

**AGENDA: Steering Committee (#21) [v2]**

**May 23, 2017, 9:00-3:00**  
at TRPA, Stateline, Nevada



9:00	<b>Review / Revise Agenda (00)</b>
9:05	<b>Changes to Meeting Summary #20</b> <i>See attachment 01</i>
9:20	<b>Issue Focus</b>
	<p><b>Non-Motorized Boating and Access</b> <i>See attachment 02, Non-motorized boating (04.26.2017)</i></p> <p>Goal: to articulate how shoreline plan addresses non-motorized boating and to identify any remaining public access issues that shoreline plan should address</p>
	<p><b>EIP Linkage to Shoreline Discussion</b> <i>See attachment 03, EIP Shoreline v1. (05.05.2017)</i></p> <p>Goal: to have group discussion about the best way to link shoreline plan to EIP given “drop in the bucket” and sensitivity to fees</p>
	<p><b>Concessions</b> Revisit restrictions on concessionaires</p>
10:15	<b>BREAK</b>
10:30	<p><b>Discuss Overall Proposal Package</b> <i>Attachment 00, Consolidated Policies for SC v4 (5-16-17)</i></p> <p>Goal: to step back and consider the overall package of proposals. Do the policies feel comprehensive and effective as a body of work?</p>
12:00	<b>Lunch</b>
12:20	<p><b>Streamline Permitting</b></p> <ul style="list-style-type: none"> <li>€ Delegating TRPA buoy approval to the states (Option: joint applications)</li> <li>€ Tagging buoys</li> <li>€ Delegating dredging permitting to states (update existing MOU with Lahontan)</li> <li>€ Coordinating on enforcement (buoys, no-wake zone, etc.)</li> </ul> <p>Goal: to set overall direction for all agency staff to develop proposals and</p>

	memorandum related to streamline permitting
1:00	<b>Time Permitting – Review Other Remaining Topics and Provide Direction</b>
	<p><b>Consider other Inland Harbors</b> (as comparison to Tahoe Keys Homeowners Association in Shoreline Plan) (3 harbors are inland of the natural shoreline rim – Fleur de Lac, Elk Point Marina, and Star Harbor)</p> <p>Fleur Du Lac is located on the west shore of Lake Tahoe near Homewood and includes 22 homes, each with associated docks in an inland lagoon.</p> <p>Elk Point is located on the East Shore of Lake Tahoe north of Nevada Beach. It includes 20 private docks in an inland lagoon.</p> <p>Star Harbor is located on the north shore of Lake Tahoe, northwest of Tahoe City and adjacent to the US Coast Guard pier. This lagoon includes 11 short docks and a long dock with a capacity of 20-30 boats.</p> <p>Possible language  <i>Other private inland lagoons associated with homeowner associations on Lake Tahoe include Fleur Du Lac, Elk Point, and Star Harbor. Like the Tahoe Keys, the moorage in these inland lagoons will be accounted for in the Shoreline Plan estimates of boat usage on Lake Tahoe. However, due to the small scale of these inland lagoons and lack of an architectural or development review body, their facilities will be subject to the regulations in the TRPA Code of Ordinances.</i></p>
	<b>Other Issues, See Below</b>
2:40	<p><b>Public Outreach</b>  <i>Final Brochure, receive at meeting</i></p> <p>Update: TLOA is the only organization that needs a more detailed briefing document on piers and buoys. CBI will work with Jan to develop this.</p>
2:45	<b>Updates and Next Steps</b>

## Next Meeting

REMAINING TOPICS	MATERIALS
<p><b>Environmental Improvement through Shoreline Plan</b> (on agenda)</p> <p>AIS &amp; Recreation unmet needs</p> <p>Funding Enforcement</p>	<p>Concept Proposal “EIP Shoreline Proposal, v3 (1.24.2017)</p>
<p><b>Access</b></p> <p>Draft MOU for Public Trust Easement in California</p>	<p>See Access, CA Public Easement</p> <p>1) Cover Email from Jennifer Lucchesi</p> <p>2) 54 4 B Public Access 1-30-17</p>

3) Plan B – TRPA Public Access MOU Concepts 1-31-17  
Shorezone Project Description 2008: Please review Other Facilities, pg 2-15 to 2-17 from

**Non-Motorized Boating / Passive Recreation Program Element** (on agenda)  
**Consider other Inland Harbors**

**Revisit Marinas and Rock Crib Expansion**

**Streamline Permitting** (on agenda)

**Incentives for Relocating Piers** currently in environmentally sensitive areas

**Conversion of Use of a Property**

**Vertical Public Access**

**Buoy Enforcement**

**Investigate commercial pier potential design standards for public health and safety**

**New Public Structures** (In Cal AG's letter)

**Explore 401-Permit Approval** for certain shoreline activities (See 06 Policy Memo on Low Lake Adaptation)

**Revisit Fallen Leaf and Cascades Lakes** (See 4/26/16 Summary)

**Administration**

**Future Fees, Cumulative Impacts, and Mitigation** (Blue Boating Program, Pier Fees for Recreation,)



# Lake Tahoe Shoreline Plan

## Policies Under Consideration

V4

Last Updated 05.16.2017

Table of Contents

Concepts Under Consideration ..... 1

Moorings ..... 1

Buoys ..... 2

Piers..... 5

Floating (Swim) Platforms ..... 12

Boat Ramps ..... 12

Marinas..... 12

Dredging ..... 15

Overnight anchoring..... 16

No Wake Zone ..... 16

Concessions..... 16

Other Structures ..... 17

Low Lake Level Adaptation ..... 17

Tolerance Districts and Permissible Uses..... 18

Public Trust Easement in CA..... 18

Tahoe Keys ..... 19

Green Infrastructure..... 19

Environmental Improvement ..... 19

---

DRAFT

## Concepts Under Consideration

The Shoreline Steering Committee has developed these concepts under consideration as preliminary consensus and the basis for progress. The Steering Committee will incorporate feedback from the public and the TRPA Governing Board and Regional Plan Implementation Committee to refine these concepts and develop the final package of recommendations.

### Moorings

#### Applicability

- A mooring could be a buoy, a boat slip, or a boatlift.

#### Moorings per Littoral Parcel

- Each littoral parcel can have two moorings at any one time. Littoral parcels would be allowed three permanent anchor blocks, but can only have 2 moorings at one time. The purpose of the three permanent anchor blocks is to avoid disrupting the lake bottom to relocate moorings.

#### Mooring of Motorized Boats

- No motorized boats may dock on the beach in fish spawning habitat.

#### Boat Slips

- No new private boat slips would be allowed except for public facilities and marinas.
- Marinas and public agencies could relocate boat slips if tied to environmental improvement.
- Adding boat slips or buoys at marinas and public agencies would constitute a project and go through a standard review process.
- Marinas and public agencies could exchange boat slips and buoys within their existing facilities and within their designated allocation for new buoys or boat slips. For existing facilities, moving from a buoy to boat slip would require a project application.

## Mooring Conversions

### Marine Railways

- Serviceable marine railways may convert to a buoy or boat slip, but not a pier.

## Buoys

### Enforcement

- Establish and implement a joint TRPA/State program of buoy compliance.
- Develop memoranda of agreement with the States and TRPA as a mechanism to facilitate enforcement.
- Recognize that 2008 funding may be available for future enforcement.

### Allocation of Potential New Buoys

- 1,430 additional buoys would be eligible for future permitting in addition to the buoys counted during the 2016 boating season.<sup>1</sup> Note, in order to give public land managers and marinas flexibility to choose a variety of mooring layouts, buoys may be changed to boat slips.
- Initially, TRPA will release 800 new buoys at the onset of implementation to be permitted
- The remaining 630 new buoys would be placed in a reserve pool available for all potential owners in the future and to meet the Plan goals of low lake level adaptation, shifting some availability to the public, and environmental improvement.
  - 330 of the 630 buoys would be reserved for marinas.
- Public agencies will also be provided an allotment from the reserve pool and could utilize a portion or all of this allotment as slips.
- Associations will be allowed to apply for new buoys in buoy fields. In the first five years of Shoreline Plan implementation, associations that have buoys for 50% or more of the applicable housing units are not eligible to apply for new buoys. For associations that are able to apply, the request for new buoys can be up to a 20% increase of the total number of existing TRPA-legally-permitted moorings (buoys and slips). The total number of association moorings cannot exceed the number of units, must comply with placement safety standards, and be within the grid system.

---

<sup>1</sup> The environmental analysis will consider a total number of buoys of 6,316. This number is drawn from the 2008 program. The 2016 buoy survey identified 4,886 permitted and unpermitted buoys. In 2008, TRPA received 4,412 buoy applications (3,421 were approved with another 981 pending).

- Allocation of all buoys, including the reserve pool and allocation to associations, would be revisited every 5 years through an adaptive management review process.
- Once the mooring cap is reached, TRPA may consider allowing the trading and selling of mooring allocations between private property owners.

## Buoy Permitting

- First call, invite all TRPA permittees, both approved and pending, to come in to TRPA to review their buoy permits and rectify any outstanding permit conditions.
- Second call, TRPA will open up to new buoy applications.

## Buoys not within a Buoy Field

### Design Standards

- Buoys per littoral parcel
  - Up to two buoys allowed per single-family littoral parcel, as long as dimensional criteria such as setbacks are met. For constricted parcels that are unable to meet setback or spacing requirements, TRPA may adjust projection lines on a case-by-case basis.
- Location
  - Buoys may be located up to 600 feet waterward from elevation 6,220 feet measured horizontally.
  - Buoys must be located 20 feet from adjacent property boundaries and at least 50 feet from all legally existing buoys.
- Buoys within cove environments with interfering projection lines
  - Cove environment allows only 1 buoy per littoral parcel if applicant is not eligible based on projection lines. TRPA may adjust projection lines on a case-by-case basis.
  - Use same off-shore distance required for single-use buoys.
  - Buoys must be located 50 feet from other buoys.

### Grandfathering

- Recognition of existing buoys
  - For littoral parcels with existing buoys, TRPA would recognize buoys based on presentation of (a) a valid buoy permit issued by a federal or state agency with appropriate jurisdiction (i.e., USACE,

California State Lands, or Nevada State Lands) or (b) clear evidence of the existence of the buoy(s) prior to 1972.

