



# Lake Tahoe Shoreline Plan

## 03 Policy Topic: Access Issues

V9

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## Brief Description

Physical access to the waters of Lake Tahoe is one of the key issues surrounding the Shoreline Plan and was emphasized in stakeholder input. There is a strong perception that demand for visitor and local lake access is growing each year. Some stakeholders would like to see boat access and moorage opportunities expanded while others would like to see boating restricted. Some stakeholders would also like to ensure the impacts from increased boat traffic are fully understood before expansion of such access is granted.

Emphasis on increased recreational access was noted in the recent stakeholder interviews. Some comments included interest in expanding existing or developing new public access ramps, allowing additional piers for non-boating activities such as fishing, swimming, and viewing the lake, and promoting a variety of opportunities for the public to enjoy the water including non-motorized access points.

With unmet demand for watercraft access, it is likely that the number of concessionaires providing alternative options will also likely increase. These concessionaires range from motorized and non-motorized watercraft rentals to parasailing experiences and transportation services. Several concerns have been raised regarding the permitted uses of these concessionaires and whether they follow any set guidelines.

Since the 1980s, public acquisition has put 90 percent of Tahoe's land into public ownership (75% US Forest Service, 15% States and local governments). As a result of these acquisitions, approximately 43% of the 72 miles of Lake Tahoe shoreline is currently under public ownership.

## Action Items

Action Item	Date	Name
Definitions needed for Concessionaires	Done Jan 2017	TRPA staff and Steering Committee
Identify Issues	Done June 2016	Steering Committee

## Statement of Intent

This memo provides a summary of relevant issues identified during scoping of the Shoreline Plan with the intent of providing context and background in support of the overall planning effort. The Shoreline Steering Committee's discussion of these issues has been ongoing since early 2016.

## Policy Issues to Consider in the Shoreline Plan

### General

It may not be feasible to provide access or increased access to every location around the lake. The availability of existing access and development of future access points should account for limits that the resources and the specific recreational experience can withstand.

Shoreline access is important to stakeholders, both visitors and residents. The lack of access to beaches that are quasi-public emerged as a concern during the public input process with some stakeholders advocating that beach access be available to the public.

The addition of new buoys, new boat ramps or expansion of existing ramps, and increased concessions such as watercraft rentals, are likely to increase boat traffic on the lake. Increased boat traffic may have environmental impacts that need to be mitigated directly or indirectly, and may change the experience of the lake for visitors and residents. The Joint Fact Finding Committee is tasked with consolidating known scientific studies related to boating impacts. This information will assist in policy development related to mitigation needs to understand what type and level of mitigation may be most appropriate.

### Public Piers for Swimming, Viewing, Fishing<sup>1</sup>

Public access structures for non-boating recreational opportunities include piers for swimming, viewing the lake, and fishing, most of which are located on public land with the intent of allowing access to the general public. In some instances, such as some private marinas, public access may be allowed for viewing and other recreational purposes.

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<sup>1</sup> Policy recommendations for public piers are discussed in the Pier Memo (#05)

It may not always be clear as to what structures are considered public access structures and what kind of access they are providing. It is important to understand which structures are considered public and how many are available along the shoreline.

## Ramps

Drought conditions and corresponding low water levels emphasize the importance of careful planning for low lake conditions, including the option of future dredging to improve existing boat access, expansion of existing boat ramps or the creation of new ramp locations. Extensions of existing ramps to deeper water may be an alternative. Some solutions for ramp extensions may be temporary depending upon the year to year conditions. Impact areas from ramp extensions should be assessed during Joint Fact Finding.

Prior planning looked to cap the number of new public ramps and specifically, no new ramps were to be allowed in spawning habitat. The Joint Fact Finding process has provided an inventory of existing public and private ramps. New public ramps may serve as a low lake level adaptation strategy and address perceptions of increased demand to launch boats at existing public ramps.

## Marinas

There are 14 marinas located on Lake Tahoe, 12 marinas are in California and two are in Nevada. Marinas are operated by private entities, but are generally open to the public and provide a main source of access to Lake Tahoe. Marinas are addressed in a separate memorandum.

## Non-Motorized Access

Some comments have included concern regarding the availability of water access for non-motorized watercraft. Similarly, providing safe access and navigation for such watercraft, especially when adjacent to motorized boat launch facilities, is important.

Storage of non-motorized watercraft close to the beach by concessionaires, HOAs, or other groups, may minimize impacts to recreational access and nearshore environmental condition by reducing the scattering of such watercraft laterally along the shoreline and providing a secure storage location.

## Water Trail

Since 2003, the California Tahoe Conservancy (CTC) and volunteer Lake Tahoe Water Trail Association (LTWTA) has played a major role in the development of the 72-mile water route for kayaks, paddle boards, and other non-motorized watercraft around Lake Tahoe. The Water Trail project provides information on where to access and exit the lake for day and overnight trips, protecting Lake Tahoe from AIS, and safety recommendations. There is an interest in providing additional signage from land or on the water to help people identify where to exit the lake. More information on the Water Trail can be found at [[laketahowatertrail.org/explore-water-trail/](http://laketahowatertrail.org/explore-water-trail/)]

## Concessionaires

The definition of concessionaire is unclear to some, but they would include commercial uses that may be transient or semi-permanent along the shoreline to sell goods or services.

