

**CALENDAR ITEM  
C87**

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06/28/16  
Bid Log Number 2015-08  
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**CONSIDER GRANTING AUTHORITY FOR THE EXECUTIVE OFFICER  
TO ENTER INTO AN AGREEMENT WITH A LOCAL AGENCY OR SOLICIT BIDS,  
AWARD AND EXECUTE AN AGREEMENT TO CONDUCT A DETAILED  
INVENTORY OF THE NUMBER AND LOCATION OF MOORING BUOYS ON THE  
CALIFORNIA SIDE OF LAKE TAHOE**

**PARTY:**

California State Lands Commission

**BACKGROUND:**

The Commission has leasing jurisdiction over the California side of Lake Tahoe. The jurisdiction extends waterward of the low water mark, which is at elevation 6223 feet, Lake Tahoe Datum. The State also holds a Public Trust easement for public uses of navigation, fishing, and lake related recreational uses such as bathing, swimming and open space between the high and low water marks, elevations 6228.75 feet and 6223 feet Lake Tahoe Datum, respectively. The Commission currently has 777 leases for piers, buoys and other water-related structures at Lake Tahoe. Within these leases, there are 2,992 authorized recreational and commercial mooring buoys.

The Tahoe Regional Planning Agency (TRPA) is the bi-state regulatory agency with a leadership role over other permitting agencies regarding permitting of shorezone development at Lake Tahoe. Because of the overlapping jurisdiction of the Commission and TRPA and the impact of TRPA's ordinances on the Commission's lessees, Commission staff coordinates and works with TRPA staff on almost all leasing activity in Lake Tahoe.

The Commission is participating in the Shoreline Planning Initiative (Initiative) whose goal is to enhance the recreational experience along Lake Tahoe's 72 miles of shoreline while protecting the environment and responsibly planning for the future. The Initiative was convened in 2015 by TRPA as a collaborative planning process. Stakeholders in the Initiative consist of state agencies and private parties, including TRPA, the Commission, Nevada Division of State

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Lands, Lahontan Regional Water Quality Control Board, League to Save Lake Tahoe, Tahoe Lakefront Owners' Association, and Lake Tahoe Marina Association. The Initiative will address key policy issues such as public and private access to the lake, recreational access, environmental effects of access, marinas and boating, low lake-levels, lakefront properties, and streamlining the approval process. The Initiative will result in updated shorezone element goals and policies in TRPA's Regional Plan and the shorezone chapters in the TRPA Code of Ordinances.

As part of the Plan, the Commission is collaborating with TRPA to conduct a survey of the buoys on the California side of Lake Tahoe. The purpose of this calendar item is to request authority for the Executive Officer to hire a qualified consultant to perform the survey. Generally speaking, the consultant will determine how many buoys are in the lake and where the buoys are located. Staff anticipates that the survey will take place in summer 2016, between July and September. The consultant will be asked to note Global Positioning System (GPS) coordinates, elevation, buoy type, name of buoy field if applicable, and date surveyed for each buoy. At the end of the survey, the consultant will provide the total number of buoys on the California side of the lake, a Geographic Information Systems map layer showing the buoy positions, and a report describing the survey methodology and results. A similar effort will be conducted by TRPA on the Nevada side of the lake.

**STAFF ANALYSIS AND RECOMMENDATION:**

**Authority and Other References:**

Public Resources Code section 6106 (Delegation to execute written instruments); Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3) and 15378; Public Contracts Code section 10108 (Authority of the Commission to perform Public Works Projects); and State Contracts Manual Chapter 11 Public Works Contracts.

The Executive Officer requests delegation of authority to enter into an agreement with a local agency, such as the TRPA, or to solicit bids, award, and execute an agreement to hire a consultant to conduct a detailed inventory of the number and location, using GPS coordinates, of mooring buoys on the California side of Lake Tahoe. Staff estimates the cost of the work to be \$100,000 or less.

The bid process will be conducted consistent with procedures specified in the State Contracts Manual and Public Contract Code. The method will be an

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Invitation for Bid Public Works contract, with the lowest cost proposal meeting all requirements and criteria stated in the Invitation for Bid. All bids will be available for public inspection at the Commission's Sacramento office.

**OTHER PERTINENT INFORMATION:**

1. Authorization to enter into an agreement or solicit bids is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378, subdivision (b)(5).

2. The proposed action is consistent with the Commission's Strategic Plan Strategy 4.2 – Extend Geographic Information System content and capabilities to be an integrated decision making tool for the Commission's management of resources and a valued visualization and communication mechanism for the public.
3. Funding for this action is available in the Commission's 2016-17 fiscal year support budget. Execution of the contract will be subject to the receipt of those funds.

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**AUTHORIZATION:**

Authorize the Executive Officer or her Designee to enter into an agreement with a local agency or to solicit bids, award, and execute an agreement to conduct a detailed inventory of the number and location of mooring buoys on the California side of Lake Tahoe in accordance with competitive bidding requirements of the Public Contract Code and current State policies and procedures.