- Up to 3 buoys allowed (approximately 61 parcels) for littoral lots  $\geq$  50 feet in width.
- Up to 2 buoys allowed for littoral parcels  $<$  50 feet in width.
- For non-littoral parcels, buoys placed prior to 1972 would be recognized only after the applicant has received authorization from the applicable California or Nevada state agency with jurisdiction at Lake Tahoe.
- Recognized buoys would be required to conform to the location standards for new buoys described above, unless re-location that may be required would create unnecessary additional environmental impacts, and the existing buoy location does not unreasonably interfere with buoys being located by adjacent property owners. In any case, buoys must be located at least 50 feet from any other buoy or structure.

## Buoy Fields (including marinas)

### Design Standards

- Buoy fields should be designed in a grid using the same setback and spacing standards as for single-use buoys but may deviate from these standards based on site specific conditions including neighboring uses and structures, State agency compliance, Coast Guard consultation, navigation, substrate including obstacles, and bathymetry.
- All commercial and tourist buoys shall be subject to the same setbacks and grid spacing as homeowner associations or other associational entities.

### Low Lake Level Adaptation

- Provide for additional permanent anchors for low lake adaptation, either lakeward or laterally for legally established buoys. Applicants must consider plan for landward row, given that buoy blocks might be exposed when lake levels are low.

## Private Harbors

### Low Lake Level Adaptation

- Allow private harbors to install permanent buoy anchors as low lake level adaptation strategy as part of buoy field or in exchange for slips as a low

lake level adaptation strategy, or when harbors are inaccessible due to sediment accumulation.

## Buoys Associated with Concessions

- Concessions should moor motorized watercraft on permitted buoys.
- All buoys used for concessions need to be TRPA permitted legal buoys.

## Piers

### Applicability

- Fish spawning habitat: 2015 updated fish habitat maps using best available data will be adopted as part of the Shoreline Plan. Based on scientific input, the ban on new construction within fish habitat is not scientifically supported and should be lifted. Mitigation in spawning habitat will be required consistent with the environmental thresholds.

### Definition

- A fixed or floating structure intended as a landing or mooring for water craft and either extending from the backshore to at least 10 feet beyond the high water elevation line, or extending into Lake Tahoe to a depth of 6,226.1 feet Lake Tahoe Datum (or a functionally similar depth on other lakes in the Region).

### Eligibility Restrictions

- Littoral parcel is defined as a parcel that has fee ownership to high water.
- All private littoral parcels are eligible for a pier – including those served by a multiple use facility and homeowners association – if the parcel meets the following criteria:
  - The parcel must not have an existing pier,
  - The parcel must not otherwise be deed restricted for a pier.
  - Structures cannot be located in stream mouth protection zones.
  - The parcel cannot be located within Shorezone Preservation Areas. Exceptions, subject to environmental review, possible for public piers.
  - Shorezone development potential must be retired on one or more separate parcels that do not already have a pier. The number of parcels to retire shorezone development potential is dependent upon the developing parcel's scenic sensitivity.
    - For scenic units not in attainment:

- If the developing parcel is within a Visually Dominated (VD) scenic character type, then one (1) parcel must be retired.
- If the developing parcel is within a Visually Modified (VM) or Visually Sensitive (VS) scenic character type, then two (2) parcels must be retired.
  - For scenic units in attainment:
    - If the developing parcel is within a Visually Dominated (VD) or Visually Sensitive scenic character type, then one (1) parcel must be retired.
    - If the developing parcel is within a Visually Sensitive (VS) scenic character type, then two (2) parcels must be retired.
- Parcels with retired shorezone development potential may be located outside of the developing parcel's scenic unit only if the entire project (including mitigation) results in a net increase in the scenic unit score.
- Public drinking water intakes: within ¼ mile of water intakes, water purveyors will be notified and consulted on project conditions.

## Allocation of Potential New Piers

- 10 public piers would be available for permitting.
- 128 private piers in total (multiple or single-use) would be available for permitting over the life of the program contingent on threshold attainment, retiring pier development potential, or other access enhancements.
- Initially, TRPA would release 96 of the 128 piers to be permitted over a 16-year period.
- Up to 12 piers would be permitted every two years with any remaining balance rolling over to subsequent years (i.e. if 10 piers permitted in years 1 and 2, then 14 piers (12 + 2) would be available in years 3 and 4).
- The release of additional piers after the initial 16-year period would be contingent upon the number of parcels that retire future pier development potential. TRPA would release three new piers for every 8 parcels that retire future pier development.
- TRPA will monitor the geographic distribution of new piers along with an evaluation of pier availability every 8 years (every other threshold report).

## Prioritization of Permit Applications

- Permit applications for new piers would be collected annually by TRPA and prioritized based on the following criteria in order of preference:

- Proposals that retire pier development potential of parcels within the same scenic character type within the same scenic unit would be first priority.
- Those applications that retire pier development potential on the most parcels will receive highest priority of review.
- Piers located in less sensitive scenic character types (i.e. Visually Dominated is less sensitive than Visually Modified which is less sensitive than Visually Sensitive).
- Permit applications that are not accepted after TRPA's permit prioritization assessment will be denied.

## Pierhead Line

- TRPA digitized the waterward edge of the pierhead line for all areas around the Lake as depicted on existing hardcopy maps.

## Scenic BMPs

- For new single-use and multiple-use piers: TRPA will require an initial 21 contrast rating (this is the baseline requirement) as part of the pier application. Following permit submittal, applicants would have 6 months to increase their contrast rating to 25 as part of project mitigation. TRPA will exempt property owners from the 25 contrast rating if it is not feasible to achieve 25.

## Multiple-use Piers

### Definition

- The term multiple-use pier is a pier that serves more than one parcel and retires pier development potential through deed restriction on the littoral parcels that are being served.

### General

- Provide incentives for development of multiple-use piers in lieu of single-use piers.
- For all littoral parcels served with a multiple-use pier, pier development potential must be retired through deed restriction for all but the pier-developed parcel. This would apply to both adjacent and non-adjacent parcels regardless of the number of owners.

### Incentives

- TRPA will prioritize applications for piers based on the number of parcels served.

- The following additional incentives for multiple-use piers may be allowed:
  - additional length for catwalks;
  - one boat lift per littoral parcel, up to a maximum of four per multiple-use pier;
  - flexibility in pierhead design to accommodate multiple users; and
  - increased visual mass dependent upon number of parcels.
- Water depth or substrate slope will not be a required design standard for multiple-use piers.

## Design Standards – Applicability

- Piers that serve more than one primary residence on one parcel or multiple parcels with primary residences may comply with multiple-use pier design standards.
- For single parcels that serve multiple units, including multi-family housing, condos, and home owners associations, the applicable pier design standards are listed below, based on the number of units served. In all such cases, only one boat lift would be allowed.
  - For 1-2 units, single-use design standards apply.
  - For 3-4 units, multiple use design standards apply with visual mass limited to 400 square feet.
  - For 5-20 units, multiple use design standards apply with visual mass limited to 460 square feet.
  - For more than 20 units, multiple use design standards apply with visual mass limited to 520 square feet.
- Piers that serve a single primary residence with multiple vacant littoral parcels must comply with single-use pier design standards but shall qualify for application priority.

## Design Standards

- Length: The landward side of the pier catwalk can extend to elevation 6,219 feet or 30 feet waterward of the pierhead line, whichever is more limiting.
- Width: 15 feet wide, not including catwalks
- Multiple-use piers can have flexibility in the design of the pierhead to accommodate multiple users.
- Catwalks: 3 feet wide and length is dependent upon number of parcels:
  - If two parcels, then catwalks may be up to 30 feet long.
  - If more than two parcels, then catwalks may be up to 45 feet long.
- Boat lifts: One boat lift per littoral parcel allowed, up to a maximum of four per multiple-use pier.

- Visual mass
  - For 2 littoral parcels, visual mass would be limited to 400 square feet
  - For 3 littoral parcels, visual mass would be limited to 460 square feet
  - For 4 or more littoral parcels, visual mass would be limited to 520 square feet
- Boat and boat lift visual mass would not be included in the visual mass limitation; however, applicants would have to mitigate for boat and boat lift visual mass as part of the project.
- Similar to boats and boat lifts, pier railings, which are needed to meet safety requirements, are not included in the visual mass limitation; however, applicants would have to mitigate the visual mass as part of the project.

## Single-Use Piers

### Definition

- The term single-use pier is a pier that serves one littoral parcel.

### Design Standards

- Orientation: piers shall be constructed perpendicular to the shoreline.
- Length: new or existing piers may extend to elevation 6,219 feet or the pierhead line, whichever is more limiting. If an applicant needs additional pier length for functionality, TRPA standards would allow up to an additional 15 feet waterward of the pier headline if the drop in substrate within the additional 15 feet is a minimum of 6 inches (minimum of 3 percent).
- Width: maximum width equals 10 feet.
- Visual mass: limited to 220 square feet for the pier, which includes catwalks up to 3 feet wide and 30 feet in length. The 220 square feet would not include visual mass of a boat and boat lift, but additional visual mass of a boat lift with a boat would still need to be mitigated.
- Location: A new pier should be located at least 40 feet from any other pier, measured from the pier head. Side setbacks for piers should be at least 20 feet for new piers and 5 feet for existing piers.
- Catwalks up to 3' in width and boatlifts are allowed.

## Public Piers

- TRPA will evaluate public pier design on a case-by-case basis. Therefore, design standards for public piers are not proposed.
- Public piers may not be used as permanent moorage.

## Commercial and Tourist Accommodation Piers

- A commercial use may be eligible for a new pier if the upland use is also commercial.
- A tourist accommodation use may be eligible for a new pier only if the upland use also includes a commercial use.
- For eligible piers that are open to the public, piers may be designed to multiple-use standards for 4 or more littoral parcels.
- For eligible piers that are not open to the public, piers may be designed to single-use design standards.
- Applications for new piers associated with commercial or tourist accommodation uses will be prioritized as part of the annual pier application and allotment process.

