

MINUTE ITEM
This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 2
to 0 at its 11-19-87
meeting.

CALENDAR ITEM

A 7

C 11

11/19/87
PRC 5333
Martinez

S 1

DREDGING PERMIT

APPLICANT: El Dorado Improvement Corporation
Attn.: Drew Blair
P. O. Box 1267
South Lake Tahoe, California 95705

AGENT: John E. Glab
Nevada-Keystone Engineering
P. O. Box 425
Zephyr Cove, Nevada 89448

AREA, TYPE LAND AND LOCATION:
Sovereign lands in Lake Tahoe at Ski Run
Marina, El Dorado County.

PROPOSED LAND USE:

Dredge a maximum 2,500 cubic yards annually of
clean sand dropped by littoral drift movement
from the entrance of a small-boat channel that
provides access to and from Lake Tahoe. The
sand will be transported by a floating
discharge line from the channel to discharge
points 50 to 100 feet east of the channel,
below the water line in front of the property
owned by the applicant, where it will replenish
beaches to the east of the project site.

TERMS OF THE PROPOSED PERMIT:

Initial Period: Two years beginning
December 1, 1987.

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

CALENDAR ITEM NO. C 11 (CONT'D)

APPLICANT STATUS:

Upland owner.

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

AB 884:

02/12/88.

OTHER PERTINENT INFORMATION:

1. The proposed dredging is to comply with a California Superior Court Order which calls for assuring continued movement of sand across the lakefront at the marina in order to replenish beaches immediately east of the project site.
2. A Negative Declaration was prepared and adopted for this project by the City of South Lake Tahoe. The State Lands Commission staff has reviewed such document and believes that it complies with the requirements of the CEQA.
3. 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.

APPROVALS OBTAINED:

United States Army Corps of Engineers, Tahoe Regional Planning Agency, Regional Water Quality Control Board.

EXHIBITS:

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

CALENDAR ITEM NO. C 11 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF SOUTH LAKE TAHOE AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET. SEQ.
4. AUTHORIZE STAFF TO ISSUE TO THE EL DORADO IMPROVEMENT CORPORATION THE DREDGING PERMIT ATTACHED AS EXHIBIT "B". SAID PERMIT SHALL ALLOW DREDGING A MAXIMUM VOLUME OF 2,500 CUBIC YARDS OF MATERIAL ANNUALLY FOR TWO YEARS FROM LAKE TAHOE AT SKI RUN MARINA, EL DORADO COUNTY. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES.