Water-oriented outdoor recreation concessions are defined in the TRPA Code as “Water-oriented outdoor recreation uses, such as food and beverage facilities at public beaches; fishing guide services; parasailing; recreation equipment rental (e.g., boats, wind surfing and beach equipment); but not including boat slips, boat and engine repair or the sale of fuel (Section 81.5.14).

Often the concessionaires being discussed as part of the Shoreline Plan are those with rental related businesses, renting motorized or non-motorized watercraft. It is believed by some that not all concessionaires are being regulated and it is not clear if and how they would be permitted.

In some cases the concessionaire activities seem to overwhelm general public access to a beach. There is a balance that is needed to provide different types of recreational access to the lake with these concessions versus just general visitors to the beach. Concessionaires provide a service to visitors which may enhance their experience of the lake. However, there may be environmental impacts that are not being addressed or mitigated. Some concessionaires preclude the use of the beach or access laterally along the beach due to those activities.

Several concerns related to concessionaires have been discussed. These include:

- The potential to increase demand for boat capacity
- Are there preferred areas for concessions to be located
- Are best practices being utilized (i.e. fueling practices)

- Will increased concessions also increase demand for parking
- How best to mitigate for potential increase in boat related impacts
- Are there allowances for certain types of concessions which have less impact (e.g. electric or solar boats)

## No-Wake Zone

The no-wake zone is an area close to shore which provides navigational safety for boaters and non-motorized watercraft and shoreline erosion protection from boat wakes. The no-wake zone currently measures 600 feet waterward from the water's edge. Public comments have recommended extending no-wake zones in certain areas with high levels of non-motorized activity.

## Related Policy Issues

### AIS

Additional boat access to the water and overall boat traffic across the lake is a concern because it may increase the likelihood of spreading existing AIS already in the lake as well as the potential to introduce new AIS into Lake Tahoe.

### Recreational Access along Shoreline

Lateral public access along the shoreline via the Public Trust Doctrine is addressed differently between states. In both California and Nevada, Public Trust lands begin waterward of the low water mark (Elevation 6,223 feet, Lake Tahoe Datum). In California, a Public Trust Easement exists between the low water mark and high water mark (Elevation 6229 feet, Lake Tahoe Datum). TRPA must assess the impacts of new structures on recreational access.

## Joint Fact-Finding

The Joint Fact Finding Committee has evaluated the questions listed below. Currently, draft memos and meeting summaries are available at [ShorelinePlan.org](http://ShorelinePlan.org) under Joint Fact Finding Committee meeting materials. Findings from the Joint Fact Finding Committee will be disclosed in the

environmental review. Maps providing an inventory of public access points are available via [ShorelinePlan.org](http://ShorelinePlan.org)

## General Access

- An inventory of the different types of public access (i.e. public beaches, piers for mooring and/or viewing, and ramps/launches) is needed.
- Where are public access points located?
- What information do we have regarding the economic benefits of lake access?
- What are the environmental impacts associated with increased dispersed recreation?

## Boating

- Where and how do people access the lake for motorized or non-motorized boat use?
- How many people currently access the lake for motorized or non-motorized boat use?

## Concessionaires

- What are the best practices for fueling outside of fueling stations?
- Are other types of watercraft (e.g. electric or solar boats) being used by concessionaires?

## Existing Data, Information and Science

### Watercraft Rental Concessionaire Survey

In 2014, TRPA surveyed 44 watercraft rental locations around the lake. Data collected included how many and what type of craft were available for rent, what facilities were used for storage, and fueling type.

### Non-motorized Access/Water Trail

Per the water trail website, there are 39 public launch/landing sites and 17 day landing sites [[laketahoewatertrail.org/explore-water-trail/](http://laketahoewatertrail.org/explore-water-trail/)]. The water trail

website provides a detailed map of access locations. The California Tahoe Conservancy along with the Lake Tahoe Water Trail Association provides a robust boater education and safety program that it is implementing at Lake Tahoe. The US Coast Guard, Coast Guard Auxiliary, marinas, and other recreation providers facilitate safety and boater information.

## Existing Codes

### Public Access

The following Regional Plan policy encourages public access to be located on public land and also promotes the expansion of public ownership as a means to facilitate additional public access where it is deemed appropriate given environmental conditions.

SZ-1.13 ALLOW PUBLIC ACCESS TO THE SHOREZONE WHERE LAWFUL AND FEASIBLE ON PUBLIC LANDS.

There is considerable demand for public use of the Lake Tahoe shoreline. Increased opportunities to use the shoreline shall be provided when consistent with the tolerance levels of the shorezone. Improved access to the shorezone should be provided through public lands from expanded public ownership. Trails and support facilities in the backshore should be consistent with the goals and policies of the Recreation Element.

### Fueling

#### 84.5.2 Design and Construction Standards (Piers)

E. Fueling facilities shall not be permitted on piers located adjacent to littoral parcels on which the primary use is residential.