## Pier Relocation and Transfer

- Piers may be relocated or transferred within the same scenic unit or to another scenic unit in attainment, but cannot transfer to another scenic unit that is out of attainment.
- Transferred piers should meet all location and design criteria for a new pier.
- When a pier is transferred, the old pier should be fully removed and the area restored. The sending parcel should be deed-restricted from developing a future pier.
- For pier transfers, both the sending and receiving parcels should meet scenic BMP requirements for new piers.

## Pier Conversion

- Existing boat ramps may be converted to a pier. These piers would not be counted within the pier allocation.

## Expansions of Existing Piers

- Existing piers that conform to location and design standards may be expanded to the extent allowed for new piers.
- Existing piers that do not conform to location and design standards may not be expanded unless:
  - the expansion is limited to an existing boat house and does not increase the functional capacity of the pier;
  - the effect of the expansion is to increase contrast rating of the structure; and
  - the expansion is the absolute minimum necessary to accomplish the scenic quality improvement.

## Modification of Existing Pier Structures

- Existing pier structures that do not conform to location and design standards may be modified if the modification:
  - results in a material environmental benefit;
  - brings the structure into greater compliance with location and design standards; and
  - does not increase the degree of nonconformance with any location and design standard.

## Mitigation

### Priority Location

- Scenic mitigation and improvement should first occur when possible: 1) on the parcel in the shorezone; 2) on the parcel in the upland area; 3) within the unit on the shorezone; 4) within the unit in the upland; and then 5) in another non-attainment unit.

### Scenic Mitigation

- Scenic mitigation for new piers increases with scenic sensitivity of the developing parcel's location.
  - For Visually Dominated areas, the scenic mitigation ratio is 1:1.5.
  - For Visually Modified areas, the scenic mitigation ratio is 1:2.0.
  - For Visually Sensitive areas, the scenic mitigation ratio is 1:3.0.

### Fish Habitat Mitigation

- Consistent with the environmental thresholds, mitigation of fish habitat (for feeding / escape cover and spawning) is 1:1.

### Scenic Credit Program

- TRPA will allow banking of scenic credits in the shorezone and shoreland.
- Private parcels, public parcels and marinas are eligible to participate.
- Improvement can occur anywhere on the parcel or in the unit.
- Credit always stays with the parcel.

### Environmental Improvement [In Development]

- Consider dedicating portion of fees generated from the Shoreline Plan to EIP for above-and-beyond environmental improvement.

## Floating (Swim) Platforms

- Floating platforms should be allowed and tied to a permanent anchor.
- Floating platforms are not moorings; however, they must be connected to an anchor in lieu of a buoy.
- Floating platforms should not exceed 10 x 10 feet.
- Motorized boats cannot be moored to floating platforms.

## Boat Ramps

- During periods of low lake levels, encourage non-motorized boaters to use boat ramps that are not functional for motorized boats.
- The existing six public boat ramps may be relocated to sites better suited to accommodate low lake level.
- Up to two new public boat ramps may be developed.
- Any new public boat ramps should be located in areas that promote geographic distribution of lake access in association with clustered development and transportation hubs.
- New ramp locations should also exhibit shoreline conditions that are well suited (e.g. depth, bathymetry) to accommodate access during periods of Phase 2 low lake levels of 6,220 feet.
- Where feasible, marinas and other public ramps may extend ramps to be operational during periods of low lake levels.

## Marinas

### Applicability

- The Shoreline Plan process could facilitate environmentally beneficial redevelopment at marinas in lieu of Marina Master Plans.
- The types of improvements that marina operators anticipate varies based on a number of factors specific to marina location, including access to navigable water, services provided, and desired reconfiguration or expansion at marinas that may or may not involve additional moorings.
- Marinas may begin planning and implementing for Phase 2 lake levels before such levels are realized.

### Permit Streamlining and Environmental Review

- Each marina project would be subject to environmental review, but depending upon the level of disturbance and scale of project, it could be

approved at the staff or hearings officer level. Projects requiring an EIS would require review and approval by APC and the Governing Board.

- To avoid multiple permit applications, applications for marina projects are encouraged to be comprehensive in that they should include a phasing plan that includes both short term and long term environmental improvements, low lake level adaptation strategies, and plans for adding additional capacity.

## Mooring Allocation<sup>2</sup>

- TRPA will set aside 330 buoy allocations for use at marinas.
- Boat slips would be interchangeable with buoys for allocation purposes.
- Additional buoys or slips may be allocated if a proposed project meets all requirements of the respective permitting agencies and complies with the “Clean Marina” certification program with additional elements that are Tahoe-specific integrated into the program, including an aquatic invasive species management plan.
  - Such compliance would be required prior to permitting any reconfiguration or expansion.
  - Marinas should also include some additional elements such as the environmental improvements shown in the list below.
    - Demonstrate flow improvements/reduction of AIS habitat conditions and/or reduced need for dredging.
    - Contribute to existing AIS control efforts (lake wide).
    - Provide a boating rental and operations fleet that meets EPA and/or CARB standards, including electric boats.
    - Install an electric charging station for boats.
    - Provide boater education of 600’ no wake zone, boater safety, and clean boating practices.
    - Provide public access to marina fueling and/or pump out stations.
    - Install stormwater BMPs that treat volume above existing TRPA and, if in CA, Lahontan RWCQB requirements.
    - Provide additional scenic improvements, such as rack or storage screening.
    - Provide boat ramps for public use. If a ramp is not functional for motorized boating due to low lake level conditions, provide access for non-motorized boaters.
    - Provide dedicated parking for non-motorized boaters.
    - Demonstrate a low lake level capacity improvement.

---

<sup>2</sup> See Buoys for further discussion of buoy allocation lake-wide.

- Provide non-motorized boat storage for public.
- Install an electric charging station for cars.
- Reduce on-site coverage.
- Receive Lake Friendly Business Certification.
- Marinas that have demonstrated past performance in environmental improvements could receive additional consideration for additional buoys or boat slips.
- Buoy or boat slip allocations could be used immediately or phased over time consistent with the project application.
- Marina piers may not be used as permanent moorage.

## Low Lake Level Adaptation

- Marinas may begin planning and implementing for Phase 2 (elevation 6,220 feet) lake levels before such levels are realized.

## Additional Capacity

- If marinas are adding capacity or making other provisions to accommodate private property owners who cannot access private moorings during low lake level conditions, they should not be required to provide “above and beyond” environmental improvements or additional mitigation fees.

## Floating Structures

- Marinas would be allowed to use temporary floating structures to provide access for boats when lake levels fall below 6,225 feet.<sup>3</sup> Such structures should be removed when the lake levels rise above 6,225 feet for a period of six consecutive months.

## Pier Extension

- Flexibility in pier design at marinas would be allowed based on site-specific navigation and environmental considerations. Longer piers may help to alleviate the need for dredging, but could have navigation and scenic impacts.
- Marina pier extensions shall be reviewed on a case-by-case basis and subject to the following:
  - A marina pier must serve the public.

---

<sup>3</sup> Both TRPA and California State Lands Commission will explore new permits and leases, respectively, that can accommodate marina flexibility for taking these structures in and out of the water.

- A marina pier extension must not negatively impact safe navigation.
- All impacts of a marina pier extension must be appropriately mitigated.
- A marina pier may be extended 15 feet waterward if the drop in substrate within the additional 15 feet is a minimum of 6 inches (minimum of 3 percent). Additional extensions may be allowed if the same substrate slope applies continuously.
- A marina pier extension for the purposes of facilitating waterborne transit shall be considered only with the review of a waterborne transit plan or project.

## Design Standards

### Buoy Fields

- Marina buoy fields must comply with the same standards as other buoy fields (see Buoys) although marina buoy fields may extend further waterward than other fields if consistent with existing permits and leases.
- Marina buoy fields could include additional rows of lakeward anchors to accommodate low lake level adaptation, but the number of buoys must stay the same.

### Dredging

- New dredging would only be allowed at marinas, the five essential public health and safety facilities, and the six existing public boat ramps where previously approved uses exist, provided all environmental impacts are addressed and can be appropriately mitigated.
- New dredging at public boat ramps may be allowed if increased functionality of the ramp can be demonstrated.
- TRPA will adopt a conformance standard consistent with the Army Corps of Engineers 404 federal standard for new dredging (non-degradation). Applicants will also need to comply with each state's 401 permit requirements.
- Maintenance dredging would be allowed.

## Overnight anchoring

- Watercraft moored overnight shall be moored to legally existing buoys, boatlifts, slips, berths, boat hoists or other watercraft storage facilities, except for the following:
  - Mooring of construction watercraft for purposes of and use during TRPA authorized construction activities,
  - Mooring of public service watercraft for health and safety purposes, or
  - Mooring of watercraft for occasional overnight camping purposes for up to 72 hours.

## No Wake Zone

- The no wake zone will be maintained at 600-feet from the water line and speed will continue to be limited to 5 mph, except for within Emerald Bay.
- Within Emerald Bay, all areas will be designated as a no wake zone. Speed would be limited to 5 mph with an exception up to 7 mph for tour boats.

## Concessions

### Applicability

- Concession structures that occur upland of the shorezone will not be regulated through the Shoreline Plan.
- The following policies and standards apply to both motorized and non-motorized concessions.

### General

- Concessions would only be permitted as an accessory use for applicants that have a permitted upland use.
- TRPA would only issue permanent permits. The permit would specify the number and type of boats, paddleboards, kiosks/ structures, etc. to support the concession.
- All concessions with a valid permit would be considered grandfathered to continue operating under their existing permit conditions. All new concessions would be required to meet the requirements of the Shoreline Plan.

## Design Standards

- Storage racks would be allowed. The location of racks would be above high water wherever possible and provide for maximum access and recreational benefit.

## Fueling of Watercraft

- Permits would require compliance with operations procedures, including fueling best management practices, meeting fire codes, and local jurisdiction permit(s).

## Other Structures

### Breakwaters, Jetties, and Rock Crib and Sheet Pile Piers

- No new public or private breakwaters, jetties, rock crib piers, or sheet pile piers (or other structures of this type) would be permitted in the Lake Tahoe Region except as part of a habitat restoration project or as part of a marina environmental improvement project.

## Low Lake Level Adaptation

### Phased Approach

The Shoreline Plan will plan for low lake level adaptation over the next 20 years and recognize the following phases:

Phase 1: 6223 feet elevation, natural rim. The current legal low used in regional planning.

