



Lake Tahoe Shoreline Plan

04 Policy Topic: Marinas

07.20.2016

Brief Description

Fourteen (14) marinas are located on Lake Tahoe: 12 in California and two in Nevada. They provide a range of services to local communities, including boat launches, boat slips, industrial activities (such as boat lifts and repairs), equipment rentals (personal watercraft, boats, paddle boards), and other general recreational activities. Marinas offer safe harbor for public health and safety allowing first responders to use their facilities to get injured parties off the Lake.

Marina owners and boaters report that the boating season is primarily in July and early August, ending when students return to school in mid-August.

Commercial Marinas

1. Camp Richardson Marina
2. Tahoe Keys Marina
3. Timber Cove Marina
4. Ski Run Marina
5. Lakeside Marina
6. Round Hill Pines Marina
7. Zephyr Cove Marina
8. Tahoe City Marina
9. Sierra Boat Company (Carnelian Bay)
10. North Tahoe Marina
11. Homewood Marina
12. Obexer's Boat Company (Homewood)
13. Meeks Bay Marina
14. Sunnyside Marina (2 miles south of Tahoe City)

Three marinas have Master Plans (Tahoe Keys Marina, Tahoe City Marina, and Ski Run Marina).

Private Harbors

Elk Point Marina is private and not part of the Marina Association. Elk Point Marina has a Master Plan that was adopted before current Master Plan regulations were put in place. Other private harbors exist around the lake.

Public Boating Facilities

A number of public boating facilities also exist around the lake. Boating facilities are being handled as a separate topic and are addressed in the Boating Facilities memo.

Action Items

Action Item	Date	Name
Provide feedback on marina definition	6/2016	Marina Association
Receive data from marina owners	6/1/2016	TRPA- Rebecca Cremeen
Marina Association look at existing ADA code to see if it suffices, or what else, if anything is needed.	6/15/2016	Marina Association
Develop a definition of private harbors	7/1/2016	TRPA staff and Steering Committee

Policy Issues to Consider in the Shoreline Plan

Operations - Lahontan Stormwater Permit

Lahontan is updating the General Permit for marinas in CA. The marinas are participating actively in the Lahontan process and have submitted comments. Depending on the outcome, the Shoreline Plan might need to address issues from the planning process.

Types of Use / Access

Definition: Needs Discussion & Confirmation

Members of the marina association are reviewing the definition of "marina" from the TRPA Code. Clarifying the definition is important to determine to whom codes / ordinances apply and for which activities. For example, Timber Cove has a pier that includes a restaurant; they also rent personal watercraft and other equipment. Is that a marina? Other questions include how to categorize "pop-up" operations providing boat or personal watercraft rentals off the side of the road and refueling on the lake.

Existing TRPA Code Definitions

Table 21.4-A: List of Primary Uses and Use Definitions

Marina: Establishments primarily providing water-oriented services, such as: yachting and rowing clubs; boat rentals; storage and launching facilities; sport fishing activities, excursion boat and sightseeing facilities; and other marina-related activities, including but not limited to fuel sales and boat and engine repair. Marinas contain water-oriented facilities and structures, which are regulated and defined in Chapter 81. Outside storage or display is included as part of the use. The use does not include condominiums, hotels, restaurants, and other such uses with accessory water-oriented, multiple-use facilities.

81.5.6. Marinas

Establishments providing water-oriented services, such as yachting and rowing clubs; boat rentals; storage and launching facilities; sport fishing activities; excursion boat and sightseeing facilities; and other marina-related activities, including, but not limited to, fuel sales and boat and engine repair.

