

**CALENDAR ITEM  
C42**

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S 1

05/24/12  
W 26566  
B. Terry

**GENERAL LEASE - PUBLIC AGENCY USE**

**APPLICANT:**

Tahoe Resource Conservation District

**AREA, LAND TYPE, AND LOCATION:**

Five acres, more or less, of sovereign land in Lake Tahoe, adjacent to 900 Ski Run Boulevard, city of South Lake Tahoe, El Dorado County.

**AUTHORIZED USE:**

Removal and monitoring of aquatic invasive plant species.

**LEASE TERM:**

Five years and six months, beginning May 24, 2012.

**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:**

Prior to the start of removal activities of invasive aquatic plant species, Lessee shall provide notice of the project details and periods of operation to the public, all littoral parcel owners adjacent to the project area and recreational concessionaires based at Ski Run Marina.

**OTHER PERTINENT INFORMATION:**

1. Tahoe Resource Conservation District (TRCD) is applying for a General Lease – Public Agency Use to remove and monitor aquatic invasive plant species (AIS) which include Curly leaf pondweed and Eurasian milfoil adjacent to approximately 15 littoral parcels near Ski Run Marina in the city of South Lake Tahoe. This project will be the first comprehensive treatment at this location to remove AIS.

CALENDAR ITEM NO. **C42** (CONT'D)

2. AIS infestations have dramatically increased in Lake Tahoe in the past 10 to 15 years. Since 2005, TRCD has led a cooperative effort involving resource managers and federal and state regulatory agencies, scientists, and professional divers to combat the infestation in various locations throughout Lake Tahoe. The public agencies who have been working cooperatively to eradicate AIS include the Tahoe Regional Planning Agency, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board, the California State Lands Commission, and the Nevada Department of Wildlife.
3. Various methods to remove and control AIS infestations have been deployed in small test areas. TRCD is currently developing a long term lake-wide management plan to remove and control the infestations throughout the entire lake in hopes of implementing a full scale plan in 2013. However, without a formal lake-wide implementation plan, current efforts to control infestations must be addressed as small scale, site-specific projects. These include infestations at Emerald Bay, Lakeside Marina, Tahoe Keys Marina, the area adjacent to Ski Run Marina and several sites in Nevada. Upon the completion of a comprehensive lake-wide AIS implementation plan, staff anticipates bringing an application for a lake-wide permit for removal and management of AIS to the Commission for consideration sometime in 2013.
4. The project site is offshore several lakefront properties that include Ski Run Marina and a portion of Tahoe Meadows Homeowners Association property. These properties have leases with the Commission for various piers and buoys. Lake Tahoe Cruises (Tahoe Queen) also berths and operates from the Ski Run Marina pier and along with the Ski Run commercial buoy field are the two facilities located within the project area. To minimize interference with the recreating public and commercial operation at Ski Run Marina, the Applicant anticipates the project operations to take place at night. Applicant has confirmed that the above property owners and operators support the project.
5. The two methods for removal and control of the infestation in the Ski Run Marina area will be similar to those used in previous successful treatments at other locations. The two methods are placement of gas-permeable, benthic bottom barriers secured to the lake bottom and hand removal by divers.
6. For the initial treatment, TRCD anticipates that the bottom barriers will be deployed to areas of densest plant growth starting in early June to

CALENDAR ITEM NO. **C42** (CONT'D)

October of 2012. Following barrier deployment, which is anticipated to take two weeks, hand removal by divers will be conducted for several weeks in areas adjacent to the barriers and in lower density areas to achieve 99 to 100 percent plant removal. TRCD will select the top priority portions of the infestation within the proposed project site not to exceed five acres.

7. All material for the removal project will be taken to the project area by boat. The bottom barriers typically need to stay on the plants for six to 10 weeks to achieve plant mortality. If there are other dense populations of plants remaining in the fall of 2012, the barriers may need to be relocated to these locations and left in the water over the winter.
8. For hand removal, dive crews will remove AIS by pulling the plant by the roots and feeding it into an intake suction hose that transfers the plant matter and associated water up to a conveyor system or collection box mounted on a boat. Screen material separates the plant material from the associated water, which passes through the screen and returns to the water column. The collected plant material is conveyed to a staging area approved by the Lahontan Regional Water Quality Control Board. Hand pulled fragments escaping this collection method will be removed by hand, net, or vacuum hose as reasonably practical before the close of each day. The material is then transported to the Tahoe Keys corporate yard and then taken to Full Circle Compost in Carson City, Nevada, where it is composted.
9. When deployed effectively and strategically, successful control efforts will increase public safety, improve water quality, and protect Lake Tahoe's biodiversity. Dense growth of invasive aquatic plants can impede water flow, disrupt navigation, discourage recreation, negatively affect water quality, and reduce plant diversity. TRCD anticipates implementation of the project over a period of five and a half years beginning in late May 2012 through November 15, 2017.
10. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land; California Code of Regulations, Title 14, section 15304.