Phase 2: 6,220 feet. The Joint Fact-Finding Committee recommended the use of elevation 6,220 feet based on their review of the historic low lake elevation (6,220 feet) and the central tendency in the Bureau of Reclamation Truckee Basin Study<sup>4</sup>. This elevation is considered the low elevation for planning decisions and policy development, intended to accommodate some access during low lake levels.

Phase 3: Below 6220 feet (“too low to provide for access”). In some years, the lake elevation may drop below a level at which

---

<sup>4</sup> U.S. Department of the Interior, Bureau of Reclamation (2015). Reclamation: Managing Water in the West. Truckee Basin Study, Basin Study Report. August, 2015.

boating and other access can no longer be reasonably provided.

## Direct Access towards Marinas and other Public Ramps

- During periods of Phase 2 low lake levels, direct boats, which need associated structures to safely and effectively launch, to marinas and other public ramps that are operational at such elevations, clustering access near areas with transportation and transit options.
- Support marinas and other public ramps to adapt to be operational during periods of low lake levels to the extent feasible.
- The Shoreline Plan low lake adaptations will generally plan to accommodate watercraft up to thirty feet in length, which is roughly the average length of boats on the Lake.

## Tolerance Districts and Permissible Uses

- TRPA guides development around the shoreline of Lake Tahoe through the use of eight shorezone tolerance districts that were developed based on an analysis of an areas tolerance or responsiveness to disturbance or change. Within the tolerance districts, TRPA also developed appropriate permissible uses for the shoreline depending upon the level of intensity of development authorized by the designated tolerance district classification. The tolerance districts and associated permissible uses are to be carried forward into the Shoreline Plan.
- The existing code is open to interpretation regarding private access from the backshore to the foreshore (competing clauses in the code in certain Tolerance Districts). Due to topography, such as steep slopes, private access to the backshore should be allowed, but such access should be accomplished in the least impactful way, which might be a footpath or staircase. TRPA would clarify the existing code.

## Public Trust Easement in CA

- TRPA and California State Lands Commission has agreed to draft a memorandum of understanding that would detail a process to coordinate applications for piers which respect the easement and property rights, giving assurance to property owners. The MOU is in development.

## Tahoe Keys

The 2016 inventory included boating facilities in the Tahoe Keys.

### Applicability

- The Shoreline Plan accounts for the anticipated environmental impacts of the Keys by including Tahoe Keys lagoon structures as part of the 2016 shoreline structure inventory and boating capacity coming from the Keys for the environmental baseline.
- The Lake Tahoe shoreline development standards in the Shoreline Plan would not apply in the Tahoe Keys because the Keys are not part of Lake Tahoe (proper). For example, low lake adaptation policies and standards would not apply in the Keys.
- The highest priority issue to address in the Keys is Aquatic Invasive Species (AIS) management, and TRPA and Lahontan are working actively with the Keys Homeowner's Association on developing and implementing an invasive weeds management plan.
- Because the Keys are built out, there is little need to prioritize planning for new development, and any refinements to permit administration for the Keys will likely be taken up after the Shoreline Plan for Lake Tahoe and the Keys AIS Management Plan work is completed.

### Green Infrastructure

- TRPA will allow planning for infrastructure that will support environmental improvement.

### Environmental Improvement

- Environmental improvement projects with a nexus to recreational impacts will be identified and presented as an opportunity to advance expanded recreational access in concert with environmental restoration. Environmental Improvement Program (EIP) implementation that is in alignment with existing EIP programmatic priorities will be part of the established framework. **[In Development]**
- Staff and the Steering Committee are working together to identify the exact mechanisms to link the Shoreline Plan with Aquatic Invasive Species (AIS) and recreation projects.



# Lake Tahoe Shoreline Plan

## Policies Under Consideration

V4

Last Updated 05.16.2017

Table of Contents

Concepts Under Consideration ..... 1

Moorings ..... 1

Buoys ..... 2

Piers..... 5

Floating (Swim) Platforms ..... 12

Boat Ramps ..... 12

Marinas..... 12

Dredging ..... 15

Overnight anchoring..... 16

No Wake Zone ..... 16

Concessions..... 16

Other Structures ..... 17

Low Lake Level Adaptation ..... 17

Tolerance Districts and Permissible Uses..... 18

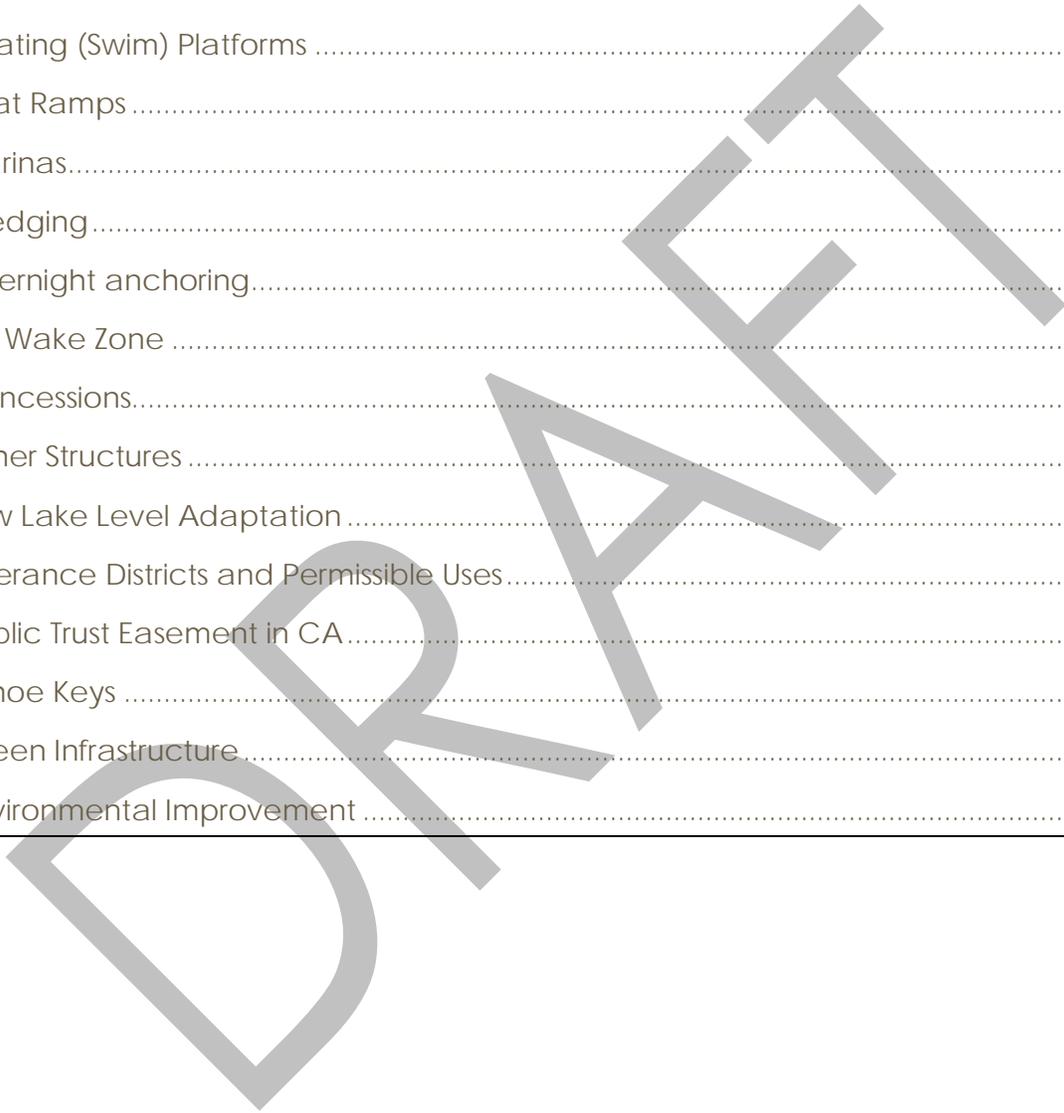
Public Trust Easement in CA..... 18

Tahoe Keys ..... 19

Green Infrastructure..... 19

Environmental Improvement ..... 19

---



## Concepts Under Consideration

The Shoreline Steering Committee has developed these concepts under consideration as preliminary consensus and the basis for progress. The Steering Committee will incorporate feedback from the public and the TRPA Governing Board and Regional Plan Implementation Committee to refine these concepts and develop the final package of recommendations.

### Moorings

#### [Applicability](#)

- A mooring could be a buoy, a boat slip, or a boatlift.

#### Moorings per Littoral Parcel

- ~~Each littoral parcel can have two moorings at any one time.~~ Littoral parcels would be allowed three permanent anchor blocks, but can only have 2 moorings at one time. The purpose of the three permanent anchor blocks is to avoid disrupting the lake bottom to relocate moorings.

- 

#### Mooring of Motorized Boats

- No motorized boats may dock on the beach in fish spawning habitat.

#### Boat Slips

- No new private boat slips would be allowed except for public facilities and marinas.
- Marinas and public agencies could relocate boat slips if tied to environmental improvement.
- Adding boat slips or buoys at marinas and public agencies would constitute a project and go through a standard review process.
- Marinas and public agencies could exchange boat slips and buoys within their existing facilities and within their designated allocation for new buoys or boat slips. For existing facilities, moving from a buoy to boat slip would require a project application.

## Mooring Conversions

### Marine Railways

- [Serviceable marine railways may convert to a buoy or boat slip, but not a pier.](#)

## Buoys

### Enforcement

- Establish and implement a joint TRPA/State program of buoy compliance.
- Develop memoranda of agreement with the States and TRPA as a mechanism to facilitate enforcement.
- Recognize that 2008 funding may be available for future enforcement.

### Allocation of Potential New Buoys

- 1,430 additional buoys would be eligible for future permitting in addition to the buoys counted during the 2016 boating season.<sup>1</sup> Note, in order to give public land managers and marinas flexibility to choose a variety of mooring layouts, buoys may be changed to boat slips.
- Initially, TRPA will release 800 new buoys at the onset of implementation to be permitted
- The remaining 630 new buoys would be placed in a reserve pool available for all potential owners in the future and to meet the Plan goals of low lake level adaptation, shifting some availability to the public, and environmental improvement.
  - 330 of the 630 buoys would be reserved for marinas.
- Public agencies will also be provided an allotment from the reserve pool and could utilize a portion or all of this allotment as slips.
- Associations will be allowed to apply for new buoys in buoy fields. In the first five years of Shoreline Plan implementation, associations that have buoys for 50% or more of the applicable housing units are not eligible to apply for new buoys. For associations that are able to apply, the request for new buoys can be up to a 20% increase of the total number of existing TRPA-legally-permitted moorings (buoys and slips). The total number of association moorings cannot exceed the number of units, must comply with placement safety standards, and be within the grid system.