Marina Recreational Uses (tentative list pending agreement on definition)

- Motorized Boating, Boat Launches, Slips and Buoys
- Industrial Activity: Boat Lifts, Boat Repairs, Travel Lifts -- work being done on boats
- Boat Rental
- Paddle Boards
- Personal Watercraft
- Swimming
- Parasailing
- Hot Air Balloon Launch
- Water Transit - Ferry

Not included as part of marinas in the shoreline plan:

- Charters: fishing and other commercial boats

Marina Master Plans

The Shoreline Steering Committee has recommended reviewing the existing guidelines to inform code developed during the Shoreline Plan. The underlying goal is environmental improvement in marina operations, whenever possible. The Shoreline Plan will review the guidelines to consider incentives or disincentives to master planning since that is a tool toward environmental improvement and supporting business. This could lead to proposals for revising master plan guidelines or potentially developing other avenues, such as special permits, to achieve this aim. TRPA would update the guidelines or develop some other permitting mechanism once the shoreline codes are set.

TRPA Code requires a Master Plan for marinas if a marina proposes an expansion that will result in more than ten new boat slips or ten new buoys (TRPA Code, Section 14.2.2.C). Master Plans are required to be developed pursuant to the 1990 Marina Master Plan Guidelines. Marina owners expressed an interest in having the guidelines updated. They also said that a Master Plan costs approximately \$1 million to prepare and therefore they suggest preparation is cost prohibitive for smaller marinas.

Dredging for Maintenance

Marinas recommend simplifying the process to consider dredging. Applying to multiple agencies is cumbersome. The TRPA Memorandum of Understanding (MOU) deferring to Lahontan as the lead agency is helpful.

CA State Lands is evaluating opportunities for coordination with other agencies within its permitting process, and the Steering Committee has suggested pursuing available opportunities to streamline permitting.

New Dredging

TRPA has a standard in place for “new dredging” that is more stringent than both federal and state standards for Lake Tahoe and other lakes in the region. TRPA Code, Section 84.15.3, requires TRPA to find that any “new dredging” be “beneficial to existing shorezone conditions or water quality and clarity.” As a result of this stringent standard, TRPA Governing Board has not considered “new dredging” since 1991, a year in which a prolonged drought brought Lake levels down to very low levels.

When Lake levels are low, marinas have capacity issues. The Truckee River Basin Study climate change scenarios anticipate low Lake levels more frequently and for longer periods of time in the future. The Steering Committee has suggested consideration of new dredging on a programmatic level as a low Lake level adaptation strategy in the Shoreline Plan, but not for specific projects. Marinas articulated that they need depth for navigable water, for some boats might require Lake levels at 6214 and 6215.

Buoys and Moving Buoy Fields

Marinas suggested flexibility to move buoy fields when water levels drop. They would like the permitting process for moving buoy fields simplified. Marinas would prefer approval from one agency rather than multiple and expressed preference for TRPA because it is local and doesn't require a trip elsewhere, but are open to either TRPA or State Lands. Time sensitivity of applications is also important since the boating season is relatively short (July-August). Concerns were expressed with CA State Lands only having

a meeting every other month where they could approve a buoy field relocation. They suggested CA State Lands revising their procedures to allow for buoy field relocations to be approved at a staff level. At the Shoreline Review Committee meeting, coordination of buoy field relocations is also being discussed. CDFW expressed concerns with moving rows of anchors because of potential impacts to fisheries and water quality and clarity. One solution discussed was allowing for a second row of anchors on the Lake side of the buoy field and allowing for marina owners to move buoy floats when Lake levels drop. A single permit/lease may be preferred to allow for flexibility in buoy field relocation.

Americans with Disability Act Exemptions

Marina owners asked that ADA coverage exemptions be made for Marinas. To be in compliance with ADA, marinas often need increased coverage to change structures to accommodate slopes of facilities and to accommodate ADA needs in low water years. TRPA staff looked into this request and have found that the following TRPA code provisions could be applied to marinas. Further exploration of the ADA issue may be necessary.

