Meeting Date: 02/09/26
Lease Number: 7368
Staff: L. Ward

Staff Report 10

APPLICANT:

North Tahoe Public Utility District

PROPOSED ACTION:

Issuance of a General Lease – Dredging Use.

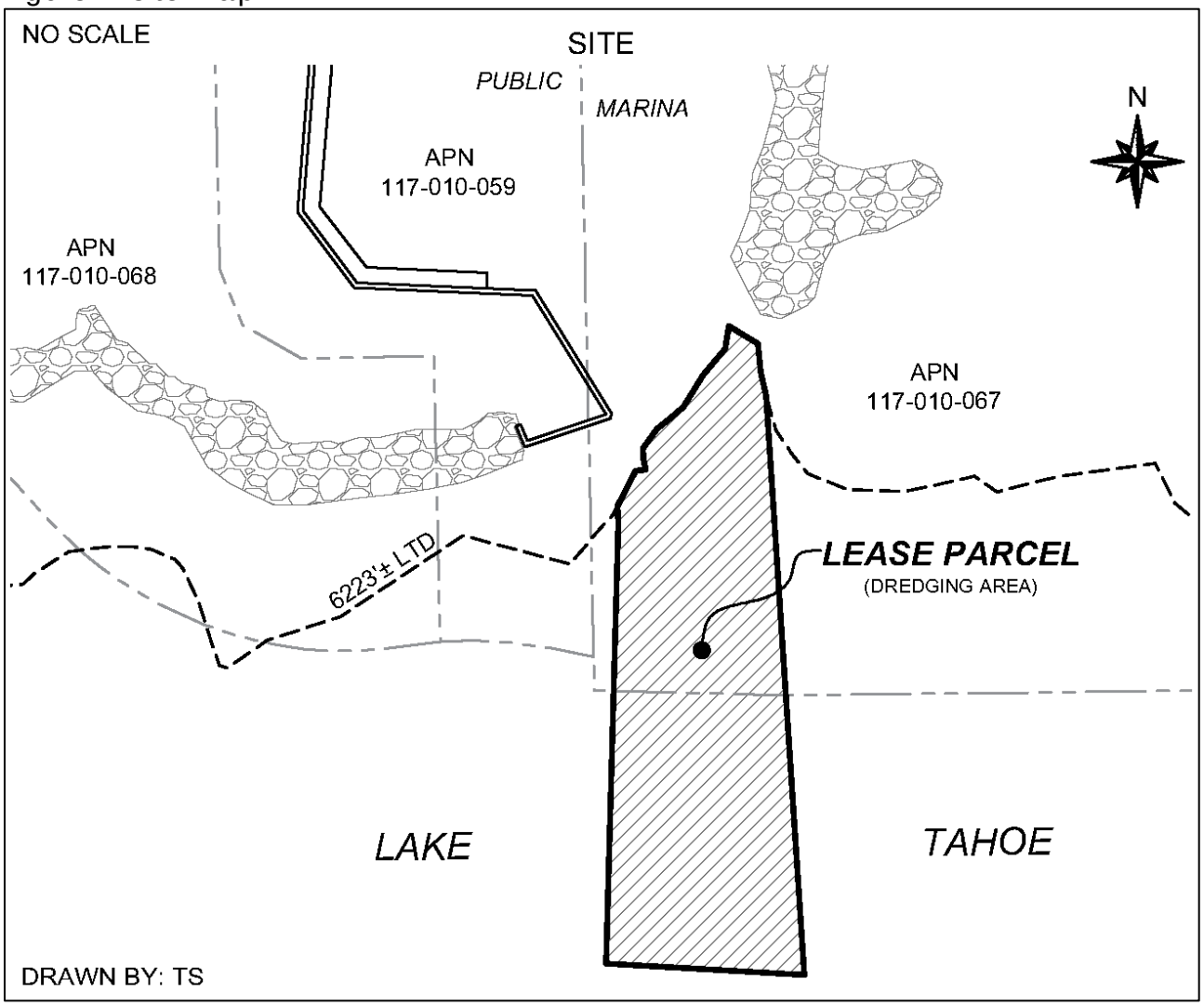
AREA, LAND TYPE, AND LOCATION:
Sovereign land in Lake Tahoe, adjacent to 7046 North Lake Boulevard, Tahoe Vista, Placer County (as shown in Figure 1).

Figure 1. Location

AUTHORIZED USE:

Maintenance dredge a maximum of 1,100 cubic yards (cy) of sediment from an 0.4-acre area outside the Tahoe Vista Recreational Area and boat launch to maintain navigable depths for recreational watercraft (as shown in Figure 2). Dredged material will be disposed of at an approved upland site.

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

3 years, beginning February 28, 2026.

CONSIDERATION:

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 interests.