---

<sup>1</sup> The environmental analysis will consider a total number of buoys of 6,316. This number is drawn from the 2008 program. The 2016 buoy survey identified 4,886 permitted and unpermitted buoys. In 2008, TRPA received 4,412 buoy applications (3,421 were approved with another 981 pending).

- Allocation of all buoys, including the reserve pool and allocation to associations, would be revisited every 5 years through an adaptive management review process.
- Once the mooring cap is reached, TRPA may consider allowing the trading and selling of mooring allocations between private property owners.

## Buoy Permitting

- First call, invite all TRPA permittees, both approved and pending, to come in to TRPA to review their buoy permits and rectify any outstanding permit conditions.
- Second call, TRPA will open up to new buoy applications.

## Buoys not within a Buoy Field

### Design Standards

- Buoys per littoral parcel
  - Up to two buoys allowed per single-family littoral parcel, as long as dimensional criteria such as setbacks are met. For constricted parcels that are unable to meet setback or spacing requirements, TRPA may adjust projection lines on a case-by-case basis ~~buoys may be allowed through cooperation with neighboring properties.~~
- Location
  - Buoys may be located up to 600 feet waterward from elevation 6,220 feet measured horizontally.
  - Buoys must be located 20 feet from adjacent property boundaries and at least 50 feet from all legally existing buoys.
- Buoys within cove environments with interfering projection lines
  - Cove environment allows only 1 buoy per littoral parcel if applicant is not eligible based on projection lines, ~~unless otherwise agreed with neighboring properties.~~ TRPA may adjust projection lines on a case-by-case basis.
  - Use same off-shore distance required for single-use buoys.
  - Buoys must be located 50 feet from other buoys.

## Grandfathering

- Recognition of existing buoys
  - For littoral parcels with existing buoys, TRPA would recognize buoys based on presentation of (a) a valid buoy permit issued by a

federal or state agency with appropriate jurisdiction (i.e., USACE, California State Lands, or Nevada State Lands) or (b) clear evidence of the existence of the buoy(s) prior to 1972.

- Up to 3 buoys allowed (approximately 61 parcels) for littoral lots  $\geq$  50 feet in width.
- Up to 2 buoys allowed for littoral parcels < 50 feet in width.
- For non-littoral parcels, buoys placed prior to 1972 would be recognized only after the applicant has received authorization from the applicable California or Nevada state agency with jurisdiction at Lake Tahoe.
- Recognized buoys would be required to conform to the location standards for new buoys described above, unless re-location that may be required would create unnecessary additional environmental impacts, and the existing buoy location does not unreasonably interfere with buoys being located by adjacent property owners. In any case, buoys must be located at least 50 feet from any other buoy or structure.

## Buoy Fields (including marinas)

### Design Standards

- Buoy fields should be designed in a grid using the same setback and spacing standards as for single-use buoys but may deviate from these standards based on site specific conditions including neighboring uses and structures, State agency compliance, Coast Guard consultation, navigation, substrate including obstacles, and bathymetry.
- All commercial and tourist buoys shall be subject to the same setbacks and grid spacing as homeowner associations or other associational entities.

### Low Lake Level Adaptation

- Provide for additional permanent anchors for low lake adaptation, either lakeward or laterally for legally established buoys. Applicants must consider plan for landward row, given that buoy blocks might be exposed when lake levels are low.

## Private Harbors

### Low Lake Level Adaptation

- Allow private harbors to install permanent buoy anchors as low lake level adaptation strategy as part of buoy field or in exchange for slips as a low

lake level adaptation strategy, or when harbors are inaccessible due to sediment accumulation.

## Buoys Associated with Concessions

- Concessions should moor motorized watercraft on permitted buoys.
- All buoys used for concessions need to be TRPA permitted legal buoys.

## Piers

### Applicability

- Fish spawning habitat: 2015 updated fish habitat maps using best available data will be adopted as part of the Shoreline Plan. Based on scientific input, the ban on new construction within fish habitat is not scientifically supported and should be lifted. Mitigation in spawning habitat will be required consistent with the environmental thresholds.

### Definition

- A fixed or floating structure intended as a landing or mooring for water craft and either extending from the backshore to at least 10 feet beyond the high water elevation line, or extending into Lake Tahoe to a depth of 6,226.1 feet Lake Tahoe Datum (or a functionally similar depth on other lakes in the Region).

### Eligibility Restrictions

- Littoral parcel is defined as a parcel that has fee ownership to high water.
- All private littoral parcels are eligible for a pier – including those served by a multiple use facility and homeowners association – if the parcel meets the following criteria:
  - The parcel must not have an existing pier,
  - The parcel must not otherwise be deed restricted for a pier.
  - Structures cannot be located in stream mouth protection zones.
  - The parcel cannot be located within Shorezone Preservation Areas. Exceptions, subject to environmental review, possible for public piers.
  - Shorezone development potential must be retired on one or more separate parcels that do not already have a pier. The number of parcels to retire shorezone development potential is dependent upon the developing parcel's scenic sensitivity.
    - For scenic units not in attainment:

- If the developing parcel is within a Visually Dominated (VD) scenic character type, then one (1) parcel must be retired.
- If the developing parcel is within a Visually Modified (VM) or Visually Sensitive (VS) scenic character type, then two (2) parcels must be retired.
  - For scenic units in attainment:
    - If the developing parcel is within a Visually Dominated (VD) or Visually Sensitive scenic character type, then one (1) parcel must be retired.
    - If the developing parcel is within a Visually Sensitive (VS) scenic character type, then two (2) parcels must be retired.
- Parcels with retired shorezone development potential may be located outside of the developing parcel's scenic unit only if the entire project (including mitigation) results in a net increase in the scenic unit score.
- Public drinking water intakes: within ¼ mile of water intakes, water purveyors will be notified and consulted on project conditions.

## Allocation of Potential New Piers

- 10 public piers would be available for permitting.
- 128 private piers in total (multiple or single-use) would be available for permitting over the life of the program contingent on threshold attainment, retiring pier development potential, or other access enhancements.
- Initially, TRPA would release 96 of the 128 piers to be permitted over a 16-year period.
- Up to 12 piers would be permitted every two years with any remaining balance rolling over to subsequent years (i.e. if 10 piers permitted in years 1 and 2, then 14 piers (12 + 2) would be available in years 3 and 4).
- The release of additional piers after the initial 16-year period would be contingent upon the number of parcels that retire future pier development potential. TRPA would release three new piers for every 8 parcels that retire future pier development.
- TRPA will monitor the geographic distribution of new piers along with an evaluation ~~would revisit of the number of piers available~~ pier availability every 8 years (every other threshold report).

## Prioritization of Permit Applications

- Permit applications for new piers would be collected annually by TRPA and prioritized based on the following criteria in order of preference:

- o Proposals that retire pier development potential of parcels within the same scenic character type within the same scenic unit would be first priority.
- ~~o Multiple use piers prioritized over single use piers~~
- o Those applications that retire pier development potential on the most parcels will receive highest priority of review.
- o Piers located in less sensitive scenic character types (i.e. Visually Dominated is less sensitive than Visually Modified which is less sensitive than Visually Sensitive).
- Permit applications that are not accepted after TRPA's permit prioritization assessment will be denied.
  - ~~o Date of application.~~

## Pierhead Line

- TRPA digitized the waterward edge of the pierhead line for all areas around the Lake as depicted on existing hardcopy maps.

## Scenic BMPs

- For new single-use and multiple-use piers: TRPA will require an initial 21 contrast rating (this is the baseline requirement) as part of the pier application. Following permit submittal, applicants would have 6 months to increase their contrast rating to 25 as part of project mitigation. TRPA will exempt property owners from the 25 contrast rating if it is not feasible to achieve 25.

## Multiple-use Piers

### Definition

- The term multiple-use pier is a pier that serves more than one parcel and retires pier development potential through deed restriction on the littoral parcels that are being served.

### General

- Provide incentives for development of multiple-use piers in lieu of single-use piers.
- For all littoral parcels served with a multiple-use pier, pier development potential must be retired through deed restriction for all but the pier-developed parcel. This would apply to both adjacent and non-adjacent parcels regardless of the number of owners.

### Incentives

- TRPA will prioritize applications for piers based on the number of parcels served.
- The following additional incentives for multiple-use piers may be allowed:
  - additional length for catwalks;
  - one boat lift per littoral parcel, up to a maximum of four per multiple-use pier;
  - flexibility in pierhead design to accommodate multiple users; and
  - increased visual mass dependent upon number of parcels.
- Water depth or substrate slope will not be a required design standard for multiple-use piers.

## Design Standards – Applicability

- Piers that serve more than one primary residence on one parcel or multiple parcels with primary residences may comply with multiple-use pier design standards.
- For single parcels that serve multiple units, including multi-family housing, condos, and home owners associations, the applicable pier design standards are listed below, based on the number of units served. In all such cases, only one boat lift would be allowed.
  - For 1-2 units, single-use design standards apply.
  - For 3-4 units, multiple use design standards apply with visual mass limited to 400 square feet.
  - For 5-20 units, multiple use design standards apply with visual mass limited to 460 square feet.
  - For more than 20 units, multiple use design standards apply with visual mass limited to 520 square feet.
- Piers that serve a single primary residence with multiple vacant littoral parcels must comply with single-use pier design standards but shall qualify for application priority.

## Design Standards

- Length: The landward side of the pier catwalk can extend to elevation 6,219 feet or 30 feet waterward of the pierhead line, whichever is more limiting.
- Width: 15 feet wide, not including catwalks
- Multiple-use piers can have flexibility in the design of the pierhead to accommodate multiple users.
- Catwalks: 3 feet wide and length is dependent upon number of parcels:
  - If two parcels, then catwalks may be up to 30 feet long.
  - If more than two parcels, then catwalks may be up to 45 feet long.

