from TRPA, as provided in the limited exemption described in subsection 4.2.A of the TRPA Code of Ordinances.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
Except as provided in Subsection 64.2.B of the Code of Ordinances, there shall be no grading at any time of the year during periods of precipitation and for the resulting period of time when the site is covered with snow or is in a saturated, muddy, or unstable condition.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
All material obtained from any excavation work that is not contained within foundations, retaining walls, or by other methods approved by TRPA shall be removed from the subject parcel and disposed of at a site approved by TRPA.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
Replanting of all exposed surfaces in accordance with the Revegetation and Slope Stabilization Plan shall be accomplished within the first growing season following disturbance, unless an approved construction/inspection schedule establishes otherwise.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction, Post-construction
During grading and construction, environmental protection devices such as erosion control devices, dust control and vegetation protection barriers shall be maintained.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
Sediments shall be dewatered in a location that will allow the water to evaporate and percolate into the soil rather than discharge directly back into Lake Tahoe.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
Dewatering areas shall be chosen to minimize shorezone impacts.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
Spray irrigation of settled water onto vegetated areas can be used to increase dewatering capacities.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction
Where local dewatering of suction dredge materials is impossible or would cause adverse impacts, the suction dredged materials shall be removed by truck and transported to an appropriate dewatering area.	T.C.P.U.D., W.C.B.	T.C.P.U.D.	During construction

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TOTAL P.08