30.4.6. Exemptions and Partial Exemptions from Calculation of Land Coverage

C. Americans with Disability Act (ADA) Compliance

Land coverage underlying building access ramps and other facilities that are required to be installed by the ADA are exempt from the calculation of land coverage, subject to the following limitations:

1. This exemption shall apply only to ADA facilities that are constructed on or after January 1, 2013 to serve buildings that were constructed before January 1, 2013;
2. The ADA facilities shall be constructed with the minimum amount of new coverage necessary to provide required access to buildings;
3. Where new coverage is required, pervious decking or other pervious surfaces shall be used wherever possible;
4. Facilities shall be constructed on non-sensitive land wherever possible;
5. This exemption shall not apply to land coverage associated with vehicle use, such as parking spaces;
6. This exemption shall not apply to single-family dwellings or multiple-family dwellings with three or fewer units; and
7. Parcels shall have a BMP Certificate to qualify for this exemption.

Capacity

All of the marina owners report that they have waiting lists and high demand for tenancy in their marinas. Marina owners suggest that adding slips is very expensive, but creating other boat storage, such as racks, is a great way to add capacity without adding slips and helps reduce scenic impacts. For example, marina owners suggested adding 3 bays in a building for every slip.

Marinas provide managed storage for boats. Marina owners said that a number of boats sunk in Lake Tahoe last year, which is detrimental to the lake. Marina owners believe that creating more capacity through marinas protects the lake environment by preventing boat sinking and other poor practices, recognizing that scenic issues must be addressed.

Marinas have a set number of tenants and don't readily allow the general public to launch boats, primarily because of parking constraints. Therefore, capacity issues related to boat launching over weekends and holidays are not a main issue for marinas. Such boat launch capacity issues would apply more to other public launches.

Parking is a limitation for marinas generally and specifically for moorage and launching. The parking kiosks won't allow entry once the lots are full. Parking needs are complicated because, in certain areas, people walk to the marinas from nearby hotels or accommodations. For example, approximately 80% of people staying in the casinos walk. The environmental document would consider a certain number of launches associated with parking facilities.

The Shoreline Plan Steering Committee suggested looking at several categories related to capacity:

Storage Facilities & Moorage

Considering the possibility of expanding storage options. There is a question whether this is within the shoreline plan scope or more appropriate as a site-specific consideration.

Launching

Without additional parking, marinas will find it difficult to expand launches significantly.

Service

Marinas provide services, such as lunch, fuel, and pump outs.

Related Policy Issues

Runoff

Marina owners suggested that success in managing stormwater runoff is the responsibility of the marina owners, as well as other agencies (CalTrans, local jurisdictions, GIDs, etc.).

Aquatic Invasive Species (AIS)

AIS planning and management is a separate effort that will be taken into consideration during the shoreline planning process.

Public Marina / Private Facility

As marinas have done dredging in the last 25 years, they have signed on to an agreement that confirms that they are private facilities that serve the public.

Questions for Joint Fact-Finding

Many of the questions and facts tied to access and capacity, low lake level adaptation, boating impacts, and fish habitat will also be relevant to inform policy on marinas. Other questions specific to marinas include:

Marinas

- What is the best available data to estimate existing and unmet demand for boat moorage and launching at marinas?
- What is the existing marina inventory of services (fueling, pump out, restrooms, etc.) and what is the best available data to indicate unmet demand?
- What type of access (motorized/non-motorized) is provided at the different marinas?
- Which marinas provide both public and private access to the lake?
- How many marinas currently experience moorage and launching issues during low lake elevations?

Parking

- Is there enough parking to meet demand?

Existing Data, Information & Science

Confirm Existing Marina Capacity

Boat slips: marina owners are reviewing the existing data.

Fueling Stations

Pump-out Facilities: stationary and portable.

Boating Use

Launch data: marina owners noted that some boats have slips and so may only launch one time each year. Other boats are on racks and may launch five times each week. This complicates use data. Marina owners are reviewing data on the number of permitted spaces and number of boat launches to help estimate boat use.

Existing Codes

TRPA has a number of codes and ordinances related to marinas. Code revisions will be recommended in fall 2016.