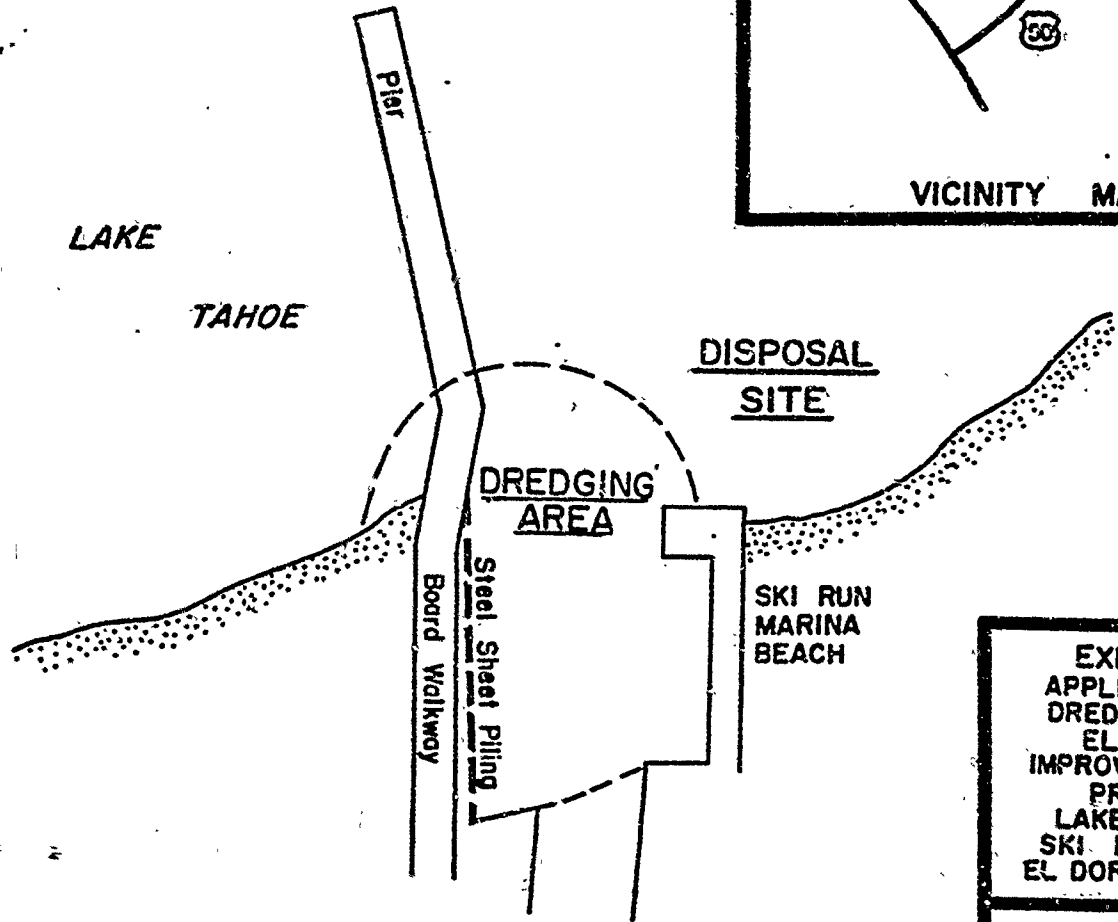
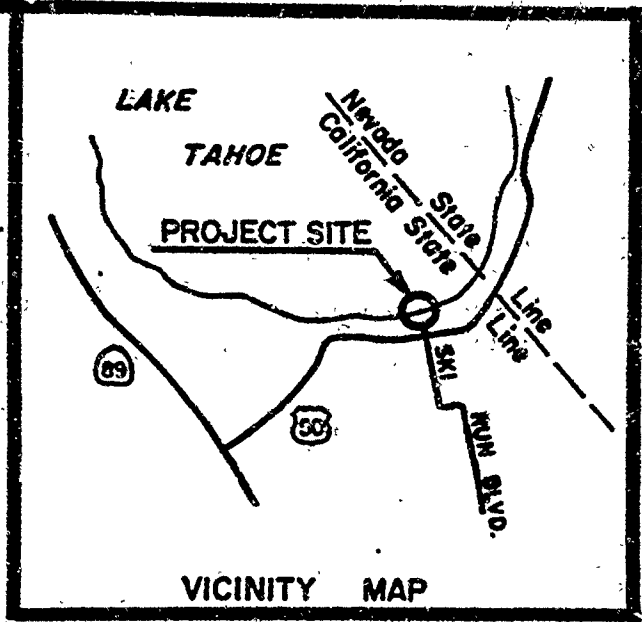


EXHIBIT "A"
APPLICATION FOR
DREDGING PERMIT
EL DORADO
IMPROVEMENT CORP.
PRC 5333.1
LAKE TAHOE AT
SKI RUN MARINA
EL DORADO COUNTY



SCALE: 1" = 40'



STATE LANDS COMMISSION

1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

December 1, 1987

File Ref.: PRC 5333.1

El Dorado Improvement Corporation
Attn: Drew Blair
P. O. Box 1267
South Lake Tahoe CA 95705

Gentlemen:

Pursuant to your application dated May 21, 1987 and by the authorization of the State Lands Commission on November 19, 1987 you are hereby granted permission to dredge, during the term of the permit, a maximum 2,500 cubic yards annually of sand, silt, clay, and gravel, excluding all other minerals, including but not limited to oil, gas and geothermal from an area of sovereign lands in Lake Tahoe at Ski Run Marina, El Dorado 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 discharge points 50 to 100 feet east of the dredge site, below the water line in front of the property owned by the applicant where it will replenish beaches to the east of the project site.

A royalty of \$0.25 per cubic yard shall be paid. 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 December 1, 1987 through November 30, 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.

December 1, 1987

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: _____

Title: _____

Date: _____

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