- Boat lifts: One boat lift per littoral parcel allowed, up to a maximum of four per multiple-use pier.
- Visual mass
  - For 2 littoral parcels, visual mass would be limited to 400 square feet
  - For 3 littoral parcels, visual mass would be limited to 460 square feet
  - For 4 or more littoral parcels, visual mass would be limited to 520 square feet
- Boat and boat lift visual mass would not be included in the visual mass limitation; however, applicants would have to mitigate for boat and boat lift visual mass as part of the project.
- Similar to boats and boat lifts, pier railings, which are needed to meet safety requirements, are not included in the visual mass limitation; however, applicants would have to mitigate the visual mass as part of the project.

## Single-Use Piers

### Definition

- The term single-use pier is a pier that serves one littoral parcel.

### Design Standards

- Orientation: piers shall be constructed perpendicular to the shoreline.
- Length: new or existing piers may extend to elevation 6,219 feet or the pierhead line, whichever is more limiting. If an applicant needs additional pier length for functionality, TRPA standards would allow up to an additional 15 feet waterward of the pier headline if the drop in substrate within the additional 15 feet is a minimum of 6 inches (minimum of 3 percent).
- Width: maximum width equals 10 feet.
- Visual mass: limited to 220 square feet for the pier, which includes catwalks up to 3 feet wide and 30 feet in length. The 220 square feet would not include visual mass of a boat and boat lift, but additional visual mass of a boat lift with a boat would still need to be mitigated.
- Location: A new pier should be located at least 40 feet from any other pier, measured from the pier head. Side setbacks for piers should be at least 20 feet for new piers and 5 feet for existing piers.
- Catwalks up to 3' in width and boatlifts are allowed.

## Public Piers

- TRPA will evaluate public pier design on a case-by-case basis. Therefore, design standards for public piers are not proposed.
- Public piers may not be used as permanent moorage.

## Commercial and Tourist Accommodation Piers

- A commercial use may be eligible for a new pier if the upland use is also commercial.
- A tourist accommodation use may be eligible for a new pier only if the upland use also includes a commercial use.
- For eligible piers that are open to the public, piers may be designed to multiple-use standards for 4 or more littoral parcels.
- For eligible piers that are not open to the public, piers may be designed to single-use design standards.
- Applications for new piers associated with commercial or tourist accommodation uses will be prioritized as part of the annual pier application and allotment process.

## Pier Relocation and Transfer

- Piers may be relocated or transferred within the same scenic unit or to another scenic unit in attainment, but cannot transfer to another scenic unit that is out of attainment.
- Transferred piers should meet all location and design criteria for a new pier.
- When a pier is transferred, the old pier should be fully removed and the area restored. The sending parcel should be deed-restricted from developing a future pier.
- For pier transfers, both the sending and receiving parcels should meet scenic BMP requirements for new piers.

## Pier Conversion

- Existing boat ramps may be converted to a pier. These piers would not be counted within the pier allocation.

## Expansions of Existing Piers

- Existing piers that conform to location and design standards may be expanded to the extent allowed for new piers.
- Existing piers that do not conform to location and design standards may not be expanded unless:

- o the expansion is limited to an existing boat house and does not increase the functional capacity of the pier;
- o the effect of the expansion is to increase contrast rating of the structure; and
- o the expansion is the absolute minimum necessary to accomplish the scenic quality improvement.

## Modification of Existing Pier Structures

- Existing pier structures that do not conform to location and design standards may be modified if the modification:
  - o results in a material environmental benefit;
  - o brings the structure into greater compliance with location and design standards; and
  - o does not increase the degree of nonconformance with any location and design standard.

## Mitigation

### Priority Location

- Scenic mitigation and improvement should first occur when possible: 1) on the parcel in the shorezone; 2) on the parcel in the upland area; 3) within the unit on the shorezone; 4) within the unit in the upland; and then 5) in another non-attainment unit.

### Scenic Mitigation

- Scenic mitigation for new piers increases with scenic sensitivity of the developing parcel's location.
  - o ~~If the unit is in scenic attainment~~ For Visually Dominated areas, the scenic mitigation ratio is 1:1.5.
  - o ~~If the unit is in scenic non-attainment~~ For Visually Modified areas, the scenic mitigation ratio is 1:~~4.5~~2.0.
  - o For Visually Sensitive areas, the scenic mitigation ratio is 1:3.0.

### Fish Habitat Mitigation

- Consistent with the environmental thresholds, mitigation of fish habitat (for feeding / escape cover and spawning) is 1:1.

### Scenic Credit Program

- TRPA will allow banking of scenic credits in the shorezone and shoreland.
- Private parcels, public parcels and marinas are eligible to participate.

- Improvement can occur anywhere on the parcel or in the unit.
- Credit always stays with the parcel.

## Environmental Improvement [In Development]

- Consider dedicating portion of fees generated from the Shoreline Plan to EIP for above-and-beyond environmental improvement.

## Floating (Swim) Platforms

- Floating platforms should be allowed and tied to a permanent anchor.
- Floating platforms are not moorings; however, they must be connected to an anchor in lieu of a buoy.
- Floating platforms should not exceed 10 x 10 feet.
- Motorized boats cannot be moored to floating platforms.

## Boat Ramps

- During periods of low lake levels, encourage non-motorized boaters to use boat ramps that are not functional for motorized boats.
- The existing six public boat ramps may be relocated to sites better suited to accommodate low lake level.
- Up to two new public boat ramps may be developed.
- Any new public boat ramps should be located in areas that promote geographic distribution of lake access in association with clustered development and transportation hubs.
- New ramp locations should also exhibit shoreline conditions that are well suited (e.g. depth, bathymetry) to accommodate access during periods of Phase 2 low lake levels of 6,220 feet.
- Where feasible, marinas and other public ramps may extend ramps to be operational during periods of low lake levels.

## Marinas

### Applicability

- The Shoreline Plan process could facilitate environmentally beneficial redevelopment at marinas in lieu of Marina Master Plans.
- The types of improvements that marina operators anticipate varies based on a number of factors specific to marina location, including access to

navigable water, services provided, and desired reconfiguration or expansion at marinas that may or may not involve additional moorings.

- [Marinas may begin planning and implementing for Phase 2 lake levels before such levels are realized.](#)

## Permit Streamlining and Environmental Review

- Each marina project would be subject to environmental review, but depending upon the level of disturbance and scale of project, it could be approved at the staff or hearings officer level. Projects requiring an EIS would require review and approval by APC and the Governing Board.
- To avoid multiple permit applications, applications for marina projects are encouraged to be comprehensive in that they should include a phasing plan that includes both short term and long term environmental improvements, low lake level adaptation strategies, and plans for adding additional capacity.

## Mooring Allocation<sup>2</sup>

- TRPA will set aside 330 buoy allocations for use at marinas.
- Boat slips would be interchangeable with buoys for allocation purposes.
- Additional buoys or slips may be allocated if a proposed project meets all requirements of the respective permitting agencies and complies with the “Clean Marina” certification program with additional elements that are Tahoe-specific integrated into the program, including an aquatic invasive species management plan.
  - Such compliance would be required prior to permitting any reconfiguration or expansion.
  - Marinas should also include some additional elements such as the environmental improvements shown in the list below.
    - Demonstrate flow improvements/reduction of AIS habitat conditions and/or reduced need for dredging.
    - Contribute to existing AIS control efforts (lake wide).
    - Provide a boating rental and operations fleet that meets EPA and/or CARB standards, including electric boats.
    - Install an electric charging station for boats.
    - Provide boater education of 600’ no wake zone, boater safety, and clean boating practices.
    - Provide public access to marina fueling and/or pump out stations.

---

<sup>2</sup> See Buoys for further discussion of buoy allocation lake-wide.

- Install stormwater BMPs that treat volume above existing TRPA and, if in CA, Lahontan RWCOB requirements.
  - Provide additional scenic improvements, such as rack or storage screening.
  - Provide boat ramps for public use. If a ramp is not functional for motorized boating due to low lake level conditions, provide access for non-motorized boaters.
  - Provide dedicated parking for non-motorized boaters.
  - Demonstrate a low lake level capacity improvement.
  - Provide non-motorized boat storage for public.
  - Install an electric charging station for cars.
  - Reduce on-site coverage.
  - Receive Lake Friendly Business Certification.
- Marinas that have demonstrated past performance in environmental improvements could receive additional consideration [for additional buoys or boat slips](#).
  - [Buoy or boat slip allocations could be used immediately or phased over time consistent with the project application.](#)
  - [Marina piers may not be used as permanent moorage.](#)

## Low Lake Level Adaptation

- [Marinas may begin planning and implementing for Phase 2 \(elevation 6,220 feet\) lake levels before such levels are realized.](#)

## Additional Capacity

- If marinas are adding capacity or making other provisions to accommodate private property owners who cannot access private moorings during low lake level conditions, they should not be required to provide “above and beyond” environmental improvements or additional mitigation fees.

## Floating Structures

- Marinas would be allowed to use temporary floating structures to provide ~~Phase 2 (6,220')~~ access for boats [when lake levels fall below 6,225 feet.](#)<sup>3</sup> [Such structures should be removed when the lake levels rise above 6,225 feet for a period of six consecutive months.](#)

---

<sup>3</sup> Both TRPA and California State Lands Commission will explore new permits and leases, respectively, that can accommodate marina flexibility for taking these structures in and out of the water.

## Pier Extension

- Flexibility in pier design at marinas would be allowed based on site-specific navigation and environmental considerations. Longer piers may help to alleviate the need for dredging, but could have navigation and scenic impacts.
- Marina pier extensions shall be reviewed on a case-by-case basis and subject to the following:
  - A marina pier must serve the public.
  - A marina pier extension must not negatively impact safe navigation.
  - All impacts of a marina pier extension must be appropriately mitigated.
  - A marina pier may be extended 15 feet waterward if the drop in substrate within the additional 15 feet is a minimum of 6 inches (minimum of 3 percent). Additional extensions may be allowed if the same substrate slope applies continuously.
- A marina pier extension for the purposes of facilitating waterborne transit shall be considered only with the review of a waterborne transit plan or project.