SPECIFIC LEASE PROVISIONS:

- In performing dredging operations, the Lessee will abide by lease conditions and Best Management Practices to control turbidity and protect aquatic resources and habitats from excessive siltation in the general vicinity of the Project.
- Lessee acknowledges that material dredged from the Lease Premises is the property of the State of California and shall not be sold, and that Lessee is not authorized to dredge for purposes of commercial resale, environmental mitigation credits, or other private benefit without Lessor's prior written consent.
- All maintenance dredging events shall conform to the Dredging Operations Plan on file with the Commission. Dredging shall not exceed a lake bottom elevation of 6,221 Lake Tahoe Datum or extend beyond the authorized maintenance dredging area as shown with the Land Use Exhibit for the Lease. Disposal of dredging spoils will occur at the Eastern Regional Landfill in Truckee, California, or a disposal site with existing regulatory authorization to lawfully receive the dredging spoils.
- For maintenance dredging events over the Lease term, when the surface elevation of Lake Tahoe is at elevation 6,225 Lake Tahoe Datum or lower, Lessee shall provide a Tahoe yellow cress (TYC) survey prior to dredging operations for Commission staff review. If TYC is present within or adjacent to the dredging footprint, then Lessee shall provide a TYC Construction Avoidance Plan for Commission staff review prior to dredging operations. The Plan must demonstrate no impact to TYC with dredging operations.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6501.1, and 6503; California Code of Regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

On February 28, 2023, the Commission authorized a 3-year General Lease – Dredging Use to the North Tahoe Public Utility District for maintenance dredging in Lake Tahoe (Item 28, February 28, 2023). The lease expires February 27, 2026.

The Applicant owns and operates the Tahoe Vista Recreation Area, a public recreational facility. The facility provides beach and lake access, picnic and restroom facilities, automobile and boat trailer parking, and a boat launch. Due to the accumulation of sediment driven by wave action, the Applicant reports that it has become necessary to dredge the inner harbor to maintain functional and safe ingress and egress to the facility. The entrance channel is located on State sovereign land, and the main inner harbor area with boat ramp and bulkhead is located above elevation 6,223-feet, Lake Tahoe Datum, and is outside the Commission's leasing jurisdiction.

The Applicant is applying for a General Lease –Dredging Use, for proposed maintenance dredging in Lake Tahoe, adjacent to 7046 North Lake Boulevard, Tahoe Vista, Placer County, to remove the buildup of sediment from the entrance of the Tahoe Vista Recreational Area and boat launch. The dredging activity will remove approximately 1,100 cy of sediment from the adjacent to the boat launch.

The project will employ a mechanical dredging method. A tracked, long-arm excavator equipped with a one cubic yard bucket will be used to remove sediment from the marina and entrance channel. The bucket will be marked with a line to ensure a consistent dredging depth. In the marina, the excavator will operate on above-water sand bars or from an amphibious barge, depending on water levels at the time of dredging. In the entrance channel, the excavator will operate from an amphibious barge that will temporarily anchor to the lakebed. A double turbidity curtain will be installed around the dredging area to prevent turbid water from discharging to Lake Tahoe.

Dredging spoils will be dewatered at a temporary location in a paved parking lot. Dewatering will occur passively through evaporation. The dewatering area will be lined with impermeable material and will be surrounded by an impermeable sandbag barrier with six inches of freeboard to accommodate any water accumulation. The dewatering area will be surrounded by fiber rolls. After water is drained from the dredged material, the sediment will be loaded with an excavator into lined dump trucks or baker tanks and hauled away from the Tahoe Basin to the Eastern Regional Landfill in Truckee. Dredging is proposed to take place during 2026 through 2027. The dredging must be done between May 1st and October 31st.

The project will temporarily impact approximately 0.4 acres (17,500 square feet) of the Lake Tahoe lakebed through the removal of approximately 1,100 cubic yards of sediment. The total project area, which includes the dewatering facility and the dredging area, will be approximately 0.4 acres.

The proposed dredging would facilitate recreational boating and improve navigation. Recreational boating is a water-dependent use that is generally consistent with the common law Public Trust Doctrine.

The proposed lease does not alienate the State's fee simple interest or permanently impair public rights. The proposed lease is limited to a 3-year term, does not grant the Applicant exclusive rights to the lease premises, and requires the Applicant to insure the lease premises and indemnify the State for any liability incurred as a result of the Applicant's activities thereon.

CLIMATE CHANGE:

INTRODUCTION:

Climate change significantly affects inland non-tidal lakes such as Lake Tahoe, and its effects are increasing throughout the Sierra Nevada mountains. According to California's Fourth Climate Change Assessment (2018), the most significant impacts of climate change in the Sierra Nevada Region are more intense heat, precipitation extremes, declining snowpacks, and changes in streamflow timing. These impacts create hazardous conditions like flooding, landslides, wildfire, drought, extreme heat, and severe storms. Structures along the shores of inland lakes are particularly vulnerable to the more frequent and extreme weather events, year-to-year changes in total precipitation, and shifts in seasonal characteristics.