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

CALENDAR ITEM NO. **C42** (CONT'D)

11. 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 OBTAINED:**

California Department of Fish and Game

**FURTHER APPROVALS REQUIRED:**

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

**EXHIBITS:**

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

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

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 Alterations to Land; California Code of Regulations, Title 14, section 15304.

**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.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Public Agency Use to the Tahoe Resource Conservation District beginning May 24, 2012, for a term of five years and six months, for removal and monitoring of aquatic invasive plant species on sovereign public trust lands as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration being 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.

**EXHIBIT A**

**W 26566**

**LAND DESCRIPTION**

A parcel of submerged lands situated in the bed of Lake Tahoe, lying adjacent to fractional Section 33, Township 13 North, Range 18 East, M.D.B.&M., as shown on Official Government Township Plat approved July 8, 1875, County of El Dorado, State of California, more particularly described as follows:

BEGINNING at a point have coordinates CCS83 (Zone 2)  $N(y) = 2115517.7$  feet,  $E(x) = 7142296.3$  feet in a clockwise direction through the following six (6) points:

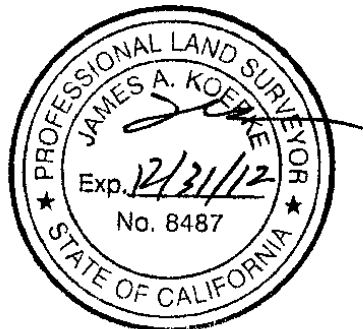
- (1)  $N(y) = 2115431.8$  feet ,  $E(x) = 7142752.4$  feet;
- (2)  $N(y) = 2115266.1$  feet ,  $E(x) = 7142640.7$  feet;
- (3)  $N(y) = 2114620.8$  feet ,  $E(x) = 7141921.6$  feet;
- (4)  $N(y) = 2114159.3$  feet ,  $E(x) = 7141273.4$  feet;
- (5)  $N(y) = 2114587.0$  feet ,  $E(x) = 7141016.7$  feet;
- (6)  $N(y) = 2115186.7$  feet ,  $E(x) = 7141733.9$  feet;