## Design Standards

### Buoy Fields

- Marina buoy fields must comply with the same standards as other buoy fields (see Buoys) although marina buoy fields may extend further waterward than other fields if consistent with existing permits and leases.
- Marina buoy fields could include additional rows of lakeward anchors to accommodate low lake level adaptation, but the number of buoys must stay the same.

## Dredging

- New dredging would only be allowed at marinas, ~~and~~ the five essential public health and safety facilities, and the six existing public boat ramps where previously approved uses exist, provided all environmental impacts are addressed and can be appropriately mitigated.
- New dredging at public boat ramps may be allowed if increased functionality of the ramp can be demonstrated.
- TRPA will adopt a conformance standard consistent with the Army Corps of Engineers 404 federal standard for new dredging (non-degradation).

Applicants will also need to comply with each state's 401 permit requirements.

- Maintenance dredging would be allowed.

## Overnight anchoring

- Watercraft moored overnight shall be moored to legally existing buoys, boatlifts, slips, berths, boat hoists or other watercraft storage facilities, except for the following:
  - Mooring of construction watercraft for purposes of and use during TRPA authorized construction activities,
  - Mooring of public service watercraft for health and safety purposes, or
  - Mooring of watercraft for occasional overnight camping purposes for up to 72 hours.

## No Wake Zone

- The no wake zone will be maintained at 600-feet from the water line and speed will continue to be limited to 5 mph, except for within Emerald Bay.
- Within Emerald Bay, all areas will be designated as a no wake zone. Speed would be limited to 5 mph with an exception up to 7 mph for tour boats.

## Concessions

### Applicability

- Concession structures that occur upland of the shorezone will not be regulated through the Shoreline Plan.
- The following policies and standards apply to both motorized and non-motorized concessions.

### General

- Concessions would only be permitted as an accessory use for applicants that have a permitted upland use.
- TRPA would only issue permanent permits. The permit would specify the number and type of boats, paddleboards, kiosks/ structures, etc. to support the concession.
- All concessions with a valid permit would be considered grandfathered to continue operating under their existing permit conditions. All new

concessions would be required to meet the requirements of the Shoreline Plan.

## Design Standards

- Storage racks would be allowed. The location of racks would be above high water wherever possible and provide for maximum access and recreational benefit.

## Fueling of Watercraft

- Permits would require compliance with operations procedures, including fueling best management practices, meeting fire codes, and local jurisdiction permit(s).

## Other Structures

### Breakwaters, Jetties, and Rock Crib and Sheet Pile Piers

- No new public or private breakwaters, jetties, rock crib piers, or sheet pile piers (or other structures of this type) would be permitted in the Lake Tahoe Region except as part of a habitat restoration project or as part of a marina environmental improvement project.

## Low Lake Level Adaptation

### Phased Approach

The Shoreline Plan will plan for low lake level adaptation over the next 20 years and recognize the following phases:

- Phase 1: 6223 feet elevation, natural rim. The current legal low used in regional planning.
- Phase 2: 6,220 feet. The Joint Fact-Finding Committee recommended the use of elevation 6,220 feet based on their review of the historic low lake elevation (6,220 feet) and the central tendency in the Bureau of Reclamation Truckee Basin Study<sup>4</sup>. This elevation is considered the low elevation for planning decisions and policy development, intended to accommodate some access during low lake levels.

---

<sup>4</sup> U.S. Department of the Interior, Bureau of Reclamation (2015). Reclamation: Managing Water in the West. Truckee Basin Study, Basin Study Report. August, 2015.

Phase 3: Below 6220 feet (“too low to provide for access”). In some years, the lake elevation may drop below a level at which boating and other access can no longer be reasonably provided.

## Direct Access towards Marinas and other Public Ramps

- During periods of Phase 2 low lake levels, direct boats, which need associated structures to safely and effectively launch, to marinas and other public ramps that are operational at such elevations, clustering access near areas with transportation and transit options.
- Support marinas and other public ramps to adapt to be operational during periods of low lake levels to the extent feasible.
- The Shoreline Plan low lake adaptations will generally plan to accommodate watercraft up to thirty feet in length, which is roughly the average length of boats on the Lake.

## Tolerance Districts and Permissible Uses

- TRPA guides development around the shoreline of Lake Tahoe through the use of eight shorezone tolerance districts that were developed based on an analysis of an areas tolerance or responsiveness to disturbance or change. Within the tolerance districts, TRPA also developed appropriate permissible uses for the shoreline depending upon the level of intensity of development authorized by the designated tolerance district classification. The tolerance districts and associated permissible uses are to be carried forward into the Shoreline Plan.
- The existing code is open to interpretation regarding private access from the backshore to the foreshore (competing clauses in the code in certain Tolerance Districts). Due to topography, such as steep slopes, private access to the backshore should be allowed, but such access should be accomplished in the least impactful way, which might be a footpath or staircase. TRPA would clarify the existing code.

## Public Trust Easement in CA

- TRPA and California State Lands Commission has agreed to draft a memorandum of understanding that would detail a process to coordinate applications for piers which respect the easement and property rights, giving assurance to property owners. The MOU is in development.

## Tahoe Keys

The 2016 inventory included boating facilities in the Tahoe Keys.

### Applicability

- ~~— Discussion topics for Tahoe Keys: 1) inventory of boating structures, 2) boating capacity, 3) roles and responsibilities of the entities that own portions of the Tahoe Keys, and 4) the rules and regulations.~~
- The Shoreline Plan accounts for the anticipated environmental impacts of the Keys by including Tahoe Keys lagoon structures as part of the 2016 shoreline structure inventory and boating capacity coming from the Keys for the environmental baseline.
- The Lake Tahoe shoreline development standards in the Shoreline Plan would not apply in the Tahoe Keys because the Keys are not part of Lake Tahoe (proper). For example, low lake adaptation policies and standards would not apply in the Keys.
- The highest priority issue to address in the Keys is Aquatic Invasive Species (AIS) management, and TRPA and Lahontan are working actively with the Keys Homeowner's Association on developing and implementing an invasive weeds management plan.
- Because the Keys are built out, there is little need to prioritize planning for new development, and any refinements to permit administration for the Keys will likely be taken up after the Shoreline Plan for Lake Tahoe and the Keys AIS Management Plan work is completed.

### Green Infrastructure

- TRPA will allow planning for infrastructure that will support environmental improvement.

### Environmental Improvement

- Environmental improvement projects with a nexus to recreational impacts will be identified and presented as an opportunity to advance expanded recreational access in concert with environmental restoration. Environmental Improvement Program (EIP) implementation that is in alignment with existing EIP programmatic priorities will be part of the established framework. **[In Development]**

- Staff and the Steering Committee are working together to identify the exact mechanisms to link the Shoreline Plan with Aquatic Invasive Species (AIS) and recreation projects.

DRAFT



## Non-Motorized Access (Kayaks, Paddle Boards, etc.)

04.26.2017

### Issues Identified through Planning Process

Use and improvements of access for non-motorized boating

Signage

Safe navigation

No-wake zones

Presence of piers and buoys

Storage on / near shoreline

User conflicts

Concessions

### Shoreline Plan Policy

#### Work with Existing Partners

The Shoreline Plan recognizes that non-motorized boating is an ever-increasing recreational activity at Lake Tahoe and supports efforts to provide safe access, egress and navigation. The Shoreline Plan will also provide opportunities for facilities to accommodate non-motorized boating activities, including paddle boarding and kayaking.

The Water Trail tracks 39 access points and 17 day-use sites spread widely throughout the lake. The Water Trail web site 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 at Lake Tahoe. The U.S. Coast Guard, marinas, and other recreation providers also facilitate boater safety and provide information.

## Provide for Safe Navigation

### The Shoreline Plan:

- Continues the no-wake zone at 600-feet and 5mph speed limit.
- Limits pier length (via the designated pierhead line) to promote safe navigation
- Controls where piers are located, preserving natural areas without piers and distributing piers in areas where piers already exist.
- Creates more space and a buffer for non-motorized access on the landward side of buoy fields by allowing buoy fields to move its landward row lakeward during low lake levels.

### Use and Improvements for Access

- Provides for storage racks and concessions in the shorezone.
- Supports funding for signage associated with the Water Trail to identify launch sites, landing locations, and other public access points.
- Enhances public boat ramps for non-motorized to take advantage of during periods of low lake when not accessible for motorized boats.
- Upholds environmental thresholds (scenic, water quality, recreation) to ensure a quality recreational experience for all users.

# Shoreline Plan Fees & Environmental Improvement Program

V1 (5.5.2017)

## Guiding Principle

The Shoreline Plan will create a systemic link to the Environmental Improvement Program (EIP) areas: 1) Aquatic Invasive Species (AIS), 2) Recreation and 3) Fisheries.

## Background

The Steering Committee has discussed the importance of connecting the Shoreline Plan to environmental improvements needed to achieve environmental thresholds. The Committee discussed collecting fees from applicants as a contribution or cost share for above and beyond mitigation minimums toward identified EIP shoreline projects. The concern of the Steering Committee is that whatever funds might be generated through the shoreline plan may be a “drop in the bucket” as compared to EIP project and program needs.

The Steering Committee is asked to review the below information and recommend the preferred collection option(s) for EIP “above & beyond fees.” The fees will be incorporated into the fee schedule developed for the Shoreline Plan.

## EIP AIS, Recreation and Fisheries Program Overview

### Water Quality- AIS

The **Aquatic Invasive Species Program** is one of the highest priorities for TRPA, as it promotes Threshold attainment in Water Quality, Fisheries, and Recreation. The Program has three main components: **Prevention** of new species introduction, **Control** of existing species, including their spread to new locations within the Region, and **Early Detection and Rapid Response**.

### Prevention (Funded through States and Boat Inspection Fees)

After the discovery of quagga mussels in Lake Mead in 2007, a boat inspection and decontamination program was developed, which became mandatory for Lake Tahoe in 2009 for all motorized watercraft. Boat inspections are funded partly with public funds and partly through boater fees. Since the Program's inception, no new species introductions have been detected. The Program's success can be attributed to integrating science, collaboration, and the development of private and public partnerships with federal, state and local governments, private entities and non-governmental organizations. The Program has become a model for other regions eager to protect their aquatic resources.