DATA & PROJECTIONS:

Temperatures in the Sierra Nevada are expected to increase six to ten degrees Fahrenheit on average by the end of the century, causing the snowline to shift upslope 1,500 to 3,000 feet in elevation (California's Fourth Climate Change Assessment, 2018). The long-term warming trend will lead to warmer and shorter winters and longer and drier summers. The warmer winters will reduce winter snowpacks by up to 60 percent across most of the Sierra Nevada and will result in increased winter streamflows and floods and decreased spring and summer runoff. Loss of snowpack is expected to dry soils 15 to 40 percent below their historical

norms. Hotter, drier summer seasons and low water years will increase stress to vegetation, elevating wildfire risk and fire severity in the Tahoe Basin.

Dry winters will be punctuated with exceedingly wet years and higher temperatures will result in more rain-on-snow events (Integrated Vulnerability Assessment of Climate Change in the Lake Tahoe Basin, 2020). Atmospheric river systems will become more common. These events produce both flash floods and higher than normal seasonal flooding which may shift earlier in the year. Higher soil moisture will increase erosion and elevate landslide risk, particularly following intense wildfire seasons.

ANALYSIS:

The greatest vulnerability to recreational facilities is from flooding, landslides, and wildfire hazards (Integrated Vulnerability Assessment of Climate Change in the Lake Tahoe Basin, 2020). The Sierra Nevada is expected to experience year-to-year variability in precipitation and may shift between extreme wet and dry periods. High precipitation years or successive years will result in higher lake levels, causing beaches to narrow and reducing public access. Surface runoff may carry more sediment into the lake, adversely impacting water quality, clarity, and increasing risk of algal blooms (UC Davis Tahoe Environmental Research Center, 2024). Conversely, low lake levels will become normal during periods of extended drought. Low lake level conditions can create more expansive beaches and increased shoreline access in dry months. However, these conditions could make some shoreline areas too shallow for effective recreational use of piers, boat docks, and mooring buoys. During drought, structures will also be exposed to heat and wind that may accelerate deterioration or reduce the structural integrity of certain structures.

Additionally, atmospheric rivers and extreme weather events are expected to increase in the high Sierra. Storms may deviate from prevailing wind patterns for the region. Wind-driven waves can accelerate shoreline erosion in some areas or cause erosion in areas not typically subject to erosion. Winds can also increase wave damage on structures and boats along the lake.

RECOMMENDATIONS:

The lease area resides in an area with shallow, low gradient lake bottom bathymetry with the natural ordinary low water mark lakeward of the harbor. Navigable access to the harbor is therefore dependent on dredging within the lease area. Lake bottom bathymetry in combination with prolonged periods of

drought and successive years of low lake level conditions will further exacerbate navigation in the lease area. The outer bulkhead wall and rock jetty at the harbor entrance also contribute to the catchment of sediment in this area. Consequently, continued periodic maintenance dredging will be needed to maintain navigation between the harbor and Lake Tahoe.

Regular maintenance dredging, as authorized by the lease, will temporarily offset the effects of variable lake levels and continued sedimentation. Pursuant to the proposed lease, the Applicant acknowledges that the lease premises and adjacent upland are located in an area that may be subject to the effects of climate change.

CONCLUSION:

For all the reasons above, staff believes that issuance of the proposed lease will improve navigation and not substantially interfere with the public rights to fish; or substantially interfere with the Public Trust needs and values at this location, at this time, for the term of the lease; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. The lessee has no right to a new lease or to renewal of any previous lease.
2. This action is consistent with the "Meeting Evolving Public Trust Needs" and "Leading Climate Activism" Strategic Focus Areas of the Commission's 2021 – 2025 Strategic Plan.
3. Staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 4, Minor Alteration to Land; California Code of Regulations, title 2, section 2905, subdivision (d)(4).

   Authority: Public Resources Code section 21084 and California Code of Regulations, title 2, section 2905.

APPROVALS REQUIRED:

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- California Department of Fish and Wildlife
- Tahoe Regional Planning Agency

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 Alteration to Land; California Code of Regulations, title 2, section 2905, subdivision (d)(4).

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease will not substantially impair the public rights to navigation and fishing or substantially interfere with the Public Trust needs and values at this location, at this time, and for the term of the lease; and is in the best interests of the State.

AUTHORIZATION:

Authorize issuance of a General Lease – Dredging Use to the Applicant beginning February 28, 2026, for a term of 3 years, to dredge a maximum of approximately 1,100 cubic yards of material during the lease term from the Tahoe Vista Recreation Area and boat launch ramp, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration is 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; such permitted activity is contingent upon Applicant's compliance with applicable permits, recommendations, or limitations issued by federal, state, and local governments; dredged material shall be disposed of within an approved upland site; and dredged material may not be sold.