thence continuing to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

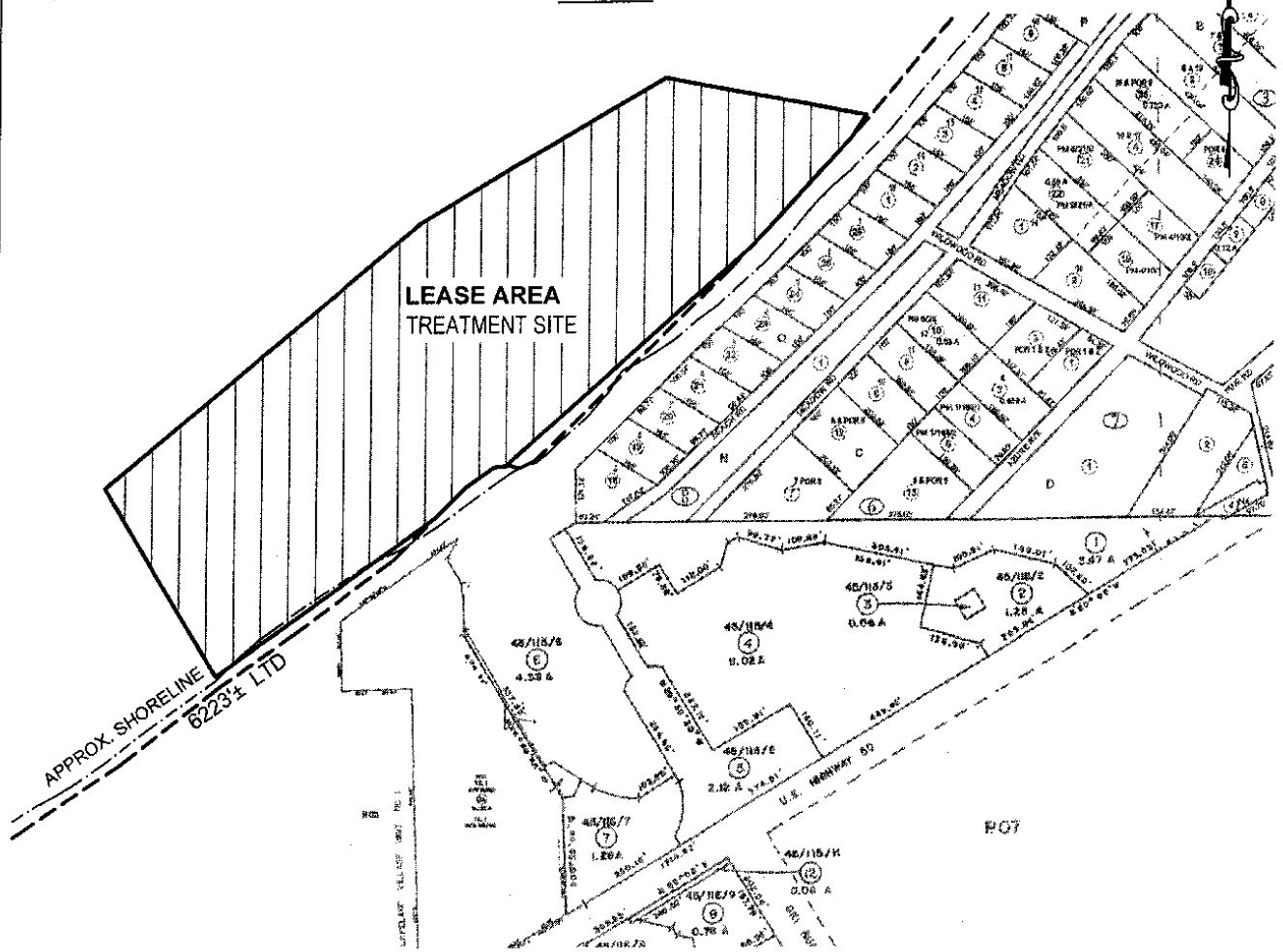
**END OF DESCRIPTION**

Prepared 05/15/2012 by the California State Lands Commission Boundary Unit.



NO SCALE

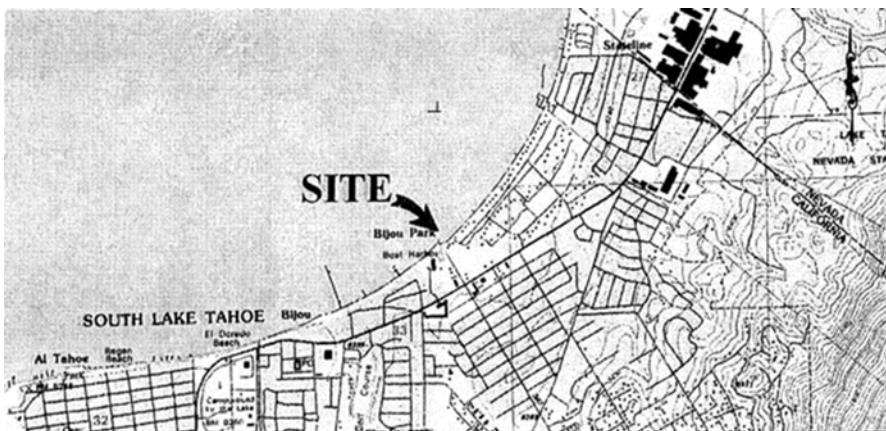
### SITE



NEAR 900 SKI RUN BLVD. SOUTH LAKE TAHOE, CA

NO SCALE

### LOCATION

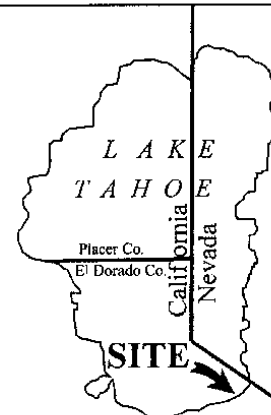


MAP SOURCE: USGS QUAD

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 B**

W 26566  
TAHOE RESOURCE  
CONSERVATION DISTRICT  
GENERAL LEASE-  
PUBLIC AGENCY  
EL DORADO COUNTY



TS 05/15/12