### **Control (Unfunded Need \$8 million)**

Existing aquatic invasive species, introduced prior to the development of Lake Tahoe's AIS Program, such as Eurasian watermilfoil, Asian clams, and warm water fishes, have resulted in negative impacts to water quality, fisheries, recreation and scenic resources. These degraded systems face a growing threat which can result in the continued reductions in habitat for native plant and animal species, alter the natural food web and cause declines in water clarity. In addition, the economic impacts of these invasions could be substantial as they impair recreational opportunities and aesthetic values. The nearshore of Lake Tahoe, the ribbon of water along the shoreline essential to recreation and the user experience, is especially vulnerable to harmful impacts from invasive species.

In 2015, the AIS Coordinating Committee worked with scientists to develop an Implementation Plan, which provided a science-based strategic guide to controlling existing AIS. This plan resulted in an action list that provides a roadmap of prioritized control projects needed. There currently is not a sustainable funding source to support these projects. High priority locations include the Tahoe Keys, Ski Run Marina and Meeks Bay.

Program partners understand that many locations currently infested with Eurasian watermilfoil are marinas or enclosed areas, such as Ski Run Marina or the Tahoe Keys, as they thrive in relatively stagnant areas with little flow of water. Altering the design of marinas to allow for the increased flow of water is anticipated to restrict growth in currently infested locations, and reduce the likelihood of new establishments in locations that are currently free of Eurasian watermilfoil.

### **Early Detection & Rapid Response (Unfunded Need \$3 million)**

While the AIS Implementation Plan identifies areas with existing AIS, consistent monitoring is critical for Program partners to know existing conditions such as increases in density, expansion of a localized populations and spread of species to new locations. Without consistent monitoring, the utility of the Implementation Plan and action list becomes less helpful. Consistent monitoring will also allow partners to rapidly respond to new locations while they are still relatively small in size, increasing the likelihood of localized eradication.

The development of a monitoring plan is also needed that will identify the necessary frequency and diverse methods for effective monitoring of multiple species of concern. Because new technologies are rapidly becoming available, understanding these tools and how they can be used to complement each other will help ensure accuracy and

efficiency. The plan would bring consistency to monitoring that will be reliable and prevent ad hoc efforts, and could be updated as additional methods become available.

The current unfunded need for this focus area is estimated at \$11 million dollars over the next 5 years.

Example Projects currently listed in the AIS Implementation Plan Action List are:

Project	Unfunded Need
Aquatic Invasive Plants Rapid Response	\$300k
Lakewide NEPA/CEQA for new plant control techniques and warm water fish and bullfrog removal	\$350k
Emerald Bay Monitoring to Quickly Treat Newly Established Plant Infestations in Previously Treated Areas	\$108k

## Recreation

The Bi-State Compact emphasizes protecting, preserving, and enhancing the nationally significant recreational values of the Tahoe Basin, with an emphasis on increasing public access to Lake Tahoe and its shoreline. Lake Tahoe's abundant recreational opportunities serve residents and visitors from around the world, and drives the \$5 billion tourism based regional economy. Well-planned, designed, and coordinated recreation facilities are needed to provide high-quality visitor experiences while protecting Tahoe's unique natural resources.

The EIP has focused on bringing additional acres of natural lands and miles of Tahoe's shoreline into public ownership and enabled the implementation of new beach access, developed and retrofitted facilities, and recreational trails. However, public access and recreation facilities are overcrowded in many areas and remain limited in others creating a strain on fragile natural resources.

The primary elements of the EIP Recreation Program include:

- Improving Lake Access
- Developing a Comprehensive Trail System
- Improving Recreation Facilities
- Improving Educational Programs and Interpretive Facilities

A new Sustainable Recreation Working Group is currently in the beginning stages of forming a collaborative group to develop a coordinated vision moving forward and a priority list of projects to complete. Currently there are 26 EIP recreation projects all summarized within the “EIP Tracker” available at LTInfo.org, and are at various stages of planning, design, or implementation. More projects will likely be added through the project development work of the Sustainable Recreation Working Group.

Also, the California Tahoe Conservancy is in the preliminary stages of developing a Lake Tahoe Public Access Strategic Investment Plan. The concept is to direct public access funding investment over the next 5-10 years to both optimize use of existing facilities and to identify opportunities for additional public access, while considering the compatibility of public access in balance with environmental and public constraints. This plan could serve as a model to do the same for the Nevada side if necessary.

The current unfunded need for this focus area is estimated at \$25-\$50 million dollars over the next 5 years.

Example EIP Projects currently listed in the EIP Tracker at LTInfo.org in Planning/Design:

Project	Unfunded Need
Sand Harbor Autopay Kiosk and Entry Road Improvements	\$30k
Roundhill Pines Resort Entry Improvements	\$3 million
Lake Tahoe Water Trail Signage	\$23k

**Lake Tahoe Water Trail Project (Non-Motorized Boating)**

In 2007, as regional agencies recognized the rapid growth in paddle sports at Lake Tahoe, agencies agreed to collaborate on assessing this use and developing a “Framework” for actions to support non-motorized boating. As a result, the Lake Tahoe Non-Motorized Boat Working Group (Working Group) was formed to study, understand, and recommend strategies that specifically address the needs of this emerging user group. The Working Groups includes representatives from public agencies with lakefront land, boating responsibilities, or outdoor recreation interests, as well as paddling advocates and lakefront property owner representatives.

To help guide the “Framework” process and to evaluate paddler needs, the Working Group directed the first ever non-motorized boat user survey at Lake Tahoe in 2008. Using the survey results, and an intensive interviewing process of myriad stakeholders, the California Tahoe Conservancy compiled and prepared the *Lake Tahoe Non-Motorized Boating Framework: Study and Recommendations for Support, June 2011*. To

this day, the Working Group continues to use the 2011 Framework Study as an invaluable reference tool to guide discussion, review progress, and recommendations for ongoing capital improvements, management and operations, and education and outreach to address the needs of non-motorized boaters, public agencies, and stakeholders.

Priority Projects identified for 2017/2018 include:

Project	Unfunded Need
Lake Tahoe Water Trail Signage	\$23k
Kayak and Paddle Board Racks and Storage Facilities	unknown
Paddle Access/Wayfinding Symbol on Lake Tahoe Basin Highways	unknown
Promote Water Safety and Boating/Paddler Education	unknown

## **Fisheries**

The Fisheries Sub-Committee, a subcommittee of the Joint Fact Finding Committee, is recommending that modification to fisheries policy within the Shoreline Plan consider the development of an active adaptive management framework supported by a science-based monitoring regime that includes:

- a. No net loss of fish habitat.
- b. A study and monitoring program to confirm that the placement of new piers and buoys has limited impact (direct or via an interaction with non-native species) on native fish populations and that impacts are mitigated through design requirements.

In addition to the monitoring and mitigation described above, the Fisheries Sub-Committee is recommending the development of a coordinated regional work program to identify and address the drivers of native fish decline in Lake Tahoe and identify and evaluate the relative efficacy of interventions to promote recovery of impacted populations. A lake-wide fisheries study is not currently listed on the EIP project list.

## **Above and Beyond Mitigation**

The Steering Committee is asked to review the information below and recommend the preferred option(s) to implement EIP “above & beyond fees.” The fees will be incorporated into the fee schedule developed for the Shoreline Plan.

## **Fee Collection Opportunities**

The following are opportunities for collecting fees:

- 1) Buoys (one time buoy application and permit issuance fees)
- 2) Annual buoy/mooring fees
- 3) Low Lake Level Adaptation Anchors
- 4) One time pier application and mitigation fees (new piers or pier expansions)
- 5) AIS inspection station fees
- 6) Launch fees at public ramps
- 7) State Lands Lease fees (Note: In CA, this money is already used for Lake Tahoe projects, SB 630)
- 8) Rental boat fees at marinas

The fee schedule developed under the 2008 Shorezone Plan for Implementation, Enforcement, Monitoring, and Mitigation is provided as Attachment 1 for information and reference.

## **Considerations**

The following should be considered:

- 1) The collection of fees at public ramps may be difficult to because they are managed by local, state or federal agencies and would require state or federal authorization.
- 2) TRPA has committed to the States to maintain a 50/50 cost share of private and public dollars for AIS inspection fees.
- 3) TLOA has advocated for receiving credit for permit application fees paid under the 2008 Shorezone Plan.
- 4) TRPA will be making a budget request to the States of Nevada and California for FY 18/19 for Shoreline Program Implementation.

### 2008 Shorezone Program Fees

<b>2008 Shorezone Program</b>
<b>Implementation Program</b> Buoy Permitting Application Fees (\$500-\$250/buoy)
<b>Enforcement Program</b> (50% of \$175/\$100 per Mooring Annual Fee) and One Time Buoy Enforcement Fee (\$500)
<b>Monitoring Program</b> (30% of \$175/\$100 per Mooring Annual Fee)
<b>Blue Boating Implementation Program</b> Inspections, Education, Noise Reduction, Monitoring, & Enforcement (Approx. 50% of AIS/BB Inspection Fees)
<b>2008 Mitigation Fees</b>
<b>Scenic Mitigation Projects</b> (20% of \$175/\$100 per Mooring Annual Fee)
<b>Blue Boating Mitigation</b> Supplemental Control Measures (Approx. 20% of BB Sticker Fees)
<b>Lake Tahoe Public Access Mitigation for Private Piers</b> (\$100K per pier or \$20 per sq. ft.)

<b>2008 Buoy Fees</b>			
<b>Fee Type</b>	<b>Fee Amount</b>	<b>When Fee is Due</b>	<b>What Does Fee Fund</b>
<b>Application Fee</b>	\$500/Buoy 1-3 \$250/Buoy 4+	<b>At Time of Application</b>	<b>Project Review Costs</b>
<b>One-Time Fee [54.13.B(1)]</b>	\$500/buoy 2 and above (single use buoys)	<b>At Permit Issuance</b>	<b>Enforcement</b>
<b>Annual Registration Fee</b>	\$175/buoy/year (private)	<b>Every Two Years (10/15/09 or permit issuance)</b>	<b>50% Enforcement 30% AQ/WQ Monitoring 20% Scenic Improvements</b>
	\$100/buoy/year (public)	<b>Every Year (10/15/09 or permit issuance)</b>	